



Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

Joint Central Committee Equality Subject Committee

Ref: CS/DJK/LS

MINUTES

14 October 2014

1. Attendance

North Area Committee	Graham Sloan
North Area Committee	Steve Thomson
East Area Committee	Andy Malcolm
West Area Committee	Andrea MacDonald
Vice Chairman	Graeme Ednie (Chair of Meeting)
Equality Secretary	Jackie Muller
Business Administrator	Lesley Stevenson

Apologies were received from Nigel Bathgate, Pam Fleming and Neil Cameron, John Campbell, Grahame Gosling. No apologies were received from Ben Merrick.

2. Opening of Meeting

The Chairman opened the meeting by welcoming all present.

3. Minute of Previous Meeting

The Minute of the previous meeting had been circulated with JCC Circular 31/2014 and was approved.

4. Scottish Police Staff Associations Equality Working Group

The Committee was informed that the last meeting was held on 28 May 2014. The Committee discussed the CAV Toolkit which had previously been circulated for comment. SPF comments had been submitted to PSoS and a revised version had been circulated but it did not appear that the Federation comments had been incorporated. This would be raised at a future meeting.

It was agreed that an item 'PNB SSC Equality Working Party' would be added to the next agenda.

5. Maternity/Paternity/Adoption

The Equality Secretary told the Committee that she had attended a meeting on 9 September with the Force to discuss the SOP relative to the above. A further draft is awaited.

The Committee was informed that the Maternity FAQ was now on the SPF website and committee members were advised to direct members to it.

6. Part-time/Flexible Working

The Equality Secretary told the Committee that she attended a meeting on 9 September and that she had been informed that the updated SOP would be published by 19 September. It was still awaited and the Equality Secretary had made contact on 13 October with the Force seeking an update.

It was noted that this item could be removed from future agendas when the SOP was published.

7. Disability

The Equality Secretary told the Committee that she attended a meeting on 9 September with the Force and that a further Disability SOP was awaited.

The Equality Secretary suggested addressing the subject of Disability at the SPF Annual Conference 2015 and asked members for their views. The matter was discussed by the Committee and members agreed to explore this idea.

8. Training/Legal Updates

No legal updates were available.

The Equality Secretary told the Committee that it was proposed modular training continues to be developed so that a library of training packages would be available for various levels of learning:

- Basic (all reps)
- Intermediate (Members of equality committees/full time officials)
- Advanced (Area equality leads/full time officials)
- External (any identified training for Equality Secretary and/or area equality leads - tends to be new legislation etc)

9. Monitoring

It was agreed that on future agendas this item would be changed to Monitoring/Positive Action.

The Equality Secretary reported that she would be attending the Scottish Women's Development Forum on 21st October and the Scottish Muslim Police Association on the 22nd October to promote the positive action work.

10. Fitness Testing

The Equality Secretary told the Committee that she was still in correspondence with the Force regarding apparent indirect discrimination. It is hoped that a meeting would be held later in October to discuss how the Force justify their actions in this respect.

The Committee discussed standard tests for specialists, EIAs and recruitment issues.

11. Area Updates

Graham Sloan told the Committee that the NAC ESC met on 2 October 2014 and had discussed annual leave and the right to a family life. It had become clear to the Committee that the allocation of annual leave had been dealt with differently across the country and that some officers had responded more negatively than others to the new arrangements as a result.

Andy Malcolm told the Committee that the EAC ESC met on 29 September 2014. He provided the following information:

The last East Area Equality Committee Meeting was held on 29 September 2014.

Flexible Working – most of the previously highlighted individual cases in ‘E’ and ‘J’ Division as a result of the shift pattern changes have been resolved with individual officers either having their patterns trialled over extended period, and none have so far come back to renegotiate after the trial period has been completed or after some negotiation an amicable position has been reached. There are no issues so far in ‘P’ where they continue to work their existing shift pattern. In Forth Valley, so far there have been no reported problems although with shift changes there it is a likely issue for the future.

‘J’ division, however are about to change their current pattern for the second time this year and the chosen shift pattern will be determined following the ballot which closes on 03/10/2014. This will no doubt raise the potential for reviews of some flexible arrangements.

Other non-territorial Divisions have also changed shift arrangements but only one case is so far on-going where the operational profile for the OSUs has caused the issue along with the individual’s situation.

Disability – this remains an on-going area in its widest sense. We have had a number of officers as a result of SPF intervention posted to roles and in areas which satisfy their needs and also satisfy an operational need where they have been on long-term restricted duties.

In Forth Valley Division DOSU/PAD officers a number of whom were on permanent redeployment were all sent a letter advising of their need to attend Attendance Support Meetings to review their status. This caused considerable angst to those in receipt of the letter considering that they attended work daily and fulfilled their roles. Stewart Ross met with a Chief Inspector who signed this letter and a degree of back tracking is now apparent. The source of the letter was HR.

A similar situation emerged in ‘E’ Division at the start of Police Scotland where individuals on restricted roles felt pressured to reconsider their future within the service but this approach was challenged and a more practical approach has since been adopted.

'E' Division would appear to be the champions of the Performance Regulations with three attempts to invoke them so far that I am aware of. The first was resolved to the benefit of the individual officer, at that time, where procedural anomalies were highlighted to the Division although the officer remained under the Performance Regulations, it was under more favourable terms. The second case was withdrawn after appeal in relation to both the finding of unsatisfactory performance and a breach of procedure. The third case has been deferred back to Attendance Support mechanisms.

Ill-health cases are still predominant throughout the Division along with half-pay and no-pay situations. In recent weeks there has been moves to have officer's pay reinstated following Appeals both written and in person to the ACC. But the issue of individual officers who are suffering from very serious conditions the initial callous approach to reduce pay is on-going and will continue to be challenged.

There have also been a number of officers, who have been in the SMP process for some considerable time, have now been accepted for Ill-Health retirement. This has brought some level of comfort to a number who have been in 'no man's land' for many months.

There are no cases meantime in relation to Maternity/Paternity/Adoption.

Andrea MacDonald told the Committee that the WAC ESC met on 30 September. It was reported that there were 39 members on half pay and 24 on no pay. There had been two successful medical appeals and also discussed was the buy-back of pension entitlement.

The Chairman requested the Minutes of Area ESC Meetings be included within the papers for the JCC ESC. This would ensure that all attendees would have advanced sight of ongoing business; updates could be condensed and contained to the developments of, or questions relating to, ongoing business. The Meeting agreed to ensure Minutes were forwarded to the Equality Subject Secretary as requested.

12. Sickness Monitoring & Attendance Management

The Equality Secretary told the Committee that Graham Sloan, John Campbell and Nigel Bathgate were to organise a meeting to progress this matter as SPF was having no success reversing no pay decisions. Graeme Ednie reported that in relation to member services, sick pay claims were a significant concern. Members agreed that this matter should be raised in a motion for Annual Conference.

13. Uniform/PPE

The Equality Secretary told the Committee that she had sent a letter to ACC Higgins on 4th August regarding the above issue and has requested a PSoS Dress Policy and associated EIA, a PSoS Procurement policy in relation to UPPE and documentation how the equality impact has been considered relative to both items. Concerns are relative to women, pregnancy, religion and transsexual officers. ACC Higgins has passed this to Colin Heppenstall and a response is awaited. It was noted the Equality Secretary would link in with Peter Jones, H&S Secretary on this matter.

Graham Sloan raised the matter of elasticated trousers and it was noted that a policy and tender document were required before this could be progressed.

14. Competent Business

There were no items.

15. Closure

Date of next meeting: 20 January 2015

The Chairman thanked everyone for their contribution to the meeting and wished them a safe journey home.