

DETERMINATIONS UNDER THE POLICE SERVICE OF SCOTLAND (SPECIAL CONSTABLES) REGULATIONS 2013

- 1) The Scottish Ministers, in exercise of the powers conferred by regulations 5, 6, 10, 21 and 22 of the Police (Special Constables) (Scotland) Regulations 2013 (“the Regulations”) determine that:
 - a) the standard of eyesight which must be met by a candidate for appointment to the office of special constable is that specified in [Annex 1](#);
 - b) the notice of intention to retire required to be given by a special constable who wishes to retire voluntarily is as specified in [Annex 2](#);
 - c) the normal periods of duty for a Special Constable; the periods for refreshment which a special constable is allowed; and the circumstances in which travelling time may be treated as duty, are as specified in [Annex 3](#);
 - d) the entitlement of special constables to any allowances is as specified in [Annex 4](#);
 - e) the entitlement of a special constable to reimbursement of expenses is as specified in [Annex 5](#).
- 2) The Scottish Ministers have consulted and shared a draft of this determination with the person mentioned in section 54(2)(a)(i) to (vi) of the Police and Fire Reform (Scotland) Act 2012 and have considered any representations made.
- 3) Expressions used in these determinations which also appear in the Regulations have the same meaning as in the Regulations
- 4) These determinations come into force on 1st April 2013.
- 5) These determinations, consisting of this page and Annexes 1, 2, 3, 4 and 5 referred to above are subscribed as follows:–

Signed by CHRISTIE SMITH

a member of staff of the Scottish Ministers, at Edinburgh

on 1 APRIL 2013

This is Annex 1 referred to in the foregoing determination by the Scottish Ministers under regulation 5 of the Police Service of Scotland (Special Constables) Regulations 2013

Annex 1 [To first page^](#)

Regulation 5

EYESIGHT STANDARDS: SPECIAL CONSTABULARY RECRUITMENT

The standard of eyesight which must be met by a candidate for appointment as a special constable in respect of each of the matters specified in the first column of the following table is that specified in the second column of that table.

| Eyesight | Mandatory requirement |
|-----------------------------------|---|
| Static Visual Acuity ¹ | <p>Corrected distance visual acuity must be 6/12 in either eye and 6/6 or better, binocularly.</p> <p>Corrected near static visual acuity must be 6/9 or better, binocularly. Applicants who do not reach the standard must be invited for a further test if they obtain a stronger prescription.</p> <p>Uncorrected visual acuity must be 6/36 or better, binocularly.</p> <p>Corrected low contrast distance visual acuity must be 6/12 or better for a 10% contrast target, binocularly.</p> |
| Visual Field ² | <p>A field of view of at least 120 degrees horizontally by 100 degrees vertically is required. The field of view should be free of any large defective areas, particularly in the fovea. Single defects smaller than the physiological blind spot, and multiple defects that add to an area smaller than the physiological blind spot, are acceptable.</p> |
| Colour Vision ³ | <p>Monochromats should be rejected.</p> <p>Mild anomalous trichromats are acceptable and are to be treated as normal.</p> <p>Severe anomalous trichromats and dichromats are also acceptable and are to be instructed in coping strategies.</p> <p>Applicants who show a lowered discrimination for blue colours should be referred to an ophthalmologist for further assessment. This must include a measure of their dark adaptation performance.</p> |
| Spectacles and contact lenses | <p>Correction must be worn where necessary to achieve 6/6 binocularly. Corrective spectacles and contact lenses are acceptable for the tasks of an Operational Police Special Constable.</p> |

| | |
|-------------|---|
| Eye Surgery | <p>PRK, LASIK, LASEK, ICRS, cataract surgery: There is no significant weakening of the cornea and applicants should not be rejected only on the basis of having had such surgery. A period of at least 6 weeks after surgery should be allowed before applications are accepted. There may be a reduction in low light level visual performance: Test visual performance under low illuminance conditions.</p> <p>Radial Keratotomy (RK), Arcuate Keratotomy (AK), corneal grafts, any other surgical procedures that result in a significant weakening of the cornea: There is a measurable risk of corneal rupture if the eye is struck. Applicants having undergone such surgery must be rejected.</p> |
|-------------|---|

¹ Acuity should be measured using a Snellen eye chart, or equivalent.

² The field of view may be tested using a confrontation test. However, it is recommended that more sophisticated testing equipment is used, where possible. If the results of the confrontation test suggest that there is a reduced visual field, or if the results of the medical questionnaire suggest an increased risk of reduced visual field, applicants should be referred to an ophthalmologist for a thorough examination of their visual field.

³ Colour vision should be tested using the appropriate test. Applicants should not wear 'colour correcting' lenses during the colour vision tests.

This is Annex 2 referred to in the foregoing determination by the Scottish Ministers under regulation 6 of the Police Service of Scotland (Special Constables) Regulations 2013

Annex 2 [To first page^](#)

Regulation 6

RETIREMENT

A special constable who wishes to retire voluntarily must give the chief constable one month's written notice of the special constable's intention to retire.

This is Annex 3 referred to in the foregoing determination by the Scottish Ministers under Regulation 10 of the Police Service of Scotland (Special Constables) Regulations 2013

Annex 3 [To first page^](#)

Regulation 10

DUTY

1) DUTY

The normal periods of duty for a Special Constable shall be those duty hours and training hours as agreed with the Chief Constable; the periods of refreshment set out in paragraph 2 and travelling time as set out in paragraph 3.

2) PERIODS FOR REFRESHMENT

As far as the exigencies of duty permit, where in one day a special constable is on duty for a continuous period of 5 hours or more, time for refreshment shall be allowed in accordance with the following table:

| Number of hours | Refreshment time |
|---|-------------------------|
| Less than 6 hours | 30 minutes |
| 6 hours or more, but less than 7 hours | 35 minutes |
| 7 hours or more, but less than 8 hours | 40 minutes |
| 8 hours or more, but less than 9 hours | 45 minutes |
| 9 hours or more, but less than 10 hours | 50 minutes |
| 10 hours or more | 60 minutes |

3) TRAVELLING TIME

Travelling time, as defined in regulation 10(3) of the Police Service of Scotland (Special Constable) Regulations 2013, which is incurred by a special constable may be treated as duty in such circumstances as agreed with the chief constable.

This is Annex 4 referred to in the foregoing determination by the Scottish Ministers under Regulation 21 of the Police Service of Scotland (Special Constables) Regulations 2013

Annex 4 [To first page^](#)

Regulation 21

ALLOWANCES

1) MOTOR VEHICLE ALLOWANCES

- a) Where the chief constable is of the opinion that the duties normally performed by a special constable are of such a nature that it is desirable that the special constable in question should, at all material times, have a motor vehicle at the special constable's disposal, the chief constable may authorise that special constable to use (subject to the chief constable's directions) a motor vehicle owned, kept or used by the special constable for the purposes of duties performed by that special constable.
- b) Subject to the following provisions of this determination, the special constable must be paid in respect of such authorised use a motor vehicle allowance.
- c) Use of a motor vehicle during travelling time which is treated as duty in accordance with a determination under regulation 10(1) is to be treated as use for the purposes of duties performed by the special constable.
- d) A motor vehicle allowance is not payable in respect of the authorised use of a motor vehicle unless there was in force in relation to that vehicle a policy of insurance in relation to its authorised use in terms approved by the chief constable.
- e) A motor vehicle allowance is not be payable in respect of the authorised use of a motor car of a cylinder capacity exceeding 500 cc unless the special constable concerned is willing to carry passengers for the purposes of the duties performed by that special constable or, in the case of passengers being constables of the Police Service of Scotland (including special constables), those constables.
- f) Subject to the provisions of this determination, a motor vehicle allowance in respect of the authorised use of a motor car of a cylinder capacity exceeding 500 cc is payable at the casual users' rate in accordance with sub-paragraphs (g) and (i).
- g) Subject to the following provisions of this determination, the amount of motor vehicle allowance payable in any year is to be calculated by reference to the miles of authorised use in that year and at the casual users' rates as specified in paragraph (i); and
- h) A motor vehicle allowance in respect of the authorised use of –
 - i) a motor car of a cylinder capacity not exceeding 500 cc, or
 - ii) a motor bicycle,

is, subject to the provisions of this determination, payable on such conditions and at such rate as is approved by the Scottish Ministers.

i) Casual Users' rates

| | 451-999cc | 1000-1199cc | 1200-1450cc |
|--|------------------|--------------------|--------------------|
| Per mile – first 8,500 miles | 46.9p | 52.2p | 65.0p |
| Per mile – after 8,500 miles | 13.7p | 14.4p | 16.4p |
| Petrol element per mile | 9.406p | 10.366p | 11.288p |
| Amount of VAT per mile in petrol element | 1.400p | 1.543p | 1.681p |

k) The amount of a motor vehicle allowance payable to a special constable must not exceed that which would be payable if the vehicle used were of such a cylinder capacity, not being less than 1,000 cc, as the chief constable has determined appropriate for use for the purposes of the duties normally performed by that special constable.

l) For the purposes of this determination –

“authorised use” means the use, authorised under paragraph (a), of a motor vehicle owned, kept or used by a special constable for the purposes of that special constable’s duties as a constable of the Police Service of Scotland;

“cylinder capacity” means the cylinder capacity of an engine calculated in accordance with regulations made under paragraph 1(2B) of Schedule 1 to the Vehicle Excise and Registration Act 1994, including any regulations having effect as if made under that paragraph by virtue of section 20(3) of the Finance Act 2002;

“motor bicycle” means a mechanically propelled bicycle (including a motor scooter, a bicycle with an attachment for propelling it by mechanical power and a mechanically propelled bicycle used for drawing a sidecar);

“motor car” means a mechanically propelled vehicle other than a motor bicycle and, accordingly, includes propelled tricycle;

“motor vehicle” means a motor bicycle or a motor car;

“passenger” does not include a person who is arrested or detained under suspicion of having committed or committing a criminal offence; and

“year” means a period of twelve months beginning on such date as may be determined by the chief constable.

2) SPECIAL CONSTABLE’S PERIODIC ALLOWANCE

a) The chief constable may make a periodic allowance payable to a special constable in accordance with the conditions and amounts specified in sub-paragraphs (b) to (e).

(b) For the purpose of this paragraph:

“period of duty” means a period of duty in which a special constable works for 4 consecutive hour;

“primary scheme period” means a period of 12 months commencing on 1 April;

“probationary scheme period” means, in respect of a special constable who joins the Police Service during the period of 6 months from the date of commencement of a primary scheme period, a period of 6 months within that primary scheme period commencing on 1 October.

c) A special constable who is serving with the Police Service on the date on which any primary scheme period ends must be paid a periodic allowance of £1000 in respect of that period provided that—

i) the chief constable is satisfied that the special constable certified that the special constable wished to take part in the periodic allowance scheme before the date on which the primary scheme period commenced;

ii) the special constable has served continuously with the Police Service for the whole of the primary scheme period; and

iii) the special constable has carried out 45 periods of duty within the primary scheme period.

(d) A special constable who is serving with the Police Service on 31 March having joined the Police Service between 1 April and 30 September the previous year must be paid a periodic allowance of £500 for the probationary scheme period which ends on that 31 March provided—

i) the chief constable is satisfied that the special constable certified that the special constable wished to take part in the periodic allowance scheme before the date on which the probationary scheme period commenced;

ii) the special constable has served continuously with the Police Service for the whole of the probationary scheme period; and

iii) the special constable has carried out 23 periods of duty within the probationary scheme period.

e) For the purpose of qualifying for a periodic allowance, a maximum of two periods of duty in any one shift carried out by a special constable can qualify towards the periods of duty under sub-paragraphs (c)(iii) and (d)(iii).

3) LOSS OF REMUNERATION ALLOWANCE

a) 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.

b) The chief constable is entitled to request evidence which documents the loss of earnings which a special constable has suffered before paying an allowance under sub-paragraph (a).

c) For the purpose of sub-paragraph (a), 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.

4) BOOT ALLOWANCE

a) A special constable must be paid a boot allowance of £30 per annum, payable in arrears, on completion of such number of hours of duty per annum as is determined by the chief constable.

This is Annex 5 referred to in the foregoing determination by the Scottish Ministers under Regulation 22 of the Police (Special Constables) (Scotland) Regulations 2013

Annex 5 [To first page^](#)

Regulation 22

EXPENSES

1) REIMBURSEMENT OF MEDICAL CHARGES

A special constable shall be reimbursed any charges incurred by that special constable by virtue of regulations made under sections 69, 70, 71 or 71A of the National Health Service (Scotland) Act 1978, provided that those charges are incurred in the execution of that special constable's duty and without that special constable's default.

2) ACCOMMODATION EXPENSES

a) A special constable shall be reimbursed accommodation expenses necessarily incurred in connection with duty away from that special constable's usual place of duty, or which are necessary because the special constable has been retained on duty beyond the special constable's scheduled period of duty, provided that the expenditure is reasonable and is supported by a receipt.

b) The chief constable must determine the date at which a special constable on duty away from the special constable's usual place of duty becomes, for the time being, stationed at the place where the special constable is temporarily on duty.

c) A special constable must, if the special constable requests, be given an advance to cover, as far as practicable, estimated expenses of duty away from the special constable's usual place of duty.

d) For the purposes of this paragraph, the "usual place of duty" is the police establishment in which the special constable is stationed.

e) For the purposes of this paragraph, a "scheduled period of duty" means the period of duty that the special constable has indicated they wish to complete in one day which has been rostered or noted by the Police Service.

3) FOOD/REFRESHMENT EXPENSES

a) When a special constable of the Police Service of Scotland is necessarily prevented in the course of a tour of duty from obtaining a meal in the usual way, that special constable shall be reimbursed the difference between the meal the special constable then obtains and the meal the special constable usually takes in the course of that tour of duty, provided that the additional expenditure is reasonable and backed by a receipt.

b) When a special constable of the Police Service of Scotland remains on duty beyond the special constable's normal period of duty, the special constable shall be reimbursed the cost of any meal the special constable then necessarily obtains provided that expenditure is reasonable and backed by a receipt.

4) TRAVELLING EXPENSES

a) This paragraph applies where a special constable travels between that special constable's home or place of employment and that special constable's place of duty by public transport or private motor vehicle.

b) Where this paragraph applies, the special constable must be reimbursed any expenses incurred by virtue of travel between that special constable's home or place of employment and place of duty to the extent that they do not exceed such reasonable limit as may be fixed by the chief constable.

c) No expenses are to be reimbursed under sub-paragraph b) which are expenses in respect of which an allowance is payable under the determination made under regulation 21 of the Regulations.

d) For the purposes of this paragraph –

“private motor vehicle” means a motor car or a motor bicycle as defined in the determination made under Regulation 21 of the Regulations.

5) OUT OF POCKET EXPENSES

A special constable must be paid out-of-pocket expenses which are reasonably incurred by that special constable in the course of that special constable's duty. The circumstances in which such expenses shall be paid may be determined by the chief constable.