



SCOTTISH POLICE FEDERATION

Established by Act of Parliament

Ref: MM/AM/LW

West Area Committee Minutes

Minutes of the West Area Committee meeting held at the Glynhill Hotel, Renfrew on Wednesday 4 September 2013 at 10 am.

1 ATTENDANCE AND OPENING

Malcolm Macdonald (Secretary)

Donald Walker (Deputy Secretary)

John Campbell (Deputy Secretary)

Andrea MacDonald (Chair)

Jim Foy (Vice Chair)

Richard Webster

Jennie Shaw

John Adams

Gary Turnbull

Pamela Fleming

Blair Henderson

John O'Neill

Steven McIntosh

Philip Maguire

Andrew Hastie

Tom Bingham

Campbell Smith
Scott Wilson
Kenny Welsh
John Hunter
John Haynes
Gary Mitchell
David Rennie
Stuart Finnie
Colin Fraser
Colin Johnston
Charles Sweeney
Lawrence Ramadas
Dawn Bethune
David Blacklock
Thomas Liddle
Alistair Bell
Alistair Sword
Andrew Keating
Jim Gamble
William Park
Stephen McCulloch
Colin Stark
Murdo Kennedy
Eddie Mather
Blair Anderson
Stuart Warboys (Observer)
Martin Lumsden (Observer)
Andy Hawse (Observer)

Apologies were received from:

Stuart Davidson

Joseph Conway

Andrew Smith

Martin Greenlees

Kevin Moffat

Martin Hynd

James Bevers

Robin Ferguson

Dennis Cairns

Martin Bertram

Fiona Morris

Grahame Gosling

Kenny Hodge

Neil McKay

Andy Smith

The Chair welcomed the members to the meeting and asked that the members stand for a minute's silence in memory of Ian Muir, the Vice Chair of the East Area Committee who passed away in May.

The Chair gave a special welcome to newly elected Representative Stephen McCulloch, from Greater Glasgow Division. She also welcomed Constable Stuart Warboys 'H' Division and Constables Andy Hawse and Martin Lumsden 'V' Division.

Members were informed that Divisional Meetings would be held after lunch.

2 ADOPTION OF STANDING ORDERS

Due to the changes to the structure of the Scottish Police Federation as of 1 April 2013, it was necessary to adopt transitional Standing Orders for the duration of the meeting. However, the new Rules and Regulations have now been published and circulated to all Representatives and will now be utilised at all Scottish Police Federation meetings.

At this point the Chair asked for permission to move off the Agenda to discuss a matter which had been raised that the Inspectors Separates Meeting. This matter was a confidential nature and involved an on-going investigation. Agreement was given and a full discussion took place.

3 MINUTES OF PREVIOUS MEETING

The Minutes of the last meeting had been circulated were accepted as a true record.

All actions raised had been addressed and were now complete or being progressed.

One member raised the matter of honoraria for Office Bearers and the formula used to calculate honoraria payments.

The Chair informed the member that this matter was not an action from the previous meeting but that it would be discussed later in the meeting.

There was a brief discussion regarding public holidays and it was agreed that Blair Henderson, Sergeants PNB Representative, would update the meeting fully under the PNB Agenda item.

4 LEGAL ADVICE AND ASSISTANCE

The Vice Chair reported that 7 cases for Legal Advice had been submitted to SPF HQ from May 2013 –

2 Conduct

1 CICA

2 Injuries

1 Discrimination

1 Ill Health

5 POLICE NEGOTIATING BOARD (SCOTLAND STANDING COMMITTEE)

The Secretary updated the members.

The General Secretary said that at the last PNB meeting on 10 April Steve Williams, Chairman of the PFEW had been elected Staff Side Chairman. An amended PNB constitution accommodating the Police Service of Scotland (PSoS) and the Scottish Police Authority had been approved.

The General Secretary said that a 1% pay rise effective from 1 September 2012 had been agreed for officers in England and Wales but further discussions were required before the position in Scotland was finalised.

He advised that at the last meeting of the PNB Scotland Standing Committee, the Staff Side was presented with an offer of 1% across all pay points and appropriate allowances, for all ranks up to and including Chief Superintendent. The Staff Side was advised this was in line with the Scottish Government's public sector pay policy. The Staff Side responded that a negotiating body should not be bound by a pay policy as this undermined the nature of negotiation. However in recognising the constraints placed upon the public sector finances the Staff Side was prepared to table a claim for a 1% pay increase for all ranks, across all pay points and appropriate allowances. The Official Side noted the Staff Side position.

Note: Outwith the meeting, representatives for the Chief Officers met and agreed that any consideration of a pay claim for their ranks considered as part of a wider review of Chief Officer remuneration. This was communicated to the Official Side. An Agreement for an increase to police pay in Scotland, in line with the Official Side offer has now been reached and increases will take effect from the 1st September 2013.

The General Secretary reported the proposals for a Pay Review Body (PRB) for England and Wales had also been announced and as a result the PNB as a UK wide body would cease to exist in October/November 2014. He said the Scottish Government had agreed that a negotiating body would be established for Scotland and members discussed staffing requirements relative to this. It was agreed that a paper on this matter would be presented to the September meeting.

The General Secretary said that he had attended a meeting with the Cabinet Secretary for Justice along with Doug Keil and had made a final attempt to achieve improvements on the proposed police pension scheme changes which had been discussed over recent months. He had been made aware that Ministers, while sympathetic, were not minded to support variations which had significant financial implications. Every possible avenue had been explored to achieve improvements but there had been nowhere to go within the restrictions applied by the Treasury.

The Cabinet Secretary for Justice had made a commitment to talk to his ministerial colleagues once again but the General Secretary did not think that improvements would be possible.

The Chairman and others thanked the General Secretary for his work on this matter and expressed the view that if no beneficial changes were achieved it would not be for want of his efforts or expertise.

Note: *The day after the JCC meeting the General Secretary was advised there had been no change. The Cabinet had yet to make a decision in light of the representations he made to the Cabinet Secretary on the 5th June. A decision was expected before the parliamentary recess later in the month. This decision would amount to an announcement of the 'reference scheme' for Scotland and would be virtually identical to that published for England & Wales.*

The delay in publication of a reference scheme would result in significant challenges for the SPA and increase pressure on day to day administrators who would have less time to familiarise themselves with a new process. The new regulations would be sent for consultation late September, mid-November at the absolute latest.

Members discussed severance packages under the Hutton proposals and at the end of the debate agreed that these would not be in the best interests of members. They also discussed shorter term pension schemes and the proposed changes to ill health arrangements.

Members also discussed the importance of communications with the membership on pension scheme changes and agreed that a number of road shows should be arranged across the country at an appropriate time. The General Secretary said that the Home Office had reawakened the consultation on the Police Injury Benefit Regulations for England and Wales. He had responded in the very short timescale provided but said that any proposals for Scotland would be subject to the normal consultation period and would be circulated to members of the JCC when published.

The General Secretary circulated a one page budget paper which showed significant shortfalls in the Police Service budget for Scotland. Members discussed a number of related issues.

There had been a further meeting on 2 September 2013 but the minutes had not yet been circulated. Blair Henderson, Sergeants PNB Representative gave the members a verbal update.

He advised the meeting that discussions had taken place regarding surrounding the issue of public holidays and the possibility of reducing the annual entitlement from 8 to 2 (25 December and 1 January remaining as these are statutory public holidays) and adding the remaining 6 to annual leave entitlement.

Blair Henderson informed the members that he had voiced his concerns regarding this at the meeting and questioned why it was being discussed when there did not appear to be any urgency to come to an agreement.

The matter will be discussed fully at the Joint Central Committee Meeting next week.

One member raised concerns as to whether there would be any benefit to Officers if this was implemented.

One member stated that there are already a lot of restrictions on annual leave and next year this will be worse with the Commonwealth Games and therefore it may be difficult to utilise more annual leave within the defined sub groups.

One member stated that there could be benefits to Officers if this policy was agreed and it should be carefully considered.

The Secretary informed the members that the Federation had not agreed to this and the matter would have to be fully discussed and examined at the Joint Central Committee before any agreement was reached.

ACTION

It was agreed that the WAC JCC Representatives would ask for full consultation with the membership to take place regarding this matter, perhaps by way of a survey utilising Survey Monkey.

6. JOINT CENTRAL COMMITTEE CIRCULARS

The Secretary informed the members that the following JCC Circulars had been received:

31/13	G8 Summit – Northern Ireland – 17/18 June 2013 – Information Only
32/13	2 nd Stage Consultation – Allowances and Expenses SOP
33/13	JCC Agenda and Papers June 2013
34/13	Victim and Witnesses Bill – Information Only
35/13	Finance, Legislation and Regulations and Operational Duties Standing Committee Minutes 28.05.13
36/13	Tribunals (Scotland) Bill 2013 – Consultation
37/13	Anti-Social Behaviour; Crime and Policing Bill – Legislative Consent Memorandum
38/13	Member Services
39/13	Criminal Justice (Scotland) Bill 2013 – Information Only
40/13	G8 Compensation – Information Only
41/13	Criminal Justice (Scotland) Bill 2013 – Consultation
42/13	Meeting Dates 2014 to 2016 – Information Only
43/13	Pre-retirement Courses – Information Only
44/13	SPF Regulations and Rules 2013 – Information Only
45/13	Consultation - Views on Specified Limit for New Drug Driving Offence
46/13	POCA 2002 – Revised Draft Code of Practice for Searches - Consultation
47/13	JCC Minutes June 2013 – Information Only
48/13	PNB Circulars – Information Only
49/13	A Police Negotiating Board for Scotland - Consultation
50/13	Mutual Aid – Operation Solentina – Information Only
51/13	Joint Central Conference November 2013 - Information Only
52/13	PsOs – Working Time Regs. – workforce agreement
53/13	JCC Agenda Papers – September 2013
54/13	CARE Pensions
55/13	PSoS (Conduc) (No 2) Regs 2013 – consultation
56/13	PSoS (Performance) (No 2) Regs. 2013 – consultation

7. WEST AREA COMMITTEE CIRCULARS

The Secretary informed the members that the following WAC Circulars had been circulated to the members:

11/13	G8 Summit – Information Only
12/13	2 nd Stage Consultation – Allowances and Expenses SOP
13/13	Pensions Calculator
14/13	On Call – Inspecting Ranks Only
15/13	Victim and Witnesses Bill – Information Only
16/13	Finance, Legislation and Regulations and Operational Duties Standing Committee Minutes 28.05.13
17/13	Tribunals (Scotland) Bill 2013 – Consultation
18/13	Federation 'E' Mail Accounts
19/13	G8 Summit – Information Only
20/13	G8 Summit – Information Only
21/13	G8 Summit – Amended Pay Guide – Information Only
22/13	On Call – Inspecting Ranks Only
23/13	Member Services
24/13	Criminal Justice (Scotland) Bill 2013 – Information Only
25/13	G8 Summit
26/13	Scottish Police Memorial Day
27/13	Meeting Dates 2014 to 2016 – Information Only
28/13	Anti-Social Behaviour; Crime and Policing Bill – Legislative Consent Memorandum
29/13	New Contact Number for SPF
30/13	Pre-retirement Courses – Information Only
31/13	SPF Regulations and Rules 2013 – Information Only
32/13	Consultation - Views on Specified Limit for New Drug Driving Offence
33/13	PSoS Regulations and Determinations 2013
34/13	Proceeds of Crime Act 2002 – Code of Practice for Constables in Scotland
35/13	Police Pensions Roadshow
36/13	Legal Helpline
37/13	PNB Circulars – Information Only
38/13	A Police Negotiating Board for Scotland - Consultation
39/13	PTC Updated Application Forms
40/13	Pensions Roadshow
41/13	JCC Minutes June 2013 – Information Only
42/13	Mutual Aid – Operation Solentina – Information Only
43/13	Inspecting Ranks workshop
44/13	West Area Conduct Minutes
45/13	PSoS – Working Time Regs. – workforce agreement
46/13	CICA procedure
46B /13	CARE pensions
47/13	PSOs (Conduct) (no2.) Regs. – consultation
48/13	JCC Agenda – September
49/13	PSoS (performance) (No2) Regs. – consultation
50/13	Inspecting Ranks – update – Inspecting ranks only
51/13	Career Breaks – Group Insurance

8. JCC – FINANCE STANDING COMMITTEE

Minutes of meeting held on 28 May 2013 were circulated by JCC Circular 35/13 and WAC Circular 16/16.

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At a meeting held on 21 August 2013 matters discussed included draft accounts for year ending March 2013. These will be circulated when approved by the Trustees. The tenders for our new offices have now been received and are currently with the Trustees for approval before the contractors can be instructed to commence work, the plans for the development are still with Renfrewshire Council Planning Department and can be viewed on the council website.

The Secretary advised that the SPF Treasurer had reported that he was in receipt of a letter from Mark Bell of HMRC informing the Federation that he was no longer involved in the assessment of our records and a new assessor will be appointed by HMRC in near future.

Once the approved, the minutes of this meeting will be circulated in the usual manner.

9. JCC – LEGISLATION AND REGULATIONS STANDING COMMITTEE

Minutes of meeting held on 28 May 2013 were circulated by JCC Circular 35/13 and WAC Circular 16/16.

At a meeting held on 21 August 2013 the West Area was represented by the Secretary and the Vice Chair. Matters discussed included the minutes of previous meeting. The Secretary raised an issue regarding the previous minutes by way of a correction under item 5 paragraph 2 where the minutes should have stated that the West Area Committee aimed to have OFFICE BEARER meetings prior to final consultation response dates to discuss consultations. This was approved and the minutes are to be corrected.

The General Secretary provided an update regarding the Police Federation (Scotland) Rules. He stressed that the updated version of Standing Orders would now be a priority. Once a draft copy has been compiled it will be circulated for consultation. Also under consideration is whether or not Federation Representatives can still attend any meeting of the Federation whilst off sick, as these meetings are considered as duty time.

There was a concern raised by the General Secretary regarding the lack of responses received to any consultation Circulars recently. There have been 4 consultations and a limited amount of responses received.

The Secretary assured the WAC that the West Area Office Bearers have submitted responses by their due date. However they would be grateful if the Area Committee members could also respond to these consultations.

Once the approved, the minutes of this meeting will be circulated in the usual manner.

10 JCC - OPERATIONAL DUTIES STANDING COMMITTEE

Minutes of meeting held on 28 May 2013 were circulated by JCC Circular 35/13 and WAC Circular 16/16.

At a meeting held on 21 August 2013 the West Area was represented by the Secretary and the Vice Chair. Matters discussed included the requested amendment to the minutes by the Secretary as detailed in Item 9 of these minutes.

A discussion took place regarding the recent Mutual Aid deployments in Northern Ireland. The Standing Committee was satisfied that the majority of matters around these deployments had now been resolved.

At a meeting held on 21 August 2013 a discussion took place regarding the current positions of the negotiations in respect of the Workforce Agreement (WFA). The West and East Area Secretaries reported that several meetings had taken place and discussions had almost reached their conclusion. There had been no further meetings arranged with the Force. The Secretary stated that he would discuss this matter in full at the end of this Agenda item.

There was a discussion around the commencement of the Force Firearms Monitoring Group which is being chaired by ACC Higgins. The final composition of attendees at this group had still to be decided.

The Commonwealth Games was discussed and there will be a small working group convened to assist the Deputy General Secretary. There is a restricted Force memo from DCC Steve Allan regarding the Commonwealth Games and the Federation have asked that the protective marking be removed and the memo circulated to the wider membership.

There was also a discussion around new Probationers who will now have their first day of service at the Scottish Police College and the development of the Federation input.

WORKFORCE AGREEMENT

As you are aware the Secretary has circulated JCC Circular 52/13. This has caused some concern to the members and representatives but the Secretary stated that the development of the Agreement had not been an easy task. The three Area Secretaries were tasked to take the negotiations forward on behalf of the JCC. The first task was to condense the 8 legacy Workforce Agreements into a single document so concessions would have to be made.

The Secretaries had several meetings with Superintendent Jim Jennings and Inspector Gordon Alexander to discuss what was agreeable and what was not. The first suggestion made by the Force was the reduction of the notification period to 15 days but the Federation position was that it should remain 6 weeks. Agreement was not forthcoming and therefore a compromise had to be reached. The compromise was that there will be a four week period of notice of variation.

This is supported by PNB Circular 10/ , entitled Guidance on Designing Variable Shift Arrangements. Paragraph 20 makes reference to subject to exigencies of duty any changes should be notified to officers one month in advance. The other discussion centred on changes to shift start times. There are now no specified days when changes can take place. This mirrors previous legacy Workforce Agreements. It was also suggested that by reducing the period of notification and with better planning then there should be a reduction in these variations.

There was a draft document produced and it was to be presented to the JCC on 10 September 2013 for approval. The Secretary was of the initial opinion that this was the instruction given to the 3 Secretaries by the JCC when tasked with this piece of work. However, as the General Secretary signed the Workforce Agreement on behalf of the Federation on 22 August 2013 with the Chief Constable. The Secretary will ask why this was done prior to the draft document being presented to the JCC.

One member raised concerns that the Workforce Agreement had been drafted and signed off without full consultation with the membership. They were advised that this was not done for the legacy Workforce Agreements, instead the Branch Board Secretaries had carried out the work on behalf of the membership.

The Secretary informed the members that this matter would be discussed at the JCC the following week and that there was no urgency for the document to be signed.

One member stated that, in their opinion, the changes could only be to the detriment of the legacy Strathclyde and Dumfries and Galloway Forces.

Several members aired their concern regarding the decision taken by the General Secretary of the Scottish Police Federation to sign the Workforce Agreement without full consultation with the membership or the JCC at least. It was felt that steps should be taken to show that, if this was the case, there could be a lack of trust and confidence by many of the WAC Representatives in the way in which he had acted.

The Secretary informed the members that it was important that their opinions were taken back to the JCC regarding such issues and clarity will be sought regarding the process.

One member asked if the General Secretary had altered the document produced by the three Secretaries in any way. It was confirmed that he had not and the Secretary stated that it was unlikely that the JCC would have changed it either.

One member suggested that the Federation should withdraw from the Workforce Agreement. The member was advised that should a new Workforce Agreement not be in place for October then the only alternative may be for the Force to introduce a regulation shift pattern (7 on, 2 off) without the need for consultation and, more importantly, Federation agreement. The member stated that she believed the wider membership would welcome such a move. Other members disagreed with this point of view.

Following a strong discussion members stated that they wished the WAC JCC Representatives to take a vote of no confidence in the General Secretary to the JCC if it was found that he had acted ultra vires in signing the Workforce Agreement before it had been presented to the JCC. If, however, he had not acted in such a manner then the WAC wished the JCC Representatives to express their disappointment that he did so without full consultation with the JCC.

ACTION

Following a strong discussion members stated that they wished the WAC JCC Representatives to take a vote of no confidence in the General Secretary to the JCC if it was found that he had acted ultra vires in signing the Workforce Agreement before it had been presented to the JCC. If, however, he had not acted in such a manner then the WAC wished the JCC Representatives to express their disappointment that he did so without full consultation with the JCC.

11 JCC - CONDUCT SUBJECT COMMITTEE

The Vice Chair updated the members.

The Conduct Training Day had been held on 4 July 2013 at Merrylee Road.

Minutes of the meeting on 1 August 2013 had been circulated on (WAC Circular 44/13 refers).

JCC Conduct Committee

The first meeting of the JCC Conduct Committee took place on 20 August 2013 at SPF HQ. The Vice Chair attended with Phil Maguire.

On the issue of legal advice and assistance, the Committee was informed that Levy's remained the preferred Solicitors in matters of criminality. This was due to their extensive knowledge and history in dealing with the membership. It was clarified that, regardless of this, any member facing criminal allegations was free to use their own Solicitor and DAS would approve this, as long as the Solicitor agreed to the terms of the policy.

In all matters of criminal allegations following on duty matters, all subject sheets requesting the Force to provide funding will be submitted via the National Conduct Secretary. This is to ensure consistency of approach throughout the country.

Matters of a confidential nature were discussed in relation to a large misconduct enquiry on-going in another area as some trained representatives from the West will be utilised to provide advice to members.

The proposed new conduct regulations are now out for consultation with a very short time frame.

Any comments should be directed to the Vice Chair no later than 11 September 2013.

SPF HQ are hoping to provide new conduct training courses in late January and it has been requested that we get as many places as possible on the course. The National Conduct Secretary is working on a training package to be delivered at shift briefings/de-briefings by trained representatives at the turn of the year with a focus on data protection issues. This will be a 10 minute PowerPoint and the DCC has agreed to it.

The Force will be running 2 day training seminars for Inspectors and above regarding the new conduct regulations, it is hoped conduct trained representatives will also be able to attend.

There have been no appeals dealt with by the new format of police appeals tribunals. The Vice Chair raised concerns that the Chief Constable still has no time limit in which to consider appeals before these matters go to PAT. Members may recall this was raised several years ago at annual conference. It would appear the Scottish Government has no intention of putting time restrictions on the Chief Constable.

No issues of particular concern have come to note regarding enquiries carried out by PIRC. John Mitchell has been invited to attend the next meeting of the JCC Conduct Committee. There was an issue concerning a website update that more or less identified an Officer, PIRC have apologised for this and Calum Steele has written to PIRC regarding the Federation's concerns.

One member asked what procedure was in place for Officers who were detained as a suspect and the Vice Chair informed the members that they have the same rights as any member of the public. If anyone is aware of instances where this doesn't happen they are to forward details to the Vice Chair.

One member stated that despite the Deputy Chief Constable stating that applications for transfer/promotion etc from members with outstanding complaints/misconduct matters would be treated on their individual merits, HR would appear to be refusing to progress such applications. The Vice Chair advised that this had also been happening in the East Area and that the National Conduct Secretary was progressing the matter with the Deputy Chief Constable.

12 JCC - EQUALITY SUBJECT COMMITTEE

The Deputy Secretary, John Campbell, updated members.

Since the last Area Committee, there have been 2 meetings of the Equality Committee. Pam Fleming was elected as Chair and John Adams as Vice Chair.

There have also been Equality Subject Committee meetings at SPF HQ.

Members were requested to complete equality monitoring forms and return them to the Deputy Secretary at the close of the meeting. The forms were strictly confidential.

Since the last Area Committee the Grievance Procedure SOP for Scotland has been produced and published on the intranet.

David Ross, Vice Chair of SPF is in the process of arranging a meeting with DCC Richardson in order to convey our dismay at the document. It appears to be unbalanced and removes any form of independence from the process.

Within the West Area there are 97 officers on Maternity leave and 10 on Paternity leave. In the months from April to June this year, 7 grievances were resolved and from July to August, 1 case has been resolved. At present there are 8 on-going grievances from Police Officers within the Force.

With regards to the work place stress assessments that are being carried out by supervisors, the Deputy Secretary attended a meeting with ACC Mawson where this matter was discussed.

The Deputy Secretary will be attending the Scottish Police Staff Associations Equality and Diversity working group where he will be representing the SPF with the National Equality Secretary and the National Vice Chair. The first of these meetings is to be held at the Police Treatment Centre, Auchterarder on Thursday 26 September 2013. The purpose of these meetings is to gather information from our colleagues in the other staff associations on the issues that affect them. There will be representatives from the GPA, SEMPER, Muslim Police Officers Association and the Women's Development forum amongst others.

There are presently 41 officers on half pay and 21 on nil pay.

Additionally we have 25 officers undergoing the ill health procedure.

13 JCC - HEALTH AND SAFETY SUBJECT COMMITTEE

The Deputy Secretary, Donald Walker, updated the members.

The first meeting of the West Area Health and Safety Committee took place at Merrylee Road on 3 July 2013. The meeting was chaired by Gary Mitchell. Martin Bertram was installed as Vice Chair and along with the Secretary, Donald Walker, they will form the three representatives who will attend the JCC Health and Safety Committee. The minutes of the meeting have been circulated to all members of the WAC.

A meeting was held on 28 August 2013 at Woodside Place and a document highlighting the details of local divisional representatives has been circulated to all Health and Safety members.

H&S forms have been circulated and any representative who was not in receipt of one should contact the Deputy Secretary, Donald Walker, for a copy.

There were further vehicle inspections planned for the future including the custody unit and a full workplace inspection was planned for Gartcosh.

The next meeting would take place on 17 September 2013 at Merrylee Road.

14 G8

The Secretary informed the committee that he had attended the 3 briefings given to those working at G8 with the National Deputy Secretary and the North Area Chair. The main issue of concern was what payments Officers would receive.

There were a number of issues to be negotiated and agreed and Officers were concerned about the standard of some of the accommodation they were being allocated and the terms and conditions of their deployment. The Force was also working to resolve this matter as it was an issuing affecting all Forces in the United Kingdom.

As a result of negotiation over several meetings, agreement was reached in terms of the PNB Circulars 'Held in Reserve' and this resulted in some Officers being paid for 24 hrs per day and some were also paid a "hardship" allowance because of their accommodation.

OPERATION SOLENTINA

The Chair informed the members that there had been a high volume of calls to Merrylee Road with enquiries from Officers regarding this deployment.

Officers who volunteered for this deployment had to have previously been deployed in Northern Ireland.

All matters raised by members have now been resolved.

In relation to public order in general one member raised concerns about a memo which had been issued by ACC Higgins stating that Officers who had volunteered for public order duties could not withdraw without submitting a subject sheet and providing a full explanation as to why they wished to withdraw. Members were advised that the Deputy General Secretary had written to ACC Higgins expressing the Federation's concern at this memo.

15 COMMONWEALTH GAMES

The Secretary informed the members that along with the Vice Chair, he had been involved in accommodation site visits. Once the Commonwealth Games Working Group has been convened, regular updates will be given at the WAC Meetings.

16 MOTION(S)

6 Motions were presented –

Motion 1

That this West Area Committee asks Joint Central Committee to negotiate with the Scottish Government and have them change legislation and reverse their decision to reduce the Scottish Police Federation Conference from meeting once a year to meeting once every two years. These changes are contained within Police Federation Regulations 2013 under Part 5 Regulation 15(1) and amend to the former wording contained in the previous Police Federation (Scotland) Regulations 1985 Regulation 09(2).

Explanatory Note

In the drafting of the new police regulations by the Scottish Government, the Annual Scottish Police Federation Conference has been reduced to meeting once every two years.

It is understood that there was no support for this change at any of the Joint Branch Boards or JCC meetings.

This legislative change has effectively lowered the profile of the Scottish Police Federation and demeans the work undertaken by police federation representatives at local and national level.

Annual Conference allows concerns to be raised on a yearly basis about pay and conditions, legislative shortcomings, ineffective operational practices, and most fundamentally the desire to express dissatisfaction with the Scottish Government, UK Government Chief Officers and hold ourselves to account as an organisation.

Such a platform provides opportunity to bring change, find improvements which benefit Scottish Police Officers and our local communities.

Simply to deny police officers in Scotland the right to meet, to speak and be heard on a yearly basis is undemocratic.

No other staff association representing over 17,000 people meets once every two years.

At Annual Conference this year the Scottish Justice Minister was questioned on this subject and in reply demonstrated flexibility in his approach to reinstating such meetings.

Given the support shown by delegates at Annual Conference to have the SPF Annual Conference reinstated it is required that JCC follow the will of delegates at Annual Conference and immediately pursue legislative change with the Scottish Government in time to arrange annual conference for 2014.

It is suggested that the existing regulation 15(1) is redrafted to read as previously;

“The Joint Central Conference shall hold an annual meeting lasting not more than two days or with the Scottish Ministers consent three days.”

Any financial argument supporting the decision of the Scottish Government is a sham given that costs could be reduced by using facilities at SPC Tulliallan as a venue.

What is essential irrespective of whether the location is SPC Tulliallan, scout hall or car park is that the legislation is changed to allow the return of annual conference and the democratic voice of police officers to be heard.

Mover: Colin Johnston

Seconder: Colin Fraser

This motion was withdrawn as it had been presented at the JCC in June 2013 on behalf of the Mover. The motion was defeated.

Motion 2

That this West Area Committee asks Joint Central Committee to amend the rules which support and allow motions to be introduced at short notice at Annual Conference.

A rule change is required to facilitate short notice acceptance of motions at Annual Conference which have been approved and submitted by an Area Committee.

The relevant Federation Rule should be amended.

Explanatory Note

It has become quite apparent that existing rules are being applied in order to prevent open discussion of matters of importance which arise within days, weeks or months before annual conference.

The application of such rules which prevent frank and open discussion whether in open or closed conference does a disservice to delegates attending conference and the well-being of the Scottish Police Federation.

No matter what motion has been presented by a Territorial Area Committee (consisting of at least two or three former Joint Branch Boards) the motion should be recognised as being valid and worthy of debate at Annual Conference.

It is important that delegate's views from Territorial Area Committees which are contained within motions are able to be discussed at short notice.

Only through amending rules and empowering the JCC to be responsive at short notice to accept motions for discussion will Annual Conference regain its credibility.

Mover: Colin Johnston

Secunder: Colin Fraser

The motion was carried and will be remitted to the JCC.

Motion 3

This West Area Committee asks Joint Central Committee to amend the rules and limit the time period and tenure that the following officers can sit as National Chair, National Vice chair, General Secretary and Deputy General Secretary of the Scottish Police Federation.

These officers are currently elected for a four year period and it is proposed that at the end of their consecutive second term, the office holder will be required to vacate the post and not be allowed to occupy or apply for any of the other full time Executive post until a period of four years has elapsed.

Explanatory Note

In order to keep a link between those full time officials at SPF Woodside Place and Territorial Area Committees and delegates there appears to be the need for progressive change in the organisation.

Like many other sectors in public office, it is felt that movement on completion of two terms of four years is more than a sufficient time period in office.

It is suggested that the time period prescribed in office is applied to the existing office holders and applied to their tenure.

Given that most persons occupying the post of National Chair, National Vice Chair General Secretary and Deputy General Secretary have usually been full time officials in their respective Area Committees (formerly Joint Branch Boards) then change should be welcomed in this Organisation.

Mover: Colin Johnston

Seconded: Lawrence Ramadas

The motion was carried and will be remitted to the JCC.

Motion 4

****THIS MOTION HAS BEEN WITHDRAWN BY THE MOVER****

This Territorial Area Committee (formerly Strathclyde and Dumfries and Galloway Joint Branch Board) asks that a full open and frank discussion takes place regarding the payment of honoraria, expenses and overtime payments to full time officials occupying posts at the West Territorial Area Committee and most recently under Strathclyde Joint Branch Board.

As a result of these discussions the Territorial Area Committee should consider any recommendations for change.

Explanatory Note

Concerns were raised most recently regarding payments for honoraria, overtime and expenses to full time officials.

The concerns centred upon honoraria, expenses and overtime payments and as to how the amounts paid were assessed ,when they were assessed ,by whom they were assessed and the mechanism in place for an open and transparent review of expenses (such expenses should be subject to increase or decrease in payments.

Mover: Colin Johnston

Seconded: Blair Henderson

This motion was withdrawn as two similar motions had been presented at the JCC in June 2013 on behalf of the North and East Area Committees. The motion from the North Area Committee was carried and a Working Group is to be convened.

Motion 5

This West Area Committee discusses whether the current General Secretary of the Scottish Police Federation has the support and confidence of this Area Committee to continue in his current role.

Concerns have been raised at a number of meetings of the former Strathclyde Joint Branch Board regarding whether the General Secretary of the Scottish Police Federation has the continued support of federation representatives and full time office bearers of the West Area Committee.

Explanatory Note

A full and frank discussion should be held on this subject with a view to endorsing the National Secretary's position within the Scottish Police Federation or recommending to Joint Central Committee that it is time for change.

Mover: Colin Johnston

Secunder: Lawrence Ramadas

This was a discussion motion only.

Motion 6

****THIS MOTION HAS BEEN WITHDRAWN****

This Territorial Area Committee (formerly Strathclyde and Dumfries and Galloway Joint Branch Board) asks Joint Central Committee to require the Conference Arrangements Committee to source a venue and put in place full arrangements for an Annual Conference in 2014.

Explanatory Note

In the drafting of the new police regulations by the Scottish Government the Annual Scottish Police Federation Conference has been reduced to meeting once every two years.

At Annual Conference this year the Scottish Justice Minister was questioned on this subject and in reply demonstrated flexibility in his approach to reinstating such meetings.

Given the support shown by delegates at Annual Conference to have the SPF Annual Conference reinstated it is required that JCC follow the will of delegates at Annual Conference and immediately pursue legislative change with the Scottish Government in time to arrange annual conference for 2014.

In order to facilitate any such seamless change in legislation by the Scottish Government it is important that the Conference Arrangements Committee should proceed to arrange an Annual Conference for 2014.

It is vitally important that an Annual Conference is held during 2014 as this will signify one year of Police Scotland and provide the opportunity for delegates to hold the Scottish Government and Chief Officers to account.

It is also an opportunity for delegates to have an open and frank discussion.

Mover: Colin Johnston

Secunder: Colin Fraser

This motion was withdrawn as it was no longer competent due to Motion 1 being defeated at the JCC in June 2013.

17 CORRESPONDENCE

The Secretary read the following items of correspondence to the members:

- An e mail from Andy Munro intimating his resignation.
- A letter of thanks from Adrian Hunt
- An e mail from Kenny Brown intimating his retiral/ resignation
- An e mail from Garry Kirkwood intimating his resignation
- A letter from Donald Walker intimating his retiral/resignation

18 COMPETENT BUSINESS

Retiral of Deputy Secretary – Donald Walker

The Deputy Secretary, Donald Walker, asked for the Chair's permission to address them regarding the forthcoming election for his post on behalf of 'V' Division elected Representatives. The Chair agreed to this request.

He then asked the Committee to consider allowing the post of Deputy Secretary to be filled by a member from 'V' Division for the remainder of the election tenure (March 2015) to allow the transition process to be complete and maintain full time Federation representation within the legacy Dumfries and Galloway Force.

The Secretary informed the members that in line with regulations, an election would be held at the meeting on 4 December 2013 for the post of Deputy Secretary. A circular would be sent out requesting nominations. All nominations should be submitted in writing (e mail acceptable) to the Secretary by midnight on 5 November 2013, these should intimate the nominee's proposer and seconder.

ACTION

WAC Circular to be issued regarding the election.

Representative for Remuneration Working Group

The Secretary requested nominations for a member of the West Area Committee to sit on the Honoraria Working Group.

Pamela Fleming, Jennie Shaw and Charles Sweeney were all nominated.

After a vote, Jennie Shaw was duly elected to represent the WAC on this Working Group.

Remuneration

The Secretary read an e mail to members that he had received from Stephen Noble, retired Federation Representative. This had been requested by members at the last WAC meeting. The e mail contained details of a motion that had previously been proposed and presented to the legacy Strathclyde Joint Branch Board (circa 2005) which agreed an additional sum that was to be paid to the Full time Office Bearers of the Joint Branch Board.

It was confirmed that this motion was presented and carried out with the hearing of the then full time officials, none of whom currently hold office.

Mr Noble confirmed that he would be willing to attend at a future WAC Meeting to provide confirmation and verification of the foregoing if necessary.

Policy Authority Update

The Vice Chair gave a brief update and informed the members that copies of all minutes were available from the SPA Website.

One member raised the matter of an imminent national fire strike and the fact that Police stations may be used to store fire safety appliances and that Police Officers would be required to assist with fire related calls. He requested that this be highlighted at JCC to ask if a media strategy could be developed to deal with this. This was agreed by the members.

ACTION

It was agreed that the WAC JCC Representatives would raise the issue.

Federation Protocol

The Chair requested that the members submit any local issues through the West Federation Office first and foremost and if necessary, matters would then be passed to national level.

19 CLOSURE

The Chair closed the meeting and wished everyone a safe journey home. A vote of thanks was given to the Chair.

The next meeting of the West Area Committee will take place on 4 December 2013.

ANDREA MACDONALD
CHAIR

MALCOLM MACDONALD
SECRETARY

*Please reply to: The Secretary, Scottish Police Federation, West Area Committee,
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