

What is a Regulation 15 Notice and how should I deal with it?

In December 2008 new misconduct procedures were introduced which changed the way in which Police Forces deal with complaints and conduct matters. The main difference being that upon receipt of a complaint an assessment will be made to determine whether the matter should be dealt with as a Misconduct only matter or a Gross Misconduct matter.

The definition of Gross Misconduct is “a breach of the Standards of Professional Behaviour so serious that dismissal would be justified”. If this assessment has been made then the investigation would be carried out by PSD in a similar way to as it is now where the final outcome may result in appearing before a Misconduct Panel and the most severe outcome could be Dismissal from the Force without notice.

If the assessment is one of Misconduct only then the matter will be dealt with by the BCU concerned where the outcomes range from Managerial Advice to the most serious outcome of a Final Written Warning. The new procedures aim to deal with Misconduct matters quickly and proportionately to allow officers to reflect and learn from any mistakes and move on without the need for lengthy investigations.

The purpose of serving a Regulation 15 notice is to advise the officer, as soon as practicable, that a complaint has been made or a conduct matter has come to light that warrants an investigation. The notice is a protection for the officer to allow them to secure any evidence that may assist in their defence and to seek appropriate advice from a Federation Friend or a Solicitor. It is important that you contact your Federation Representative as soon as possible following the service of a Regulation 15 notice so that the advice can be sought and to ensure that the correct procedures are followed.

Under the new procedures officers have 10 working days in which to submit, in writing, a formal response to the allegation contained within the Regulation 15 notice, hence the importance of seeking Federation advice as soon as possible.

Federation Representatives have been trained to deal with Misconduct matters and will advise you throughout the process. Officers are entitled to seek advice from the Federation before making any response to the service of a Regulation 15 notice. If you are asked for a response it would be advisable to state “I am willing to co operate fully with any investigation but I would like to seek advice before making a formal response”.

In Gross Misconduct matters where a criminal offence has been alleged your Federation Representative will arrange for legal advice/ representation via a Solicitor prior to any subsequent interview.

Being under investigation can be very stressful and the Federation can provide advice and welfare support throughout the process. Please contact your local Federation Representative or the Federation Office for further advice.