



<b>Meeting</b>	<b>SPA Complaints and Conduct Committee</b>
<b>Date</b>	<b>5 June 2025</b>
<b>Location</b>	<b>Video Conference</b>
<b>Title of Paper</b>	<b>Police (Ethics, Conduct &amp; Scrutiny) (Scotland) Act 2025 Update</b>
<b>Presented By</b>	<b>T/Assistant Chief Constable Lynn Ratcliff and Chief Superintendent Helen Harrison, Professional Standards Department</b>
<b>Recommendation to Members</b>	<b>For Discussion</b>
<b>Appendix Attached</b>	<b>No</b>

## PURPOSE

The purpose of this paper is to provide members of the SPA Complaints and Conduct Committee with an update and overview of activity ongoing to prepare for the implementation of the Police (Ethics, Conduct & Scrutiny) Scotland Act 2025 and its implications for Police Scotland.

Members are invited to discuss the contents of the paper.

## **1. BACKGROUND**

- 1.1 The Police (Ethics, Conduct & Scrutiny) Scotland Act 2025 (PECSS) was introduced as a Bill to the Scottish Parliament on 6 June 2023 to fulfil the Scottish Government's commitment to bring forward legislation to deliver Lady Elish Angiolini's recommendations which require legislation following her 'Independent Review of Police Complaints Handling, Investigations and Misconduct Issues'.
- 1.2 The Act covers a range of topics related to ethics and conduct for policing, as well as the functions and governance of the Police Investigations and Review Commissioner (PIRC) and supports independent scrutiny by PIRC and Scottish Police Authority (SPA).
- 1.3 Provisions of the Act relative to Police Scotland include:
  - Establishment of the Code of Ethics for Police Scotland into statute.
  - The introduction of a Duty of Candour as an additional Standard of Professional Behaviour.
  - The introduction of a Barred and Advisory list for Police Scotland.
  - Legislation to ensure that an officer cannot evade disciplinary proceedings by resigning or retiring during an investigation, securing an outcome and justice for the complainers.
- 1.4 These provisions, along with others in the Act, aim to positively enhance culture and behaviours within policing and, consequently, seeks to enhance public confidence.
- 1.5 To ensure legislative compliance with the PECSS act it was necessary for a project to be established and led by Police Scotland's Professional Standards Department.

## **2. MAIN REPORT**

### **Progress and update**

- 2.1 The PECSS Act was granted Royal Assent on 4 March 2025. Since then, the Scottish Government have been working towards the introduction of the Act.
- 2.2 The Full Business Case following consultation with the enablers, within Police Scotland, was updated and presented to the Portfolio Management Group (PMG) on 24 April 2025 and is progressing through the appropriate governance channels.

- 2.3 The proposed updated Code of Ethics for Policing in Scotland has been prepared and has been submitted to the Scottish Police Authority prior to commencement of formal consultation on the Code of Ethics.
- 2.4 The draft online training package required to ensure all officers and staff within the organisation understand the proposed Code of Ethics as it is placed into statute has been completed by the project team. Police Scotland's Leadership, Training and Development department are currently converting the eLearning Moodle package from the training package. The proposed completion date is the end of June 2025.
- 2.5 The Scottish Government have proposed 25 June 2025 for the first Commencement Regulations. This will see thirteen sections within the Act come into force, some of which will allow the development of secondary regulations.
- 2.6 EQHRIAs and DPIAs continue to be developed.
- 2.7 The Scottish Government are currently drafting the new vetting regulations whilst Police Scotland Vetting Unit are developing the new Vetting Code of Practice. It is anticipated the regulations and code of practice will be available for consultation and parliamentary process from October 2025. The regulations and Code of Practice are scheduled to come into force towards the end of 2025 and start of 2026.
- 2.8 Upgrade of the Centurion ICT application used by Professional Standards which will enhance Police Scotland's reporting capabilities and enable the Barred and Advisory Lists to be hosted continues to be progressed by Digital Division, the supplier FIS Harris and Professional Standards. The anticipated go live date is scheduled for the end of June 2025.
- 2.9 The Project Team continue their engagement with Policy Support and Governance Audit and Assurance within Police Scotland to scope the policies and procedures currently in place within Police Scotland, which will require to be reviewed and updated because of the new legislation.
- 2.10 The Project Team in conjunction with Probationer training are preparing for the updated Oath of Office taken by all new Constables to be introduced for its inaugural inclusion to the course commencing on 7 July 2025.

- 2.11 The Commencement Regulations coming into force on 25 June 2025 include the Duty of Candour. The Act places a statutory Duty of Candour on individual police constables and Police Scotland as an organisation. The Act does not place any Duty of Candour on members of staff. However, as public servants, staff are already expected to be candid. The individual Duty of Candour will only apply to those who hold the office of constable.

### **3. FINANCIAL IMPLICATIONS**

- 3.1 The projected financial implications of the PECSS Bill are contained within the Financial Memoranda submitted to the Scottish Government and the IBC submitted to the SPA Resources Committee.

### **4. PERSONNEL IMPLICATIONS**

- 4.1 There are no personnel implications in this report.

### **5. LEGAL IMPLICATIONS**

- 5.1 There are no legal implications associated with this report.

### **6. REPUTATIONAL IMPLICATIONS**

- 6.1 There are no reputational implications in this report.

### **7. SOCIAL IMPLICATIONS**

- 7.1 There are no social implications in this report.

### **8. COMMUNITY IMPACT**

- 8.1 There are no community implications in this report.

### **9. EQUALITIES IMPLICATIONS**

- 9.1 Equality implications are being considered and addressed during the project via the EqHRIA process.

### **10. ENVIRONMENT IMPLICATIONS**

- 10.1 There are no environmental implications in this report.

**RECOMMENDATIONS**

Members are invited to discuss the contents of the paper.

