

**DETERMINATIONS OF THE SECRETARY OF STATE UNDER THE
POLICE REGULATIONS 2003**

The Secretary of State, in exercise of the powers conferred by regulations 10B and 12 of the Police Regulations 2003 (SI 2003/537) (“the Police Regulations”), as amended, makes the following determination.

In accordance with regulation 46(1), before making this determination the Secretary of State has obtained the approval of the College of Policing.

The Secretary of State has determined that, with effect from 22nd February 2019, the determination under regulation 12 is replaced with the following.

REGULATION 12

ANNEX C REFERS- Probationary service

12.- (1) Subject to paragraphs (2) and (3), a member of a police force other than a rejoiner member—

(a) 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;

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

(b) in the case of a DE superintendent, appointed in the rank of superintendent, shall be on probation for such periods as the Secretary of State shall determine in respect of such appointments.

(2) In making a determination under paragraph (1), the Secretary of State may, subject to paragraph (3), confer on the chief officer discretion to determine the required period of probation in a particular case.

(3) For the purposes of a determination under paragraph (1), the periods to be counted or disregarded in reckoning service shall be such as may be determined by the Secretary of State.

REGULATION 10B

ANNEX C REFERS- Probationary service for rejoiner members

10B Member rejoining a police force

(1) This regulation applies to a person who is to be appointed as a member of a police force (“Force A”) and who—

(a) has previously served as a member of a police force (whether Force A or another force) and has—

(i) satisfactorily completed the period of probationary service in the rank of constable required under regulation 12 during that or another period of prior service, and

- (ii) resigned or retired from that force;
 - (b) is not participating in the DE Inspector or DE Superintendent programmes;
 - (c) is not transferred (for the purposes of regulation 2 (reference to transfers)) to Force A from another force, and
 - (d) was not, immediately prior to the appointment—
 - (i) on a secondment under regulation 13A (secondments)(1);
 - (ii) on a career break under regulation 33(12) (leave)(2), or
 - (iii) a member of a police force.
- (2) A person to whom this regulation applies—
- (a) must be appointed in a rank to be decided by the chief officer making the appointment;
 - (b) must be on probation for such period as the Secretary of State shall determine in respect of such appointments.
- (3) In making a determination under paragraph (2)(b), the Secretary of State may, subject to paragraph (4), confer on the chief officer discretion to determine the required period of probation in a particular case.
- (4) For the purposes of a determination under paragraph (2)(b), the periods to be counted or disregarded in reckoning service shall be such as may be determined by the Secretary of State.

(1) Regulation 13A was inserted by S.I. 2013/2793.
(2) Regulation 33(12) was inserted by S.I. 2006/3449.

ANNEX C

DETERMINATION FOR REGULATION 10B AND 12: PROBATIONARY SERVICE IN THE RANK OF CONSTABLE, DIRECT ENTRY INSPECTOR AND SUPERINTENDENT, AND FOR REJOINER MEMBERS

- 1) A member of a police force 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, and not being a member to whom paragraph (2) applies, shall unless paragraph (4), (4A), (4B) or (4C) applies to his case, be on probation for the first 2 years of his service as a constable in that police force following his last appointment thereto or for such longer period as the chief officer determines in the circumstances of a particular case.
- 2) A part-time member of a police force appointed in the rank of constable shall, unless paragraph (4) (4A) or (4B) applies to his case, be on probation for a period calculated in accordance with paragraph (3) following his last appointment thereto or for such longer period as the chief officer determines in the circumstances of a particular case.
- 3)
 - a) A part-time member of a police force, other than a rejoiner member, appointed to the rank of constable shall be required to serve on probation for a period of $(40/A) \times (2 \text{ years less any period of probation served in that force otherwise than as a part-timer})$.
 - aa) A part-time member of a police force who is a rejoiner member appointed to any rank shall be required to serve on probation for a period of $40/A \times$ the relevant full time equivalent probation pursuant to paragraph (4C)(b) below.
 - b) In sub paragraphs (a) and (aa) above 'A' = member's normal weekly period of duty, as defined in the determination made by the Secretary of State under Regulation 22.
- 4) A member of a police force to whom paragraph (1) or (2) applies who has served on probation for a period of not less than a year following a previous appointment to that or any other police force shall be on probation for the first year of his service as a constable in the police force first mentioned in this paragraph following his last appointment thereto or for such longer period as the chief officer determines in the circumstances of a particular case.

Provided that the chief officer may at his discretion:

- a) reduce the period of probation, so however that the reduced period, when aggregated with the previous period of probation, shall not be less than 2 years except that, in the case of a member who for any part of their probation is appointed a part-time member, is not less than the period served full time in probation plus the period calculated under paragraph 3(a) above, or
- b) dispense with the period of probation, if the member, following his previous appointment, completed the required period of probation in the force in question.

4A)

(a) This paragraph applies to a member of a police force in the rank of constable participating in the Fast Track Programme;

(b) A full-time constable to whom this paragraph applies shall be on probation as a constable until their promotion to the rank of sergeant, or for the first two years of their service as constable, whichever is the shorter period, or for such longer period as the chief officer decides;

(c) A part-time constable to whom this paragraph applies shall be on probation as a constable until their promotion to the rank of sergeant, or for the period set out in paragraph (3), whichever is the shorter period.

4B)

(a) This paragraph applies to inspectors and superintendents participating in the inspector Direct Entry Programme or the superintendent Direct Entry Programme;

(ab) A full-time inspector to whom this paragraph applies shall be on probation for the first 24 months of their service as inspector, or for such longer period as the chief officer decides.

(b) A full-time superintendent to whom this paragraph applies shall be on probation for the first 18 months of their service as superintendent, or for such longer period as the chief officer decides.

4C)

(a) This paragraph applies to a rejoiner member;

(b) Where a full-time rejoiner member:

(i) has been appointed as a member of a police force:

(a) less than 12 months after their previous service as a member of a police force, and

(b) in the rank in which they last served as a member of a police force;

that member will be on probation for 6 months, or for such longer period as the chief officer decides;

(ii) has been appointed as member of a police force:

(a) not less than 12 months after their previous service as a member of a police force, and

(b) in the rank in which they last served as a member of a police force;

that member will be on probation for 12 months, or for such longer period as the chief officer decides;

(iii) has been appointed as member of a police force in a rank other than the rank in which they last served as a member of a police force,

that member will be on probation for 12 months, or for such longer period as the chief officer decides.

- 5) For the purposes of this determination
- a) in reckoning service, any period of unpaid leave shall be disregarded;
 - b) in the case of a university scholar, in reckoning service his period of study shall be disregarded;
 - c) in the case of a member who has been statutorily transferred from one force to some other force, his service in those two forces shall be treated as if it were service in the same police force;
 - d) in the case of a member of a police force who has been transferred thereto from an aerodrome constabulary by an order under section 30 of the Aviation Security Act 1982, his service in that constabulary shall be treated as if it were service in that police force;
 - da) a "rejoiner member" has the meaning set out in regulation 3 of the Police Regulations 2003.

The Secretary of State has determined that for paragraph (5)(e) of Annex C of the Determinations under the Police Regulations 2003 there shall be substituted the following paragraph (5)(e). This substitution shall have effect from 5th October 2008.

- e) in reckoning service in the case of a female member of a police force who has taken one or more periods of maternity leave
- (i) where that leave has been for 52 weeks or more, the first 52 weeks whilst on maternity leave shall be treated as if it were service in the police force; and
 - (ii) where that leave has been for less than 52 weeks, any period spent on maternity leave shall be treated as if it were service in the police force. Prior to this substitution, paragraph (5)(e) of Annex C of the Determinations under the Police Regulations 2003, had effect as the following paragraph (5) (e), up until 4 October 2008.
 - "c) in reckoning service in the case of a female member of a police force who has taken one or more periods of maternity leave:
 - (i) where that leave has been for 26 weeks or more, the first 26 weeks whilst on maternity leave shall be treated as if it were service in the police force;
 - (ii) where that leave has been for less than 26 weeks, any period spent on maternity leave shall be treated as if it were service in the police force; and where that member has, at the beginning of the fourteenth week before the expected date of birth of the member's child, as given in accordance with a determination under regulation 33(7), served continuously as a member of a police force for a period of not less than 26 weeks, any period (not being a period of which account has been taken under paragraph (i) or (ii)) spent on maternity

leave during the period of 29 weeks beginning with the week in which the child is born shall in addition be treated as if it were service in the police force.”

f) in reckoning service in the case of a member of a police force who has taken one or more periods of parental leave under regulation 33(8)(b) and the determination thereunder any period spent on parental leave shall be treated as if it were service in the police force.

g) in reckoning service in the case of a member of a police force who has taken one or more periods of maternity support leave under regulation 33 (8) (a) and the determination thereunder, any period spent on maternity support leave shall be treated as if it were service in the police force.

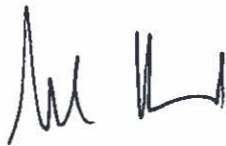
h) in reckoning service in the case of a member of a police force who has taken one or more periods of adoption support leave under regulation 33 (8) (d) and the determination thereunder, any period spent on adoption support leave shall be treated as if it were service in the police force.

i) in reckoning service in the case of a member of a police force who has taken one or more periods of adoption leave

i. where that leave has been for 1 week or more, the first week whilst on adoption leave shall be treated as if they were service in the police force;

ii. where that leave has been for less than 1 week, any period spent on adoption leave shall be treated as if it were service in the police force;

and where that member has, at the end of the week in which they are notified of having been matched with a child for adoption, served continuously as a member of a police force for a period of not less than 26 weeks, any period spent on adoption leave during the period of 26 weeks beginning with the week in which the child is placed with the officer for adoption shall be treated as if it were service in the police force.



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