



# Scottish Police Federation North Area Committee

Minutes of the 4th quarterly meeting of the Scottish Police Federation – North Area Committee held on Monday 1<sup>st</sup> and Tuesday 2<sup>nd</sup> December 2014 at the Atholl Palace Hotel, Pitlochry.

## 1. Members Present

### Full Time Officials

David Hamilton	Chair
Graham Sloan	Secretary
John Crawford	Vice Chair
John Ferguson	Deputy Secretary

Constables	Sergeants	Inspecting Ranks
Linsey Burns	Derek Baxter	Murdo MacLeod
Stephen Cook	Andy Bilton	Gordon Milne
Brian Dick	Gary Brown	Ewan Strachan
Neil MacDonald	George Murray	Caroline Scobbie
Angus Morrison	Steven Ross	Sandy Brodie
Mike Purdie	David Threadgold	Paul Hogan
Sandy Smart	Murray Haston	Stuart Ednie
Davie Smith	Grant Letham	
Steve Thomson	Steve Raeburn	
Shaun White		
Peter Jones		

## 2. Opening of Meeting

The Chairman opened the meeting and welcomed members present and he encouraged everyone present to take an active part in the meeting and to contribute to discussion and debate.

## 3. Apologies for Absence

Apologies were received from;  
Gordon Forsyth

Neil Cameron  
Iain Smith

Excusals during meeting;

Neil McDonald, George Murray and Derek Baxter attended day 1 only.

#### **4. Election(s) of Full-Time Official(s)**

The Chairman advised that in accordance with the Police Federation Scotland Rules - Rule 6, nominations had been duly received from:

Chairman - David Hamilton  
Secretary - Graham Sloan  
Vice Chair - John Crawford

The Chair sought confirmation they were all formally nominated and seconded and were thereafter duly elected into post.

The Secretary advised there had been three nominations received, within the specified period, from Brian Dick, John Ferguson and Steve Thomson all of whom sought election to the post of Deputy Secretary. Brian Dick had now intimated that he no longer wished to seek nomination.

Referring to the nominees in alphabetical order, the Chair sought confirmation they were all formally nominated and seconded following which presentations were made by each nominee to the members of the Committee.

At the conclusion of the presentations and in accordance with the rules a vote was undertaken at the conclusion of which Steve Thomson was elected as the Deputy Secretary of the North Area Committee.

The Chair thanked all the nominees for their interest in the role and congratulated Steve Thomson on his success. He confirmed for the committee that John Ferguson remains in post until the end of January at the conclusion of the area elections.

#### **5. Approval of Previous Minutes**

The Minutes of the previous Meeting which were circulated in advance of the meeting were formally approved having been proposed and seconded by Steve Ross and Angus Morrison.

#### **6. Matters Arising**

##### **6.1 Action/Decision Log**

The action and decision logs had been circulated in advance of the meeting and the contents were noted by the Committee.

Action 0017/14

The Chair gave an update on the progress of the communications paper and suggested the item could be closed.

The meeting agreed to **close** the action.

Action 0018/14

The Deputy Secretary Confirmed that representatives would be providing an input during day one.

The meeting agreed to **close** the action.

Action 0019/14

The Secretary reported that he had circulated revised members lists of the Subject Committees.

The meeting agreed to **close** the action

Action 0020/14

The Secretary advised he now had received notifications from the rank committees, namely Sandy Smart, Derek Baxter and Neil Cameron.

The meeting agreed to **close** the action.

Action 0021/14

The Secretary advised that further work was ongoing to obtain quotes for necessary work to forward to the FSC.

The meeting agreed to **close** the action.

## 6.2 **Motions**

The Chairman confirmed that two motions had been submitted in due timescales both submitted by Brian Dick. The Chairman confirmed the motion was proposed and seconded.

### *Motion 1*

That this North Area Committee seek the Biennial Conference to instruct the Joint Central Committee of the Scottish Police Federation to amend The Police Federation Scotland Rules relating to Rule 15.2 sub section (o), which reads,

'To Grant honoraria to members of the joint Central Committee or Area Committees' and replace it with the following;

To Grant honoraria to members of the joint Central Committee or Area Committees, the amount awarded, will be determined by the members of the Area Committees, excluding members in receipt of any such award and thereafter ratified at biennial conference.

Explanatory Note;

For some length of time but more noticeably since the changes that have been made since the amalgamation of the former forces, 'the membership' of the Scottish Police Federation has expressed concerns in relation to the awards granted as per Rule 15.2 sub section (o).

As the present rule stands, the determination of the amount of any such award is only debated and considered by The Joint Central Committee. Due to the fact that considerable amounts of the membership of this committee are in receipt of an award governed by this rule, it is unfair on them to be expected to consider and ultimately ratify any suggested award.

It is essential that the Scottish Police Federation be seen by its membership to be open and transparent and by amending this rule it would rightly remove the onus of officials deciding and ratifying awards that they are to be given and bring the decision of such matters back closer to the people we represent.

After full debate the motion was carried.

The Chairman confirmed the second motion was proposed seconded.

### *Motion 2*

That this North Area Committee asks the Biennial Conference to debate and seek the Joint Central Committee of the Scottish Police Federation to approach the Justice Ministers of the Scottish Parliament and to seek to further Determine or if appropriate, amend The Police Service of Scotland Regulations 2013 and Determinations relating to Regulation 18 Annex 8 (a) (ii) to include an allowance at an appropriate rate of compensation should the chief constable fail to comply with the requirement under this section.

Explanatory Note;

Regulation 18 Annex 8 (a) (ii) of The Police Service of Scotland Regulations 2013 and Determinations relates to, in particular, rest days that are re-rostered with more than 15 days' notice. It states;

'In any other case, another rest day, and where another rest day is granted in accordance with sub-paragraph (ii), the chief constable must, within 4 days of notifying the constable of the requirement to do duty on the originally rostered rest day, notify the constable of the date of that other rest day.'

It appears that regularly officers have had their days off cancelled within this regulation and the '4day rule' has not been complied with. As the regulations stand it is silent as to what 'penalty' is applied if there is a failure to comply. This is unfair to all and requires an amendment of the Regulations or a Determination to allow for appropriate compensation. If this was included it would not only encourage the correct application of the legislation but give appropriate compensation should it not.

After full debate the motion was carried.

*Task 0022/14 - To forward Motions to JCC*

## **7. Standing Items**

### **7.1 JCC Update**

The Secretary advised that the JCC had meet on 4<sup>th</sup>/5<sup>th</sup> November 2014 and the minutes would be circulated in due course.

### PNB

There had been a PNB Scotland meeting on 7 October 2014 in Edinburgh.

The Official Side had clarified that it had not rejected the Staff Side's claim on maternity pay and said it would circulate its position in the near future.

There was an issue relating to the Independent Chair, his term of appointment and meetings beyond that.

The PNB Scotland Constitution would be addressed in future legislation.

The General Secretary and the Official Side Secretary had met with ACAS to discuss failures to agree and dispute resolution.

It was agreed that a PNB Equality Working Party be established.

It was highlighted that the PNB circular re additional traveling for CWG does cover other temporary places of duty, reminding staff it's an allowance and not a mileage payment.

### **Input from Counter Corruption Unit**

Superintendent Cavin and Inspector Lawrence gave the committee an insight in to the work of the CCU to protect officers and the force from risk. The unit aim to treat all staff with dignity and respect, while providing them with preventative and supportive advice.

### **PNB Cont.**

#### **Pensions**

A scheme advisory board will be set up, this shall include two representatives from SPF and one from ASPS. The board are a governance body, like trustees.

The Gen Secretary advised that Fire Fighters in Northern Ireland had secured the ability to retire at 55 without further actuarial reduction from age 60. They did agree to a 10.4% actuarial reduction over the life of the pension. This does still have the potential of a 10-15% increase in value if going at age 55.

Mercers had been engaged to examine whether a change to Northern Ireland Firefighters Pensions could have implications for the police.

Following general discussion on pensions it was raised there was anecdotal evidence that some new recruits were not joining the pension scheme. There was desire within the committee to establish the numbers of new recruit who were not opting to join the pension in the North area in comparison to other areas of the Force.

***Task0023/14 - To establish the numbers of new recruits not joining the pension scheme and a comparison across the three areas of the force.***

### **Commonwealth Games**

The Deputy General Secretary reported that a final meeting was taking place that week to complete the last of the outstanding overtime payments. It was agreed that it would then be removed from the agenda.

### **Consultative Forum**

There had been a meeting held on 7 October 2014 in Edinburgh.

Work continues on Conduct Regulations for senior officers.

It was agreed that the English type caution would not be used in Scottish Conduct interviews.

It was agreed that PSoS would set up a priority meeting to discuss working time and Inspectors/Superintendents hours.

Work continues on Senior Leadership Development.

All PNB Circulars are to be reviewed to establish their continuing relevance.

### Scottish Police Authority

There was a meeting held on 8 October 2014 in Stirling attended by Malcolm MacDonald, David Hamilton and Gordon Dixon.

A national single payroll will be 18-24 months away and it's planned to have a staff survey by the end of this financial year.

### JNCC

The Committee was informed that the last meeting was held on 9 October 2014 in Stirling.

The issue around changes to British Summer Time was highlighted but referred to the Working Practices Review Group.

Resourcing in general was raised and a review of Resourcing and Availability is being carried out by a Supt Ritchie.

*Task 0024/14 - if appropriate in advance of the next NAC meeting FTO's to consider an invite to Supt Ritchie to attend the NAC meeting.*

There was general discussion around the practice of short notice changes to shifts with examples given of officers working either late or night shifts the day before a court attendance and then a requirement for them to work a further nightshift. The Health and Safety implications for such a practice were obvious and Peter Jones indicated the matter should be progressed at the North H&S meeting.

*Task 0025 /14 - John Crawford to raise issue of nightshift and court duty at the North Area H&S meeting.*

## **7.2 Subject Committees**

- **Conduct**

The Deputy Secretary advised the Committee of the current workload within the Conduct portfolio.

At the conclusion of the input Brian Dick highlighted the need for all members of the sub committees to attend the meetings. This point was echoed by the Chair and members reminded that attendance was a duty and should be show on SCoPE as such.

- **Equality**

The Secretary confirmed that the NAC Equality Sub Committee had met on 1<sup>st</sup> October in Stonehaven.

### **Absence Review**

The Secretary then gave a brief update that at present he could not give a full update as to the number of officers currently absent longer than 28 days. Changes within SCoPE had prevented the full legacy details being provided as they were before, with each division now having its own HR advisor. Work was ongoing with North HR lead to establish a work around.

The IHR process is taking a considerable time for some with many being longer than 6 months, some officer recently retired having been in the process for about a year on some occasions.

### **Grievance**

Presently aware of two ongoing that are receiving Federation support, one in N and one in A Division, but was aware that other grievances are being progressed without support from reps to the members.

### **Promotion Process Review**

This review is ongoing with the Equality leads being involved with various forums and meetings. The feedback from the Federation has been positively received by the review team and members were encouraged to forward any comments about the process on to the Secretary.

The Secretary invited any questions.

- **Health & Safety**

The Vice Chair provided the Committee with an update on the current issues in relation to the North area, the update included the latest position in relation Health

& Safety advisors being employed by Police Scotland to fill vacancies currently held within the North Area.

The ongoing issue in relation to safety checks being carried out on police vehicles in particular an issue in B Division which involved pool vehicles.

Minimum safe staffing levels across the area, it was apparent that not all areas are aware of what the minimum safe staffing levels were and were not convinced that Police Scotland used the levels to ensure officer safety. The Vice Chair urged members to highlight the issue at a local level and assured the committee that he would raise it at the next North Area Meeting and at a National level.

The Vice Chair invited Peter Jones to update the Committee on any area matters or National issues that might impact on the area, he provided an update.

### **7.3 Standing Committees**

- **Finance**

The Secretary confirmed that the Finance Standing Committee had met on 15<sup>th</sup> October and he updated on the discussions at that meeting.

Additional issue identified with roof/chimney at Woodside place and will be additional cost. KPMG engaged to look at the VAT issue for SPF.

Aberdeen office, highlighted the change of plans but committee requested written confirmation of what is now planned.

Honoraria – Two companies submitted tenders, agreed to go with Mercers, planned to do it in 4 weeks.

PTC - AGM only the PTC trustees attending and will submit the SPF vote.

SPF Charities, Yorkhill, Children First and MacMillan. Children's first for the North, Yorkhill for West and Macmillan for East.

- **Legislation & Regulations**

Consultations – Draft Budget Consultation, the budget is shrinking in real terms. 90% of police budget is now wages with 70% police officer. A term of 'flexible deployment' will be used to deploy police officer to fill support staff vacancies. There is a 7.5 million transfer of SPA funds to Health believed to be for Custody.

Smith Commission – Economic analysis Gen Sec was unable to secure this before the referendum but has now appointed Graham Blackett from Bigger Economics to undertake this work.

The issue of the CAV toolkit and travel and indirectly the provisions of the SOP relating the temp transfer will provide protection over distance and time.

BST – Calum confirmed SPF had written to Chief asking for legacy position to apply.

- **Operational Duties**

The Secretary advised that Jim Jennings was retiring, replaced by Steve Diamond.

Firearms now looking at role specific fitness testing and also direct entry into CPO role, will not have to do set number of years as an AFO before they can do specialised role and looking for female applications.

The JCC motion from the East Area seeking an agreed definition of “an exigency of duty” was discussed under this section.

With the changes that have recently taken place in Armed Policing the Chair sought the views of the committee about how the changes were impacting on members both within armed policing and operational policing. There was general discussion about how the changes were being felt and the Chair noted the comments.

The issue of Stop and Search was raised with the majority indicating that no clear targets were being set but it was common practice for “more” to be done.

The Chair confirmed that the SPF conference in 2015 will take place at Turnberry Resort, Ayrshire between 31<sup>st</sup> March and 2 April 2014. Several members of the committee expressed concern that the choice of such a prestigious venue would be perceived negatively by the wider membership. The Chair explained some of the rationale behind the choice, that he was aware of, regarding the availability of other venues and the costs involved but pointed out he was not a decision maker in the process. The Chair undertook to feedback the feeling of the committee to the general secretary regarding the venue choice.

*Task 0026/14* - The Chair to feedback the feeling of the committee to the General Secretary regarding the venue choice for conference.

#### **7.4 Force/Area Meetings Update**

##### LNCC

Op Jersey 2013- Castle of Mey – Dispute ongoing re Held in Reserve- Outcome expected. RESOLVED

Op Jersey 2014- Castle of Mey- Dispute over shift lengths- solution being sought off table initially and has been raised in debrief meeting for operation.

Working Time Regs- New Reporting Tool wanted and to be requested as part of National SCOPE project

Re-rostered RDs attempts being made to manage down following CWG. A number of different issues in the North

- High Legacy TOIL balance in D Div
- Ongoing accumulation of TOIL across the area in absence of automatic 'payment after 90 days script' on SCOPE
- Few opportunities to get time off given resource pressures
- Commitment to adhere to 4 day re-rostering rule
- Pledge to share any Blanket RD Cancellations with SPF in advance (opportunity to challenge Proportionality)
- Div Commanders stating Cancelling RDs is last option
- Updated position on RRDs and TOIL being prepared by HR

CAV Days- Review ongoing.

EAP and Employee Support Mechanism receiving positive feedback

Issues raised at NAC to ACC

- 1) Local Policing staff within Police Scotland North being transferred to specialist units.
  - Issue was divisional structure ie all the specialist teams and depts. Abstracting from operational policing. Supt Gary Ritchie now undertaking a review
- 2) Commonwealth Games duty times being noted on SCOPE.
  - Still not clear if CWG duties were transferred to SISCOPE
- 3) D Division Senior Management being appointed from out with the Division.
  - CCs decision. Made it clear that issue was not with individual post holders but with fact that no legacy Tayside officers were in Divisional Command Team
- 4) Decision making process for reducing officers that are signed off sick to half/nil pay after the relevant time periods.
  - ACC welcomes calls to discuss individual cases. Each one considered on a case by case basis.
- 5) Concerns raised regarding officers that are signed off sick due to mental health issues.
  - ACC accepts mental and physical illness/injuries should be treated the same
- 6) Resource levels within D Division.
  - Links into point 1. Appalling resource levels. SPF involved in Divisional review.
- 7) Concerns regarding the new Annual Leave allocation process.
  - Agreement that Annual Leave situation needs better communicated but "We are where we are"
- 8) Concerns raised from some officers that commutation payments within A & B Divisions are being delayed.

-GS to write to ACC with Commutation arrangements and North Areas position

Following a question regarding the matter of the recording of hours worked during commonwealth games there was uncertainty on what the outcome of such recording had achieved.

*Task 0027/14 - John Crawford to establish the outcome of the recording of working time on SCoPE following CWG.*

### Divisional Management Meetings

N - John Crawford has been attending these meetings.

A - Graham Sloan meets on a monthly basis with Superintendent Milton.

B - Graham Sloan attends the area SMT meetings and Chief Superintendent McLaren continues with his routine meetings with reps, the next is due on 2<sup>nd</sup> December and will be rescheduled.

D - John Ferguson has routine meetings with Superintendent Angela McLaren.

## **8. New Business**

### **8.1 Rep Elections**

The Secretary confirmed that the process for the quadrennial representative elections had been forwarded in JCC Circular 55 of 2014, with a closing date for nominations of 12<sup>th</sup> December.

## **9. AOCB**

### **SPF Conference 2015**

The JCC requested that one member of the NAC would sit on a Conference Management Committee. The Secretary asked for volunteers and Grant Letham was identified to represent the NAC.

## **10. Correspondence**

The Secretary advised he had received correspondence to be brought to the notice of the Committee. On the 8<sup>th</sup> of September Chief Inspector Les Donaldson submitted his letter of resignation from the NAC in line with his retirement from the service on 4<sup>th</sup> November. The Secretary wrote back in acknowledgement and thanked Les on behalf of the committee and the wider membership for his commitment to the Federation during his service.

The Secretary further advised that he had also received in advance of the meeting notification from Paul Hogan of his retirement from the service in February 2015 and his resignation from the NAC. The Secretary thanked Paul for his time and effort in his role and indicated he would acknowledge it by letter shortly.

## **11. Time and Date of Next Meeting**

The Chairman advised the next Meeting of the North Area Committee would be held on Monday 2nd and Tuesday 3rd March 2015 at the Atholl Palace Hotel, Pitlochry commencing at 1300 hours on Day 1 and 0900 hours on Day 2.

### Dates of future meetings

1<sup>st</sup>/2<sup>nd</sup> June 2015

31<sup>st</sup> August/1<sup>st</sup> September 2015

30<sup>th</sup> November/ 1<sup>st</sup> December 2015

*Task 0028/14 - Secretary to ensure open invite is made to FTO's from Woodside Place to future meetings.*

## **12. Closure of Meeting**

The Chairman thanked the Committee for their active and constructive participation during this meeting and during their time as part of the NAC. He wished all those who would be standing in the fourth coming elections good luck. He thanked Shaun White for his time and effort in the Federation acknowledging that Shaun was also due to retire from service in the new year and closed the meeting by wishing everyone present a safe journey home.

He was thanked by the Meeting in the customary manner.

**David Hamilton**  
Chair

**Graham Sloan**  
Secretary