



**POLICE
SCOTLAND**

Keeping people safe

Special Constabulary

Standard Operating Procedure

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1. Purpose

- 1.1 This Standard Operating Procedure (SOP) provides guidance in relation to the Special Constabulary within Police Service of Scotland, hereinafter referred to as Police Scotland. Special Constables are volunteer police officers who make a significant contribution to keeping our communities safe by undertaking a wide range of policing duties and demonstrating a very high level of personal commitment.
- 1.2 The guidance contained within this SOP gives direction in key areas that are unique to Special Constables. In many respects procedures for Special Constables are similar to those for regular officers and provisions for Special Constables are also contained in other Police Scotland SOPs.
- 1.3 Any reference to System to Co-ordinate Personnel and Establishment (SCOPE) records within this SOP, relate to the SCOPE record and post applicable to the individuals duty as a Special Constable.
- 1.4 All records will be retained and destroyed in accordance with the Records Retention SOP.

2. Duty and Conditions of Service

- 2.1 Regulations and Conditions of Service for Special Constables are contained within the Police Service of Scotland (Special Constables) Regulations 2013, hereinafter referred to as 'the Regulations' and the Police and Fire Reform (Scotland) Act 2012, the main requirements of which are detailed below.

2.2 Jurisdiction

- 2.2.1 A Special Constable has all the powers and privileges of a sworn constable throughout Scotland.

2.3 Duty

- 2.3.1 It is the duty of a Special Constable:

- to prevent and detect crime;
- to maintain order;
- to protect life and property;
- to take such lawful measures, and make such reports to the appropriate prosecutor, as may be needed to bring offenders with all due speed to justice, a constable must take every precaution to ensure that a person charged with an offence is not unreasonably or unnecessarily detained in custody;
- where required, to serve and execute a warrant, citation or deliverance issued, or process duly endorsed, by a Lord Commissioner of Justiciary,

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sheriff, justice of the peace or stipendiary magistrate in relation to criminal proceedings; and

- to attend court to give evidence.

2.3.2 It is an offence for a Special Constable to neglect or violate the duties of a constable.

2.3.3 Special Constables must carry out lawful orders and must punctually and promptly perform all appointed duties and attend to all matters within the scope of that constable's office.

2.3.4 The vision for the Special Constabulary is that it is embedded within the structure of Police Scotland, providing efficient and effective policing contributing to keep people safe. It is seen as an attractive volunteering opportunity for members of the public to contribute to enhancing the safety and wellbeing of people, places and communities in Scotland.

2.4 Restrictions on Private Life

2.4.1 A Special Constable must at all times abstain from any activity which is likely to interfere with the impartial discharge of that Special Constable's duties, or which is likely to give rise to the impression among members of the public that it may so interfere.

2.4.2 A Special Constable must not take any active part in politics.

2.4.3 A Special Constable must not wilfully refuse or neglect to discharge any lawful debt.

2.4.4 All Special Constables must ensure their SCOPE record is accurate and provide updates accordingly through submission of Form 123-005 (Notification of Change in Circumstances). Each officer must ensure their home address, contact telephone number, email address and next of kin are entirely accurate along with all other personal information.

2.5 Personal Security

2.5.1 All Special Constables must be aware of the current Threat Level and Alert State.

2.5.2 All operational Special Constables must ensure that they are certified and authorised to carry and use all Personal Protective Equipment (PPE) including irritant spray in accordance with Force Policy. Each officer's irritant spray certification card may be requested by a relevant divisional supervisor prior to each deployment.

2.5.3 All Special Constables on operational duty must be in possession of or have immediate access to an Airwave terminal. It is the responsibility of each Special Constable to ensure their terminal is fully operational.

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2.5.4 All Special Constables on police premises must display their warrant card.

2.5.5 Special Constables:

- Must not travel in identifiable uniform to and from duty;
- Must not wear police lanyards except on duty;
- Be aware of parking in the same place and walking to/from police premises whilst being identifiable as a police officer (e.g. carrying marked kit bags or uniform);
- Be cautious about disclosing that they are a Special Constable when not on duty; and
- Must review social media profiles to minimise vulnerability through being identified as a Special Constable.

2.5.6 Full guidance is contained within the force Intranet under The Threat Level section.

2.6 Business Interests / Secondary Employment (BISE)

2.6.1 In accordance with the Regulations, a Special Constable must not have a business interest without the consent of the Chief Constable. Business interest means where an individual:

- Is employed in **any** occupation, or
- holds any appointment, or
- has an interest in any licence, certificate or permit as detailed below

2.6.2 Where a Special Constable, or any member of their family living with them, holds any licence, certificate or permit granted in pursuance of the laws relating to liquor licensing, betting and gaming or regulating places of entertainment in Scotland or has any pecuniary interest in such licence, certificate or permit then, unless it has been previously notified to the Chief Constable, they must submit a subject report detailing the business interest to the National Coordinator via their Divisional Single Point of Contact (SPOC). The National Coordinator will examine the details and report to the Chief Constable where there is a potential conflict of interests.

2.6.3 The Recruiting department are responsible for checking excluded occupations against entry criteria and facilitating the approval of business interests for special constables prior to appointment. They are also responsible for linking in with key stakeholders when a special constable is being appointed to Police Scotland who has a business interest. Further information can be sought the Recruitment Department.

2.6.4 Serving Authority / Police Staff who apply for the Special Constabulary and who have a BISE must have in place the agreement and permission of their respective Divisional Commander / Head of Department for that BISE.

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- 2.6.5 If a Special Constable changes external occupation he/she must give written notice to the Chief Constable on Form 123-005 (Notification of Change in Circumstances – Further Changes Required section) to their Divisional SPOC.
- 2.6.6 Some occupations are not compatible with the role of a Special Constable and are detailed in Appendix 'C'. The Divisional SPOC will check the new occupation against the list of Excluded Occupations and where it is excluded then advise the Special Constable to submit a subject report detailing the circumstances to the National Coordinator via their Divisional Superintendent (portfolio holder).
- 2.6.7 Serving Special Constables in an Excluded Occupation should contact their Divisional SPOC.
- 2.6.8 The External Business Interests section of the SCOPE Personal Record will be used to record a Special Constable's primary employment. Any potential conflict should be identified at the Vetting stage and no conflict should exist. It is also be used to indicate primary employment working pattern to assist resource planning. It is completed as follows:
- Personal Record, Personal Details, External Business Interests;
 - Business Name – Full company name required
 - Nature Of Business – Job Title
 - Restrictions – this is a free text field that can be populated with the normal average weekly hours worked with their primary employer standard along with any standard weekly start and end times for their daily employment i.e. 37 hrs per week, Mon-Fri 9am – 5.30pm.
- 2.6.9 Divisional SPOC's should have access to the SCOPE Personal Details tab of all Special Constables within their division.

2.7 Warrant Card, Uniform and Equipment

- 2.7.1 Uniform, Warrant Card and equipment issued to a Special Constable must only be used for the purpose of carrying out that individual's duties as a Special Constable.
- 2.7.2 Uniform, warrant card and equipment remains the property of Police Scotland and must be returned when the Special Constable leaves (see section 9 Resignation and Retiral). All equipment issued to Special Constables should be audited, and an accurate audit will be maintained throughout the officer's service.
- 2.7.3 In the event of any uniform or equipment (including warrant card) being lost or stolen the circumstances are to be reported immediately to a supervisory officer who is to report the matter to the Local Commander.

2.7.4 Special Constables should complete a uniform requisition form for replacement uniform and equipment, which must be endorsed by an authorising officer.

2.8 Occupational Health and Wellbeing

2.8.1 Police Scotland has a responsibility to consider and protect the welfare of Special Constables. Supervisors must consider their welfare and provide appropriate guidance / support as required. Further information is available from the Health and Wellbeing Team.

2.8.2 Special Constables are also able to access the Employee Assistance Programme.

2.8.3 Where any Special Constable has suffered health or disability related issues, consideration should be given to referral to Occupational Health (OH) Services. Where it is felt an officer may not be suitable to deploy until an OH Referral has been made and advice received, it is the responsibility of either an operational supervisor or the Divisional Coordinator to ensure the SCOPE record for that individual is marked as 'restricted/protected duties' until such time that OH have deemed the officer 'fit for duty'.

2.8.4 Line Managers/Divisional Coordinators have a responsibility to refer any individual who fulfils any of the following criteria to Occupational Health:

- they have been, or are expected to be, continuously absent for over 28 calendar days within their place of external occupation; or
- they have self-reported to their manager, that they are experiencing psychological ill health (including work related stress); or
- on a risk assessed basis if they have a musculo-skeletal injury or condition. The risk assessment will take into account the physical demands of the individual's role and any previous history of similar injury; any absence or health issue which gives a line manager concern about the ability of an individual to attend work and/or carry out the duties of their role in a regular and reliable manner; or
- where appropriate under other circumstances e.g. considerations in terms of the [Disability in Employment SOP](#).

2.8.5 An OH referral should be made by an individual's line manager.

2.8.6 Disability is not always connected to medical conditions should any reasonable adjustments be required, it is the responsibility for the Special Constable to raise this with their Line Manager (through the Divisional SPOC if required).

2.9 Members of Police Staff

2.9.1 Members of Police Staff who are also Special Constables should refer to the Special Leave SOP in relation to supported deployments.

2.9.2 Where a Special Constable is also a member of Police Staff and sustains an injury on duty as a Special Constable, the individuals' injury will be recorded on the Special Constable's SCoPE record but not recorded on the individual's substantive record. The substantive line manager has primacy however for managing any subsequent absence with updates provided to the Divisional SPOC to ensure any updates relevant to future deployments as a Special Constable are fully considered.

2.10 Scottish Police Federation

2.10.1 Special Constables are, by virtue of their appointment, members of the Scottish Police Federation in accordance with section 4(1)(b) of the Police Federation (Scotland) Regulations 2013. The Police Federation Scotland Rules (made in accordance with the Regulations) provide amongst many other matters, the detail regarding the entitlements of all its members.

2.10.2 Special Constables can join the Scottish Federation Voluntary Fund on payment of the appropriate subscription. Membership of the Voluntary Fund provides legal advice / assistance in connection with cases of road accidents, discrimination, defamation, employment tribunals, injuries on-duty and conduct. Details can be obtained from The Scottish Police Federation.

2.11 Police Treatment Centres

2.11.1 The Police Treatment Centres is a registered charity supported by voluntary donations from serving police officers. The charity provides two treatment centres where serving and retired police officers can receive rest, recuperation and treatment following an illness or injury with the aim of assisting their return to better health. The Centres are St Andrews in Harrogate, North Yorkshire, and Castlebrae in Auchterarder, Perthshire.

2.11.2 Police Treatment Centre facilities will be available to Special Constables from 1st January 2016 who suffer an injury or illness in the execution of their duty as a Constable.

3. Recruitment and Training

3.1 Recruitment

3.1.1 The Recruiting department are responsible for the recruitment and selection of Special Constables. Serving Special Constables who wish to apply to become a regular police officer should refer to the Police Scotland website for further information relating to entry criteria, process and reapplication.

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- 3.1.2 Divisions are responsible for proactive recruitment of Special Constables and are encouraged to hold local events to assist with Special Constable Recruitment. Divisions will be provided with guidance and will be supported by the Recruitment Department and Corporate Communications in relation to local recruitment events. This will ensure all events and associated materials are aligned to the corporate marketing strategy.
- 3.1.3 Where a Special Constable is undergoing the recruitment process to become a full time police officer and any issues are identified at the medical stage, the recruitment department confirm the officer is still able to continue deployment as a Special Constable until final guidance is received from OH.
- 3.1.4 Special Constables are to be vetted to the same standard as full time police officers.
- 3.1.5 Where a Special Constable is undergoing the vetting process to become a full time police officer, the Force Vetting Unit will take into consideration any comments made by a Special Constable's supervisors. In particular, weight should be given to any comments of a notably supportive, or alternatively, negative nature.
- 3.1.6 Where a Special Constable fails their Recruitment Vetting in an attempt to become a full time police officer, consideration must be given as to their suitability to remain in the Special Constable post. Local arrangements may be sufficient to mitigate any risk, with restrictions being a further consideration in conjunction with any relevant care package. In this matter guidance should be sought from the National Special Constable Coordinator in conjunction with the relevant Vetting Manager.
- 3.1.7 Where a Special Constable's external employment involves working with the police, provided they hold a current Recruitment Vetting, there will generally be no requirement for Non-Police Personnel Vetting (NPPV). Where the requirement is for NPPV level 3, additional financial checks may be required.
- 3.1.8 Where any failure of vetting concern is noted, and the special constable is also a member of police staff, consideration should be given to the employee's suitability for that role.

3.2 Employer Supported Policing (ESP)

- 3.2.1 ESP schemes are partnerships established between the police and external businesses to support employees in undertaking volunteering roles such as Special Constables. Benefits through paid leave to undertake policing duties are provided by the external employer. Any such schemes which are under consideration locally should be referred to the National Coordinator before being progressed. The National Coordinator will ensure Recruitment and Training, Leadership and Development are fully sighted on any large scale recruitment initiatives through ESP.

3.2.2 Any organisation who seeks to take part in the Employer Supported Policing scheme must discuss this in the first instance with the National Coordinator for Special Constables.

3.3 National Special Constable Training Programme

3.3.1 New recruits to the Special Constabulary must follow the National Special Constable Training Programme under direction of Training, Leadership and Development. The initial training for Special Constables consists of Initial Training which concludes with assessed practical exercises and a final examination.

3.3.2 Only Special Constables who achieve the recognised 'pass' mark for the final examination will thereafter be 'sworn in' as Special Constables. Appropriate examination resit opportunities will be provided by Training, Leadership and Development, however should an officer fail this examination after 3 attempts they will be classed as unable to carry out the duty of a Special Constable and will be required to resign.

3.3.3 A time delay for re-application should be considered. Nevertheless the Special Constable performance, attitude and suitability for the role, should be considered along with the failed exam results when considering an officers re-application.

3.4 Continuous Professional Development

3.4.1 Development can be provided through training courses, eLearning or working with specialist departments. Special Constables are expected to take responsibility for their own development and should raise any development needs with their supervisors.

3.4.2 All Special Constables are required to maintain their Officer Safety Training in line with regular constables (annual requalification). Failure to requalify within a 12 month period will prevent an officer being able to deploy. Prior to attending Officer Safety Training, all Special Constables are required to complete the Scottish Police Emergency Life Support (SPELS) online training and achieve a 'pass'.

3.4.3 Any compulsory e-training or Moodle training packages must be completed at the earliest opportunity. Where an officer fails to maintain mandatory training packages, the Special Constable may not be permitted to carry out further deployments until this has been 'passed'.

3.4.4 Attendance on training courses is based on operational need and divisions should allocate places to Special Constables on the basis of operational demand. Special Constables should use the same process as regular officers in line with the Training Administration SOP.

3.5 Postings and Transfer Procedure

3.5.1 The Postings and Transfer (Police Officers) SOP section 2(b) states that if a Special Constable requests a transfer of division this may be facilitated. Special Constables are volunteers and wherever possible, Police Scotland will accommodate their personal circumstances / preferences in postings and transfer. Advice can be sought from the Regional Special Constable Coordinators (North, East and West).

3.5.2 Requesting a Transfer between Divisions:

- A brief guide on how to request and process a transfer within a Division for Special Constables is included at Appendix A.

3.5.3 Requesting a Transfer within Division:

- A brief guide on how to request and process a transfer within a Division for Special Constables is included at Appendix B.

3.6 ICT Access and Training

3.6.1 Special Constables should have access to ICT systems required for the performance of their duties. While ICT systems are being standardised, access should be determined on the basis of local need. Requests for ICT system access should be made to the Divisional SPOC in the first instance identifying the business need for this request. Access should only be granted to officers on the completion of the Counter Corruption Moodle training package or equivalent training relevant to Data Protection protocols.

3.6.2 Where Special Constables are also members of Police Staff, they must access only those systems applicable to the role they are carrying out at that time.

4. Deployment

4.1 Coordination Overview

4.1.1 The Force structure for coordination of the Special Constabulary is:

- National Strategic Responsibility – Assistant Chief Constable
- National Coordinator – Inspector
- Three Regional Coordinators - North, East and West

4.1.2 This links to the Divisional coordination structure of:

- Divisional Portfolio Holder – Superintendent
- Divisional Liaison Officer – Chief Inspector (Support / Service Delivery)
- Divisional SPOC – Individual nominated by Chief Insp (Support / Service Delivery).

4.1.3 The National Coordinator is responsible for linking the work of Recruiting, Training and Local Policing in relation to the Special Constabulary.

4.1.4 The Regional Coordinators support the work of Divisions and provide a link between Divisions and the National Coordination structure.

4.2 Line Management / Operational Supervision

4.2.1 Each Special Constable will be allocated an Operational Sergeant as line manager on SCOPE. This supervisor is responsible for maintaining regular contact with the Special Constable and providing support/guidance as appropriate. They should also be in a position to provide a reasonable appraisal of the Special Constable's performance if needed. In some circumstances, where the Special Constable does not work regularly with a single shift, the Divisional Special Constable Coordinator must ensure a minimum level of contact per month.

4.2.2 The Line Manager/Divisional Coordinator is responsible for overseeing the Special Constables ongoing training and development. The exact approach taken can be flexible to reflect local needs particularly in the case of Special Constables on secondment to a specialist department however, whichever approach taken must ensure that proper management is maintained.

4.2.3 The Divisional SPOC should be on SCOPE as the alternative line manager for all Special Constables in his/her division or other suitable arrangements made to meet local needs.

4.2.4 When a Special Constable is on duty it will be the responsibility of on-duty supervisors to ensure they are appropriately managed. This will include:

- Briefing/debriefing;
- Unexplained non-attendance;
- Deployment appropriate to their abilities and local needs; and
- Providing feedback on performance.

It should be the responsibility of the relevant duty supervisor to ensure SCOPE is fully updated with an accurate record of the shifts worked by that officers, and should include any reported absence. It is imperative SCOPE should accurately reflect the hours the officer is on duty and details of their deployment.

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- 4.2.5 All Special Constables must have regular contact (minimum once a month) with their relevant division. This may be in response to an email received by division, through deployment or by telephone. Should a Special Constable fail to deploy for a period of one month, the Divisional Special Constable Coordinator will ensure telephone contact is made. This will ensure any welfare issues are addressed at the earliest opportunity.
- 4.2.6 Regular contact will primarily be through email to the Special Constables home/private email as provided. Cognisance of the Government Protective Marking Scheme SOP must be taken into account when information is being transferred electronically.
- 4.2.7 All Special Constables will be kept apprised of divisional and national information through the Monthly Special Constable Bulletin that is 'Not Protectively Marked' and sent to home email addresses. This ensures that officers who are temporarily unable to deploy due to personal circumstances or health related matters, are kept updated on matters affecting the Special Constabulary. Where information of 'Restricted' level and above applies, Special Constables will be asked to attend their local office to view this information on a police system at a time that is practical for them to do so.

4.3 Minimum Duty Hours

- 4.3.1 Special Constables should try to commit to perform a minimum of 96 hours of operational duty per year, over and above the necessary training to develop and maintain their professional skills.
- 4.3.2 While all Special Constables should be encouraged to complete the minimum number of hours it is recognised that there may be personal circumstances which preclude this (e.g. illness, pregnancy or other commitments) and flexibility should be exercised in managing duty hours.
- 4.3.3 Special Constables should record the time and location of all police duty worked in their police issue notebooks or PDA's.

4.4 Attendance and Inactive Policy

- 4.4.1 Where a Special Constable does not intend to complete duty over a calendar month then she/he should advise their line manager. Where a valid reason (e.g. health, pregnancy, work or family commitments) exists for being unavailable for duty then Police Scotland will support that officer until he/she is again available for duty. In such cases the line manager should notify the Divisional SPOC. This must be recorded on SCOPE as 'special leave – Special Constable Annual Leave/Sickness'.
- 4.4.2 Where a Special Constable has not been on duty during a calendar month and no contact has been received, then their line manager or Divisional SPOC will contact them to ascertain the reason and offer support, where required.

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- 4.4.3 Duty hours will be monitored and if, without reasonable grounds, the Special Constable continues for a second calendar month without completing any duty then they should again be contacted by the Divisional SPOC.
- 4.4.4 Throughout this process every encouragement should be provided to get the Special Constable back on duty and address any needs or concerns that they may have. If the Special Constable does not respond to the above measures after 3 calendar months, they should be interviewed by the Chief Inspector (Support/Service Delivery). The interview should be focused on supporting the Special Constable and getting them back to duty however, any Special Constable who no longer wishes to continue carrying out their duties should consider resignation.
- 4.4.5 Should a Special Constable fail to engage with the relevant Division for a period of 3 months or more, without reasonable excuse or explanation, the relevant ICT and access to the police premises should be withdrawn until the officer's allocated supervisor has engaged with them and the matter resolved.
- 4.4.6 It is the responsibility of Divisional Superintendents (Portfolio Holders) to ensure that the above policy is maintained.
- 4.4.7 A Special Constable who has not undertaken duty for a period of 6 months or more, without providing an explanation/reason, is classed as 'inactive'. Divisional Superintendents (Portfolio Holders) have a responsibility to minimise the number of inactive Special Constables in their division and to ensure steps are taken to contact and re-engage/resign those officers.
- 4.4.8 As there is a 'risk' identified with an inactive officer being out with regular police contact, yet still in possession of a police issue warrant card and uniform, inactive officers should be contacted without delay. This may involve attendance at the officer's home to establish their welfare and to seek consideration of resignation from the officer.
- 4.4.9 A Special Constable who has been granted a career break or who has not been in regular contact with Police Scotland and wishes to return to work, will be required to undertake the relevant vetting requirement if their period of non-contact has been for 12 months or more. The National Coordinator should be contacted to enable this to take place prior to the officer's return to duty.

4.4.10 Where a serving Special Constable is also a member of Police Staff, the line manager in the individual's substantive Police Staff role should seek consent from the individual to allow them to update the Special Constable's Divisional SPOC in relation to any ongoing absence. The individual should be asked to consent to the information being shared and this should be recorded under the Special Leave/Absence tab on SCOPE (as appropriate). Following consent, the line manager will contact the Special Constable's Divisional SPOC by phone or email maintaining Medical in Confidence information. Should consent be refused this should also be recorded in this same manner with the line manager in the individual's substantive Police Staff role advising the Special Constable that they should update their Special Constable SPOC at their earliest convenience.

4.4.11 A Special Constable who is pregnant or on maternity leave will not be classed as 'inactive' but on special leave for absence.

4.5 Core Duties and Deployment

4.5.1 In line with the new strategic structure for coordination of Special Constables in Police Scotland, tactical responsibility for their deployment at division lies with the Chief Inspector (Service Delivery/Support). The Chief Inspector (Service Delivery/Support), or their representative, will link closely with Area Commanders to ensure that Special Constables are being deployed in a focused manner to meet local needs, in line with organisational priorities, and to ensure that their development needs and work satisfaction are being addressed.

4.5.2 There are opportunities to deploy Special Constables beyond their traditional range of duties. There may be opportunities to utilise officers in areas of greater demand and which provide more rewarding activity, increasing the available resources for the Service and increasing retention rates for the Special Constabulary as officers are given stimulating new tasks. The implementation of ICT projects should assist in making this type of transition simpler. Areas for deployment can include the following:-

- Events and Pre Planned Operations;
- Deployments on Local Days of Action;
- Deployments for Force Events;
- Response and Community Team Deployments; or
- Specialist Departments (including Flexible Policing Units, House to House Enquiries for Major Incidents/Crimes, Dog Branch, Road Policing, Custody Division, Public Protection Unit, Delivery of citations and associated criminal justice related paperwork).

4.5.3 Special Constables who temporarily cannot be deployed on operational duties (e.g. through injury or pregnancy), but still wish to volunteer, should be considered for other volunteer police roles in line with local needs.

4.5.4 Special Constables within Police Scotland must be able to carry out core functions of a constable. These core functions are listed at Appendix F. Officers working in specialist functions may be required to rotate from these posts following 12 months deployment, back into local policing front line functions to ensure their operational competence in these core functions are maintained.

4.6 Reporting for Duty / Monthly Duty Sheets

4.6.1 Special Constables should be encouraged to attend for duty in a way that makes best use of their time in line with local resource demands.

4.6.2 Special Constables should indicate their intention to report for duty in advance by submitting a Monthly Planning Sheet (Form 120-031) or other notification in accordance with local procedures and planned duty must be recorded on SCOPE to assist with forward planning. This Monthly Planning Sheet must be forwarded by the Divisional SPOC or line manager to the relevant Resource Management Unit or be populated on SCOPE by the line manager themselves. Under no circumstances should a Special Constable parade for duty without their shift being populated on SCOPE in advance. Any spontaneous deployments must be populated by a supervisor or the Area Control Room prior to deployment in all circumstances.

4.6.3 All Special Constables duty must be recorded on SCoPE **PRIOR** to operational deployment, Special Constables must also record the time and location of all police duty worked in their police issue notebooks or personal digital assistant (PDA).

4.6.4 If a Special Constable is unable to fulfil a duty which they had previously agreed then they must advise their line manager or a duty supervisor as soon as possible before that date or time of duty.

4.6.5 Where a Special Constable is expected for duty but does not report then it is the responsibility of the on-duty supervisor to contact the Special Constable to ensure that he/she is well and ascertain reason for non-attendance. Non-attendance should also be highlighted to the divisional SPOC.

4.6.6 Once the reason for non-attendance has been established, the original shift must be removed from the SCOPE duty management by Resource Management (or Supervisors where applicable). Resource Management will be informed of this requirement through either an operational supervisor or the Divisional Coordinator.

4.7 Briefing and Debriefing

- 4.7.1 When deploying Special Constables it is vital to ensure that they are suitably trained, equipped and briefed for the task. It is recognised that whilst Special Constables often commence shifts at different times to that of regular officers it is incumbent on supervisors to ensure that they are afforded the same briefing opportunities as their full time colleagues, to ensure focus of activity and address the issue of Officer Safety. Provision should also be made, on completion of duty, to feedback results or handover information to supervisors or succeeding officers, where appropriate.

4.8 Airwave Issue

- 4.8.1 Pool terminals are available for use by Special Constables but may be personal issue where it is in the interests of operational policing. Requests for personal issue Airwave should be submitted by subject report, detailing the circumstances and operational need, to the Divisional Superintendent (Portfolio Holder) for consideration.

4.9 Irritant Spray

- 4.9.1 Irritant Spray utilised by Police Scotland is a Section 5 Firearm as defined by the Firearms Act 1968 (as amended) and as such requires particular procedures for its care and use. Detailed information can be obtained from the Use of Force SOP and Irritant Spray Guidance Document.
- 4.9.2 Under no circumstances should Special Constables possess Irritant Spray whilst off duty.

4.10 Specialist Departments

- 4.10.1 Police Scotland will encourage the development of Special Constables and utilisation of their skills through secondments to specialist departments. Opportunities for secondments to departments such as Roads Policing and Custody division will be advertised on the Force Intranet highlighting that they are for consideration of Special Constables. Special Constables attached to these departments will be to supplement and not replace, existing police officers or staff.
- 4.10.2 Minimum training standards should also be agreed with the specialist department prior to the secondment. Special Constables interested in working with a specialist department should contact their Divisional SPOC in the first instance. Advertised posts should be applied for using the internal Police Officer Application Form 120-010 or through a notification of interest, the relevant method will be identified in each individual advertisement depending on the secondment involved. In considering applications the level of duty hours previously worked and appropriate operational experience of the Special Constable should be taken into account.

4.11 Driving Police Vehicles

- 4.11.1 Special Constables can obtain authorisation to drive police vehicles where the needs of the business require this. Further details can be found in the Driver Training and Standards – Vehicle Safety Checks SOP.

4.12 Recording Personal Skills

- 4.12.1 Personal skills of Special Constables should be recorded on in the Specialisms/Skills tab of their SCOPE record.

4.13 Working Time Regulations

- 4.13.1 The Working Time Regulations 1998 implement various European communities' directives which are aimed at improving Health & Safety at work and apply to all Special Constables.
- 4.13.2 Special Constables should provide details of their average working hours and the nature and demands of their employment in order to ensure that the working time regulations are being complied with. Special Constables should also inform their employer of the nature and duration of their voluntary work as a Special Constable.
- 4.13.3 The normal working hours associated with their occupation should be recorded on SCOPE. These details are entered in the personal details section and recorded under 'external business interests'. It is the responsibility of every Special Constable to ensure that these details are accurate and any discrepancies/changes brought to the attention of their line manager or Divisional SPOC.
- 4.13.4 Line managers are responsible for regularly checking on the welfare of their Special Constables which will include making sure they are working within the provisions of the regulations. Prior to any deployment, Special Constables are required to complete a Fitness for Duty Declaration Form (Form 120-030) which will be submitted to the relevant supervisor prior to any deployments. These documents will be filed at the relevant Division in line with the Record Retention SOP. Line Managers/Supervisors are required to ensure Form 120-030 is submitted before each officer's deployment.
- 4.13.5 Line managers/Divisional Coordinators through Resource Management Units have a duty to ensure that SCOPE and/or other duty management system, is fully updated with the duties carried out by all staff (including Special Constables) within their responsibility.
- 4.13.6 Any Special Constable, who is concerned that they may breach the provisions of the working time regulations by commencing, completing or continuing with, any Special Constable duty, must report this to the on-duty supervisor forthwith.

4.13.7 Regulation 18 of the Working Time Regulations provides some exclusion for the Police from the provisions in relation to:

- Maximum weekly working time;
- Length of night work;
- Pattern of work;
- Daily rest;
- Weekly rest period; and
- Rest breaks.

4.13.8 However, a Special Constable should not be required to perform duties which would be in breach of the Working Time Regulations except in the exigencies of duty.

4.13.9 Where the 'day job' of a Special Constable exceeds an average 48 hour working week (averaged over 17 weeks), this must be brought to the attention of the Divisional Coordinator/line manager by the Special Constables.

4.13.10 Where the Special Constable is a member of police staff, it will be the responsibility of the Divisional Coordinator to monitor the Working Time Regulations data records on SCOPE on a monthly basis. Both the SCOPE record for the special constable and their full time member of police staff roles will be manually calculated to ensure they are not in breach of the Working Time Regulations. Any breaches identified will prevent the special constable carrying out future deployments until the hours have dropped for their member of police staff role which will take precedence.

4.14 Court Attendance

4.14.1 Special Constables must attend court when cited. Failure to do so, without reasonable excuse, is a neglect of duty and could result in the court issuing a warrant for their arrest.

4.14.2 If unable to attend court due to illness, Special Constables must obtain a doctor's certificate stating they are unfit to attend court and seek/obtain an excusal from the citing authority.

4.14.3 Further information can be obtained from the Citations (Police Officers and Staff) SOP when it is available.

5. Performance

5.1 Performance Review

5.1.1 Supervisors should discuss performance with their Special Constables on a regular basis throughout the year. In the absence of a formal Personal Development Record (PDR) process for Police Scotland, a review should be undertaken on an annual basis using legacy procedures to provide Special Constables who are performing well with reassurance and acknowledgement of their efforts. It is also an opportunity to meet with inactive and/or poorly performing Special Constables to discuss how to support their development.

5.1.2 The annual performance review meeting will be undertaken by Special Constable's first line manager and provide an opportunity to:

- Check the Special Constable's personal details and update records
- Confirm that the Special Constable has not moved into an occupation that requires review
- Assess the individual's personal development needs
- Discuss any welfare issues
- Check uniform and equipment requirements

5.1.3 Performance must be assessed during and following each deployment and not allowed to continue until the conclusion of one year.

5.2 Unsatisfactory Performance

5.2.1 Special Constables whose performance is unsatisfactory or who consistently fail to meet accepted training requirements, including OST, must be interviewed by their line manager to identify training requirements or the reason for non-attendance at training. At this stage the Special Constable should be encouraged to attend for training and duty.

5.2.2 The line manager will submit a subject report detailing the circumstances and proposals to improve performance/non-attendance to the Divisional Superintendent portfolio holder via the Divisional SPOC. The line manager will continue to monitor the Special Constable and keep the Divisional SPOC updated on progress.

5.2.3 Where required, consideration of an 'action plan' for development of the individual Special Constable must be considered by the relevant division.

5.2.4 Where there is an improvement in performance, the process has achieved its aim and no further action is necessary except monitoring to ensure the initial improvement is sustained.

5.2.5 Where insufficient improvement takes place and the division has exhausted all reasonable steps to facilitate improvement then a subject report outlining the circumstances should be submitted to the National Coordinator via the appropriate Regional Coordinator.

5.3 Long Service Awards

- 5.3.1 Members of the Special Constabulary whose character and conduct have been of good standard and who regularly report for duty will be awarded a personalised engraved medal on completion of nine years' service. Recognition of service in this manner is not automatic and has to be earned through a consistent contribution to keeping people safe.
- 5.3.2 A further bar and rosette is awarded after the completion of nineteen years' service. The second and third bars are awarded after 29 and 39 years' service respectively.
- 5.3.3 Further awards such as Special Constable of the Year award are contained within the Police Scotland Annual Awards. These are through self-nomination or nomination through a supervisory at the relevant Division.
- 5.3.4 Special Constables who achieve 300, 400, 500 and 600 hours duty each financial year, will be awarded a Chief Constable's Certificate in recognition of these duties. These will be awarded at a Division level in accordance with the relevant Divisional Portfolio Superintendent.
- 5.3.5 Further information can be obtained from the Awards, Recognition and Ceremonies Unit.

6. Allowances and Expenses

- 6.1 Allowances and expenses are set out in the Police Service of Scotland (Special Constables) Regulations 2013 and Determinations thereto. Guidance may also be found in the Allowances and Expenses (Police Officers) SOP.

6.2 Loss of Remuneration Allowance

- 6.2.1 Where a Special Constable is required for duty at a time when that Special Constable would have been at their usual employment, an allowance is payable to that Special Constable which is equal to the actual loss of earnings on a daily basis which that Special Constable suffers as a result of being unable to carry out their usual employment.
- 6.2.2 Loss of remuneration incurred for attending court to give evidence should be claimed from COPFS in the same manner as non-police witnesses.
- 6.2.3 Details of any claim should be submitted on a subject report accompanied by confirmation of the amount of remuneration, typically in a letter from the primary employer. The allowance is taxable.
- 6.2.4 A Special Constable who is required for duty during any time when that Special Constable has taken annual leave from their usual employment is to be treated as having been at their usual employment during that time.

6.2.5 Where a Special Constable is employed as a member of police staff by Police Scotland and is required to attend court within their normal working hours as a result of their Special Constable duties, they will be granted leave of absence with pay for the duration they are at court.

6.2.6 If a Special Constable, who is also a member of police staff, is cited for court on a day on which they would normally perform a late or night shift, appropriate rest must be granted between these periods of duty in line with the requirements of the Working Time Regulations.

6.3 Food / Refreshment Expenses

6.3.1 For the purposes of food/refreshment expenses, Special Constables are entitled to the same provisions as a regular police officer. As such, reference should be made to the Allowances and Expenses (Police Officer) SOP.

6.4 Boot Allowance

6.4.1 A Special Constable will be paid a boot allowance of £30 per annum, payable in arrears within the financial year April to March, on completion of 96 hours of duty (per annum). This is non-taxable.

6.4.2 Claims should be submitted in accordance with local procedures.

6.5 Travelling Expenses

6.5.1 Travelling expenses to place of duty from home or place of employment by public transport or private motor vehicle will be reimbursed to Special Constables. A mileage allowance, at police staff rates, will be paid where a Special Constable utilises their private motor vehicle.

6.5.2 The Chief Constable may fix a reasonable limit on the amount of travelling expenses to be reimbursed.

6.5.3 Travel expenses are taxable when claimed to and from normal place of duty and non-taxable to/from places other than normal place of duty.

6.5.4 Expenses for travel to/from training which is not at normal place of duty shall be paid for the full mileage and are non-taxable.

6.6 Out of Pocket Expenses

6.6.1 A Special Constable will be paid out-of-pocket expenses which are reasonably incurred in the course of his/her duty. The circumstances in which such expenses shall be paid may be determined by the Chief Constable.

6.6.2 Out of pocket expenses are likely to be taxable but each claim will be considered on its own merits and guidance should be sought from the Business Unit / Finance Dept.

6.7 Reimbursement of Medical Charges

6.7.1 This relates to charges for medicines, dental/optical appliances and dental treatment. Officers should refer to the Allowances and Expenses (police officer) SOP for further guidance.

6.8 Special Constables Claiming Job Seekers Allowance

6.8.1 Special Constables claiming job seekers allowance must declare to the Department for Works and Pensions (DWP) that they undertake voluntary work and also declare that they are available for work.

6.8.2 As conditions relating to the claiming of job seekers allowance can change, it is essential that individuals consult their DWP office to clarify that duty as a Special Constable does not affect their job seekers allowance nor that there has been a limit placed on the number of duty hours that they can undertake.

6.9 Periodic Payment

6.9.1 The Chief Constable may make a periodic allowance payable to a Special Constable in accordance with the conditions specified in the Police Service of Scotland (Special Constables) Regulations 2013 and the Determinations thereto.

6.9.2 Entry to the scheme is voluntary and if a Special Constable wishes to take part they must sign the relevant written agreement and return this to their Divisional Coordinator. The scheme relates purely to the payment and has no other bearing on the status, training or deployment of a Special Constable. Regardless of whether officers elect to take part in this scheme, all Special Constables are encouraged to complete a minimum of 96 hours of duty per annum.

6.9.3 To qualify for the scheme, officers must:

- Complete a minimum of 45 x 4 hours (180 hours) of operational duties;
- Continuously serve with Police Scotland throughout the duration of the Primary Scheme Period (April to March)
- Have completed a minimum of 2 years' service prior to 31st October in that relevant financial year.

6.9.4 The Periodic Payment is a one-off payment of £1,100, payable on conclusion of the scheme period.

6.9.5 There is an appeal process to the Chief Constable for Special Constables who do not fulfil the criteria for the Periodic Payment but believe they have a claim due to specific circumstances. This may be in relation to remote/rural working. An appeal must be made by the Special Constable, in writing, to their Divisional Coordinator, outlining the reasons why a payment is justified and any supporting evidence. The Chief Constable's decision is final.

- 6.9.6 Initial Special Constable Training prior to being sworn-in, does not qualify as duty for the purposes of the payment.
- 6.9.7 Special Constables regularly assist with the Police Scotland Youth Volunteer (PSYV) programme. Whilst this support is encouraged, Special Constables will only be attributed hours towards their Periodic Payment if they are deploying in their capacity as a Special Constable and not purely as an Adult Volunteer. On these occasions, it will be for the Special Constable and PSYV Divisional Coordinator to agree the type of deployment being carried out and ensure the individual is aware of this. In any case, Special Constables will only be entitled to claim up to a maximum of 60 hours per annum towards their Periodic Payment for PSYV deployments to ensure they are maintaining other operational deployments in line with the core competencies of all Special Constables.
- 6.9.8 The payment of £1,100 is taxable and as a consequence, each Special Constable, who has opted into the scheme, will be placed on payroll and issued with a pay number. The payment will be subject to tax and National Insurance deductions.
- 6.9.9 The Chief Constable reserves the right to terminate the Periodic Payment Scheme and give due notice where required.
- 6.9.10 Special Constables who are provided with paid leave to carry out through their employer through an Employer Supported Policing scheme will not have these hours provided towards this payment. Hours provided above those from the main employer will be counted.

7. Misconduct

7.1 Misconduct Categories

7.1.1 The Police Service of Scotland (Special Constables) Regulations 2013 identify the following behaviour as falling into the category of misconduct:

- Insubordination
- Incivility
- Corrupt practice
- Breach of confidence
- Drinking any intoxicating liquor while on duty or being unfit for duty through such liquor
- Suppression of complaints
- Wilful or careless damage to, or loss of, property belonging to the Police Service, the Authority, the chief constable or within the care of the Police Service
- Disorderly conduct

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- Acting towards, or treating, any person in an oppressive or improper manner
- Failure to comply, without good and sufficient cause, with a lawful order
- Failure to report any matter which it is the Special Constable's duty to report or to account for any act or omission occurring in the ordinary course of duty which he or she has a duty to account for
- Neglect of duty
- Wilful or careless falsehood
- Malingering
- Being absent from duty, or late for duty, without leave
- Contravention of regulation 4 or Schedule 1 of the Regulations (Business Interests and Restrictions on Private Life)
- Having been found guilty of a criminal offence by a criminal court in any part of the United Kingdom or in any of the Channel Islands or the Isle of Man
- Any other behaviour which is considered to bring discredit on the Police Service or police service generally

7.2 Preliminary Procedures

- 7.2.1 The Deputy Chief Constable (Designate) has responsibility for all matters concerning police misconduct. In relation to any report, complaint or allegation involving a Special Constable the Deputy Chief Constable (Designate) may devolve authority to a Nominated Officer. It has been agreed the Nominated Officer will be the Chief Superintendent, Head of Professional Standards.
- 7.2.2 Each case will be considered separately by the Deputy Chief Constable (Designate) and if authority is to be devolved to the Nominated Officer it will be recorded on a Regulation 13(1) notice (Form 039-027). The Deputy Chief Constable (Designate) will retain authority in all matters relating to suspension.

7.3 Nominated Officer

- 7.3.1 An officer will not be appointed Nominated Officer if considered to be a material witness to the complaint, report or allegation or considered to be an interested party in some other way.
- 7.3.2 Upon appointment the Nominated Officer, or any officer appointed to do so, of at least Chief Inspector rank, will make contact with the Divisional Special Constable Co-ordinator and Divisional Commander and advise them accordingly.

7.3.3 Where a report, complaint or allegation has been received in relation to possible misconduct issues involving a Special Constable, the Nominated Officer will consider the report and providing the matter is not of a criminal nature, a decision will be made on whether inquiry into the matter should take place.

7.3.4 Where it is decided an inquiry into the report, complaint or allegation should not take place, the Nominated Officer may conclude the matter in accordance with any procedures set down by the Deputy Chief Constable (Designate).

7.3.5 Where it is decided an inquiry into the report, complaint or allegation should take place, the Nominated Officer will select an Inquiry Officer and a Misconduct Officer.

7.4 Misconduct Officer

7.4.1 The Misconduct Officer will be of at least Superintendent rank and will be selected by the Nominated Officer after due consideration.

7.4.2 An officer will not be appointed as Misconduct Officer if considered to be a material witness to the complaint, report or allegation or considered to be an interested party in some other way.

7.5 Inquiry Officer

7.5.1 The Inquiry Officer must be of at least Inspector rank and there is no requirement for the Inquiry Officer to be a member of the Professional Standards Department. The circumstances of each case will be considered by the Nominated Officer who will appoint an appropriate Inquiry Officer. This will be recorded by the Professional Standards Department.

7.5.2 An officer will not be appointed Inquiry Officer if considered to be a material witness to the complaint, report or allegation or considered to be an interested party in some other way.

7.6 Inquiry Procedure

7.6.1 Unless relating to allegations of a criminal nature or deemed to be prejudicial to the investigation, the Inquiry Officer must as soon as reasonably practicable on being appointed, give oral or written notice to the Special Constable concerned. This notice will include:

- The nature of the report, complaint or allegation
- Confirmation there is to be an inquiry into the report, complaint or allegation
- The Special Constable's right to make written or oral comments on the report, complaint or allegation but must also be advised any comments made may be used in any subsequent misconduct procedure

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- The Special Constable's right to be accompanied at any meeting, interview or hearing by a representative he or she may select, providing this representative is not an interested party in some other way
- 7.6.2 Written notice to the Special Constable will be submitted as per a Regulation 15(1) Notice (Form 039-028) and whilst the service of this notification will be personally undertaken by the Inquiry Officer, there is no requirement for the Special Constable to be on duty when the notification is served.
- 7.6.3 On the notification being served and on completion of the inquiry, the Inquiry Officer will submit a written update to the Misconduct Officer in the form of an Inquiry Officer's Report (Form 039-026).
- 7.6.4 Where the allegation(s) contain a reasonable inference of criminality a report will be submitted to the Crown Office Procurator Fiscal Service (COPFS). Off duty criminal allegations will be reported to the relevant Procurator Fiscal on a Standard Prosecution Report and on duty criminal allegations will be reported to the Criminal Allegations Against the Police Division at the COPFS on the agreed reporting template available through the Professional Standards Department. Notification of this must be provided to PSD.
- 7.6.5 In the case of criminal allegations the Special Constable will be provided with written notification as per a Regulation 20(1) Notice (Form 039-030) advising him or her that a report has been submitted to the appropriate prosecutor. This notification will be hand delivered by the Nominated Officer, or by any officer appointed to do so of at least Inspector rank or posted by means of recorded delivery.

7.7 Procedures - Receipt of the Inquiry Officers Report

- 7.7.1 When considering the report submitted by the Inquiry Officer in relation to non-criminal allegations, the Misconduct Officer may take no further action or record a finding of misconduct and impose an appropriate disposal. Separate disposals may be made in relation to separate findings, the disposals being:
- Dismiss the Special Constable from the Police Service;
 - Require the Special Constable to resign from the Police Service, either forthwith or on a date specified in the decision, as an alternative to dismissal;
 - Issue a warning;
 - Require the Special Constable to attend any counselling which the Misconduct Officer considers to be necessary; or
 - Require the Special Constable to attend any training which the Misconduct Officer considers necessary.

7.7.2 Other than take no further action, the Misconduct Officer must not make a finding of misconduct and impose a disposal as specified above unless the Special Constable has been given the opportunity of being heard at a meeting held by the Misconduct Officer. In this respect the Special Constable must be given at least 21 days written notice of:

- The date, place and time of the meeting
- The nature of the report, complaint or allegation
- The disposals available to the Misconduct Officer as per the above
- His or her right to be accompanied at the meeting by a representative whom he or she may select

7.7.3 Written notification will be given as per a Regulation 17(4) Notice (Form 039-031) and will be hand delivered by the Misconduct Officer, or by any officer appointed to do so of at least Inspector rank or posted by means of recorded delivery. The notice will give the Special Constable the opportunity to attend the meeting and make oral representations to the Misconduct Officer.

7.7.4 Where the Special Constable has been given written notice of a meeting with the Misconduct Officer and does not attend that meeting, the Misconduct Officer may make a finding of misconduct and impose a disposal without having heard from the Special Constable if it appears just and proper to do so.

7.7.5 Following the date of the meeting and within 7 days of a decision being made by the Misconduct Officer the Special Constable must be notified in writing of:

- The finding of the Misconduct Officer;
- Any disposal which has been imposed by the Misconduct Officer; and
- The reasons why the Misconduct Officer has made such a finding and imposed any such disposal.

7.7.6 Written notification will be given as per the Regulation 17(3) Notice (Form 039-029) advising the Special Constable of the disposal. It will be hand delivered by the Misconduct Officer, or by any officer appointed to do so of at least Inspector rank or posted by means of recorded delivery.

7.7.7 The notification will also advise the Special Constable he or she has 21 days to ask the Chief Constable to review the findings, disposal or both and the officer must provide the grounds for requesting such a review.

7.8 Review by the Chief Constable

7.8.1 A request for a review must be made in writing to the Chief Constable within 28 days of the Special Constable receiving the Regulation 17(3) Notice. No decision will be made by the Chief Constable unless the Special Constable has been given the opportunity of being heard before the Chief Constable and informed in writing of his or her right to be accompanied at the meeting by a representative whom he or she may select.

7.8.2 Following review the Chief Constable may:

- Confirm or overturn the finding of the Misconduct Officer;
- Decide to overturn a disposal which has been imposed by the Misconduct officer because he or she considers that it is not necessary to take any action in relation to the finding;
- Impose a different disposal but may not impose a sanction which is greater than that imposed by the Misconduct officer; or
- Make separate disposals in relation to separate findings

7.8.3 The review will be a matter for the Chief Constable and will not involve any person previously involved in the process. The Special Constable will be notified in writing of the Chief Constable's decision within 7 days of the decision being made and the Chief Constable's decision is final.

7.9 Suspension / Restricted Duty

7.9.1 In circumstances where suspension from duty or restriction of duty is a consideration, the Professional Standards Department Superintendent for the geographical area where the Special Constable is based, or out with normal hours the on-call Professional Standards Department Superintendent, should be consulted in the first instance.

7.9.2 In relation to suspension, following discussion and initial assessment advice will be given on the process and procedure to be followed. Unless there are exceptional circumstances the decision to suspend a Special Constable is a matter for the Deputy Chief Constable (Designate).

7.9.3 As an alternative, consideration should be given to advising the Special Constable not to volunteer for any further duties until the matter has been fully investigated. If this is agreed it should be fully documented and the Divisional Commander and Divisional Special Police Constable Co-ordinator should be notified.

7.9.4 An officer suspended from duty will not wear police uniform, with the exception of attending any misconduct proceedings. An officer suspended from duty will be required, at the time of suspension, to surrender their warrant card, any other authorisation held, current notebook, irritant spray and other equipment including Airwave terminal, work issue blackberry/mobile phone and all police keys (this should not be considered an exhaustive list). Suspended officers will have their authorisations for all Police Scotland computer systems withdrawn. Further reference can be obtained from the Suspension of Duty Standard Operating Procedure.

8. Complaints about the Police

8.1 The Police, Public Order and Criminal Justice (Scotland) Act 2006 defines a complaint about the police as “A Statement (whether oral, written or electronic) expressing dissatisfaction about an act or omission by the Authority, by the Police Service or by a person who at the time of the act or omission was a person serving with the Police” which includes Special Constables.

8.2 Complaints about Special Constables are dealt with in the same manner as those about regular police officers and guidance can be obtained from the Complaints about the Police SOP.

8.3 Procedures for misconduct and alleged criminal offences relating to Special Constables are contained within The Police Service of Scotland (Special Constables) Regulations 2013. See also section 7 Misconduct above.

9. Resignation and Retiral

9.1 Resignation

9.1.1 Special Constables who wish to resign their appointment must give one month's notice to the Chief Constable of their intention to resign by submitting the appropriate Resignation/Retiral Form to their line manager or Divisional SPOC.

9.1.2 All uniform, warrant card and equipment, which is the property of the police, must be surrendered on resignation. Uniform and equipment should be returned to the line manager or Divisional SPOC who will ensure that it is returned to stores in line with local procedures. Notebooks should be returned and filed in accordance with the Record Retention SOP.

9.2 Retiral/Extension of Service beyond 60 Years of Age

9.2.1 In accordance with the Regulations, a Special Constable must retire at the age of 60 years unless the Chief Constable has given permission to allow the officer to extend his/her service beyond 60 years of age.

- 9.2.2 Divisional SPOC's will identify those approaching retirement and notify each Special Constable of their compulsory retirement date in writing at least six months prior to same and of their ability to request a postponement thereof. Special Constables who wish to continue beyond the age of 60 years should submit Form 120-042 requesting an extension of service to the National Coordinator via their Divisional Superintendent (portfolio holder) no later than 1 month prior to their 60th birthday. This should set out the skills/experience they could offer and an indication of how long they wish to postpone their compulsory retirement date. This postponement would be for a maximum period of one year and at that end of the period the Special Constable will require to compulsorily retire or seek a further postponement and supply the relative supportive details.
- 9.2.3 The report should contain comment from the Divisional Superintendent (portfolio holder) on the Special Constable's performance, discipline and commitment to the role. All officers would be expected to have successfully attained the necessary training during that period, such as OST refresher training. The report will thereafter be submitted to the National Coordinator indicating his/her recommendation.
- 9.2.4 Special Constables who do not wish to continue beyond 60 years of age should follow the resignation procedure outline on section 9.1 above.

9.3 Certificates of Service

- 9.3.1 On resignation/retiral a Special Constable must complete the relevant resignation/retiral form in line with local procedure.
- 9.3.2 The resignation/retiral form is then forwarded to HR or electronically to the relevant email mailbox; HR Shared Services East, HR Shared Services West and HR Shared Services North, who will arrange for a Certificate of Service to be signed by the Divisional Commander and either presented or forwarded to the Special Constable.

10. Maternity

- 10.1 The Adoption, Maternity and Paternity SOP sets out provisions relating to regular officers and where appropriate these should be followed for Special Constables. Due to the voluntary nature of a Special Constable's duties they are not assigned formal maternity leave, and while they should be supported and encouraged to return to work as soon as reasonable, the final decision on when to return to duty rests with the Special Constable.
- 10.2 Special Constables should inform their Line Manager of any pregnancy or maternity matters. The Line Manager should then ensure full support and welfare is considered by linking in with the Divisional SPOC to ensure the officer is kept updated of all matters relating to the Special Constabulary.

Transfer Between Divisions

Brief Guide:

- Step 1:** Special Constable submits SCOPE Transfer Request (021-007) via line manager to Divisional SPOC
- Step 2:** Divisional SPOC discusses the transfer request with the Special Constable
- Step 3:** Divisional SPOC discusses the transfer request with his/her counterpart in the receiving Division to assess suitability
- Step 4:** SCOPE Transfer Request (021-007) submitted to Chief Superintendent or nominated officer for consideration
- Step 5:** If approval not granted then Special Constable notified
- Step 6:** If approved, Divisional SPOC initiates SCOPE Transfer (021-008) with personal and current posting details and forwards it to his/her counterpart in the receiving Division
- Step 7:** The receiving Divisional SPOC (in liaison with Divisional Business Unit) completes new posting details on SCOPE Transfer (021-008) and Chief Superintendent or nominated officer completes Management Authorisation
- Step 8:** Completed SCOPE Transfer (021-008) is forwarded electronically to the SCOPE National Employee Moves mailbox
- Step 9:** SCOPE National Employee Moves allocates the request to the relevant HR Department who complete the transfer on SCOPE

Transfer Within Divisions

Brief Guide:

- Step 1:** Special Constable submits Request for Transfer (Form 021-007), via their line manager who will in turn submit this to the Divisional Special Constable Coordinator.
- Step 2:** Divisional SPOC discusses the transfer request with the Special Constable and seek any information required from relevant parties such as HR and Resource Management.
- Step 3:** Divisional SPOC then progresses request with their recommendation to the Superintendent (Portfolio Holder) for consideration.
- Step 4:** Where the request is not approved then the relevant sections of the Request for Transfer (Form 021-007) should be completed and Special Constable notified of the decision.
- Step 5:** If the transfer is approved, Divisional SPOC notifies the Special Constable and line manager of the approval and arrange a transfer date.
- Step 6:** Chief Superintendent completes a SCOPE Transfer (Form 021-008) and sends this, along with the approved Request for Transfer (Form 021-007), to the Divisional Business Unit for action.

Excluded Occupations

Some applicants may be unsuitable for appointment based on the external occupation of the person, where the job or voluntary position creates a potential conflict with the role of special constable.

Some roles are in direct conflict with the office of constable due to the specific functions or powers involved, whilst others may require consideration on an individual basis dependant on the specific role carried out by the candidate.

The Chief Constable has ultimate discretion regarding an applicant's suitability for the role of Special Constable.

EXCLUDED OCCUPATIONS

Armed Forces
The MOD has confirmed that full time armed forces personnel are held to be on a 24-hour-a-day availability basis for essential duties at short or no notice. As a result, it is undesirable for them to enter into an agreement with the local police force if their availability cannot be guaranteed.
Any service-person attempting to join the Special Constabulary would be in direct contravention of the Queens Regulations.

Roles concerned with administration of the law
Magistrate and Judges
Clerk of the Court
Justice of the Peace and Clerks to JPs
Defence agent
Chairman or member of the children's panel
Public Prosecutor (Procurator Fiscal)
Member of the Police Board
Precognition officer
Sheriff officer
Stenographer, runner for defence or PF
Community/Neighbourhood Warden
Bailiff, Public Enquiry Officers and Warrant Officers
School Crossing Patroller/Traffic Wardens/Parking Enforcement Officers

Security related roles
Store Detective
Prison Officer

Other
Journalist
Private Detective

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CASE BY CASE CONSIDERATION

<u>SUBJECT TO EMPLOYER APPROVAL AND/OR SUBJECT TO THE DISCRETION OF THE CHIEF CONSTABLE</u>
Immigration Service Employee
Members of Medical and Health professions
Armed Force Reservist - reservist commitments taking precedence over SC duty
Fire Service Employee - whole time, part time or retained fire fighter
National Crime Agency Employee
Debt Collector
Voluntary Reservist
Probation Officer, Youth and Social Worker, Youth Key Worker
Employees of security organisations, security personnel, guards and door supervisors
Any applicant who is a member of a political party/organisation or takes an active part in politics

<u>SUBJECT TO BUSINESS INTEREST DECLARATION PROCESS & APPROVAL FROM CHIEF CONSTABLE</u>
An officer is deemed to have a business interest if that individual, or any member of that individual's family living with that person, holds any licence, certificate or permit granted in pursuance of the laws relating to liquor licensing, betting and gaming or regulating places of entertainment in Scotland or has any financial interest in such licence, certificate or permit.

There will be other roles or occupations that applicants undertake which may present a potential conflict with the powers given to special constables. Any doubt as to the suitability of the applicant on this basis should be referred to your Line Manager.

It is important that the applicant is made aware of the necessity to highlight any external job, whether paid or voluntary, to Police Scotland and the requirement to inform the Police of any subsequent change of occupation should they be accepted for the role.

Associated Legislation

- The Police Service of Scotland (Special Constables) Regulations 2013 and associated Determinations thereto.
- Police and Fire Reform Act 2012
- The Police, Public Order and Criminal Justice (Scotland) Act 2006
- Official Secrets Act 1989
- The Police Federation (Scotland) Regulations 2013

Associated Reference Documents

- Adoption, Maternity and Paternity SOP
- Allowances and Expenses (Police Officers) SOP
- Citations (Police Officers and Staff) SOP
- Complaints about the Police SOP
- Death in Service SOP
- Disability in Employment SOP
- Equality, Diversity and Dignity SOP
- Health and Safety SOP
- Postings and Transfer (Police Officers) SOP
- PSoS Special Constables National Strategy
- Record Retention SOP
- SCOPE Duty Roster Special Constable Management Guidance Document
- Stress Management SOP
- Training Administration SOP
- Transgender People in Employment SOP
- Trauma and Risk Management SOP
- Use of Force SOP

Core Competencies

The undernote list provides the core competencies that every Special Constable should be competent in following deployments and training/awareness:

- Use of Airwave Radio (person and vehicle checks and updating control room)
- Noting personal particulars and statements
- Carrying out a person search and submission of associated paperwork
- Stopping a vehicle
- Effecting an arrest/detention
- Raising a crime report (or similar)
- Completion of fixed penalty ticket /conditional offer
- Searching/Creating SID log
- Visit to licensed premises (and associated paperwork)