STATUTORY INSTRUMENTS

2025 No. 558

POLICE, ENGLAND AND WALES

The Police (Conduct, Performance and Complaints and Misconduct) (Amendment) Regulations 2025

Made - - - -	*6th May 2025*
Laid before Parliament	*7th May 2025*
Coming into force - -	*28th May 2025*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 50(1), (2)(c), (e) and (f), (3), (3A), (4) and (7), 51(1), (2)(ba) and (c), (2A), (2B), (3A) and (4) and 85(3) of the Police Act 1996(**a**), section 23(1) and (2) of the Police Reform Act 2002(**b**) and section 29(7) of the Policing and Crime Act 2017(**c**).

In accordance with sections 50(2ZC) and 51(2ZD) of the Police Act 1996(**d**), and in so far as these Regulations relate to matters specified in those sections, the text of these Regulations has been approved by the College of Policing.

In accordance with section 63(3)(a) of the Police Act 1996(**e**), the Secretary of State has supplied the Police Advisory Board for England and Wales with a draft of these Regulations and has taken into consideration the representations made by that Board before making these Regulations.

(**a**) 1996 c. 16. Section 50(3) was substituted by paragraph 3(2) of Schedule 22 to the Criminal Justice and Immigration Act 2008 (c. 4) ("the 2008 Act"). Section 50(3A) was inserted by section 29(2) of the Policing and Crime Act 2017 (c. 3) ("the 2017 Act") and amended by paragraph 65 of Schedule 9 to the 2017 Act. Section 50(4) was amended by paragraph 3(3) of Schedule 22 to the 2008 Act and paragraph 32 of Schedule 16 to the Police Reform and Social Responsibility Act 2011 (c. 13) ("the 2011 Act"). Section 51(2)(ba) was inserted by section 35 of the Police Reform Act 2002 (c. 30) ("the 2002 Act") and amended by paragraph 4(2) of Schedule 22 to the 2008 Act. Section 51(2A) was inserted by paragraph 4(3) of Schedule 22 to the 2008 Act. Section 51(2B) was inserted by section 29(3) of the 2017 Act and amended by paragraph 65 of Schedule 9 to the 2017 Act. Section 51(3A) was inserted by section 128(1) of the Police Act 1997 (c. 50) and amended by paragraph 33 of Schedule 16 to the 2011 Act.

(**b**) 2002 c. 30. Section 23(2) was amended by paragraph 9 of Schedule 12 to the Serious Organised Crime and Police Act 2005 (c. 15) ("the 2005 Act"), paragraph 2 of Schedule 23 to the 2008 Act, paragraph 288 of Schedule 16 to the 2011 Act and section 23(1) of, and paragraph 5 of Schedule 4, paragraph 47 of Schedule 5 and paragraphs 15 and 31 of Schedule 9 to, the 2017 Act.

(**c**) 2017 c. 3.

(**d**) Section 50(2ZC) was inserted by section 123(1) of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 12) ("the 2014 Act") and amended by section 48(6) of the 2017 Act. Section 51(2ZD) was inserted by section 123(2) of the 2014 Act. Section 123 of the 2014 Act was the subject of a correction slip published on 4th August 2014.

(**e**) Section 63(3) was substituted by paragraph 78(3) of Schedule 4 to the 2005 Act. Relevant amendments to section 63(3) were made by paragraph 6(2) of Schedule 22 to the 2008 Act, section 10(3)(b) of the Policing and Crime Act 2009 (c. 26) and sections 123(4) and 133(2) of the 2014 Act.

In accordance with section 24 of the Police Reform Act 2002(**a**), the Secretary of State has consulted with the Office, the Director General(**b**), such persons as appear to the Secretary of State to represent the views of police and crime commissioners, the Mayor's Office for Policing and Crime, the Common Council, the National Police Chiefs' Council(**c**) and such other persons as the Secretary of State thinks fit.

PART 1

Introductory provisions

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Police (Conduct, Performance and Complaints and Misconduct) (Amendment) Regulations 2025 and come into force on 28th May 2025.

(2) These Regulations extend to England and Wales.

PART 2

Amendment of the Police Regulations 2003

Amendment of the Police Regulations 2003

2. The Police Regulations 2003(**d**) are amended in accordance with regulations 3 and 4.

Amendment to regulation 12 (probationary service)

3. In regulation 12, for paragraph (1) substitute—

"(1) Subject to paragraphs (2) and (3)—

(a) a member of a police force other than a rejoiner member—

(i) appointed in the rank of constable, other than such a member who transferred to the force from another police force having completed the required period of probation therein;

(ii) in the case of a DE inspector, appointed in the rank of inspector, or

(iii) in the case of a DE superintendent, appointed in the rank of superintendent, or

(b) a special constable,

must be on probation for such period as the Secretary of State must determine in respect of such appointments.".

Amendments to regulation 13 (discharge of probationer)

4.—(1) Regulation 13 is amended as follows.

(**a**) Section 24 was amended by paragraph 12 of Schedule 4 to the Police and Justice Act 2006 (c. 40), paragraphs 277 and 289 of Schedule 16 to the 2011 Act and paragraphs 15 and 32 of Schedule 9, and paragraphs 6 and 7 of Schedule 14, to the 2017 Act.

(**b**) Section 29(1) of the 2002 Act defines "the Office" and "the Director General". The definitions were inserted by paragraph 40(2) of Schedule 9 to the 2017 Act.

(**c**) Section 101(1) of the Police Act 1996 defines "police and crime commissioner", "Mayor's Office for Policing and Crime", "Common Council" and "the National Police Chiefs' Council". The definitions were inserted by section 96(2) of the 2011 Act and paragraph 1(3) of Schedule 14 to the 2017 Act.

(**d**) S.I. 2003/527; relevant amending instruments are S.I. 2011/3026, 2014/2372, 2016/798 and 2018/1191.

(2) In paragraph (1)—

(a) after "constable", in each place it occurs, insert ", special constable";

(b) for "become" substitute "be".

(3) In paragraph (3), after "constable's" insert ", special constable's".

(4) After paragraph (4) insert—

"(5) Subject to paragraph (6), a chief officer may delegate their functions under paragraph (1) to a—

(a) senior officer;

(b) former senior officer, who last served as a senior officer no more than five years before the date on which any functions under this regulation are to be delegated to them, or

(c) police staff member who, in the opinion of the chief officer, is of at least a similar level of seniority to a senior officer.

(6) Paragraph (5) does not apply to the function of dispensing with the services of a rejoiner member who is a senior officer.

(7) In this regulation—

(a) "senior officer" means a member of a police force holding a rank above that of chief superintendent or who is required to perform the duties normally performed by a member of a police force holding a rank above that of chief superintendent;

(b) "former senior officer" includes a person who, at the time they ceased to be a member of a police force, was required to perform the duties normally performed by a member of a police force holding a rank above that of chief superintendent.".

PART 3

Amendment of the Police (Conduct) Regulations 2020

Amendment of the Police (Conduct) Regulations 2020

5. The Police (Conduct) Regulations 2020(**a**) are amended in accordance with regulations 6 to 17 and the Schedule.

Amendments to regulation 2 (interpretation and delegation)

6.—(1) Regulation 2 is amended as follows.

(2) In paragraph (1)—

(a) after the definition of "the Police Regulations" insert—

""the Vetting Regulations" means the Police (Vetting) Regulations 2025(**b**);";

(b) after the definition of "criminal proceedings" insert—

""designated police volunteer" means a person designated as a community support volunteer or a policing support volunteer under section 38(1A) of the Police Reform Act 2002;";

(**a**) S.I. 2020/4; relevant amending instruments are S.I. 2022/505 and 2024/521.
(**b**) S.I. 2025/502.

(c) in the definition of "gross misconduct", after "as to justify dismissal" insert ", and for the purposes of these Regulations conduct which has resulted in conviction of an indictable-only offence is to be taken to constitute such a breach";

(d) in the definition of "misconduct hearing", for "whether", in the second place it occurs, substitute ", if it amounts to misconduct or gross misconduct, what";

(e) in the definition of "misconduct meeting", for "whether", in the second place it occurs, substitute ", if it amounts to misconduct, what".

(3) After paragraph (2) insert—

"(2A) For the purposes of these Regulations, an offence is an "indictable-only" offence if—

(a) in the case of an offence under the law of England and Wales or Northern Ireland, it is an offence which, if committed by an adult, is triable only on indictment;

(b) in the case of an offence under the law of Scotland, it is an offence triable only on indictment.".

(4) After paragraph (4C) insert—

"(4D) For the purposes of paragraph (4B)—

(a) "senior officer" includes a member of a police force who is required to perform the duties normally performed by a member of a police force holding a rank above that of chief superintendent;

(b) "former senior officer" includes a person who, at the time they ceased to be a member of a police force, was required to perform the duties normally performed by a member of a police force holding a rank above that of chief superintendent.".

Amendment to regulation 4 (application)

7. In regulation 4(2), for "Except" substitute "Subject to paragraph (6) and except".

Amendments to regulation 9 (provision of notices or documents)

8.—(1) Regulation 9 is amended as follows.

(2) The existing text becomes paragraph (1).

(3) In that paragraph—

(a) in the opening words, for "Where" substitute "Subject to paragraph (2), where";

(b) for sub-paragraph (b) substitute—

"(b) sent to the officer by e-mail or other means of electronic communication;".

(4) After that paragraph insert—

"(2) Where it is not reasonably practicable to give or supply a written notice or document to the officer concerned under paragraph (1)(a) or (b) and there is no agreement under paragraph (1)(c) or (d), the written notice or document must be—

(a) left with a person at the officer's last known address, or

(b) sent to the officer's last known address by first class post by recorded delivery or other service which provides for delivery on the next working day ("by post").

(3) Where a written notice or document is sent by e-mail or other means of electronic communication, it is to be taken to have been given or supplied to the officer concerned—

(a) if the e-mail or other electronic transmission is sent on a working day before 4.30 p.m., on that day, or

(b) in any other case, on the next working day after the day on which it was sent.

(4) Where a written notice or document is sent by post, it is to be taken to have been given or supplied to the officer concerned—

(a) on the second day after it was posted, left with, delivered to or collected by the relevant service provider, provided that day is a working day, or

(b) in any other case, on the next working day after the day on which it was posted, left with, delivered to or collected by the relevant service provider.".

Amendments to regulation 14 (severity assessment)

9.—(1) Regulation 14 is amended as follows.

(2) In paragraph (2), after sub-paragraph (a) insert—

"(aa) the matter should be referred to be dealt with under the Vetting Regulations;".

(3) In paragraph (3), after "(2)(a)" insert ", (aa)".

(4) In paragraph (7), after "process" insert ", the Vetting Regulations".

Amendment to regulation 15 (appointment of investigator)

10. In regulation 15(3), omit the "or" after sub-paragraph (c).

Amendments to regulation 21 (report of investigation)

11.—(1) Regulation 21 is amended as follows.

(2) In paragraph (2)(d), after "under", in the second place it occurs, insert "the Vetting Regulations,".

(3) In paragraph (4)(c), after "under" insert "the Vetting Regulations,".

Amendment to regulation 23 (referral of case to misconduct proceedings)

12. In regulation 23(5)(b), after "under" insert "the Vetting Regulations or".

Amendments to regulation 27 (withdrawal of misconduct proceedings)

13.—(1) Regulation 27 is amended as follows.

(2) In paragraph (2)(a)(iii), after "under" insert "the Vetting Regulations or".

(3) In paragraph (3), after "under" insert "the Vetting Regulations or".

Amendment to regulation 28 (persons conducting misconduct proceedings)

14. In regulation 28(5F), for "the recommendation" substitute "the appropriate authority makes the notification".

Amendments to regulation 42 (outcome of misconduct proceedings)

15.—(1) Regulation 42 is amended as follows.

(2) For paragraph (1) substitute—

"(1) Subject to the provisions of this regulation, where the person or persons conducting the misconduct proceedings find that the conduct of the officer concerned amounts to misconduct or gross misconduct, they must impose disciplinary action mentioned in paragraph (2) or (3) as appropriate.

(1A) Subject to the provisions of this regulation, where the person or persons conducting the misconduct proceedings find that the conduct of the officer concerned amounts to neither misconduct nor gross misconduct, they must—

(a) direct that the matter is referred to be dealt with under the reflective practice review process, or

(b) take no further action.".

(3) In paragraph (3)—

(a) in sub-paragraph (a)—

(i) for "person conducting or chairing" substitute "person or persons conducting";

(ii) for "decides" substitute "decide";

(b) in sub-paragraph (b)—

(i) for "person conducting or chairing" substitute "person or persons conducting";

(ii) for "decides" substitute "decide";

(iii) for paragraphs (i) to (iii) substitute—

"(i) dismissal without notice, or

(ii) if the person or persons conducting the misconduct proceedings are satisfied that there are exceptional circumstances which justify it—

(aa) a final written warning, or

(bb) reduction in rank.".

Amendment to regulation 49 (referral of case to accelerated misconduct hearing)

16. In regulation 49, before paragraph (1) insert—

"(A1) Subject to paragraph (A2), after receipt of the investigator's report under regulation 21(1), the appropriate authority may at any time determine whether the special conditions are satisfied.

(A2) Where the case is referred to misconduct proceedings, the appropriate authority must not make a determination under paragraph (A1) on or after the date of the misconduct meeting or misconduct hearing.".

Amendments to regulation 62 (outcome of accelerated misconduct hearing)

17.—(1) Regulation 62 is amended as follows.

(2) In paragraph (1)—

(a) in the opening words—

(i) for "person conducting or chairing" substitute "person or persons conducting";

(ii) for "finds" substitute "find";

(iii) for "may be" substitute "must be";

(b) for sub-paragraphs (a) to (c) substitute—

"(a) dismissal without notice, or

(b) if the person or persons conducting the accelerated misconduct hearing are satisfied that there are exceptional circumstances which justify it—

(i) a final written warning, or

(ii) reduction in rank.";

(3) In paragraph (8)—

(a) for "person conducting or chairing" substitute "person or persons conducting";

(b) for "finds" substitute "find".

(4) In paragraph (12)—

(a) for "person conducting or chairing" substitute "person or persons conducting";

(b) for "person considers" substitute "person or persons consider".

PART 4

Amendment of the Police (Performance) Regulations 2020

Amendment of the Police (Performance) Regulations 2020

18. The Police (Performance) Regulations 2020(**a**) are amended in accordance with regulations 19 to 55.

Amendment to regulation 4 (interpretation and delegation)

19. In regulation 4(1)—

(a) after the definition of "the Conduct Regulations" insert—

""the Vetting Regulations" means the Police (Vetting) Regulations 2025;

"appeal manager", in relation to the officer concerned, means the person appointed by the appropriate authority to that role for the purposes of these Regulations, being of a rank or level of seniority which is above that of the line manager of the officer;";

(b) in the definition of "proposed witness", for "third stage meeting" substitute "second stage meeting";

(c) omit the definition of "relevant terms of the final written improvement notice";

(d) omit the definition of "second line manager";

(e) omit the definition of "second stage appeal meeting";

(f) in the definition of "second stage meeting", for "regulation 22(2) or 24(5)(e)" substitute "regulation 30(2) or 32(3)";

(g) for the definition of "senior manager" substitute—

""senior manager", in relation to the officer concerned, means the police officer or police staff member appointed by the appropriate authority to that role for the purposes of these Regulations, being of at least the same rank or level of seniority as the person who is the appeal manager of the officer;";

(h) omit the definition of "third stage meeting".

(**a**) S.I. 2020/3, amended by S.I. 2022/505.

Amendments to regulation 6 (legal and other representation)

20.—(1) Regulation 6 is amended as follows.

(2) In paragraph (1), for "third stage meeting" substitute "second stage meeting".

(3) In paragraph (4), for "third stage meeting" substitute "second stage meeting".

Amendments to regulation 7 (provision of notices or documents)

21.—(1) Regulation 7 is amended as follows.

(2) The existing text becomes paragraph (1).

(3) In that paragraph—

(a) in the opening words, for "Where" substitute "Subject to paragraph (2), where";

(b) for sub-paragraph (b) substitute—

"(b) sent to the officer by e-mail or other means of electronic communication;".

(4) After that paragraph insert—

"(2) Where it is not reasonably practicable to give or supply a written notice or document to the officer concerned under paragraph (1)(a) or (b) and there is no agreement under paragraph (1)(c) or (d), the written notice or document must be—

(a) left with a person at the officer's last known address, or

(b) sent to the officer's last known address by first class post by recorded delivery or other service which provides for delivery on the next working day ("by post").

(3) Where a written notice or document is sent by e-mail or other means of electronic communication, it is to be taken to have been given or supplied to the officer concerned—

(a) if the e-mail or other electronic transmission is sent on a working day before 4.30 p.m., on that day, or

(b) in any other case, on the next working day after the day on which it was sent.

(4) Where a written notice or document is sent by post, it is to be taken to have been given or supplied to the officer concerned—

(a) on the second day after it was posted, left with, delivered to or collected by the relevant service provider, provided that day is a working day, or

(b) in any other case, on the next working day after the day on which it was posted, left with, delivered to or collected by the relevant service provider.".

Amendments to regulation 8 (procedure at meetings under these Regulations)

22.—(1) Regulation 8 is amended as follows.

(2) In paragraph (1)—

(a) in the opening words, for "third stage meeting" substitute "second stage meeting";

(b) in sub-paragraph (b), for "third stage meeting" substitute "second stage meeting".

(3) In paragraph (2), for "third stage meeting" substitute "second stage meeting".

(4) In paragraph (3)(a)(v), for "third stage meeting" substitute "second stage meeting".

(5) In paragraph (5), in both places that it occurs, for "third stage meeting" substitute "second stage meeting".

(6) In paragraph (7), for "third stage meeting" substitute "second stage meeting".

(7) In paragraph (9)—

(a) in sub-paragraph (a), omit ", 23(8), 27(6)(b)";

(b) in sub-paragraph (b), omit "23(2),".

Amendments to regulation 9 (nominated persons)

23.—(1) Regulation 9 is amended as follows.

(2) In paragraph (1), for "second line manager" substitute "appeal manager".

(3) In paragraph (2), for "second line manager" substitute "appeal manager".

(4) In paragraph (3), for "second line manager" substitute "appeal manager".

(5) In paragraph (4), for "or equivalent rank or grade" substitute "rank or level of seniority".

(6) In paragraph (5) for "a second line manager" substitute "an appeal manager".

Amendments to regulation 10 (reference to certain periods)

24.—(1) Regulation 10 is amended as follows.

(2) For paragraph (2) substitute—

"(2) The regulations are—

(a) regulation 17(6A), and

(b) regulation 46(7A) and (8)(a)(i).".

(3) In paragraph (4), for "under", in the second place it occurs, substitute "in accordance with".

Amendment to regulation 11 (suspension of certain periods)

25. In regulation 11(2)—

(a) in sub-paragraph (a), for "regulation 17(6)(c)" substitute "regulation 17(6A)";

(b) in sub-paragraph (b), at the end insert "or 46(7)(d)";

(c) omit sub-paragraphs (c) and (d);

(d) in sub-paragraph (e), for "under regulation 46(7)(c), (d) or (8)(a)" substitute "in accordance with regulation 46(7A) or (8)(a)(i)";

(e) in sub-paragraph (f), for "final written improvement notice" substitute "written improvement notice".

Amendments to regulation 12 (meeting following investigation under Schedule 3 to the 2002 Act)

26.—(1) Regulation 12 is amended as follows.

(2) In paragraph (1), in the opening words, omit ", (3)".

(3) In paragraph (2)(b), after "regulation 18(4) or 46(7)(d)," insert "or, where the period of the written improvement notice has been extended under regulation 46(3)(d), within the meaning of regulation 46(8)(c),".

(4) Omit paragraph (3).

(5) In paragraph (6)—

(a) at the end of sub-paragraph (a) insert "and";

(b) omit sub-paragraph (b) and the "and" after it;

(c) in sub-paragraph (c), for "third stage meeting" substitute "second stage meeting".

(6) In paragraph (7), in the opening words, omit ", 23(2)".

(7) In paragraph (8)—

(a) in the opening words—

(i) for "third stage meeting" substitute "second stage meeting";

(ii) for "paragraph (3)" substitute "paragraph (2)";

(iii) for "final written improvement notice" substitute "written improvement notice";

(b) in sub-paragraph (a), for "third stage meeting" substitute "second stage meeting".

Amendment to regulation 13 (provision of information to the Director General)

27. In regulation 13(2)—

(a) in sub-paragraph (a)—

(i) omit paragraphs (iii) to (v);

(ii) in paragraph (viii), for "final written improvement notice" substitute "written improvement notice";

(b) in sub-paragraph (b), for "25(6)(c) or 46(7)(c) or (8)(a)" substitute "46(7A) or (8)(a)(i)".

Amendments to regulation 14 (meeting following referral under the Conduct Regulations)

28.—(1) Regulation 14 is amended as follows.

(2) In the heading, after "Regulations" insert "or the Vetting Regulations".

(3) Before paragraph (1) insert—

"(A1) This regulation applies where regulation 32 does not apply and—

(a) the appropriate authority assesses under regulation 14(2)(b), 23(5)(b) or 27(2)(a)(iii) of the Conduct Regulations that a matter should be referred to be dealt with under these Regulations, or

(b) the vetting authority assesses under regulation 15(2)(a), 22(5)(a) or 24(1)(b) of the Vetting Regulations that a matter should be referred to be dealt with under these Regulations.".

(4) In paragraph (1)—

(a) for the opening words substitute "Where this regulation applies—";

(b) in sub-paragraph (a), omit ", (3)";

(c) in sub-paragraph (b)(i)—

(i) for "each of paragraphs (2)(a) and (3)(a)" substitute "paragraph (2)(a)";

(ii) for "(1)(c) or (d)" substitute "(1)(b)(iii), (iv) or (v)";

(iii) for "14(1)" substitute "14(A1)";

(d) in sub-paragraph (b)(ii), for "14(2)(a)" substitute "14(1)(a)";

(e) in sub-paragraph (b)(iv)—

(i) for "(c)" substitute "(e)";

(ii) after "Conduct Regulations" insert "or the assessor's report submitted under regulation 23 of the Vetting Regulations".

(5) For paragraph (2) substitute—

"(2) In this regulation—

(a) "investigator" is to be construed in accordance with the definition of that word in regulation 2(1) of the Conduct Regulations, and

(b) "assessor" and "vetting authority" are to be construed in accordance with the definitions of those words in regulation 2(1) of the Vetting Regulations.".

Amendment to regulation 16 (arrangement of first stage meeting)

29. In regulation 16(1)(d), for ", a second stage meeting and a third stage meeting" substitute "and a second stage meeting".

Amendments to regulation 17 (procedure at first stage meeting)

30.—(1) Regulation 17 is amended as follows.

(2) In paragraph (6)—

(a) in sub-paragraph (c)—

(i) for "such reasonable period as the line manager specifies (being a period not exceeding 12 months)" substitute "such period as the line manager specifies in accordance with paragraph (6A)";

(ii) for "regulation 22" substitute "regulation 30";

(b) in sub-paragraph (e), for "regulation 22" substitute "regulation 30".

(3) After paragraph (6) insert—

"(6A) The period specified must be three months, except where the line manager considers that there are circumstances which justify a longer period, in which case the period specified must be a reasonable period not exceeding 12 months.".

Amendment to regulation 18 (procedure following first stage meeting)

31. In regulation 18(6)(b), for "second line manager" substitute "appeal manager".

Amendments to regulation 19 (appeal against the finding and outcome of a first stage meeting)

32.—(1) Regulation 19 is amended as follows.

(2) In paragraph (3)(c), for "regulation 17(6)(c)" substitute "regulation 17(6A)".

(3) In paragraph (5), for "second line manager" substitute "appeal manager".

(4) In paragraph (7), for "second line manager" substitute "appeal manager".

(5) In paragraph (8), for "second line manager" substitute "appeal manager".

(6) In paragraph (9), in both places that it occurs, for "second line manager" substitute "appeal manager".

Amendments to regulation 20 (arrangement of first stage appeal meeting)

33.—(1) Regulation 20 is amended as follows.

(2) In paragraph (1)—

(a) in the opening words, for "second line manager" substitute "appeal manager";

(b) in sub-paragraph (b), for "second line manager" substitute "appeal manager".

(3) In paragraph (2), for "second line manager" substitute "appeal manager".

(4) In paragraph (3), for "second line manager" substitute "appeal manager".

(5) In paragraph (5)(b), for "second line manager" substitute "appeal manager".

(6) In paragraph (6), for "second line manager" substitute "appeal manager".

Amendments to regulation 21 (procedure at first stage appeal meeting)

34.—(1) Regulation 21 is amended as follows.

(2) In paragraph (2), for "second line manager" substitute "appeal manager".

(3) In paragraph (3), for "second line manager" substitute "appeal manager".

(4) In paragraph (5), in the opening words, for "second line manager" substitute "appeal manager".

(5) In paragraph (6), in the opening words, for "second line manager" substitute "appeal manager".

(6) In paragraph (7), in both places that it occurs, for "second line manager" substitute "appeal manager".

(7) In paragraph (8), in both places that it occurs, for "second line manager" substitute "appeal manager".

(8) In paragraph (9), for "second line manager's" substitute "appeal manager's".

(9) In paragraph (10)—

(a) in the opening words, for "second line manager" substitute "appeal manager";

(b) in the closing words, for "second line manager" substitute "appeal manager".

Omission of Part 4 (second stage)

35. Omit Part 4.

Amendment to heading to Part 5 (third stage)

36. In the heading to Part 5, for "Third Stage" substitute "Second Stage".

Amendments to regulation 30 (assessment following second stage meeting)

37.—(1) Regulation 30 is amended as follows.

(2) In the heading, for "second stage meeting" substitute "first stage meeting".

(3) In paragraph (1)—

(a) in the opening words—

(i) for "final written improvement notice" substitute "written improvement notice";

(ii) for "regulation 25(6)(c)" substitute "regulation 17(6A)";

(b) in paragraph (a), for "second line manager" substitute "appeal manager".

(4) In paragraph (2), for "third stage meeting" substitute "second stage meeting".

(5) In paragraph (3)—

(a) in the opening words, for "third stage meeting" substitute "second stage meeting";

(b) in each of sub-paragraphs (a) and (b), for "third stage meeting" substitute "second stage meeting".

(6) In paragraph (4)—

(a) for "final written improvement notice" substitute "written improvement notice";

(b) for "regulation 25(6)(c)" substitute "regulation 17(6A)".

(7) In paragraph (5)(b), for "third stage meeting" substitute "second stage meeting".

(8) In paragraph (6)—

(a) for "third stage meeting" substitute "second stage meeting";

(b) for "final written improvement notice" substitute "written improvement notice".

Amendments to regulation 31 (arrangement of a third stage meeting)

38.—(1) Regulation 31 is amended as follows.

(2) In the heading, for "third stage meeting" substitute "second stage meeting".

(3) In paragraph (1)—

(a) in the opening words, for "third stage meeting" substitute "second stage meeting";

(b) in sub-paragraph (a), for "third stage meeting" substitute "second stage meeting".

(4) In paragraph (3), for "third stage meeting" substitute "second stage meeting".

Amendments to regulation 32 (circumstances in which a third stage meeting may be required without a prior first or second stage meeting)

39.—(1) Regulation 32 is amended as follows.

(2) In the heading—

(a) for "third stage meeting" substitute "second stage meeting";

(b) for "first or second stage meeting" substitute "first stage meeting".

(3) In paragraph (3)—

(a) for "third stage meeting" substitute "second stage meeting";

(b) omit "or a second stage meeting".

Amendments to regulation 33 (arrangement of a third stage meeting without a prior first or second stage meeting)

40.—(1) Regulation 33 is amended as follows.

(2) In the heading—

(a) for "third stage meeting" substitute "second stage meeting";

(b) for "first or second stage meeting" substitute "first stage meeting".

(3) In paragraph (1)—

(a) in the opening words, for "third stage meeting" substitute "second stage meeting";

(b) in sub-paragraph (a), for "third stage meeting" substitute "second stage meeting";

(c) in sub-paragraph (e), omit "(whether with notice or with immediate effect)".

Amendments to regulation 34 (appointment of panel members)

41.—(1) Regulation 34 is amended as follows.

(2) In paragraph (1), for "third stage meeting" substitute "second stage meeting".

(3) In paragraph (9)—

(a) at the end of sub-paragraph (a) insert "or";

(b) omit sub-paragraph (b) and the "or" after it;

(c) in sub-paragraph (c), omit "26, 29,".

(4) After paragraph (10) insert—

"(11) For the purposes of paragraph (3), a member of a police force is to be treated as if they hold a rank above that of chief superintendent if they are required to perform the duties normally performed by a member of a police force holding a rank above that of chief superintendent.".

Amendments to regulation 36 (procedure on receipt of notice of third stage meeting)

42.—(1) Regulation 36 is amended as follows.

(2) In the heading, for "third stage meeting" substitute "second stage meeting".

(3) In paragraph (3), for "third stage meeting" substitute "second stage meeting".

Amendments to regulation 37 (witnesses)

43.—(1) Regulation 37 is amended as follows.

(2) In paragraph (2)(b), for "third stage meeting" substitute "second stage meeting".

(3) In paragraph (3), for "third stage meeting" substitute "second stage meeting".

(4) In paragraph (4)—

(a) in the opening words, for "third stage meeting" substitute "second stage meeting";

(b) in sub-paragraph (a), for "third stage meeting" substitute "second stage meeting".

Amendments to regulation 38 (timing and notice of third stage meeting)

44.—(1) Regulation 38 is amended as follows.

(2) In the heading, for "third stage meeting" substitute "second stage meeting".

(3) In paragraph (1), for "third stage meeting" substitute "second stage meeting".

(4) In paragraph (4), for "third stage meeting" substitute "second stage meeting".

(5) In paragraph (5), for "third stage meeting" substitute "second stage meeting".

(6) In paragraph (6), in the closing words, for "third stage meeting" substitute "second stage meeting".

(7) In paragraph (8), for "third stage meeting" substitute "second stage meeting".

(8) In paragraph (9), for "third stage meeting" substitute "second stage meeting".

(9) In paragraph (10), for "third stage meeting" substitute "second stage meeting".

Amendments to regulation 39 (postponement and adjournment of a third stage meeting)

45.—(1) Regulation 39 is amended as follows.

(2) In the heading, for "third stage meeting" substitute "second stage meeting".

(3) In paragraph (1), for "third stage meeting" substitute "second stage meeting".

Amendments to regulation 40 (participation of Director General and investigator at third stage meeting)

46.—(1) Regulation 40 is amended as follows.

(2) In the heading, for "third stage meeting" substitute "second stage meeting".

(3) In paragraph (2), in the opening words, for "third stage meeting" substitute "second stage meeting".

(4) In paragraph (3), for "third stage meeting" substitute "second stage meeting".

Amendments to regulation 41 (attendance of complainant or interested person at third stage meeting)

47.—(1) Regulation 41 is amended as follows.

(2) In the heading, for "third stage meeting" substitute "second stage meeting".

(3) In paragraph (1), in the opening words, for "third stage meeting" substitute "second stage meeting".

(4) In paragraph (2), for "third stage meeting" substitute "second stage meeting".

(5) In paragraph (3), in each of sub-paragraphs (a) and (b), for "third stage meeting" substitute "second stage meeting".

(6) In paragraph (5), for "third stage meeting" substitute "second stage meeting".

Amendments to regulation 42 (attendance of others at a third stage meeting)

48.—(1) Regulation 42 is amended as follows.

(2) In the heading, for "third stage meeting" substitute "second stage meeting".

(3) In paragraph (1), for "third stage meeting" substitute "second stage meeting".

(4) In paragraph (5), in the opening words, for "third stage meeting" substitute "second stage meeting".

(5) In paragraph (6), for "third stage meeting" substitute "second stage meeting".

(6) In paragraph (8), for "third stage meeting" substitute "second stage meeting".

(7) In paragraph (9), for "third stage meeting" substitute "second stage meeting".

(8) In paragraph (10)—

(a) in the opening words, for "third stage meeting" substitute "second stage meeting";

(b) in the closing words, for "third stage meeting" substitute "second stage meeting".

(9) In paragraph (13), for "third stage meeting" substitute "second stage meeting".

Amendments to regulation 43 (exclusion from a third stage meeting)

49.—(1) Regulation 43 is amended as follows.

(2) In the heading, for "third stage meeting" substitute "second stage meeting".

(3) In paragraph (1), for "meeting" substitute "second stage meeting".

Amendments to regulation 44 (procedure at a third stage meeting)

50.—(1) Regulation 44 is amended as follows.

(2) In the heading, for "third stage meeting" substitute "second stage meeting".

(3) In paragraph (1), for "third stage meeting" substitute "second stage meeting".

(4) In paragraph (2), in the opening words, for "third stage meeting" substitute "second stage meeting".

(5) In paragraph (3), in the opening words, for "third stage meeting" substitute "second stage meeting".

Amendment to regulation 45 (finding)

51. In regulation 45(1)—

(a) in the opening words, for "third stage meeting" substitute "second stage meeting";

(b) in sub-paragraph (a), for "regulation 25(6)(c)" substitute "regulation 17(6A)";

(c) in sub-paragraph (b)—

(i) for "final written improvement notice" substitute "written improvement notice";

(ii) for "regulation 25(6)(c)" substitute "regulation 17(6A)".

Amendments to regulation 46 (outcomes)

52.—(1) Regulation 46 is amended as follows.

(2) In paragraph (3), in each of sub-paragraphs (d) and (e), for "final written improvement notice" substitute "written improvement notice".

(3) In paragraph (4)(b), for "third stage meeting" substitute "second stage meeting".

(4) In paragraph (7)—

(a) in the opening words, omit "or a final written improvement notice";

(b) for sub-paragraph (c) substitute—

"(c) state that, if a sufficient improvement is not made within such period as the panel specifies in accordance with paragraph (7A), the officer may be required to attend another second stage meeting, and state the date with which this period ends;";

(c) in sub-paragraph (e)—

(i) after "may be required to attend", for "a" substitute "another";

(ii) omit "(in the case of a written improvement notice) or another third stage meeting (in the case of a final written improvement notice".

(5) After paragraph (7) insert—

"(7A) The period specified must be three months, except where the panel considers that there are circumstances which justify a longer period, in which case the period specified must be a reasonable period not exceeding 12 months.".

(6) In paragraph (8)—

(a) in the opening words, for "the final written improvement notice" substitute "a written improvement notice";

(b) in sub-paragraph (a)(i), for "third stage meeting" substitute "second stage meeting".

Omission of regulation 47 (assessment of performance or attendance following third stage meeting where a written improvement notice has been issued)

53. Omit regulation 47.

Amendments to regulation 48 (assessment of performance or attendance following third stage meeting where a final written improvement notice has been issued or extended)

54.—(1) Regulation 48 is amended as follows.

(2) In the heading—

(a) for "third stage meeting" substitute "second stage meeting";

(b) for "final written improvement notice" substitute "written improvement notice".

(3) Before paragraph (1) insert—

"(A1) This regulation applies where—

(a) the period of a written improvement notice has been extended under regulation 46(3)(d), or

(b) a written improvement notice has been issued under regulation 46(3)(e) or (6).".

(4) In paragraph (1), for the opening words substitute "As soon as reasonably practicable after the end of the period specified in accordance with regulation 46(7A) (issue of written improvement notice) or 46(8)(a)(i) (extension of written improvement notice)—".

(5) In paragraph (2), for "third stage meeting" substitute "second stage meeting".

(6) In paragraph (3)—

(a) in the opening words, for "third stage meeting" substitute "second stage meeting";

(b) in each of sub-paragraphs (a) and (b), for "third stage meeting" substitute "second stage meeting".

(7) In paragraph (4)—

(a) for "final written improvement notice" substitute "written improvement notice";

(b) for "regulation 46(7)(c)" substitute "regulation 46(7A)";

(c) after "where the panel orders", for "and" substitute "an";

(d) for "regulation 46(8)(a)" substitute "regulation 46(8)(a)(i)".

(8) In paragraph (5)(b), for "third stage meeting" substitute "second stage meeting".

(9) In paragraph (7), for "third stage meeting" substitute "second stage meeting".

(10) In paragraph (8)—

(a) in sub-paragraph (a)—

(i) for "regulation 25(6)(c)" substitute "regulation 17(6A)";

(ii) for "under regulation 46(7)(c) or (8)(a)" substitute "in accordance with regulation 46(7A) or (8)(a)(i)";

(b) in sub-paragraph (b), for "final written improvement notice" substitute "written improvement notice".

(11) In paragraph (9)—

(a) for "third stage meeting" substitute "second stage meeting";

(b) for "final written improvement notice issued under regulation 46(6)" substitute "written improvement notice issued under regulation 46(3)(e) or (6)";

(c) for "regulation 46(8)(a)" substitute "regulation 46(8)(a)(i)".

(12) In paragraph (10), for "third stage meeting" substitute "second stage meeting".

Amendments to regulation 49 (third stage meeting under regulation 48)

55.—(1) Regulation 49 is amended as follows.

(2) In the heading, for "third stage meeting" substitute "second stage meeting".

(3) In paragraph (1)—

(a) in the opening words, for "third stage meeting" substitute "second stage meeting";

(b) in sub-paragraph (a), for "third stage meeting" substitute "second stage meeting".

(4) In paragraph (2)—

(a) for "third stage meeting" substitute "second stage meeting";

(b) for "final written improvement notice" substitute "written improvement notice".

PART 5

Amendment of the Police (Complaints and Misconduct) Regulations 2020

Amendment of the Police (Complaints and Misconduct) Regulations 2020

56. The Police (Complaints and Misconduct) Regulations 2020(**a**) are amended in accordance with regulations 57 to 60.

Amendment to regulation 17 (special procedure: notification of severity assessment etc.)

57. In regulation 17, omit paragraph (7).

Amendment to regulation 19 (special procedure: revision of severity assessment)

58. In regulation 19, omit paragraph (7).

Amendments to regulation 26 (accelerated procedure: other investigations)

59.—(1) Regulation 26 is amended as follows.

(2) After paragraph (1) insert—

"(1A) This regulation also applies if a report or a copy of a report on an investigation under—

(a) paragraph 16 of Schedule 3 (investigations by the appropriate authority on its own behalf);

(b) paragraph 18 of Schedule 3, or

(c) paragraph 19 of Schedule 3,

is submitted or sent to the appropriate authority under paragraph 22 (final reports on investigations) or paragraph 23 (action by the Director General in relation to an investigation report) of Schedule 3.".

(3) In paragraph (2), for "The appropriate authority" substitute "Where paragraph (1) applies, the appropriate authority".

(4) After paragraph (2) insert—

"(2A) Subject to paragraph (2B), where paragraph (1A) applies, the appropriate authority may at any time determine whether the special conditions are satisfied.

(2B) The appropriate authority must not make a determination under paragraph (2A)—

(a) where the appropriate authority has a duty under paragraph 23(5B) of Schedule 3 to comply with a direction to bring misconduct proceedings;

(b) where the appropriate authority accepts a recommendation made under paragraph 25(4C)(c) or (4E)(c) of Schedule 3 (reviews with respect to an investigation) that misconduct proceedings of the form specified in the recommendation are brought;

(c) where the appropriate authority has a duty under paragraph 27(4)(b) of Schedule 3 (duties with respect to disciplinary proceedings etc) to comply with a direction to give effect to a recommendation to bring misconduct proceedings, or

(**a**) S.I. 2020/2, to which there is an amendment not relevant to these Regulations.

(d) where the case is referred to misconduct proceedings, on or after the date of the misconduct meeting or misconduct hearing.".

(5) In paragraph (3), for "If the appropriate authority" substitute "Subject to paragraph (3A), if the appropriate authority".

(6) After paragraph (3) insert—

"(3A) Where paragraph (1A)(b) or (c) applies, the appropriate authority must not certify the case under paragraph (3) unless—

(a) it submits a memorandum to the Director General notifying the Director General of its determination that the special conditions are satisfied and the reasons for its determination, and

(b) the Director General notifies the appropriate authority that the Director General does not object to the certification.

(3B) The Director General must notify the appropriate authority whether or not the Director General objects to the certification before the end of the period of 10 working days beginning with the first working day after receipt of the memorandum under paragraph (3A).

(3C) If the Director General notifies the appropriate authority that the Director General objects to the certification, the Director General must provide the appropriate authority with a statement of the Director General's belief as to why it would be inappropriate to certify the case.".

(7) In paragraph (4), for "The appropriate authority" substitute "Except where paragraph (1A)(a) applies, the appropriate authority".

(8) After paragraph (9) insert—

"(10) In this regulation, "misconduct hearing", "misconduct meeting" and "misconduct proceedings" have the same meaning as in the Conduct Regulations.".

Amendment to regulation 51 (manner and time limit of notifications under these Regulations)

60. After paragraph (1) insert—

"(1A) Paragraph (1B) applies to—

(a) a notice under regulation 17(1) and a copy of the terms, or revised terms, of reference of the investigation under regulation 17(2) or (3);

(b) a notice under regulation 19(5)(b).

(1B) Subject to paragraph (1C), a notice or document to which this paragraph applies must be—

(a) given to the person concerned in person;

(b) sent to the person concerned by e-mail or other means of electronic communication;

(c) given to the person concerned in person by that person's police friend, where the police friend has agreed with the appropriate authority to deliver the notice, or

(d) given to the person concerned in any other manner agreed between the person investigating and the person concerned.

(1C) Where it is not reasonably practicable to give or supply a written notice or document to the person concerned under paragraph (1B)(a) or (b) and there is no agreement under paragraph (1B)(c) or (d), the written notice or document must be—

(a) left with a person at the person concerned's last known address, or

(b) sent to the person concerned's last known address by first class post by recorded delivery or other service which provides for delivery on the next working day ("by post").

(1D) Where a written notice or document is sent by e-mail or other means of electronic communication, it is to be taken to have been given or supplied to the person concerned—

(a) if the e-mail or other electronic transmission is sent on a working day before 4.30 p.m., on that day, or

(b) in any other case, on the next working day after the day on which it was sent.

(1E) Where a written notice or document is sent by post, it is to be taken to have been given or supplied to the person concerned—

(a) on the second day after it was posted, left with, delivered to or collected by the relevant service provider, provided that day is a working day, or

(b) in any other case, on the next working day after the day on which it was posted, left with, delivered to or collected by the relevant service provider.".

PART 6

Amendment of the Police Appeals Tribunals Rules 2020

Amendment of the Police Appeals Tribunals Rules 2020

61. The Police Appeals Tribunals Rules 2020(**a**) are amended in accordance with regulations 62 and 63.

Amendment to rule 3 (interpretation and general provision as to written notices or documents)

62. In rule 3(1), in the definition of "original hearing", for "third stage meeting" substitute "second stage meeting".

Amendments to rule 5 (circumstances in which a police officer may appeal to a tribunal – Performance Regulations)

63.—(1) Rule 5 is amended as follows.

(2) In paragraph (2), for "third stage meeting" substitute "second stage meeting".

(3) In paragraph (4), for "third stage meeting" substitute "second stage meeting".

(4) In paragraph (5), for "third stage meeting" substitute "second stage meeting".

(5) In paragraph (6)(d), for "third stage meeting" substitute "second stage meeting".

(**a**) S.I. 2020/1, to which there are amendments not relevant to these Regulations.

PART 7

Transitional provisions

Transitional provisions: amendments to the Police (Conduct) Regulations 2020

64.—(1) Subject to paragraphs (2) and (3), the amendments made by Part 3 and the Schedule do not have effect in relation to—

(a) a pre-commencement allegation, or

(b) an allegation against a police officer or former police officer which came to the attention of a local policing body, a chief officer of police or the Director General on or after 28th May 2025 and which relates to a matter in respect of which a pre-commencement allegation against that person was made, if at the time the allegation is made the pre-commencement allegation is being handled in accordance with—

(i) the 2020 Regulations as in force before 28th May 2025, or

(ii) Part 2 of the 2002 Act.

(2) The amendments made by Part 3 and the Schedule apply where the Director General—

(a) determines under section 13B of the 2002 Act (power of the Director General to require a re-investigation) that a complaint or matter is to be re-investigated, or

(b) makes a direction under section 28A(1) or (4) of the 2002 Act (application of Part 2 to old cases) in relation to a matter,

regardless of when the complaint was made or the matter came to the attention of the appropriate authority.

(3) The amendments made by the Schedule apply where the officer concerned was not given written notice before 28th May 2025 under—

(a) regulation 30(1) of the 2020 Regulations (notice of referral to misconduct proceedings), or

(b) regulation 51(1) of the 2020 Regulations (notice of referral to accelerated misconduct hearing).

Transitional provisions: amendments to the Police (Performance) Regulations 2020 and the Police Appeals Tribunals Rules 2020

65. The amendments made by Parts 4 and 6 do not have effect in relation to—

(a) unsatisfactory performance or attendance or gross incompetence which came to the attention of the line manager of an officer or a chief officer of police before 28th May 2025, or

(b) unsatisfactory performance or attendance or gross incompetence which came to the attention of the line manager of an officer or a chief officer of police on or after 28th May 2025 but which relates to a matter being handled under the Police (Performance) Regulations 2020 as in force immediately before 28th May 2025.

Transitional provisions: amendments to the Police (Complaints and Misconduct) Regulations 2020

66.—(1) Subject to paragraph (2) the amendments made by Part 5 do not apply where—

(a) a complaint was made, or a conduct matter or DSI matter came to the attention of an appropriate authority, before 28th May 2025 ("a pre-commencement complaint", "a pre-commencement conduct matter" or "a pre-commencement DSI matter");

(b) a complaint is made, or a conduct matter or DSI matter comes to the attention of an appropriate authority, on or after 28th May 2025 which—

(i) relates to—

(aa) a matter in respect of which a pre-commencement complaint was made;

(bb) a pre-commencement conduct matter, or

(cc) a pre-commencement DSI matter, and

(ii) at the time the complaint is made, or the conduct matter or DSI matter comes to the attention of an appropriate authority, that pre-commencement complaint, pre-commencement conduct matter or pre-commencement DSI matter is being handled in accordance with Part 2 of the 2002 Act.

(2) The amendments made by Part 5 apply where the Director General—

(a) determines under section 13B of the 2002 Act that a complaint, recordable conduct matter or DSI matter is to be re-investigated, or

(b) makes a direction under section 28A(1) or (4) of the 2002 Act in relation to a matter,

regardless of when the complaint was made or the matter came to the attention of the appropriate authority.

Interpretation of Part 7

67. In this Part—

"the 2002 Act" means the Police Reform Act 2002;

"the 2020 Regulations" means the Police (Conduct) Regulations 2020;

"complaint" has the meaning given by section 12 of the 2002 Act;

"conduct matter" has the meaning given by section 12 of the 2002 Act;

"Director General" means the Director General of the Independent Office for Police Conduct;

"DSI matter" has the meaning given by section 12 of the 2002 Act;

"former police officer" means a person who has ceased to be a member of a police force or special constable;

"police officer" means a member of a police force or special constable;

"pre-commencement allegation" means an allegation against a police officer or former police officer which came to the attention of a local policing body, a chief officer of police or the Director General before 28th May 2025;

"recordable conduct matter" has the meaning given by section 29 of the 2002 Act.

Diana Johnson
Minister of State
Home Office

6th May 2025

SCHEDULE

Regulation 5

Amendment of Schedule 1 to the Police (Conduct) Regulations 2020

Amendment of Schedule 1 to the Police (Conduct) Regulations 2020 (modifications to these Regulations in their application to former officers)

1. Schedule 1 to the Police (Conduct) Regulations 2020 is amended as follows.

Amendments to paragraph 1 (modification to regulation 2)

2.—(1) Paragraph 1 is amended as follows.

(2) In sub-paragraph (a)—

(a) after paragraph (ii) insert—

"(iia) for the definition of "accelerated misconduct hearing", there were substituted—

""accelerated misconduct hearing" means a hearing to which an officer may be referred under regulation 21D(7) or 49(4) to determine whether the conduct of the officer amounts to gross misconduct(**a**) and, if so, what disciplinary action should be imposed;";";

(b) for paragraph (viii) substitute—

"(viii) for the definition of "misconduct hearing", except in its application to regulation 21A(1)(d), there were substituted—

""misconduct hearing" means a hearing to which an officer may be referred under regulation 21D(3) or (6), 21E(5)(a) or 23(9)(a) to determine whether the conduct of the officer amounts to gross misconduct and, if so, what disciplinary action should be imposed;";";

(3) after sub-paragraph (b) insert—

"(c) paragraphs (7) and (8) were omitted.".

Insertion of paragraphs 14A (modification: insertion of Part 3A) and 14B (modification: insertion of regulation 21G)

3. After paragraph 14 (modification to regulation 21) insert—

"Modification: insertion of Part 3A

14A. These Regulations are to be read as if after regulation 21 there were inserted—

(**a**) For the meaning of "disciplinary action for gross misconduct", see regulation 2(1) of S.I. 2020/4, as modified by paragraph 1(a)(i) of Schedule 1 to those Regulations.

"PART 3A

Determination as to whether relevant disciplinary proceedings are required and referral

Application of Part 3A and interpretation

21A.—(1) Subject to paragraph (2), this Part applies where—

(a) the appropriate authority(**a**) receives an investigator's report under regulation 21(1);

(b) the appropriate authority receives a report submitted under paragraph 22 of Schedule 3 to the 2002 Act (final reports on investigations);

(c) the appropriate authority is required to proceed in accordance with this Part by regulation 49(5) or 50(2);

(d) the officer concerned, having been referred to a misconduct hearing on the basis that the officer has a case to answer in respect of gross misconduct, resigns or retires before the date of that hearing, or

(e) in a case where relevant disciplinary proceedings have been delayed by virtue of regulation 10(3)—

(i) the appropriate authority considers that such a hearing would no longer prejudice criminal proceedings, or

(ii) criminal proceedings have concluded (whatever the outcome of those proceedings).

(2) This Part does not apply where Part 4 applies.

(3) In this Part, "relevant disciplinary proceedings" means—

(a) a misconduct hearing under Part 4 of these Regulations;

(b) an accelerated misconduct hearing under Part 5 of these Regulations.

(4) In determining whether any criminal proceedings are concluded for the purposes of paragraph (1)(e)(ii), any right of appeal is to be disregarded.

Determination as to whether case to answer etc.

21B.—(1) As soon as practicable after a condition referred to in regulation 21A(1) ("the relevant condition") applies, the appropriate authority must determine—

(a) whether the officer concerned has a case to answer in respect of gross misconduct or whether the officer has no case to answer;

(b) where the appropriate authority determines that the officer has a case to answer in respect of gross misconduct, whether or not relevant disciplinary proceedings should be brought against the officer concerned;

(c) where the appropriate authority determines that the officer has no case to answer in respect of gross misconduct, whether there may have been a breach of the Standards of Professional Behaviour(**b**) that would have

(**a**) For the meaning of "appropriate authority", see regulation 2(1) of S.I. 2020/4, as modified by paragraph 1(a)(iv) of Schedule 1 to those Regulations.
(**b**) For the meaning of "Standards of Professional Behaviour", see regulation 2(1) of S.I. 2020/4.

justified the bringing of disciplinary proceedings had the officer still been serving.

(2) Where the appropriate authority fails to make the determination as to the matters set out in paragraph (1) before the end of the period of 15 working days beginning with the first working day after the relevant condition applies, it must notify the officer concerned of the reasons for this.

Determination that no case to answer or that relevant disciplinary proceedings will not be brought: next steps

21C.—(1) Where the appropriate authority determines under regulation 21B(1) that the officer concerned has no case to answer in respect of gross misconduct, the appropriate authority must, as soon as practicable after it has made the determination—

(a) give the officer written notice of that determination, as well as its determination as to whether there may have been a breach of the Standards of Professional Behaviour that would have justified the bringing of disciplinary proceedings had the officer still been serving, and

(b) subject to the harm test, give the officer a copy of the investigator's report or such parts of that report as relate to the officer.

(2) Where the appropriate authority determines under regulation 21B(1) that the officer concerned has a case to answer in respect of gross misconduct but that relevant disciplinary proceedings should not be brought against the officer concerned, the appropriate authority must, as soon as practicable after it has made the determination—

(a) give the officer written notice of the determination, and

(b) subject to the harm test, give the officer a copy of the investigator's report or such parts of that report as relate to the officer.

Determination that relevant disciplinary proceedings will be brought: next steps

21D.—(1) Where the appropriate authority determines under regulation 21B(1) that relevant disciplinary proceedings should be brought against the officer concerned, it must take the following steps.

(2) The appropriate authority must decide if it requires a misconduct hearing.

(3) If the appropriate authority decides the question in paragraph (2) in the affirmative, it must refer the case to a misconduct hearing.

(4) If the appropriate authority decides the question in paragraph (2) in the negative, it must give written notice to the officer concerned that the case will be referred to an accelerated misconduct hearing unless, within the period of 10 working days beginning with the first working day after the notification is given, the officer gives the appropriate authority written notice that the officer wishes the case to be referred to a misconduct hearing.

(5) Notification by the officer concerned under paragraph (4) must be given in accordance with regulation 21F.

(6) If the appropriate authority is notified that the officer concerned wishes the case to be referred to a misconduct hearing in accordance with paragraph (4), it must refer the case to a misconduct hearing.

(7) If the appropriate authority is not so notified, it must refer the case to an accelerated misconduct hearing.

Late requests for a misconduct hearing

21E.—(1) Notwithstanding that a case is to be, or has been, referred to an accelerated misconduct hearing under regulation 21D(7), the officer concerned may submit a request to the appropriate authority that the case be referred to a misconduct hearing.

(2) Such a request is only valid if—

(a) it is in writing;

(b) it is given or submitted in accordance with regulation 21F(2);

(c) it explains—

(i) why the officer concerned was unable to notify the appropriate authority in accordance with regulation 21D(4) that the officer wishes the case to be referred to a misconduct hearing;

(ii) the reasons for any subsequent delay in making the request, and

(d) the appropriate authority receives it before the date of the accelerated misconduct hearing.

(3) The appropriate authority must forward a valid request to the person conducting or chairing the accelerated misconduct hearing ("the decision maker") for determination.

(4) The decision maker may only grant the request if they are satisfied that—

(a) it was not reasonably practicable for the officer concerned to notify the appropriate authority in accordance with regulation 21D(4) that the officer wishes the case to be referred to a misconduct hearing, and

(b) the officer has submitted their request within a reasonable time after the end of the period of 10 working days referred to in regulation 21D(4).

(5) If the decision maker grants the request, they must, as soon as practicable—

(a) direct the appropriate authority to refer the case to a misconduct hearing, and

(b) give the officer concerned written notice of their decision.

(6) If the decision maker does not grant the request, they must, as soon as practicable, give the officer concerned written notice of their decision and the reasons for it.

Notifications and requests under regulation 21D and 21E: supplementary

21F.—(1) This regulation applies to—

(a) a notice given by the officer concerned to the appropriate authority under regulation 21D(4);

(b) a request submitted by the officer concerned to the appropriate authority under regulation 21E(1).

(2) A notification or request to which this regulation applies must be given or submitted to the appropriate authority by being—

(a) delivered personally to the appropriate authority by—

(i) the officer concerned, or

(ii) if agreed with the officer, the officer's police friend;

(b) sent to the appropriate authority's address by first class post by recorded delivery or other service which provides for delivery on the next working day ("by post"), or

(c) sent to the appropriate authority by e-mail or other means of electronic communication.

(3) Where a notice or request is sent by e-mail or other means of electronic communication, it is to be taken to have been given or supplied to the appropriate authority—

(a) if the e-mail or other electronic transmission is sent on a working day before 4.30 p.m., on that day, or

(b) in any other case, on the next working day after the day on which it was sent.

(4) Where a notice or request is sent by post, it is to be taken to have been given or supplied to the appropriate authority—

(a) on the second day after it was posted, left with, delivered to or collected by the relevant service provider, provided that day is a working day, or

(b) in any other case, on the next working day after the day on which it was posted, left with, delivered to or collected by the relevant service provider.".

Modification: insertion of regulation 21G

14B. These Regulations are to be read as if before regulation 22 and after the heading to Part 4 there were inserted—

"Application of Part 4

21G. This Part applies where—

(a) the appropriate authority has a duty under paragraph 23(5B) of Schedule 3 to the 2002 Act to comply with a direction to bring misconduct proceedings;

(b) the appropriate authority accepts a recommendation made under paragraph 25(4C)(c) or (4E)(c) of Schedule 3 to the 2002 Act that misconduct proceedings of the form specified in the recommendation are brought;

(c) the appropriate authority has a duty under paragraph 27(4)(b) of Schedule 3 to the 2002 Act to comply with a direction to give effect to a recommendation to bring misconduct proceedings, or

(d) a case is referred to a misconduct hearing under regulation 21D(3) or (6) or 21E(5)(a).".".

Substitution of paragraph 16 (modification to regulation 23)

4. For paragraph 16 substitute—

"Modification to regulation 23 (referral of case to misconduct proceedings)

16. Regulation 23 is to be read as if—

(a) paragraphs (1) to (8) were omitted, and

(b) paragraphs (10) to (12) were omitted.".

Insertion of paragraph 34A

5. After paragraph 34 insert—

"Modification: insertion of regulation 47A (application of Part 5)

34A. These Regulations are to be read as if before regulation 48 and after the heading to Part 5 there were inserted—

"Application of Part 5

47A. This Part applies where—

(a) the appropriate authority has received a statement submitted by the investigator under regulation 21(3);

(b) the appropriate authority has referred a case to an accelerated misconduct hearing under regulation 21D(7), or

(c) the appropriate authority has certified a case as one where the special conditions(**a**) are satisfied under regulation 25(3) or 26(3) of the Complaints and Misconduct Regulations (including pursuant to regulation 26(8)(b) of those Regulations).".".

Substitution of paragraph 36 (modification to regulation 49)

6. For paragraph 36 substitute—

"Modification to regulation 49 (referral of case to accelerated misconduct hearing)

36. Regulation 49 is to be read as if—

(a) at the end of the heading there were inserted "otherwise than under regulation 21D(7)";

(b) in paragraph (2)(b), for the words from "cease" to "constable" there were substituted "be included in the police barred list";

(c) in paragraph (5), in the closing words, for "Part 4" there were substituted "Part 3A";

(d) paragraph (6) were omitted.".

Insertion of paragraph 36ZA (modification to regulation 50)

7. After paragraph 36 insert—

"Modification to regulation 50 (remission of case)

36ZA. Regulation 50 is to be read as if—

(a) in paragraph (1)—

(i) after "after the case has been referred" there were inserted "under regulation 49";

(**a**) For the meaning of "special conditions", see regulation 2(1) of the Police (Conduct) Regulations 2020.

(ii) for "dealt with under Part 4" there were substituted "considered under Part 3A";

(b) in paragraph (2), for "Part 4" there were substituted "Part 3A";

(c) paragraph (3) were omitted.".

Amendment to paragraph 36A (modification to regulation 51)

8. In paragraph 36A—

(a) after paragraph (a) insert—

"(aa) after paragraph (1) there were inserted—

"(1A) Where a case is referred to an accelerated misconduct hearing under regulation 21D(7), the appropriate authority must as soon as practicable give the officer concerned written notice of these matters and supply the officer with a copy of the items referred to in paragraph (1)(b) and (c).";";

(b) in paragraph (b), after the opening words insert—

"(ai) in the opening words, after "paragraph 1" there were inserted "or (1A)";".

Insertion of paragraphs 36B and 36C (modification to regulations 52 and 54)

9. After paragraph 36A insert—

"Modification to regulation 52 (notice of accelerated misconduct hearing)

36B. Regulation 52 is to be read as if, in paragraph (1), in the opening words, after "regulation 51(1)" there were inserted "or (1A)".

Modification to regulation 54 (procedure on receipt of notice)

36C. Regulation 54 is to be read as if, in paragraph (1), in the opening words, after "regulation 51(1)" there were inserted "or (1A)".".

Insertion of paragraph 37A (modification to regulation 56)

10. After paragraph 37 insert—

"Modification to regulation 56 (documents to be supplied)

37A. Regulation 56 is to be read as if, in paragraph (1), in each of sub-paragraphs (a) and (b), after "under regulation 51(1)" there were inserted "or (1A)".".

Amendment to paragraph 38 (modification to regulation 61)

11. In paragraph 38, after sub-paragraph (a) insert—

"(aa) in paragraph (11)(b), after "regulation 51(1)" there were inserted "or (1A)";".

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Police Regulations 2003 (S.I. 2003/527) ("the Police Regulations"), the Police (Conduct) Regulations 2020 (S.I. 2020/4) ("the Conduct Regulations"), the Police (Performance) Regulations 2020 (S.I. 2020/3) ("the Performance Regulations"), the Police (Complaints and Misconduct) Regulations 2020 (S.I. 2020/2) ("the Complaints and Misconduct Regulations") and the Police Appeals Tribunals Rules 2020 (S.I. 2020/1) ("the PAT Rules").

Part 2 amends the Police Regulations. Regulation 3 provides that a special constable must be on probation for such period as the Secretary of State determines. Regulation 4 provides that a special constable may be discharged under regulation 13 of the Police Regulations by a chief officer of police. It also provides that a chief officer may delegate their functions under regulation 13 to a senior officer, former senior officer or senior police staff member.

Part 3 amends the Conduct Regulations. Regulation 5 gives effect to the Schedule. The Schedule introduces a presumption that a former police officer should be referred to an accelerated misconduct hearing rather than a misconduct hearing unless the officer opts for a misconduct hearing or the appropriate authority determines that a misconduct hearing is necessary. Regulation 6 makes various changes to the interpretative provisions, including to clarify that a conviction for an indictable-only offence will always amount to gross misconduct. Regulations 7, 10 and 14 correct errors in (respectively) regulations 4, 15 and 28 of the Conduct Regulations. Regulation 8 provides that written notices or documents may be sent by email rather than by post. It also creates rules for deemed dates of service. Regulations 9 and 11 to 13 make various changes in consequence of the introduction of the Police (Vetting) Regulations 2025 (S.I. 2025/502) ("the Vetting Regulations"). Regulations 15 and 17 provide that disciplinary action must be imposed in cases where misconduct or gross misconduct is found. They also provide that, where gross misconduct is found, the outcome must be dismissal without notice unless exceptional circumstances apply. Regulation 16 provides that the appropriate authority may refer a case to an accelerated misconduct hearing even if it has not received a statement of the investigator's belief that the special conditions are satisfied.

Part 4 amends the Performance Regulations. Regulation 19 makes various changes to the interpretative provisions, including to introduce a definition of "appeal manager" and to remove the requirement that a "senior manager" be the supervisor of the second line manager of the officer concerned. Regulation 21 provides that written notices or documents may be sent by email rather than by post. It also creates rules for deemed dates of service. Regulation 28 requires the officer concerned to attend a meeting where a matter is referred under the Vetting Regulations to be dealt with under the Performance Regulations. Regulations 30 and 52 provide that the officer concerned must demonstrate sufficient improvement for a default period of three months where they are served with a written improvement notice. Regulation 32 provides that an appeal against the finding and outcome of a first stage meeting must be heard by an appeal manager rather than by the second line manager of the officer concerned. Regulation 35 omits Part 4 and thereby reduces the previous three-stage system to a two-stage process. Regulation 41 clarifies that a panel chair may be a member of a police force who is acting as a senior officer even if they are not a substantive senior officer. Other changes are consequential on those set out above.

Part 5 amends the Complaints and Misconduct Regulations. Regulations 57 and 58 are consequential on regulation 60, which provides that written notices or documents may be sent by email rather than by post. It also creates rules for deemed dates of service. Regulation 59

provides that the appropriate authority may, with the agreement of the Director General of the Independent Office for Police Conduct, refer a case to an accelerated misconduct hearing even if it has not received a statement of belief of the person investigating or the Director General (as the case may be) that the special conditions are satisfied.

Part 6 amends the PAT Rules to reflect the amendments to the Performance Regulations.

Part 7 makes transitional provision. It provides that Part 3, 4, 5 or 6 does not have effect in relation to a matter that pre-dates the coming into force of these Regulations, or post-dates it but relates to a matter that is already being handled in accordance with the applicable conduct, performance or complaints regime. However, it provides that the Schedule does have effect where the officer concerned has not already been given notice of their referral to misconduct proceedings or an accelerated misconduct hearing.

A full impact assessment has not been prepared for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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