
STATUTORY INSTRUMENTS

2024 No. 521

The Police (Conduct) (Amendment) Regulations 2024

Amendments relating to conflicts of interest

- 4.—(1) In regulation 2(1) (interpretation and delegation), omit the definition of “interested party”.
(2) After regulation 12, insert—

“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.”

- (3) In regulation 15 (appointment of investigator), after paragraph (4), insert—

“(5) In this regulation, “interested party” means a person whose appointment could reasonably give rise to a concern as to whether a person could act impartially under these Regulations.”

- (4) In regulation 28(1) (persons conducting misconduct proceedings), in sub-paragraph (a), omit “who is not an interested party”.

- (5) In regulation 45(4), (appeal from misconduct meeting: officers other than senior officers), in the words after sub-paragraph (b), omit “who is not an interested party,”.