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STATUTORY INSTRUMENTS

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**2020 No. 4**

**The Police (Conduct) Regulations 2020**

**PART 2**

General

**[<sup>F1</sup>Conflicts of interest: disciplinary proceedings**

**12A.**—(1) A responsible authority that is aware that relevant circumstances exist in relation to a person must not—

- (a) appoint that person to a regulated position; or
  - (b) delegate the responsibility for chairing or conducting disciplinary proceedings to that person under regulation 2(4A).
- (2) A responsible authority that has—
- (a) appointed a person to a regulated position; or
  - (b) delegated the responsibility for chairing or conducting disciplinary proceedings to a person under regulation 2(4A),

must, without delay after becoming aware that relevant circumstances exist in relation to the person, replace that person (in accordance with regulation 8, 28, 45 or 55), or, as the case may be, delegate responsibility for chairing or conducting the disciplinary proceedings to another person in accordance with regulation 2(4B) or, as the case may be, 2(4B) and (4C).

(3) A chief officer of police required to chair or conduct disciplinary proceedings under regulation 28(4)(a) or 55(1), who is, or becomes, aware that any relevant circumstances exist in relation to themselves must, without delay, delegate the responsibility for chairing or conducting disciplinary proceedings in accordance with regulation 2(4B) or, as the case may be, 2(4B) and (4C).

(4) The delegations required by paragraph (2) and (3) are to be treated as having been done under regulation 2(4A).

(5) A person who is aware of any relevant circumstances that exist in relation to themselves must not take up or act in a regulated position.

(6) A person other than a chief officer of police required to chair or conduct disciplinary proceedings under regulation 28(4)(a) or 55(1) who becomes aware of any relevant circumstances that exist in relation to themselves after having taken up a regulated position must inform the responsible authority of those relevant circumstances without delay.

(7) A person who becomes aware of any relevant circumstances that exist in relation to themselves must inform the responsible authority of those relevant circumstances without delay if the person is aware of the possibility of—

- (a) the responsibility for chairing or conducting misconduct proceedings being delegated to them under regulation 2(4A); or
- (b) being appointed to a regulated position.

(8) In this regulation a “regulated position” is—

- (a) chairing or conducting disciplinary proceedings;
  - (b) chairing or conducting a misconduct meeting or an appeal meeting;
  - (c) acting as an adviser appointed under regulation 8(6); or
  - (d) acting as an adviser appointed under regulation 28(5B) or 55(4A).
- (9) In this regulation—
- “responsible authority” means—
- (a) in relation to the delegation of responsibility for chairing or conducting disciplinary proceedings under regulation 2(4A), a chief officer of police;
  - (b) in relation to the appointment of a person to a regulated position, the person or body who is to make the appointment;
- “relevant circumstances” mean circumstances, in relation to a person, that give rise, or may reasonably be considered to give rise, to a conflict of interest in relation to the person’s functions in respect of the disciplinary proceedings.]

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**Textual Amendments**

- F1** Reg. 12A inserted (7.5.2024) by [The Police \(Conduct\) \(Amendment\) Regulations 2024 \(S.I. 2024/521\)](#), regs. 1(2), **4(2)** (with reg. 7)

**Changes to legislation:**

There are currently no known outstanding effects for the The Police (Conduct) Regulations 2020, Section 12A.