



# Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

## JCC Circular 37 of 2017

Ref: CS/DJK/LS

21 August 2017

Attachments: Minutes - Conduct, Equality & H&S  
FSC, L&R & Op Duties

Dear Colleague

### **Subject/Standing Committee Minutes, 1/2 August 2017 – Information**

I refer to the above and attach herewith, the Minutes of the Subject and Standing Committee meetings held on 1 and 2 August 2017.

Although this circular is primarily for your information, any comments/observations you may have on its content should be sent to me no later than 10 days after its date of publication.

Yours sincerely

**Calum Steele**  
General Secretary



Scottish Police Federation  
5 Woodside Place Glasgow G3 7QF

**Joint Central Committee  
Conduct Subject Committee**

Ref: CS/DJK/LS

**MINUTES**

1 August 2017

**1. Attendance**

North Area Committee	John Crawford (by VC)
North Area Committee	Sandy Smart (by VC)
East Area Committee	Mark Westmorland
East Area Committee	Steven Herd
West Area Committee	Fiona Morris
Deputy General Secretary	David Kennedy (meeting Chairman)
Assistant to the General Secretary (Conduct)	Amanda Givan
Business Administrator	Lesley Stevenson

Apologies were received from David Threadgold, Scott Meechan, Lorna Hogarth and Gary Mitchell.

The Chairman opened the meeting by welcoming everyone to the Conduct Subject Committee meeting and invited everyone to take an active part. Amanda Givan, the only candidate for the Conduct Secretary post agreed to act as the Secretary for the meeting.

**2. Minutes of Previous Meeting**

The Minute of the previous meeting had been circulated with JCC Circular 19 of 2017 and was noted.

**3. Legal Assistance**

It was noted that since the last meeting, there had been 13 misconduct applications, 25 off duty criminal applications for legal advice and assistance and nine on duty criminal applications for legal advice and assistance.

The Committee discussed social media and the potential pitfalls for members and agreed that training in this area would be useful.

**4. Complaints against the Police**

No figures were available due to the change in the SPA system.

## **5. Conduct**

Since the last meeting there had been 6 misconduct meetings across the country; 2 in the West resulting in a final written warning and an improvement action; 1 in the East resulting in a written warning and 3 in the North resulting in two cases of management advice and one where no misconduct was found.

There had been a further eight misconduct hearings; 3 in the North resulting in two final written warnings and one where no misconduct was found; 4 in the East resulting in three dismissals and one final written warning; and 1 in the North which resulted in no misconduct being found.

Members discussed the misconduct processes and the requirement for appropriate training.

## **6. Performance**

It was noted that Performance Regulations as an alternative to Conduct Regulations still remain largely unused across the country. It was also noted that the East area continues to challenge the use of performance regulations in respect of attendance matters.

## **7. Police Appeals Tribunal**

There were no current live tribunals.

## **8. Police Investigations and Review Commissioner (PIRC)**

At the last meeting it was agreed that PIRC should be invited to a future meeting of this Committee. Members discussed issues that they would want discussed at that meeting and agreed that Mr John McSporran should be invited to the next Conduct meeting scheduled for October.

## **9. Vetting**

There had been no meetings in respect of this group.

## **10. Anti-Corruption Unit Re-Integration Reference Group**

There had been no meetings of this Group since the last Conduct meeting.

## **11. Competent Business**

There were no items.

## **11. Closure**

Date of next meeting: 10 October 2017

The Chairman thanked everyone for their contribution and said he wished to place on record his thanks to Jim Foy, former AGS (Conduct) for the work he had done whilst in that position. Best wishes were also sent to Gary Mitchell who was in hospital at that time.



# Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

## Joint Central Committee Equality Subject Committee

Ref: CS/DJK/LS

### MINUTES

1 August 2017

#### 1. Attendance, Opening and Minutes of Previous Meeting

North Area Committee	Neil MacDonald (VC)
East Area Committee	Andy Malcolm
East Area Committee	Allan Symington
West Area Committee	Fiona Morris
West Area Committee	Gemma Speir
West Area Committee	Catherine McNally
Deputy General Secretary	David Kennedy (meeting Chair)
Assist. to the General Secretary (Equality) AGSE	Nigel Bathgate
Business Administrator	Lesley Stevenson

Apologies were received from Shirley Moran and Julie Connor from the North who were on annual leave.

The Chair opened the meeting by welcoming all present and thanking everyone for attending.

The Minute of the previous meeting had been circulated with JCC Circular 19 of 2017 and was noted.

#### 2. Matters Arising

##### 2.1 Action Log

It was noted that only one Action, 0013/16 remained open relating to the Bleep Test. The AGSE said that there had been no reported injuries during the bleep test for firearms officers and that this item could now be removed from the action log.

##### 2.2 Specialist Role Fitness Testing

The AGSE said that this matter originally centred specifically on probationer fitness testing where cases of failure could potentially have been successful through a legal challenge. At a recent equality meeting in the West area, a specific question was raised in relation to firearms

fitness testing and the AGSE said that he was aware that it is an age and gender categorised test with different standards set. The Committee agreed that he should engage with the force and explore any potential failings with this and report back to the Committee of his findings.

### **2.3 Conference 2017**

This item was removed from the Agenda.

### **2.4 Brexit**

The AGSE said he was unaware of any specific issues in relation to this matter. It also sits on the Force P&D E&D Governance Group.

### **2.5 Menopause Awareness**

Catherine McNally gave an update on this matter and said she had sent a proposal to the Force Wellbeing Group relative to a bespoke training package that West Midlands Police Force used. She would send the information to the AGSE in order that he raise it at the JCC meeting in August.

## **3. Standing Items**

### **3.1 PNB(S) Equality Working Group**

The last meeting of this Group was on 5 June 2017. The AGSE said that a paper had been presented by the Official Side relative to the Equal Pay Audit which would be further discussed at a meeting on 10 August between both Sides prior to the next PNB Equality Working Group. Items on the Agenda now also include; IVF, kinship, maternity matters, special leave and shared parental leave. The Committee discussed special leave and the problems relating to it across the Force. It was noted that legacy arrangements were still being used and it was noted that the AGSE would continue to raise this matter at the PNB Equality Working Group.

### **3.2 PS/SPA P&D E&D Governance Group**

The last meeting of this Group was held on 10 July 2017 and was chaired by DCC Fitzpatrick. Items on the Agenda include; flexible/agile working; the recruitment freeze in a number of West area divisions; promotion pools, Highlighted Wellbeing Champions and the Exit survey. It was anticipated that future issues would include BTP, disability and promotion, non-European nationals and Brexit.

### **3.3 Agility & Flexible Working**

The Group last met on 20 July. It was noted that there had been an acknowledgment that the principles of the Group had lost momentum largely due to a lack of a senior sponsor. DCC Fitzpatrick at the P&D E&D meeting was keen that the Group continued to meet and progress matters in relation to flexible, part-time and agile working. Essentially the whole concept of flexible working would be relaunched in the Force. It was noted that at inspector rank and above, there are only six officers who work a version of flexible part-time working which is

less than four days a week. It was further noted that the Group still hoped to establish a SCOPE mechanism for applications which may curtail the prospect of the applications being sent backwards and forwards between the applicant and their first line supervisor. The SCOPE solution would identify trends particularly of reasons for refusal. It was noted that they were looking to market this particularly to rejoining recruits.

### **3.4 Protected Characteristics**

#### **3.4.1 Disability**

It was noted that the AGSE had recently met with the newly appointed PSoS Disability Coordinator and discussed wider issues around disability. This would be a regular forum for SPF to raise ongoing disability issues. He asked the Committee to forward any examples to him as and when received.

#### **3.4.2 Maternity**

The AGSE reported that a recent issue around Keeping in Touch (KIT) days and payment of said days had arisen in the West area. A paper on this matter would be presented to the next meeting of the P&D E&D. It was noted that the SPF position would be that during the protected period, officers should have the choice whether to take payment or TOIL because of potential financial impacts of taking payment and their inability to take TOIL prior to their return at the end of their maternity leave.

It was noted that two new items should be placed at this item on the next Agenda namely; Religious hate crime and Transgender officers.

### **3.5 Consultations**

It was noted that the Attendance Management SOP was currently under review and a meeting will take place between PSoS and SPF to discuss the content of this SOP.

### **3.6 Training/Legal Updates**

The AGSE said that it had been well documented in the news recently of the High Court decision to remove the employment tribunal fees and said that there had been a number of relevant EAT cases over the last few months which would be highlighted during Equality inputs to each of the Equality Committees. A recap of previously delivered training was ongoing and would be complete by September.

## **4. Correspondence**

The AGSE said he had received an invitation to attend the Scottish Police Muslim's Association annual EID Dinner in Glasgow on 11 August and representatives to attend had been identified.

## **5. Competent Business**

Two new items of business should be placed on the next Agenda; Conference 2019 and Glasgow Pride 2017.

## **6. Closure**

The next meeting is scheduled to take place on 10 October 2017.

The Chair thanked everyone for their contributions and wished them a safe journey home.





Scottish Police Federation  
5 Woodside Place Glasgow G3 7QF

**Joint Central Committee  
Legislation and Regulation Standing Committee**

Ref: CS/DJK/LS

MINUTES

2 August 2017

**1. Attendance and Opening of Meeting**

Gordon Forsyth	North Area Committee
Steve Thomson	North Area Committee
Andy Malcolm	East Area Committee
Grant McDowall	East Area Committee
Martin Bertram	West Area Committee
Fiona Morris	West Area Committee

Andrea MacDonald	Chair
David Hamilton	Vice Chair
Calum Steele	General Secretary
David Kennedy	Deputy General Secretary

Amanda Givan	AGSC (Elect)
Brian Jones	AGSH

Lesley Stevenson	Business Administrator
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Apologies were received from Nigel Bathgate and Malcolm Macdonald. Malcolm was replaced by Fiona Morris.

The Chair opened the meeting by welcoming everyone and by thanking them for attending.

**2. Minutes of Previous Meeting**

The Minute of the last meeting had been circulated with JCC Circular 19 of 2017 and was approved.

**3. BTP into PSoS**

The Committee discussed the proposed merger with BTP and agreed to recommend to the JCC that Woodside Place officials be given the authority to make decisions relative to that BTP merger. Ongoing updates will be provided to the JCC.

#### **4. Motion – Conference 2017**

The following motion was passed at Conference 2017 and remitted to this Committee.

##### **Motion**

*“That this Central Conference asks the Joint Central Committee to seek an amendment to Section 51 of the Police, Public Order and Criminal Justice (Scotland) Act 2006 to extend football banning orders to include any person merely found in possession of pyrotechnic devices”.*

The Committee agreed to send examples to the General Secretary by the end of August, prior to him taking this matter further.

It was also suggested that it may be helpful to contact FoCUS and seek their assistance with this matter.

#### **5. Motion – JCC May 2017**

The following motion was passed at the JCC meeting in May and was remitted to this Committee:

##### **Motion**

“This East Area Committee asks JCC to make representation to have paragraph 5 of the Criminal Injuries Compensation Scheme 2012 recognise that it is not part of an individual’s duty to be injured as direct consequence of a criminal act.”

##### **Explanatory note**

The current 2012 CICA takes no cognisance to Police Officers being injured or seriously injured as a result of a prisoner resisting arrest and under paragraph 5 it explains that claims will only be considered when officers are carrying out a role considered as exceptional if it would normally be expected of the applicant in the course of their work. We call upon the JCC to discuss and take the appropriate action so Police Officers can be treated fairly within the scheme.

This motion was discussed by the Committee and it was agreed that the General Secretary would write a letter to the Cabinet Secretary for Justice on this matter.

#### **6. Competent Business**

There were no items.

#### **6. Closure**

Date of next meeting: 11 October 2017

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



# Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

## Joint Central Committee Operational Duties Standing Committee

Ref: CS/DJK/LS

### MINUTES

2 August 2017

#### 1. Attendance, Opening and Minutes of Previous Meeting

Gordon Forsyth	North Area Committee
Steve Thomson	North Area Committee
Andy Malcolm	East Area Committee
Grant McDowall	East Area Committee
Martin Bertram	West Area Committee
Fiona Morris	West Area Committee
Andrea MacDonald	Chair
David Hamilton	Vice Chair
Calum Steele	General Secretary
David Kennedy	Deputy General Secretary
Amanda Givan	AGS (Conduct)
Nigel Bathgate	AGS (Equality)
Brian Jones	AGS (H&S)
Lesley Stevenson	Business Administrator

The Chair opened the meeting by welcoming everyone and by thanking them for attending.

The Minute of the last meeting had been circulated with JCC Circular 19 of 2017 and was approved.

#### 2. ACDP, Police Diploma & Special Constabulary

There was nothing to report on the substantive issues.

An update was given on a meeting the Chair and General Secretary had attended at the Scottish Police College. They met with the new Director of People and Development, Jude Helliker, and monthly meetings have been scheduled with her. The Vice Chair was to meet

Chief Superintendent Gillian McDonald in the near future as she is now in post at the Scottish Police College.

### **3. CBRN**

The Vice Chair gave an update and said that there was a new operating model for bladed weapons. More cross discipline training was being carried out and work continued on this issue.

### **4. Consideration of JCC Consultation**

There were no relevant consultations to the Committee at this time.

It was noted that the General Secretary, Chair, and Vice Chair were attending a 2026 Strategy Implementation Consultation Workshop the following week.

### **5. Post Incident Procedures (PIP)**

The Deputy General Secretary said that the Force had agreed that post incident procedures should be used in more incidents and more representatives required training. It was noted the use of Post Incident Procedures (PIP) was to be extended to include critical incidents involving Death or Serious injury following Police Contact (Non Firearms) with effect from 26 July 2017.

### **6. Workforce Agreements (WFAs)**

The Deputy General Secretary reported on the discussions there had been thus far and raised a number of particular issues. He said that the next meeting of this group would be held on 16 August and he would be attending.

The General Secretary reminded the meeting that formal processes between the force and the SPF had been agreed in respect of VSAs. He suggested Area Secretaries should write to their ACCs / Divisional Commander highlighting these processes to them and asking if they agreed it was important to abide by regulatory requirements when considering shift pattern changes.

### **7. Custody**

The AGS (H&S) said that problems continued relative to resourcing within custody division. Members discussed backfilling, fire evacuation plans and the transporting of prisoners.

### **8. Force Armed Policing Monitoring Group**

It was reported that the Chair and General Secretary attended the last meeting of this Group on 16 June.

Members were updated regarding the issues discussed at the meeting.

An issue had been raised by a representative from the West relative to claims from Specialist Firearms Officers for plain clothes allowance not being approved. The same individual raised concerns that Close Protection Officers were not receiving plain clothes allowance either and that the new covers for their body armour had not yet been issued.

A number of other issues that cannot be formally recorded were also discussed and shared with the Committee.

## **9. 3C**

Members discussed resourcing and continuing difficulties with this area of business particularly staff shortages.

An update was provided regarding the transition of services from Inverness to the Area Control Room (ACR) North in Dundee and the combined service centres in Bilston Glen, Motherwell and Govan.

## **10. Impact on Inspecting Ranks Steering Group**

Andy Malcolm and the Vice Chair provided an update in respect of the key recommendations and potential strategic objectives or milestones for the organisation to consider which had been presented to the Senior Leadership Board (Executive) by ACC Williams.

The Vice Chair advised that the Force Wellbeing Group would be looking at the issue of the accurate recording of working time.

## **11. Allard Case – Recall to Duty Payments**

It was reported that nine officers had been identified and work was progressing on quantification. It was hoped that the service would respond in the near future.

## **12. PIRC Seizures**

It was agreed that the substantive issue had been resolved with the Chief Constable agreeing to like for like replacement of footwear and clothing. Any issues remained locally and Martin Bertram would raise this matter with the relevant ACC. It was further agreed that this item could be removed from future agendas.

## **13. Allocation of Annual Leave**

The Vice Chair said that this matter was causing unrest across the country where it seemed legacy policies were still being used. After much discussion the Committee agreed that this item could be removed from future agendas.

#### **14. Conference 2017 Motion**

The following Motion was carried at Conference 2017 and remitted to this Committee to pursue:

*"That this Area Committee asks Conference to ask the JCC to approach the Scottish Government to engage with the Lord Advocate to seek parity when dealing with Police Officers as victims of crime."*

The Committee discussed this Motion and it was agreed that an approach should be made to the Chief Constable regarding this in the first instance, prior to engaging with the Lord Advocate.

#### **15. Competent Business**

The Committee discussed the Bravery Awards and it was noted that the closing date for nominations was 31 August 2017. The event is to be held in Edinburgh on 30 November 2017.

Members discussed West Area Divisional Representatives setting up Twitter and Facebook accounts. It was agreed that a paper on SPF communication policy was to be prepared and circulated to the JCC.

The Vice Chair said he had received an invitation to Local Approaches to Policing Workshops which were being held across the country. He said he would circulate the dates to the Committee as it would be beneficial to be represented at these workshops.

#### **16. Closure**

Date of next meeting: October 2017

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