

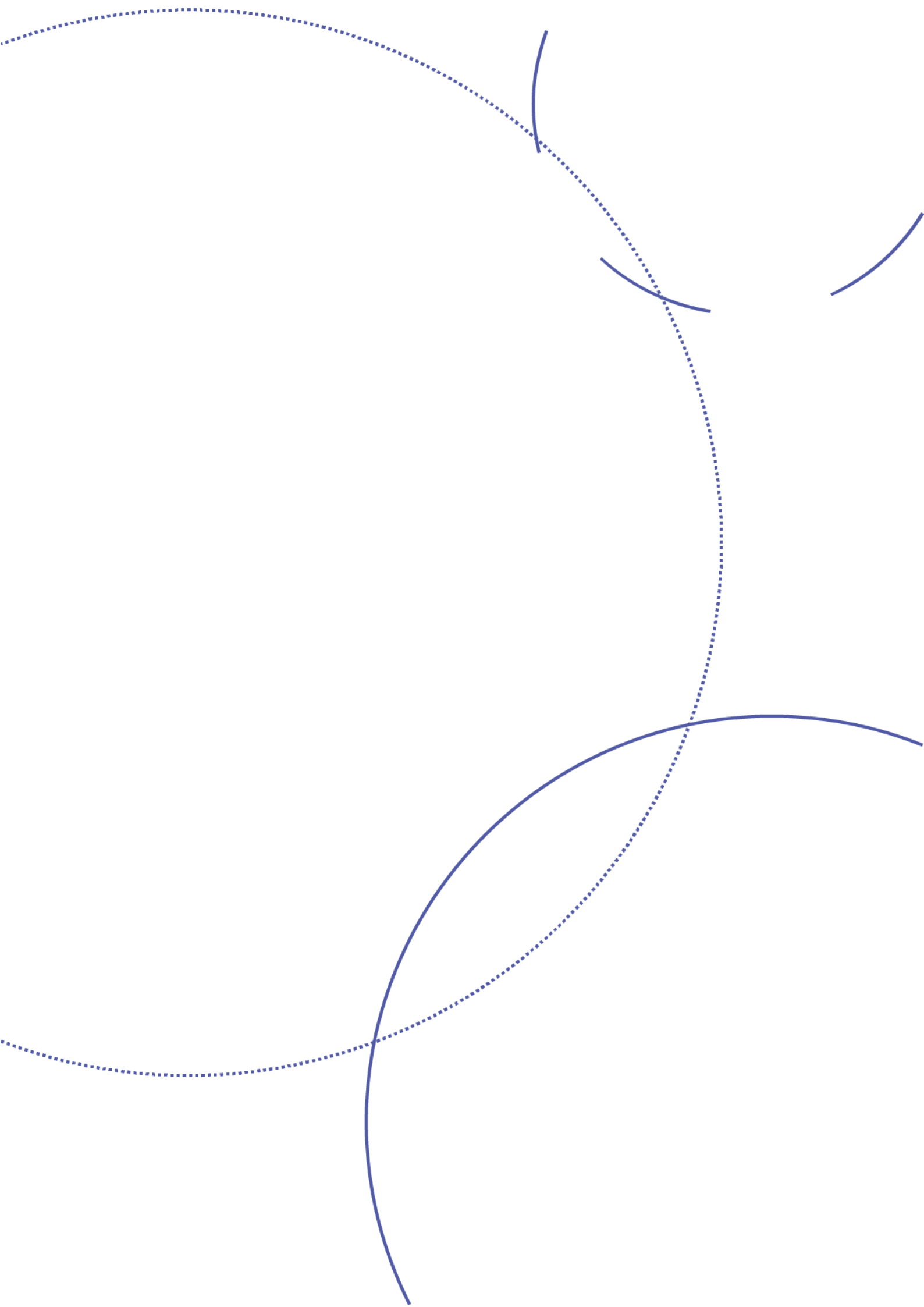
# Assurance review of conduct and discipline

March 2026

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HM Inspectorate of Constabulary in Scotland







# HM Inspectorate of Constabulary in Scotland

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HM Inspectorate of Constabulary in Scotland (HMICS) is established under the Police and Fire Reform (Scotland) Act 2012 and has wide ranging powers to look into the 'state, effectiveness and efficiency' of both the Police Service of Scotland (Police Scotland) and the Scottish Police Authority (SPA).<sup>1</sup>

We have a statutory duty to inquire into the arrangements made by the Chief Constable and the SPA to meet their obligations in terms of best value and continuous improvement. If necessary, we can be directed by Scottish Ministers to look into anything relating to the SPA or Police Scotland as they consider appropriate. We also have an established role in providing professional advice and guidance on policing in Scotland:

- Our powers allow us to do anything we consider necessary or expedient for the purposes of, or in connection with, the carrying out of our functions.
- The SPA and the Chief Constable must provide us with such assistance and co-operation as we may require to enable us to carry out our functions.
- When we publish a report, the SPA and the Chief Constable must also consider what we have found and take such measures, if any, as they think fit.
- Where our report identifies that the SPA or Police Scotland is not efficient or effective (or best value not secured), or will, unless remedial measures are taken, cease to be efficient or effective, Scottish Ministers may direct the SPA to take such measures as may be required. The SPA must comply with any direction given.
- Where we make recommendations, we will follow them up and report publicly on progress.
- We will identify good practice that can be applied across Scotland.
- We work with other inspectorates and agencies across the public sector and co-ordinate our activities to reduce the burden of inspection and avoid unnecessary duplication.
- We aim to add value and strengthen public confidence in Scottish policing and will do this through independent scrutiny and objective, evidence-led reporting about what we find.

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<sup>1</sup> Police and Fire Reform (Scotland) Act 2012, Chapter 11.



Our approach is to support Police Scotland and the SPA to deliver services that are high quality, continually improving, effective and responsive to both national and local needs.<sup>2</sup>

**This assurance review was undertaken by HMICS in terms of Section 74(2)(a) of the Police and Fire Reform (Scotland) Act 2012 and is laid before the Scottish Parliament in terms of Section 79(3) of the Act.**

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<sup>2</sup> HMICS, [Corporate plan 2025-28](#), 12 March 2025.



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## Our inspection

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This assurance review examines the fairness, transparency and effectiveness of Police Scotland and Scottish Police Authority (SPA) conduct and discipline systems. The review highlights strengths, identifies areas requiring improvement and proposes 24 recommendations aimed at strengthening professional standards, organisational learning, leadership behaviours, wellbeing support and accountability across policing in Scotland. The report builds on recent inspections such as vetting, organisational culture, and wellbeing. Many other areas of work have also been considered, including the report by (the then) Dame Elish Angiolini in 2020.

Key findings indicate that - while Police Scotland maintains a clear organisational purpose and well-defined Codes of Ethics and Standards of Professional Behaviour - significant inconsistencies persist in some leadership behaviours, personal performance management, whistleblowing arrangements and the timeliness of conduct and disciplinary processes.

The review found that new officers and staff receive inconsistent training on key ethical and conduct expectations, and current performance appraisal processes are viewed as ineffective and very poorly utilised. A key element highlighted in this report is that of the performance management of officers and staff, and the underuse of the system that is in place (MyCareer). This low uptake and lack of trust in the system is symptomatic of many issues raised by staff associations, officers and members of staff over recent years. We have highlighted in previous reports concerns over how staff are managed, how performance dips are addressed, and a perceived early rush to use conduct processes where performance processes would be more effective. The current performance regulations are complex and difficult to use, and need to be reviewed to improve capability in effectively managing officers and staff.



Record keeping in several key areas - including whistleblowing, senior officer assessments, and conduct investigations - lacks transparency and consistency, undermining assurance and organisational and stakeholder confidence. The database used to record conduct matters appears to sit outwith any information or data governance systems. Concerns have also been raised at some of the practices used in this system in relation to reports of wrongdoing by chief officers.

The review found that wellbeing support for officers and staff under investigation is inconsistent and often inadequate, with many individuals reporting severe mental health impacts including suicidal ideation. Greater effort needs to be made to support those officers and staff who are under investigation, often for long periods of time, to ensure that they are kept up to date and have suitable support.

The absence of an independent prescribed body with an investigative capability for whistleblowing disclosures in Scotland is also a critical gap; this limits safe reporting routes for staff (and the protections that are available under the law) and diminishes the effectiveness of this route of reporting.

The review also identifies concerns about senior officer conduct assessments, including inconsistent referral practices and insufficient record keeping by the SPA. This was raised previously by Lady Angiolini and there has been insufficient progress in the five years since her report. The close working relationships between senior managers within the Scottish Police Authority and chief officers within Police Scotland has been highlighted as both a positive in terms of day to day and long term improvements being made, but also a conflict when it comes to the impartial dealing with matters alleging wrongdoing by senior officers. Staff, officers and some representative bodies see this as a significant conflict of interest with many of them feeling that this results in chief officers being treated more leniently than those they manage.



The report identifies areas of good practice, including the introduction of dedicated police staff investigators and the Fair Play advisor role, both of which contribute to improved impartiality, challenge and consistency in decision making. Benchmarking with forces in England and Wales highlights opportunities for improved training, more structured learning-focused approaches to conduct issues, and simplified performance regulations.

Overall, HMICS concludes that while significant strengths exist across the policing system, substantial improvements are required to strengthen consistency, transparency, governance and wellbeing support. The 24 recommendations set out in the report - supported by areas for improvement - provide a clear pathway to enhance professional standards, improve confidence in conduct and disciplinary arrangements, and embed a more preventative and learning-focused culture across Police Scotland and the SPA.

## **Craig Naylor**

His Majesty's Chief Inspector of Constabulary

March 2026



## Key findings

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- Police Scotland maintains a clearly defined purpose, vision and strategy that promotes a positive organisational culture, aims to prevent misconduct and supports compliance with its Code of Ethics and Standards of Professional Behaviour.
- Feedback from officers and staff stated that there were occasions where Police Scotland senior leaders did not consistently exemplify the expected standards of professional behaviour.
- Training on Police Scotland's Code of Ethics, Code of Conduct and Standards of Professional Behaviour for new officers and staff requires improvement to ensure quality and consistency.
- Professional Standards Department (PSD) National Gateway Assessment Unit (NGAU) maintains accurate records on initial assessment of wrongdoing and provides strong supervisory oversight.
- The NGAU database lacks formal policies governing record creation, retention and deletion.
- Police Scotland's existing performance and appraisal process is widely regarded as ineffective and not fit for purpose.
- Performance regulations are overly complex and under-utilised, and should be reviewed.
- Staff in the NGAU responsible for assessing potential protected disclosures, have received little or inadequate whistleblowing training.
- Police Scotland's record keeping on whistleblowing assessments requires improvement.
- There is a general lack of awareness of whistleblowing within Police Scotland.
- Current whistleblowing policies do not clearly outline processes for officers and staff to raise matters which may be protected disclosures concerning senior officers.
- There is no appropriate independent police oversight body prescribed under the Public Interest Disclosure Act 1998 for whistleblowers to report wrongdoing within policing in Scotland.
- Police staff disciplinary investigations lack consistency in record keeping, frequently exceed prescribed timescales, and are conducted without adequate training for managers and hearing chairs.



- The appointment of dedicated police staff investigators for police staff discipline cases is a positive development.
- The suspension of with-cause drug testing for police staff has introduced organisational risk.
- Oversight of police staff discipline exists at operational and tactical levels but is absent at an organisational level, with no evidence of public reporting or scrutiny.
- PSD conduct investigators undertake thorough and proportionate investigations but carry high caseloads, which can affect timescales.
- Delays in concluding conduct and disciplinary processes are due to complex, multifactorial causes. These delays negatively affect staff wellbeing.
- Police Scotland is actively addressing issues with its use of The Police Service of Scotland Regulations 2013 Regulation 9 in relation to the dismissal of probationary constables and has increased management focus in this area.
- Wellbeing support for individuals who are subject to conduct and discipline processes is inconsistent and perceived as inadequate.
- Between 2013 and 2024, 20% of those Police Scotland officers and staff who died by suicide were subject to live complaints or discipline processes.
- We were not satisfied that the SPA's arrangements for the initial assessment of senior officer wrongdoing provide adequate assurance.
- Improvements have been made to the capability of the SPA complaints team.
- We found that the SPA complaints team was being bypassed when reports were received by the SPA about senior officer potential wrongdoing.
- Police Scotland has failed to report all allegations of senior officer wrongdoing to the SPA.



# Recommendations

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## Training

### Recommendation 1

Police Scotland should review and enhance the content and delivery of training of its Code of Conduct, Code of Ethics and Standards of Professional Behaviour for all those joining the organisation. This review should ensure improved quality, consistency and effectiveness.

## Initial assessment of potential wrongdoing

### Recommendation 2

Police Scotland PSD should review its use of the iBase database to ensure compliance with data protection requirements, including conducting a Data Protection Impact Assessment (DPIA) and establishing policies for record creation, retention and access.

## Officer and staff performance

### Recommendation 3

Police Scotland should implement an effective performance development and appraisal system. This system should be supported by structured training for line managers to enable constructive performance conversations and early intervention in cases of underperformance.

### Recommendation 4

The Scottish Government should undertake a comprehensive review of The Police Service of Scotland (Performance) Regulations 2014.



## **Whistleblowing**

### **Recommendation 5**

Police Scotland should ensure that all staff involved in assessing potential protected disclosures receive appropriate training to enable them to identify and manage such reports effectively.

### **Recommendation 6**

The Scottish Police Authority should revise its policies to clearly outline processes for assessing reports of wrongdoing involving senior officers which may be whistleblowing.

### **Recommendation 7**

Police Scotland should maintain an auditable record of all reports considered as potential protected disclosures, including the rationale for decisions and details of decision makers.

### **Recommendation 8**

The Scottish Government should add the Police Investigations & Review Commissioner to the list of prescribed persons under The Public Interest Disclosure (Prescribed Persons) Order 2014, enabling staff to raise concerns with an independent police oversight body in Scotland.

## **Police staff discipline investigations**

### **Recommendation 9**

Police Scotland should review internal processes contributing to delays in meeting timescales in police staff disciplinary processes.

### **Recommendation 10**

Police Scotland should ensure that all police staff discipline investigations and meetings are conducted by those who are appropriately trained and independent of the enquiry.

### **Recommendation 11**

Police Scotland should report information on police staff discipline to the SPA People Committee to enable effective scrutiny.



## **Police officer conduct**

### **Recommendation 12**

Police Scotland's PSD should review its structure to prevent delays in conduct investigations caused by excessive workloads.

### **Recommendation 13**

PSD should adopt a corporate approach to investigative record keeping, including auditable documentation of planning, decision making and supervisory oversight.

### **Recommendation 14**

The Scottish Government should consider a system-wide review be undertaken to identify opportunities to expedite criminal cases where the perpetrator is a police officer or member of police staff (either on or off duty).

### **Recommendation 15**

The Scottish Government should consider amending The Police Service of Scotland (Conduct) Regulations 2014, to include accelerated misconduct hearings for all ranks (in appropriate circumstances).

### **Recommendation 16**

The Scottish Government should consider introducing an expedited process within The Police Service of Scotland (Conduct) Regulations 2014 for cases where facts are undisputed, allowing sanctions up to and including verbal or written warnings.

### **Recommendation 17**

In reviewing The Police Service of Scotland (Conduct) Regulations 2014 and its associated guidance, the Scottish Government should consider incorporating best practice from the Reflective Practice Review Process used in England and Wales.

## **Senior officer conduct**

### **Recommendation 18**

The Scottish Police Authority should ensure the expertise of its complaints team is utilised when assessing all reports of potential wrongdoing by senior officers.



### **Recommendation 19**

The Scottish Police Authority should maintain clear, auditable records detailing the receipt, rationale and decisions arising from the initial assessment of reports of potential wrongdoing by senior officers.

### **Recommendation 20**

Police Scotland should share all reports of alleged wrongdoing involving senior officers with the SPA, without exception, including those made anonymously.

### **Recommendation 21**

Police Scotland should cease the practice of generating 'blank' iBase records and adopt a single, auditable process for recording, retaining and escalating all allegations - irrespective of rank - so that there is a complete, consistent auditable trail.

## **Wellbeing**

### **Recommendation 22**

Police Scotland should review its approach to wellbeing support for individuals involved in conduct and disciplinary processes, ensuring that support is tailored to individual needs and individuals are given the opportunity to contribute to the selection of their wellbeing point of contact.

### **Recommendation 23**

Police Scotland should provide comprehensive training and guidance to those responsible for delivering wellbeing support. The guidance should clearly define roles, responsibilities and accountability, to ensure that support is delivered consistently and appropriately.

### **Recommendation 24**

In cases where an officer or staff member dies by suicide while subject to ongoing or recently concluded disciplinary or conduct proceedings, Police Scotland should ensure this information is explicitly included in its report to the Crown Office and Procurator Fiscal Service detailing the circumstances of the death.



## Areas for improvement

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Areas for improvement	Page number
Senior leaders must consistently exemplify the standards of professional behaviour expected within Police Scotland. This area should be specifically monitored in the annual staff survey, to support improvements in leadership behaviours and organisational confidence.	20
As part of its new Human Resources Case Management Structure, Police Scotland should ensure that there are clear and robust processes in place for recording and assessing reports of potential wrongdoing for police staff.	24
Police Scotland should use targeted communication and training initiatives to boost awareness of whistleblowing legislation, associated protections and reporting mechanisms.	27
Police Scotland should continue consultation with staff associations and trade unions to agree on a process for reinstating with-cause drug testing for police staff.	32
Police Scotland's PSD and HR should work collaboratively with other departments to identify and act upon organisational learning emerging from conduct and disciplinary cases. The identification of learning opportunities should be a continuous process built into the review of each case.	48
Police Scotland should improve its analysis of misconduct and disciplinary data to identify opportunities for targeted prevention and more innovative engagement with officers and staff. Additional analytical support would strengthen this work.	48



## Identification of good practice

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Identification of good practice	Page number
The appointment of dedicated police staff investigators in discipline procedures is positive, providing impartiality and a consistency in investigation.	<b>31</b>
The appointment of a Fair Play Advisor (providing independent and constructive challenge within conduct decision making processes) represents an example of good practice and aligns with national approaches to enhancing fairness and transparency.	<b>34</b>
The investigations carried out by PSD conduct investigators are both thorough and proportionate.	<b>36</b>



## Background

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1. Public interest in police conduct is high, influenced in large part by recent high-profile cases of serious misconduct in UK policing. Independent reviews have subsequently exposed weaknesses in conduct processes and raised concerns about organisational culture. Given the authority entrusted to officers and staff, there is a legitimate expectation that policing maintains the highest standards of professional behaviour, so when individuals fall short of these standards it can undermine public confidence - not only in those involved, but in the wider police service.
2. Good conduct and effective discipline processes are essential for maintaining trust and confidence in policing. Clear expectations, combined with fair and transparent procedures for addressing misconduct, demonstrate an organisation's commitment to accountability and integrity. When inappropriate behaviour is identified, investigated and addressed effectively, it reinforces public assurance that police powers are being exercised lawfully and ethically.
3. The vast majority of officers and staff perform their duties professionally and conduct themselves appropriately both on and off duty. Every day in Scotland, officers and staff face unpredictable and often dangerous situations that test their judgement and patience. Most of them do so with dedication and humility, motivated by a strong sense of duty. These public servants deserve to have confidence in conduct and discipline processes that are fair, proportionate and prompt, enabling the minority of those who fall short of expected standards to be held to account.
4. Police Scotland and the SPA were established in 2013 under the Police and Fire Reform (Scotland) Act 2012. Several regulations were introduced to govern the performance and conduct of police officers, including the following.

[The Police Service of Scotland \(Conduct\) Regulations 2013](#)

[The Police Service of Scotland \(Conduct\) Regulations 2014](#)

[The Police Service of Scotland \(Senior Officers\) \(Conduct\) Regulations 2013](#)

[The Police Service of Scotland \(Performance\) Regulations 2014](#)

[The Police Service of Scotland \(Senior Officers\) \(Performance\) Regulations 2016](#)

These regulations collectively form the basis of Scotland's policing conduct and performance framework.



5. The Scottish Government is currently undertaking a comprehensive review of both The Police Service of Scotland (Conduct) Regulations 2014 and The Police Service of Scotland (Senior Officers) (Conduct) Regulations 2013. While some elements of employment law apply to police officers, statutory regulations generally take precedence.
6. In addition to these statutory provisions, Police Scotland currently operates a statutory Code of Ethics based on the principles of integrity, fairness and respect<sup>3</sup> (reproduced at appendix A) along with Standards of Professional Behaviour (reproduced at appendix B), which set clear expectations for officers and staff.<sup>4</sup>
7. On appointment, every Scottish police officer also swears an oath of office before a sheriff or justice of the peace.

*“I, do solemnly, sincerely and truly declare and affirm that I will faithfully discharge the duties of the office of constable with fairness, candour, integrity, diligence and impartiality, that I will follow the Code of Ethics for policing in Scotland and that I will uphold fundamental human rights and accord equal respect to all people, according to law.”*

8. Post-legislative scrutiny of the Police and Fire Reform (Scotland) Act 2012 led to an independent review of complaints handling, investigations and misconduct processes led by Rt. Hon. Dame Elish Angiolini (now Lady Angiolini). Her final report was published in November 2020: [Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing: Final Report](#). There were 111 recommendations made across both this report and the preliminary report to her subsequent inquiry.<sup>5</sup> A significant number of these recommendations have been implemented, while several remain outstanding (some of which require legislative change). The full impact of work undertaken to close these recommendations has yet to be fully assessed.

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<sup>3</sup> [Code of Ethics for policing in Scotland - Police Scotland](#), 13 February 2026.

<sup>4</sup> [Our Standards of Professional Behaviour - Police Scotland](#), 03 July 2025.

<sup>5</sup> [The Angiolini Inquiry Part 1 Report - The Angiolini Inquiry](#), 29 February 2024.



9. Further scrutiny followed the 2021 murder of Sarah Everard in England (by a serving police officer), prompting a Home Office inquiry led by Lady Angiolini. [The Angiolini Inquiry - Part 1 Report](#) (February 2024) highlighted failures of conduct investigations, HR processes, vetting policy and practice across three forces in England. Part 2 of the inquiry is underway and will report on police recruitment, vetting, culture and standards, along with women's safety in public spaces.
10. Although focused on police forces in England, the findings of the Angiolini Inquiry are relevant to Scotland due to similarities in organisational structures, vetting challenges and public expectations of policing.
11. In 2023, HMICS published [Thematic Inspection of Organisational Culture in Police Scotland](#), which concluded that standards of professional behaviour and ethics<sup>6</sup> were integral to the aspirational culture of Police Scotland. It found that misconduct and grievance processes were widely perceived as lacking openness, transparency, fairness and pace of resolution. A general lack of trust in these processes was found to have a direct (and at times, damaging) impact on individuals and teams.
12. The [Police \(Ethics, Conduct and Scrutiny\) \(Scotland\) Act 2025](#) introduces significant reforms, including a statutory Code of Ethics, a Duty of Candour, enhanced misconduct procedures and strengthened mechanisms for greater accountability.
13. HMICS assurance reviews allow for detailed scrutiny where there is a specific need to audit critical systems and ensure accurate and ethical recording, or to provide independent assurance in high-risk areas. Conduct was identified as an inspection area in the HMICS Scrutiny Plan 2022-25, following wide-ranging consultation. While acknowledging the considerable work underway in Scotland relating to police conduct, this assurance review seeks to provide independent scrutiny of current conduct and discipline systems, to assess their fairness, transparency and effectiveness.

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<sup>6</sup> [Our Standards of Professional Behaviour - Police Scotland](#), 03 July 2025.



## Methodology

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14. To deliver this assurance review, we adopted a comprehensive, evidence-based approach combining qualitative and quantitative methods, using the HMICS Framework and the EFQM model.

### Interviews

15. We conducted 117 interviews from across a broad range of stakeholders. This included officers and staff from Police Scotland and the SPA, particularly those within the PSD, Human Resources (HR), and the SPA complaints team. Interviewees also included those with experience of conduct or discipline processes, as well as representatives from staff associations and trade unions.
16. We also held discussions with key external stakeholders including the Crown Office and Procurator Fiscal Service (COPFS), the Police Investigations & Review Commissioner (PIRC), the Home Office, Scottish Government, His Majesty's Inspectorate of Constabulary and Fire & Rescue Service (HMICFRS), and the College of Policing.

### Observations

17. We observed conduct-related training sessions delivered to new probationary officers and facilitated focus groups to assess participants' understanding and perceptions of the training received.
18. Our inspectors spent several days observing NGAU staff as they received, recorded and assessed initial reports of wrongdoing.



19. We attended a range of internal Police Scotland meetings where conduct and disciplinary decisions were made, including the following.

- Conduct Assessment Meetings
- Suspensions Review Meetings
- Case Allocation Review Panels
- senior management meetings within PSD and HR
- Police Scotland People Board Meetings
- SPA Complaints and Conduct Committee
- Scottish Government Justice Committee
- Police Appeals Tribunals (PAT)

## Benchmarking

20. To assess comparative practice, we visited Greater Manchester Police (GMP) and West Midlands Police. These benchmarking visits focused on their approaches to prevention, organisational learning, conduct processes and professional standards, allowing comparison with arrangements within Police Scotland.

## Document review

21. A limited self-evaluation was issued to both Police Scotland and the SPA. We reviewed the completed submissions alongside a broad range of documentation, including internal reports, academic research, guidance documents, training materials, legislation and management information.

## Case/file review and observations

22. We examined 107 concluded police officer conduct case files, including: all concluded gross misconduct cases resulting in no finding of misconduct; all cases overturned at a subsequent PAT; and a random sample of additional concluded conduct cases.

23. In addition, we reviewed 23 concluded police staff disciplinary cases. This comprised: all concluded gross misconduct where no misconduct was ultimately found; all dismissals subsequently reinstated following appeal; and a random sample of other concluded discipline cases.



## Leadership

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24. Police Scotland sets clear expectations for officers and staff conduct through its [Code of Ethics for policing in Scotland - Police Scotland](#), supported by its Professional Standards of Behaviour and Code of Conduct. These expectations are well established and understood across the organisation.
25. Our inspection found that these standards are consistently articulated and reflected in Police Scotland's strategic documents and internal and external communications. Officers and staff reported that they understood what was expected of them and that professional standards were reinforced through routine interactions with line managers and senior leaders.
26. Despite this, concerns were raised at all levels regarding the extent to which the senior leadership team consistently exemplifies the expected standards of professional behaviour. These concerns were voiced repeatedly during interviews and represents an ongoing challenge that may undermine confidence in leadership behaviours if not addressed.

### **Area for improvement**

Senior leaders must consistently exemplify the standards of professional behaviour expected within Police Scotland. This area should be specifically monitored in the annual staff survey, to support improvements in leadership behaviours and organisational confidence.



## Training

27. While experienced officers and staff generally understood behavioural expectations, concerns were raised about the training provided to new officers and staff.
28. Induction training for police staff currently relies on a mix of mandatory and optional e-learning modules. Mandatory courses include Corruption Prevention, Data Protection and Introduction to Equality Diversity and Inclusion. There is one course entitled Police Scotland: Upholding Our Values, which has learning outcomes including details of the shared values (Integrity, Fairness, Respect) and upholding human rights (and how these translate into everyday actions), but this is a non-mandatory course and requires self-enrolment. Staff interviewed reported that online content was often difficult to absorb and lacked practical relevance to them as new employees.
29. Further training on the Code of Conduct and Standards of Professional Behaviour is at the discretion of local divisions and departments, leading to inconsistent delivery and limited evaluation and governance.
30. Benchmarking with GMP revealed a more structured approach: all new police staff must attend a face-to-face half-day session with the Police Staff Discipline Manager to discuss contractual obligations and expected professional standards, with attendance formally recorded on training records.
31. Probationary constables in Police Scotland receive two in-person training inputs from PSD during their initial training - one in the first week and another in week 12. In our observations and subsequent focus groups we found that recruits demonstrated variable understanding of how to report wrongdoing, and that the quality of training was dependent on the individual delivering it.

### **Recommendation 1**

Police Scotland should review and enhance the content and delivery of training of its Code of Conduct, Code of Ethics and Standards of Professional Behaviour for all those joining the organisation. This review should ensure improved quality, consistency, and effectiveness.



## Initial assessment of potential wrongdoing

32. Reports of potential wrongdoing by police officers or members of police staff may originate from a range of internal and external sources. These reports are assessed through different processes, depending on how they are received. Complaints concerning senior officers - defined as those holding the rank of Assistant Chief Constable or above - fall under the responsibility of the SPA, which assesses and manages these matters.
33. Complaints about the police submitted by members of the public are received by Police Scotland's PSD and if the complaint relates to a senior officer, it is transferred to the SPA. (Members of the public can also make complaints relating to senior officers directly to the SPA.) PSD assesses whether a complaint meets the threshold to be considered as a conduct or disciplinary matter. (Our review did not examine complaints-handling processes unless the matter was upheld and subsequently addressed as a conduct issue.)
34. Internal complaints of potential wrongdoing by officers and staff within Police Scotland (excluding senior officers) may be reported and assessed by line managers, PSD or HR. Some reports are classified as grievances and managed under grievance procedures; such cases fell outside the scope of this review.
35. Internal complaints of wrongdoing within Police Scotland can also be reported through the Integrity Line, a confidential mechanism that allows anonymous disclosures. Officers and staff can also use the externally provided Crimestoppers Integrity Line which was introduced in response to concerns raised in relation to distrust of the internal system. In addition, Police Scotland supports Crimestoppers' Police Anti-Corruption and Abuse Reporting Service, which enables members of the public to report potential wrongdoing involving persons employed by Police Scotland.



36. When a report is received where there is an inference of on-duty criminality by police officers it must be referred to COPFS's Criminal Allegations Against the Police Division (CAAPD). This referral can be made directly by a member of the public, through Police Scotland or in cases relating to senior officers by the SPA. Off-duty criminal allegations involving officers or staff are investigated and reported to the relevant prosecutor in the same way as cases involving members of the public. This review focused only on the conduct or disciplinary implications of such cases and not the criminal investigation.
37. Most reports of potential wrongdoing by officers - and some reports relating to police staff - are notified to PSD through the PSD NGAU. NGAU records and assesses these reports and determines whether further action is required. NGAU staff undertake additional checks in an attempt to verify the content of the reports and reach proportionate decisions. We found this process to be thorough; it was supported by peer discussion and strong supervisory oversight, which promoted consistency in decision making.
38. NGAU uses the intelligence database iBase to record reports, checks and decisions. Records are created on iBase linked to profiles of officers and staff and other individuals mentioned in the reports. We found no evidence of formal policies governing the creation, retention or deletion of records within iBase, and noted that no records have been weeded or removed since the system's introduction in 2017.

### **Recommendation 2**

Police Scotland PSD should review its use of the iBase database to ensure compliance with data protection requirements, including conducting a Data Protection Impact Assessment (DPIA) and establishing policies for record creation, retention and access.

39. Circumstances relating to police staff discipline are referred to HR. The correct process to do this is via the People Direct portal, which creates a record within the HR Connect system. However, we heard examples of line managers seeking informal advice directly from HR, bypassing People Direct. When no action was subsequently taken, this resulted in an absence of records documenting concerns raised or the rationale for decisions.



### Area for improvement

As part of its new Human Resources Case Management Structure, Police Scotland should ensure that there are clear and robust processes in place for recording and assessing reports of potential wrongdoing for police staff.

### Officer and staff performance

40. The performance of officers and staff in Police Scotland is primarily managed by line managers, supported by HR. Conduct matters are the responsibility of line managers and PSD. We found evidence that line managers frequently refer low-level performance issues to NGAU for consideration as potential conduct matters. Whilst we noted that a significant proportion of cases referred to the National Conduct Unit (NCU) are referred to divisions for local intervention, this approach continues to result in a disproportionate use of the conduct framework and formal improvement action, which are not reflected within performance and development reviews (PDRs). This echoes concerns highlighted in Lady Angolini's 2020 report that performance issues were escalated unnecessarily, rather than addressed through structured performance processes.
41. [The Police Service of Scotland \(Performance\) Regulations 2014](#) are infrequently used in practice. Those we spoke to consistently reported that Police Scotland does not have an effective PDR process. The Police Service of Scotland (Performance) Regulations 2014 Guidance<sup>7</sup> states:

*“Every police officer should have some form of performance appraisal, or what is commonly referred to as a ‘performance and development review’ (PDR). The PDR should be the principal method by which the police officer’s performance and attendance is monitored and assessed. It is the responsibility of the line manager to set objectives for their staff and it is the responsibility of all police officers, with appropriate support from management, to ensure that they both understand and meet those objectives.”*

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<sup>7</sup> [Police Service of Scotland \(Performance\) Regulations 2014 Guidance](#).



42. The current Police Scotland PDR process, MyCareer, is widely regarded as ineffective. Officers and staff view it largely as a tool for promotion, rather than a mechanism to support day-to-day performance. Numerous managers stated that the system does not support them in addressing underperformance and it is perceived as irrelevant for police staff. This lack of engagement is reflected in take-up: although the process is described as compulsory, only 47% of the workforce completed the process in the year ending 31 March 2025. This declined even further between April and September 2025, with fewer than 5% having completed it.<sup>8</sup>
43. Guidance from ACAS emphasises the importance of setting clear performance standards and expectations and monitoring progress through regular review:

*“Employers should also set standards of performance so that employees know what is expected of them. This is usually done as part of an organisation’s performance management which will involve agreeing objectives and reviewing performance on a regular basis.”<sup>9</sup>*

Similarly, the College of Policing highlights the value of a robust organisational PDR strategy, highlighting that an effective PDR process can strengthen wellbeing, encourage collaborative goal setting and support managers in identifying both strong performance and early signs of underperformance.<sup>10</sup>

### **Recommendation 3**

Police Scotland should implement an effective performance development and appraisal system. This system should be supported by structured training for line managers to enable constructive performance conversations and early intervention in cases of underperformance.

<sup>8</sup> SPA, [People Committee - Learning, Training & Development and Leadership & Talent – Joint Thematic Report](#), 4 December 2025.

<sup>9</sup> acas, [Discipline and Grievances at work](#), July 2020.

<sup>10</sup> College of Policing, [Professional development review \(PDR\): Implementing an organisational PDR strategy](#), September 2025.



44. Police Scotland and staff associations consistently highlighted the complexity of [The Police Service of Scotland \(Performance\) Regulations 2014](#) as a significant barrier to their effective use. The regulations were described as overly complex and time-consuming. In contrast, England and Wales have recently simplified their performance procedures with the introduction of [The Police \(Conduct, Performance and Complaints and Misconduct\) \(Amendment\) Regulations 2025](#), reducing them from a three-stage to a two-stage process.

#### **Recommendation 4**

The Scottish Government should undertake a comprehensive review of The Police Service of Scotland (Performance) Regulations 2014.

### Whistleblowing

45. Whistleblowing, formally referred to as making a *protected disclosure*, involves reporting suspected illegal, unethical or harmful conduct within an organisation. It is a vital mechanism for upholding accountability, integrity and transparency across the public sector. The statutory framework for whistleblowing is set out in the [Employment Rights Act 1996](#) as amended by the [Public Interest Disclosure Act 1998](#) (PIDA). Notably, under PIDA, police officers benefit from the same statutory protections as employees, despite their unique employment status.
46. As public sector bodies, Police Scotland and the SPA are responsible for ensuring that protected disclosures are received, assessed and managed appropriately.
47. Police Scotland introduced its first formal whistleblowing policy and guidance in 2017, which was updated in 2019 and again in 2025. The current policy (Reporting wrongdoing (whistleblowing)) encourages officers and staff to speak up about wrongdoing. Training includes a mandatory e-learning module for officers and staff, but completion levels have been low.



48. We found that knowledge and understanding of Police Scotland's whistleblowing processes among officers and staff remains limited. Many individuals interviewed expressed uncertainty about how to make a disclosure and how reports are assessed. Police Scotland has committed to improving awareness through renewed communication and a relaunch of the e-learning module; however, further work is needed to embed understanding across the organisation.

#### **Area for improvement**

Police Scotland should use targeted communication and training initiatives to boost awareness of whistleblowing legislation, associated protections and reporting mechanisms.

49. NGAU along with PSD senior management have the responsibility for assessing whether reports received within Police Scotland meet the criteria for protected disclosures under PIDA. Police Scotland reported that NGAU staff have received training from Protect (the whistleblowing advice organisation). However, we identified inconsistencies; some NGAU staff had not received any formal training and others reported that the training they had received was insufficient for the responsibilities they were expected to undertake.

#### **Recommendation 5**

Police Scotland must ensure that all staff involved in assessing potential protected disclosures receive appropriate training to enable them to identify and manage such reports effectively.

50. The SPA's 2022 Whistleblowing Policy<sup>11</sup> does not clearly set out the process for concerns received involving senior officers. While it outlines procedures for concerns relating to the SPA Chief Executive and Board members, there is no guidance on how concerns relating to Police Scotland senior officers should be addressed if they meet the threshold of being considered a protected disclosure or if the person raising the concern is themselves a Senior Officer. We consider this an omission that requires clarity in order to provide confidence in whistleblowing arrangements for reports that contain concerns relating to senior officers.

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<sup>11</sup> SPA, [Whistleblowing Policy](#), July 2022.



### **Recommendation 6**

The Scottish Police Authority should revise its policies to clearly outline processes for assessing reports of wrongdoing involving senior officers which may be whistleblowing.

51. We reviewed records of reports considered by NGAU as potential protected disclosures. In some cases, reports initially assessed by NGAU as potential protected disclosures were not ultimately treated as such, with the decision made by senior officers. Records did not consistently document the rationale for such decisions or identify the decision maker. This lack of transparency undermines confidence in the integrity of the process.

### **Recommendation 7**

Police Scotland should maintain an auditable record of all reports considered as potential protected disclosures, including the rationale for decisions and details of decision makers.

52. Under PIDA, individuals may raise concerns with a 'prescribed person' outwith their organisation. However, no independent policing oversight body with an investigative capacity in Scotland is currently listed as a prescribed person.<sup>12</sup> This contrasts with England and Wales, where the Independent Office for Police Conduct is prescribed for this purpose. We heard repeated concerns about the absence of an independent route for police officers and staff in Scotland, particularly when concerns may relate to senior officers.

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<sup>12</sup> Gov.uk, [Whistleblowing: list of prescribed people and bodies](#), 26 November 2025.



53. The [Police \(Ethics, Conduct and Scrutiny\) \(Scotland\) Act 2025](#) gives PIRC oversight and review of the investigation of whistleblowing complaints. Lady Elish Angiolini's review recommended:

*“The Police Investigations and Review Commissioner should be added to the list of prescribed persons in The Public Interest Disclosure (Prescribed Persons) Order 2014<sup>102</sup> in order that people working in Police Scotland and in the Scottish Police Authority are able to raise their concerns with an independent third-party police oversight organisation.”*

While acknowledging the increased oversight that the introduction of [Police \(Ethics, Conduct and Scrutiny\) \(Scotland\) Act 2025](#) brings, we also remain supportive of Lady Elish's position, which would enable officers and staff to disclose relevant information to an organisation outwith Police Scotland.

#### **Recommendation 8**

The Scottish Government should add the Police Investigations & Review Commissioner to the list of prescribed persons under The Public Interest Disclosure (Prescribed Persons) Order 2014,<sup>13</sup> enabling staff to raise concerns with an independent police oversight body in Scotland.

### **Police staff discipline**

54. Police staff make up about 27% of Police Scotland's workforce and perform a wide range of critical functions at all levels in the organisation. Many undertake challenging roles that expose them to violence, trauma and high-risk operational environments. As with police officers, police staff are subject to both public scrutiny and the expectation that they uphold high professional standards. Any behaviour by a police staff member that falls short of these expectations can significantly affect public trust and confidence.

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<sup>13</sup> Legislation.gov.uk, [The Public Interest Disclosure \(Prescribed Persons\) Order 2014](#).



55. Expectations for police staff are set out in Police Scotland's Code of Conduct, and within individual contracts of employment. Performance and discipline matters are managed by line managers, divisional commanders or heads of department, supported by HR. HR provides guidance, procedural oversight and administrative support throughout formal processes.
56. Circumstances relating to alleged wrongdoing by a member of police staff are submitted to their senior management who, in consultation with HR, decide if the circumstances need to be investigated, and the level of the misconduct if the allegation is proved. In reviewing the paperwork recording this process, we found that 50% of cases contained insufficient rationale for the decisions made.
57. Where a report of wrongdoing is assessed as requiring formal investigation, an investigation manager is appointed, normally from within the staff member's division or department. Investigation managers may be police officers or police staff. While they do not receive formal training for this role, they are well supported by HR advisors. However, many highlighted that conducting disciplinary investigations alongside their existing responsibilities created significant capacity pressures.
58. Police Scotland's Staff Disciplinary Procedure states that disciplinary investigations should ideally be completed within 21 calendar days, with any subsequent disciplinary meeting normally held within 14 calendar days of the investigation's conclusion. We found that these timelines were rarely achieved. In our case review, only 30% of investigations met the 21-day target, and only 18% of cases proceeding to a meeting were concluded within the expected timeframe. Individuals with experience of the process consistently reported that such delays had significant personal and professional impact.

### **Recommendation 9**

Police Scotland should review internal processes contributing to delays in meeting timescales in police staff disciplinary processes.



59. We heard concerns that discipline investigations conducted by police officers risked being conducted in the style and standard of criminal investigations, focusing on proving allegations rather than establishing a balanced account. However, we found no evidence of systemic imbalance. Of the 23 discipline cases reviewed, investigations were generally proportionate and included inculpatory and exculpatory material.
60. Police Scotland has recently introduced a small cadre of dedicated police staff investigators to manage discipline and grievance casework, with an initial focus on complex and protracted matters. This development has been positively received, offering increased consistency, impartiality and professional expertise within investigations.

#### **Identification of good practice**

The appointment of dedicated police staff investigators in discipline procedures is positive, providing impartiality and a consistency in the conduct of investigations.

61. Where an allegation against a member of police staff is upheld following investigation, a disciplinary meeting is convened. The Staff Disciplinary Procedure states that the chair should be of a higher grade than the staff member subject to the proceedings and must have had no prior involvement in the investigation. For allegations assessed as gross misconduct, the meeting should be chaired by the relevant divisional commander or head of department.
62. We found that the divisional commanders or heads of departments were responsible for both reviewing the investigation findings and determining whether a case should be categorised as gross misconduct. This dual role risks perceptions of compromised independence when they subsequently chair the disciplinary meeting. Those who had chaired such meetings reported receiving no formal training; this is in contrast to police officer conduct chairs, who receive structured training and continuous professional development.



### **Recommendation 10**

Police Scotland should ensure that all police staff discipline investigations and meetings are conducted by those who are appropriately trained and independent of the enquiry.

63. Stakeholders also raised concerns about the cessation of with-cause drug testing for police staff. Many police staff hold positions with access to sensitive information and intelligence, making them vulnerable to corruption risks. Drug misuse may increase vulnerability to coercion and pose risks to wellbeing. Police Scotland's Substance Misuse Standard Operating Procedure permits with-cause drug testing for officers; however, previous attempts to apply the same approach to police staff were halted (following concerns raised by staff associations and the absence of formal consultation). There is currently no process to require a police staff member to provide a sample where sufficient intelligence exists to warrant this; we consider this to be a risk to the organisation.
64. Benchmarking identified that GMP uses with-cause drug testing for police staff. The requirement is included in job descriptions, and refusal to take a test carries the same consequences as a positive result.

### **Area for improvement**

Police Scotland should continue consultation with staff associations and trade unions to agree on a process for reinstating with-cause drug testing for police staff.

65. Our inspection found a lack of robust governance and strategic oversight of police staff disciplinary matters. Police officer conduct issues are reported to and considered at a closed session of the Police Scotland People Board, before being submitted to the SPA's Complaints and Conduct Committee. No equivalent reporting mechanism exists for police staff disciplinary matters. We consider that establishing such oversight within the SPA would be appropriate and would strengthen transparency, accountability and organisational assurance.

### **Recommendation 11**

Police Scotland should report information on police staff discipline to the SPA People Committee to enable effective scrutiny.



## Police officer conduct

66. Misconduct by police officers up to and including the rank of chief superintendent is addressed under [The Police Service of Scotland \(Conduct\) Regulations 2013](#) or [The Police Service of Scotland \(Conduct\) Regulations 2014](#) (depending on the date of the alleged behaviour). Stakeholders widely acknowledged that both the conduct regulations and associated statutory guidance would benefit from review. Scottish Government is currently undertaking consultation on potential reforms and we are contributing to this process. While not our intention to pre-empt or duplicate that consultation, we highlight specific areas emerging from this review where improvement is required.
67. Following initial assessment by the NGAU, reports of wrongdoing that meet the threshold for conduct and do not, prima facia, amount to criminal allegations are referred to PSD's Conduct Unit for further consideration. Upon receipt, conduct case assistants collate and research the cases before presenting them at a Conduct Tracker meeting for discussion and determination of the appropriate route.
68. Discussions at the Conduct Tracker meeting focus on whether: the matter meets the threshold for management under conduct regulations; formal investigation is required; improvement action is appropriate; the case involves conduct or gross misconduct matters; or the matter should be referred back to divisions as a performance issue. Attendance typically includes two chief inspectors from the Conduct Unit, a conduct case assistant and the Fairplay Advisor (a member of police staff), and it is most commonly chaired by the conduct superintendent, who has final decision making authority.
69. While we heard concerns that, within a rank-based organisation, participants might defer to the superintendent's position, we found that discussions were robust, with attendees offering challenge where appropriate. However, the superintendent retains ultimate responsibility for determining the progression of each case.



70. The role of the Fairplay Advisor is not to make decisions but to provide an alternative perspective, to encourage reflective consideration and challenge thinking where required. Their contribution is widely regarded as a positive development. Although there was some initial scepticism, those involved now value the additional scrutiny and independent viewpoint that the role brings. Benchmarking indicated that similar practice is in place within The Metropolitan Police, where a 'critical friend' sits on the conduct scrutiny panel.

### **Identification of good practice**

The appointment of a Fair Play advisor (providing independent and constructive challenge within conduct decision making processes) represents an example of good practice and aligns with national approaches to enhancing fairness and transparency.

71. We heard consistent concerns regarding the significant increase in workload within the PSD Conduct Unit, with no corresponding increase in staffing to manage rising demand. Police Scotland reported that, in the year to April 2025 the Conduct Unit experienced a marked rise in both gross misconduct (from 57 to 97 cases) and misconduct investigation cases (from 13 to 28) compared to the previous year.<sup>14</sup> At 01 April 2025, 87 officers or staff were suspended and 113 were restricted compared with 67 suspensions and 83 restrictions on the same date in 2024.
72. Conduct investigating officers (IOs) are inspectors who carry out misconduct investigations. They work independently, without a dedicated team to support the investigative process. Where corroboration or additional assistance is required, IOs seek support from other conduct IOs (who also carry significant caseloads). We found that the conduct IOs were routinely managing far higher caseloads than IOs in other PSD units, with some responsible for up to nine open investigations, compared with an average of three in other areas.

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<sup>14</sup> SPC, [Complaints and Conduct Committee - Professional Standards \(PSD\) SPA Performance Report - Quarter 4 of 2024/25](#), 5 June 2025.



73. Due to the volume of cases, the Conduct Unit has had to adopt a prioritisation model to manage workloads effectively. While this approach is necessary operationally, it results in unavoidable delays to the investigation of lower-priority cases. We heard that such delays have a detrimental impact on the wellbeing of the officers who are the subject of those investigations, often prolonging uncertainty and stress.

#### **Recommendation 12**

Police Scotland's PSD should review its structure to prevent delays in conduct investigations caused by excessive workloads.

74. During our review of conduct investigation files, we examined 107 concluded cases. We assessed whether investigations were proportionate and completed to an appropriate standard, whether key stages of the investigation were recorded accurately, and whether investigations were carried out within reasonable timescales. This analysis enabled us to evaluate consistency, quality and timeliness across the conduct process.
75. Across the cases reviewed, we found an absence of documented investigative objectives, rationale for decisions, and recorded supervisory oversight of the investigation. Although regulatory assessment documents demonstrated proportionate recommendations and considerations of both inculpatory and exculpatory evidence, the lack of consistent structured recording limited the ability to evidence investigative reasoning and decision making.
76. While anecdotal evidence indicated that cases were discussed at internal forums, there was no formalised record - such as policy or decision logs - capturing ongoing investigative direction or providing demonstrable supervisory oversight. In summary, we found that PSD conduct IOs undertook thorough and proportionate investigations; however, the recording mechanisms currently in place do not adequately evidence investigative activity or supervisory scrutiny. Notwithstanding this, we found that key regulatory documentation within the Centurion PSD secure database was consistently completed.



### Identification of good practice

The investigations carried out by PSD conduct investigators are both thorough and proportionate.

### Recommendation 13

PSD should adopt a corporate approach to investigative record keeping, including auditable documentation of planning, decision making and supervisory oversight.

77. We identified several factors contributing to significant delays in progressing conduct cases. Many delays related to criminal allegations - whether on or off duty - where conduct proceedings were paused pending criminal investigation or prosecution. This is required to avoid prejudicing live criminal matters but can result in lengthy periods of uncertainty for subject officers.
78. Off-duty criminal matters involving police officers are reported to the relevant prosecutor in the same manner as cases involving members of the public. Delays within the wider criminal justice system following the COVID pandemic are well documented and affect cases involving police officers to the same extent. These delays can affect the timely resumption and conclusion of conduct proceedings.
79. Following Lady Angiolini's 2020 report, in 2021 COPFS instructed PIRC to investigate all on-duty allegations of assault or unlawful detention by officers or police staff. This - combined with a landmark ruling by the Court of Appeal that clarified the law of corroboration<sup>15</sup> - saw the volume of assault investigations undertaken by PIRC rise by some 239% in the period from 1 January to March 2025, compared with the same period the year before.<sup>16</sup> This increased demand has contributed to extended investigation timescales in reporting outcomes to COPFS.
80. The case studies we reviewed illustrate the cumulative timescales involved when matters progress through multiple stages of assessment, investigation, reporting and review. These examples highlight the substantial duration for which officers may remain under investigation for relatively minor matters, reinforcing the need for a system-wide examination of opportunities to reduce delays.

<sup>15</sup> Scotcourts.gov.uk, [HMA v PG and JM \(2024\) HCJAC 43](#), 30 October 2024.

<sup>16</sup> PIRC, [Annual report and accounts 2024-2025](#), 8 December 2025.



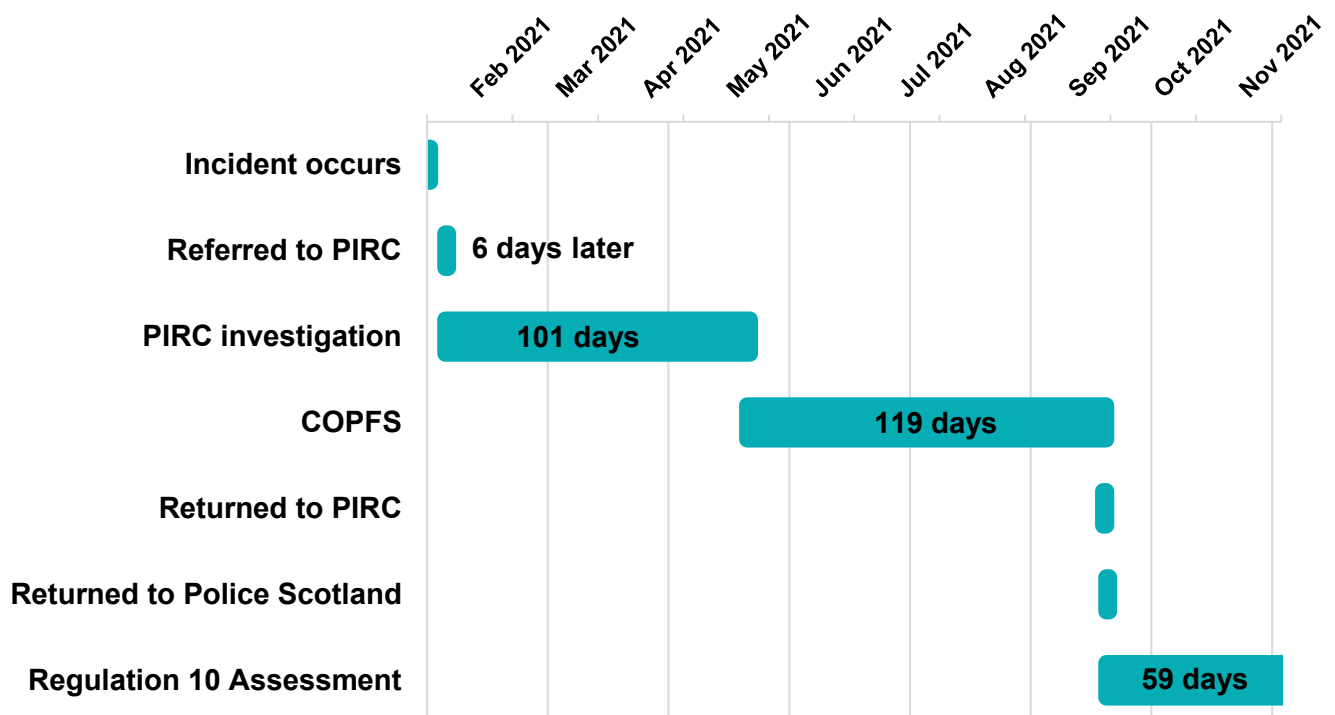
## Case study 1

Arrest of a person in a home, during which the perpetrator received injuries. A timeline is produced below.

- **2 February 2021**, incident occurs where arrested person sustains injuries
- **8 February 2021**, incident referred to PIRC by Police Scotland
- **19 May 2021**, PIRC report incident to COPFS
- **14 September 2021**, COPFS inform PIRC of the decision to take no proceedings
- **15 September 2021**, PIRC inform Police Scotland of COPFS decision to take no proceedings
- **12 November 2021**, Police Scotland completed a Regulation 10 assessment that concluded no further action against the officer.

### Commentary

The subject officer was under investigation for 278 days.





## Case study 2

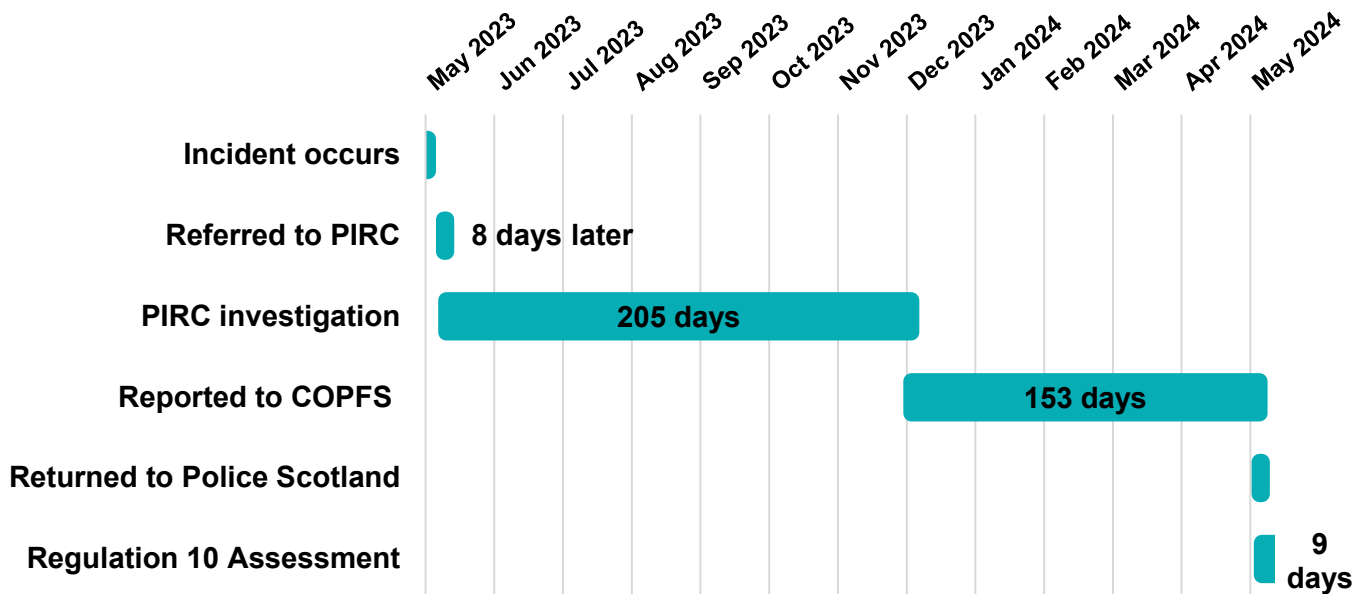
Alleged excessive use of force during an arrest. A timeline is produced below.

- **24 May 2023**, incident occurs during which a person is arrested and there is an allegation of use of excessive force by police
- **1 June 2023**, incident referred to PIRC by Police Scotland
- **22 December 2023**, update from PIRC; the subject officer is reported to COPFS regarding an alleged assault
- **22 May 2024**, update from COPFS; no proceedings to be taken against the subject officer
- **30 May 2024**, Police Scotland completed a Regulation 10 assessment that concluded there was no misconduct and no further action should be taken against the officer.

### Commentary

The PIRC investigation in this case study includes a period when they were waiting for additional information from Police Scotland.

The subject officer was under investigation for one year and seven days.





81. Police Scotland reported that, as of the end of Quarter 2 (2025/26), 92 police officers were suspended and a further 109 were subject to duty restrictions. In some cases, officers had remained suspended for several years. The impact this has on the individuals concerned is explored within the wellbeing section of this report, but the broader organisational implications - including reduced operational capacity - are considerable.
82. Given the multifaceted nature of these delays (involving multiple criminal justice partners), we consider that a co-ordinated, system-wide review would be beneficial. Such a review should identify opportunities to expedite processes, reduce the duration of uncertainty for officers and staff, and strengthen the efficiency of the overall conduct system.

#### **Recommendation 14**

The Scottish Government should consider a system-wide review be undertaken to identify opportunities to expedite criminal cases where the perpetrator is a police officer or member of police staff (either on or off duty).

83. Once a criminal case has been concluded, PSD resumes conduct proceedings. Where the alleged behaviour amounts to gross misconduct, a misconduct hearing must be convened. In England and Wales, accelerated misconduct hearings can be held in cases where the evidence is incontrovertible and where (without further evidence) it is possible to prove gross misconduct, or where the officer admits that their behaviour constitutes gross misconduct. No equivalent provision currently exists in Scotland. We consider that such a mechanism would serve both the public interest and the interest of the affected officer, by facilitating a more timely conclusion to appropriate cases.

#### **Recommendation 15**

The Scottish Government should consider amending The Police Service of Scotland (Conduct) Regulations 2014, to include accelerated misconduct hearings for all ranks (in appropriate circumstances).



85. Similarly, for matters amounting to misconduct where the facts are undisputed, there is scope for an expedited process allowing for the prompt imposition of sanctions (up to and including a written warning). We consider that such a provision would be in the public interest, provided that appropriate safeguards were in place to ensure that no officer feels pressured into accepting a sanction.

#### **Recommendation 16**

The Scottish Government should consider introducing an expedited process within The Police Service of Scotland (Conduct) Regulations 2014 for cases where facts are undisputed, allowing sanctions up to and including verbal or written warnings.

86. When assessing how to progress a case of misconduct, PSD and line managers may determine that improvement action is the appropriate sanction. Of the 417 conduct assessments undertaken by PSD in 2024/2025, 111 resulted in improvement action.<sup>17</sup> The statutory guidance for The Police Service of Scotland (Conduct) Regulations 2014 outlines the purpose of improvement action as addressing misconduct in a timely, proportionate and effective way that will: command the confidence of staff, officers, the police service and the public; identify any underlying causes or welfare considerations; and improve conduct and prevent a similar situation arising in the future. Even if the officer does not agree to the improvement action it can still be imposed by the manager, providing such action is reasonable and proportionate.
87. The guidance further states that a manager may draft improvement plans; these should be placed within an officer's PDR and regularly reviewed, with comment made as to the improvement or otherwise of the officer. However, as noted earlier, the lack of an effective PDR process within Police Scotland has meant that improvement plans are not currently being recorded within PDRs. Consequently, we were unable to obtain assurance that improvement plans were being monitored and reviewed in accordance with statutory guidance.

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<sup>17</sup> SPA, [Complaints and Conduct Committee - Professional Standards \(PSD\) SPA Performance Report - Quarter 4 of 2024/25](#), 5 June 2025.



88. Our benchmarking identified that the Reflective Practice Review Process introduced under [The Police \(Conduct\) Regulations 2020](#) in England and Wales provides a more structured, learning-focused approach. The process requires the officer's participation so that they can learn from their experiences and improve their practice in a supportive environment. We consider this a largely positive model and note that Lady Angiolini's 2020 report recommended that Scottish Ministers should issue statutory guidance on such a review process at the earliest opportunity.

### **Recommendation 17**

In reviewing The Police Service of Scotland (Conduct) Regulations 2014 and its associated guidance, the Scottish Government should consider incorporating best practice from the Reflective Practice Review Process used in England and Wales.

89. Probationary constables are expected to adhere to the Standards of Professional Behaviour and may be subject to the same misconduct procedures as other officers. They may also be managed under separate provisions of [The Police Service of Scotland Regulations 2013](#) (including Regulation 9 - Discharge of probationer). We heard that challenges had been encountered in the application of Regulation 9, prompting increased management focus in this area and seeking legal advice to ensure that correct processes are being followed.

### **Senior officer conduct**

90. [The Police Service of Scotland \(Senior Officers\) \(Conduct\) Regulations 2013](#) sets out the legal framework for managing conduct matters involving serving senior officers (defined as those holding the ranks of Assistant Chief Constable, Deputy Chief Constable or Chief Constable). The SPA has produced guidance to support SPA members and staff involved in the application of these regulations and to provide senior officers with an overview of the procedures. The SPA is responsible for responding to and dealing promptly and effectively with unsatisfactory behaviour and complaints about senior officer conduct from members of the public or by colleagues.



91. Senior officers are entrusted with significant leadership responsibilities and are expected to act as role models for the organisation. They are required to maintain the Standards of Professional Behaviour at all times, demonstrating integrity, impartiality, professionalism and accountability in all aspects of their conduct.
92. The SPA is responsible for carrying out a preliminary assessment of any report of potential wrongdoing relating to senior officers. According to SPA guidance, such assessments should be based on a report prepared by the SPA complaints team and considered by the Complaints and Conduct Committee. This assessment is a critical early stage in determining whether the matter should progress under the statutory conduct regulations.
93. In our evidence to Lady Angiolini's 2020 independent review, we stated that:

*“HMICS does not believe that the SPA currently has the skills, experience or knowledge to undertake the assessment role for chief officer complaints to the standard required. A review of the SPA’s capability in this area is required and other options, such as immediate referral to the PIRC, should be considered.”*
94. Lady Angiolini's final report recommended that the statutory preliminary assessment function relating to senior officers should be transferred from the SPA to PIRC in order to: enhance independent scrutiny of allegations; remove any perception of familiarity; avoid any duplication of functions or associated delay; and give greater clarity about the process. We fully support this recommendation (although legislative change is required before it can be implemented).
95. Early in 2025, the SPA strengthened its capability by appointing two complaints and conduct facilitators with considerable experience in police conduct regulations (including within Police Scotland PSD). We consider this as a positive development that should enhance the quality and consistency of assessments relating to senior officers, providing a level of scrutiny more comparable to that applied to lower ranks by Police Scotland PSD.



96. Despite these improvements, we identified concerns during the inspection that reports of senior officers' alleged wrongdoing received by the SPA were bypassing the complaints team and the newly appointed conduct facilitators, contrary to the SPA's documented procedures. This issue was highlighted to the SPA chief executive and we understand that steps have since been taken to ensure that reports are now processed in line with the guidance.

#### **Recommendation 18**

The Scottish Police Authority should ensure the expertise of its complaints team is utilised when assessing all reports of potential wrongdoing by senior officers.

97. We also found deficiencies in SPA record keeping practices relating to the initial assessment of senior officer wrongdoing. In some cases, records indicated that reports had been received, but with no corresponding documentation showing that an initial assessment had been carried out, or rationale for any decisions taken. In some instances, reports received directly by senior SPA officials lacked any accompanying record of deliberation or action. We heard that the SPA had, on occasion, sought advice from other senior officers within Police Scotland about how to progress concerns involving their peers. We consider this inappropriate and inconsistent with established guidance, and note that the Scottish Chief Police Officers Staff Association (SCPOSA) strongly opposes such involvement.

#### **Recommendation 19**

The Scottish Police Authority should maintain clear, auditable records detailing the receipt, rationale and decisions arising from the initial assessment of reports of potential wrongdoing by senior officers.

98. While observing the work of Police Scotland's NGAU, we noted that complaints relating to potential wrongdoing by senior officers were escalated by NGAU staff to senior Police Scotland management for onward referral to the SPA, as required under the statutory framework. However, when comparing the records maintained by the SPA complaints team, we identified that a number of the reports escalated by NGAU to Police Scotland management had not been recorded as having been received by the SPA.



99. Our ability to fully assess the exact scale of missing referrals was constrained by the fact that Police Scotland insisted on redacting personal details from the senior officer-related records provided. This level of redaction did not apply to records concerning non-senior officers, where unredacted documentation was supplied. This lack of transparency and inconsistency in disclosure practices hindered our ability to verify the accuracy of reporting and assess compliance with statutory responsibilities.
100. Interviews with senior officers within Police Scotland further indicated that not all reports of potential wrongdoing relating to senior officers were being shared with the SPA, as required. This practice is inconsistent with the statutory framework and undermines the principles of independent oversight and accountability that the senior officer conduct process is intended to uphold.

#### **Recommendation 20**

Police Scotland must share all reports of alleged wrongdoing involving senior officers with the SPA, without exception, including those made anonymously.

101. Further to this, we heard evidence that NGAU staff had been instructed to create 'blank' records on iBase for certain reports of alleged wrongdoing received including those involving senior officers. When reports against senior officers are received, staff bring these to the attention of NGAU management and, on some occasions, are directed to create a blank file containing no record of the allegation - solely to generate a unique iBase reference number. A separate report outlining the alleged wrongdoing is prepared using a Word document, which is then escalated to senior management.
102. In some instances, NGAU staff are subsequently instructed to transfer the content of the original report into the blank record, which is then linked to the relevant senior officer's iBase record; however, in other cases, the records remain blank. We consider that this process undermines transparency, auditability and overall confidence in Police Scotland's approach to allegations of wrongdoing concerning senior officers.



### Recommendation 21

Police Scotland should cease the practice of generating 'blank' iBase records and adopt a single, auditable process for recording, retaining and escalating all allegations - irrespective of rank - so that there is a complete, consistent auditable trail.

## Wellbeing

103. The impact that discipline and conduct proceedings have on the wellbeing and mental health of officers and staff can be significant. Prolonged investigations often create sustained uncertainty for individuals and their families. We spoke to a number of officers and staff who were willing to share their experiences of being subject to such processes. Their candour in describing deeply personal and, at times, distressing experiences was invaluable to this inspection.
104. A substantial proportion of those interviewed raised concerns about the adequacy of wellbeing support while they were under investigation. Responsibility for providing such support sits with the individual's division or department. However, we heard that support was inconsistent, with no training provided for those assigned as welfare contacts. We were told that welfare points of contact frequently changed and those appointed were sometimes viewed by the recipients as unsuitable, or lacking the necessary skills to provide effective support.
105. One officer described their experience as follows:  
  
*“Concern for my wellbeing from Police Scotland was non-existent, I barely had contact with my welfare point of contact, I had one five minute face to face chat with them the rest was via text and once via MS teams.”*
106. In its self-evaluation, Police Scotland acknowledged that welfare officers often felt inadequately equipped to support those involved in conduct or disciplinary proceedings. It advised that work was underway to review the training and selection of welfare officers to ensure more consistent and appropriate support.



### **Recommendation 22**

Police Scotland should review its approach to wellbeing support for individuals involved in conduct and disciplinary processes, ensuring that support is tailored to individual needs and individuals are given the opportunity to contribute to the selection of their wellbeing point of contact.

### **Recommendation 23**

Police Scotland should provide comprehensive training and guidance to those responsible for delivering wellbeing support. The guidance should clearly define roles, responsibilities and accountability, to ensure that support is delivered consistently and appropriately.

107. Suicide is a deeply complex issue and each individual's circumstances are unique. Rather than stemming from a single event, it often develops from an accumulation of factors that overwhelm a person's ability to cope.
108. Recent media reporting<sup>18</sup> has highlighted concerns regarding police officers and staff who have died by suicide while subject to conduct or disciplinary investigations. Police Scotland advised that, between 2013 and 2024, there had been 20 deaths by suicide among serving officers and staff, and that 20% of those individuals were subject to live conduct or disciplinary matters at the time of their deaths. Unverified figures from the Police Federation of England and Wales indicate that, between 2022 and 2024, approximately 58% of officers who died by suicide were under investigation at the time of their deaths.

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<sup>18</sup> <https://www.channel4.com/news/exclusive-at-least-100-police-suicides-in-three-years-investigation-uncovers>.



109. We heard from a number of officers and staff who described experiencing severe mental health challenges, including suicidal ideation. Individuals reported feelings of isolation, fear of job loss, concerns about financial security, and an overarching sense of uncertainty.

Examples included:

*“It drove me to a really dark space at times and I felt very let down by Police Scotland”*

*“I have had suicidal thoughts on multiple occasions through the last 4 years”*

*“The threat of losing my job and my home caused me to have suicidal thoughts”*

*“I felt that I might not recover from this process, I felt very isolated”*

110. Death investigations in Scotland are conducted by COPFS on behalf of the Lord Advocate. The Scottish Fatalities Investigation Unit (SFIU) is a specialist team in COPFS responsible for most of its death investigation work, including cases of suspected suicide. In practice, Police Scotland officers normally attend such deaths and complete an initial investigation, after which they report the circumstances to the SFIU. SFIU then determines if further inquiry is required.

111. We consider that, in the interest of transparency, Police Scotland should explicitly inform SFIU when a serving officer or member of police staff dies by suicide while subject to a live or recently concluded conduct or discipline investigation. This would enable SFIU to determine whether additional scrutiny or further proceedings are warranted.

#### **Recommendation 24**

In cases where an officer or staff member dies by suicide while subject to ongoing or recently concluded disciplinary or conduct proceedings, Police Scotland should ensure this information is explicitly included in its report to the Crown Office and Procurator Fiscal Service detailing the circumstances of the death.



## Preventions and organisational learning

112. Police Scotland aims to operate as a learning organisation, but we found that structures supporting organisational learning for conduct and disciplinary matters were difficult to identify. Senior staff who should be responsible for producing training products to improve or prevent behaviours that may lead to misconduct acknowledged that there is currently no process to ensure trends identified by PSD inform training products.
113. During case reviews, we found no evidence that wider organisational learning was systematically considered when conduct or disciplinary cases were concluded. This represents a missed opportunity to identify recurring issues and to strengthen preventative measures across the organisation. We consider that all conduct and disciplinary cases should be reviewed to identify learning that may enhance policy, training or practice.

### **Area for improvement**

Police Scotland's PSD and HR should work collaboratively with other departments to identify and act upon organisational learning emerging from conduct and disciplinary cases. The identification of learning opportunities should be a continuous process built into the review of each case.

114. We also assessed how effectively Police Scotland uses the conduct data it holds to support preventative work. We found that PSD publishes a newsletter, *The Standard*, which highlights conduct outcomes and key issues; however, there was limited evidence of broader preventative activity informed by analytical insight. We identified a lack of analytical capacity to examine available data for prevention-focused purposes. PSD stated that it was in the early stages of scoping a preventions processes called Proactive Support and Interventions Programme and we welcome this development.

### **Area for improvement**

Police Scotland should improve its analysis of misconduct and disciplinary data to identify opportunities for targeted prevention and more innovative engagement with officers and staff. Additional analytical support would strengthen this work.



# Appendix A - Code of Ethics for Policing in Scotland

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The Chief Constable was required to prepare a Code of Ethics for Policing in Scotland which sets out the values of Police Scotland and expectations relating to the conduct and practice of Police Scotland constables and staff.

This Code, as revised through the Police (Ethics, Conduct & Scrutiny) (Scotland) Act 2025, outlines the standards we expect of all individuals who contribute to policing in Scotland. We are all responsible for delivering a professional policing service to all people across Scotland. This Code sets out both what the public can expect from us and what we should expect from each another.

By following the Code of Ethics for Policing in Scotland and upholding our values of integrity, fairness, respect and our commitment to protecting human rights, we will ensure we deliver the best possible service for our communities and each other.

## Integrity

I recognise the obligation my role in policing places upon me to act with integrity, fairness and respect and to uphold human rights and the impact my actions have on public trust in the police.

I shall behave at all times in a way which reflects the values of policing in Scotland.

I understand that I am personally responsible for my own actions and I shall exercise my discretion appropriately.

I shall deliver a professional, impartial policing service, placing service to communities before personal interest.

I shall not accept any gift or gratuity that could, or could reasonably be perceived to, compromise my impartiality.

I shall not behave in a manner which is, or may reasonably be considered to be, abusive, bullying, harassing or victimising and I shall challenge all such behaviour and any other conduct which falls below the standard of professional behaviour.

I shall consistently act in-line with our duty of candour. I shall be open and truthful in my dealings, without favour to my own interests or the interests of the police service.

I shall demonstrate candid behaviour at all times and will attend interviews and assist and participate in proceedings, including all investigations, openly, promptly and professionally.



## Fairness

I shall act with courage, self-control, tolerance and impartiality.

I shall promote the safety and wellbeing of persons, communities and colleagues and ensure fair access to police services

I shall carry out my duties in a fair and impartial manner without favouritism or influence from any personal feelings or interests. I will not discriminate unlawfully or unfairly and will be guided by my duty to respect and protect the human rights of all persons.

## Respect

I shall show respect for all people and their beliefs, values, cultures and individual needs. I understand my attitude and the way I behave contribute to the consent communities have for policing.

I shall respect and uphold the law in carrying out my duties and be accountable for my actions.

I shall treat all people, including detained people, in a humane and dignified manner. I shall ensure my relationships with colleagues and partners is based on mutual respect and understanding and shall conduct all communications on that basis.

## Human Rights

I shall ensure my actions and policing operations respect and protect the human rights of all people.

In carrying out my duties, I shall as far as possible apply non-physical methods and attempt to de-escalate the situation before resorting to any use of force. I shall only use force where necessary, reasonable and proportionate to achieve a lawful objective. I shall use the minimum amount of force appropriate to the circumstances and ensure a graduated response to any threat.

I understand that police can use lethal or potentially lethal force only when there is an imminent threat of death or serious injury to themselves or others and it is absolutely necessary to prevent that harm.

I shall record each occasion when I use force. I understand that I am personally accountable for any amount of force I use.

I shall not inflict, encourage, or allow any act of torture or inhuman or degrading treatment or punishment in any circumstances. I shall ensure that all detained persons for whom I have responsibility are treated in a humane and dignified manner.

I shall not deprive any person of liberty except in accordance with the law and by following the correct legal procedures.

I shall investigate crimes objectively and impartially and will consider the particular needs of victims and witnesses. I shall follow the principle that everyone who is the subject of a criminal investigation is innocent until found guilty by a court.



In carrying out my duties I shall respect the right to private and family life. I shall collect, retain, use and disclose information or data in accordance with this right and all relevant legislation.

I shall respect and protect the freedoms of thought, conscience and religion, of expression and of peaceful assembly and association and the right to peaceful enjoyment of property. In all my actions, I shall have regard to my duties to safeguard the welfare and ensure the best interests of children.

I recognise that I am entitled to the same human rights as other individuals, including the right to life, to freedom from torture and discrimination and to dignity at work, but that limitations on the exercise of some of my rights may be required for legitimate purposes due to the specific public role and function I serve.



## Appendix B - Police Scotland's Standards of Professional Behaviour

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These standards reflect expectations of officers, whether on or off duty.

### Honesty and integrity

We act with honesty and integrity and do not compromise or abuse our position.

### Authority, respect and courtesy

We act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy in line with our values. We do not abuse our powers or authority and respect the rights of all individuals.

### Equality and diversity

We act with fairness and impartiality. We do not discriminate unlawfully or unfairly.

### Use of force

We use force only to the extent that it is necessary, proportionate and reasonable in all the circumstances.

### Orders and instructions

We give and carry out only lawful orders and instructions.

### Duties and responsibilities

We are diligent in the exercise of our duties and responsibilities.

### Confidentiality

We treat information with respect and access or disclose it only in the proper course of our duties.

### Fitness for duty

When on duty or presenting ourselves for duty, we are fit to carry out our responsibilities.

### Discreditable conduct

We behave in a manner which does not discredit the Police Service or undermine public confidence in it, whether on or off duty.

### Challenging and reporting improper conduct

We report, challenge or take action against the conduct of others which has fallen below the Standards of Professional Behaviour.

### Duty of Candour

We act with candour, openness, professionalism and truthfulness in our dealings and proceedings.



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### **About His Majesty's Inspectorate of Constabulary in Scotland**

HMICS operates independently of Police Scotland, the Scottish Police Authority and the Scottish Government. Under the Police and Fire Reform (Scotland) Act 2012, our role is to review the state, effectiveness and efficiency of Police Scotland and the Scottish Police Authority. We support improvement in policing by carrying out inspections, making recommendations and highlighting effective practice.

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