



Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

Joint Central Committee Minutes

Minutes of the Joint Central Committee meeting held at the DoubleTree by Hilton Dunblane Hydro on Tuesday 22 and Wednesday 23 August 2017.

1. Attendance And Opening

SPF Office Bearers:

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

North Area Committee:

Gary Brown
Gordon Forsyth
Karen Harrison
Neil Macdonald
Gordon Milne
Steven Thomson

East Area Committee:

Stephen Clark
Amanda Givan
Heather Macdonald
Andy Malcolm
Grant McDowall
Wilkie McCloskey

West Area Committee:

Martin Bertram
Paul Connelly
Phil Maguire (Day 1 only)
John Munn
Chris Thomson
Joe Thomson

Assistants to the General Secretary (AGS)

Nigel Bathgate AGS (Equality)
Brian Jones, AGS (H&S)

Observers

John Crawford

Also in attendance

Matt Rogers	Scottish Area Federation Chairman, BTP
Doug Keil	Business Manager
David Ross	Policy & Co-ordination Officer
Lesley Stevenson	Business Administrator

Apologies were received from Malcolm Macdonald who was replaced by Chris Thomson.

The Chair opened the meeting, thanked everyone for their attendance and invited all to take an active part. She informed the Committee that the Subject/Standing Committee Minutes were available in hard copy to view as they had only been circulated via JCC Circular the previous evening. She also said that a new standing item; 2026 Update, would be introduced to the Agenda after the current Item 11.

2 Minute Of Previous Meeting

The Minute of the previous meeting had been circulated with JCC Circular 35 of 2017 and was accepted as a true record.

3 Election of Assistant to the General Secretary (Conduct)

Amanda Givan was the only candidate and after being formally nominated and seconded was duly elected.

4 Legal Advice And Assistance

The Deputy General Secretary informed the Committee that since the last JCC there had been 86 new cases; 29 criminal legal defence cases - 4 on duty and 25 off duty, 8 misconduct cases - 3 on duty and 5 off duty, 13 RTA's - 7 on duty and 6 off duty, 19 personal injury cases - 8 on duty and 11 off duty, 2 on duty CICA cases, 1 employment dispute (police officer), 4 employment disputes (ex-police officers), 2 property protection cases, 3 contract disputes and 7 other cases.

A further 15 cases had been rejected.

Allard & Others v Devon and Cornwall

The Deputy General Secretary said that the claims were being quantified and this work should be complete by mid-September.

Holiday Pay Claim

The Deputy General Secretary reported that this issue was ongoing and said he had a recent meeting with Queen's Counsel. A further meeting with Police Scotland was awaited.

Held in Reserve

The Deputy General Secretary reported that the court decision had gone in the SPF's favour and that he and the Business Manager had met DCC Livingston and ACC Higgins the previous week. A small group to deal with held in reserve claims was to be set up by PSoS and both the Deputy General Secretary and the Business Manager would sit on the group.

Martin Bertram made an appeal on behalf of a West Area member whose application for legal advice/assistance had been rejected. After discussion the Committee rejected the appeal.

The Deputy General Secretary told the Committee that he and the General Secretary had met with John Dunn, Deputy Crown Agent, COPFS the previous day and had discussed the matter of how police officers were treated as victims of crime. Regular meetings with Mr Dunn would be scheduled.

5 PNB

The General Secretary provided the Committee with a comprehensive narrative in respect of the ongoing negotiations for police pay. He explained that as the negotiations were ongoing and clearly the details of those negotiations could not be made public at this time. The Committee considered all of the issues in detail and gave unanimously indicated support for the approach proffered.

6 Pensions

The General Secretary reported the UK Police Pensions Consultative Forum (UKPPCF) had last met on 31 July at the Home Office in London. Issues on the Agenda included opt-out data, adult survivor benefits, minimum pension age for AVCs, Taxation, and auto enrolment.

The General Secretary advised that a conflict between the regulator's advice and legal advice had created additional challenges in respect of auto enrolment. The UKPPCF also considered why members exhausting benefits in the defined benefit schemes were prohibited from joining defined contribution schemes. It was noted that a five year gap would allow DB members to join the DC scheme.

The UKPPCF noted that the Home Office were looking to begin consultation late August/early September to allow officers to buy additional pension benefits. Additionally the frustrations with the maximum limit on commutation being left at the discretion of the chief constable were aired (it should be noted this issue remains unresolved in Scotland). The meeting also discussed the 13 weeks widow's benefit, annual allowance tax in respect of ill health retirements, auto enrolment, the Walker case, and a recent Pension Ombudsman ruling on officers retiring and then returning to employment in a materially similar role.

The General Secretary reported that there had been no meetings of the Scheme Advisory Board since the last JCC meeting.

The Vice Chair updated the Committee on the last Pensions Board meeting he and the Business Manager had attended and said that the pension's calculator, available since June 2017, had been deemed very helpful. He said work was progressing on the provision of Annual Benefits Statements which were required by law to be provided by the end of August.

The Business Manager told the Committee that a useful summary document regarding CARE Scheme benefits was available and he would email it to members of the Committee.

7 Scottish Police Consultative Forum (SPCF)

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

8 Scottish Police Authority (SPA)

The General Secretary reported that the SPA was currently subject to review. He said he had met with SPA officials the previous week to support this review and that the report was due by the autumn.

It was reported that the Chair and Vice Chair had met with SPA CEO and Director of Communications & Relationships, and a number of pertinent ongoing issues surrounding the 2026 strategy were discussed. It was reported that the Chair of the PSA was due to retire. The recruitment process for his replacement had not begun. The next Board meeting was scheduled for later that week and the Chair and Vice Chair were to attend.

Members discussed scrutiny and the role of the previous Liaison Committee and agreed that something similar would be beneficial.

9 Scottish Police Budget & Finance

The General Secretary reminded the Committee that much of the bleak outlook in terms of the service finances were explored during the update report on pay. He did however remind the Committee that Audit Scotland had projected a £200m funding gap in policing budgets for this parliamentary term with an estimated £48m shortfall for 2017 alone. The Committee discussed the VAT liability issue, noted the considerable and ongoing efforts of the SPF on this and were hopeful that progress was being made with this matter.

10 Local Negotiating Consultative Committees (LNCCs)

There had been no meetings of this group since the last JCC.

11 Joint Negotiating Consultative Committee (JNCC)

It was reported that the last meeting was held on 15 August at the SPC and amongst the items discussed were rest days, operational resources, held in reserve, Allard, vehicles, firearms and the poor welfare considerations for Officers at events across the country. All of the principal office bearers had attended and reported on a particularly frustrating meeting with no discernible outcomes.

12 2026 Update

The General Secretary gave an update on the 2026 Consultation. Members expressed serious concern about the content, vagueness, credibility and validity of the 2026 Project.

13 Finance Standing Committee (FSC)

The Finance Standing Committee met on 2 August and the Minute was circulated with JCC Circular 37 of 2017.

The following recommendation from the FSC to the JCC was put to the JCC:

The FSC agreed to recommend to the JCC to release funds to redevelop the extension to the rear of Woodside Place.

The Deputy General Secretary reminded the Committee that the extension at the rear of Woodside Place, built in 1991, required significant repairs. For some time it had been planned to extend the extension at the rear to include another floor which would create space for additional work stations and a new meeting room. He said that some significant problems had been encountered and as a result the previously notified estimated cost had increased by £150,000. Members discussed the relative benefits and costs of the extension and simply repairing the existing building and agreed to pursue the former.

The following recommendation from the FSC to the JCC was put to the JCC:

The FSC recommend that the JCC approve funding for professional advice if required to help understand the differences in conditions of service for officers of the BTP.

This was agreed by the Committee.

The Committee discussed the Hunter Foundation Charity Event. The Chair reported that the FSC had found the expenditure legitimate and in accordance with the rules. The meeting thereafter discussed wider considerations in respect of the event.

Members of the JCC made clear that notwithstanding the wholly unique nature of this event that a clearer articulation of the purpose of the event amongst area full time officials may have been beneficial in responding to initial inquiries.

The Committee accepted the importance of seeking to influence those in significant roles in public and political life, not least given the acute challenges facing policing. The meeting, however concluded that whilst some perception issues about the merits of attending the event should have been foreseen, that attendance was amongst other things entirely appropriate and proper, in line with the rules, and consistent with the furtherance of the good name and reputation of the SPF.

14 Legislation and Regulation Standing Committee

The Legislation and Regulation Standing Committee last met on 2 August and the Minute was circulated with JCC Circular 37 of 2017. A recommendation from the L&R Committee as follows was agreed by the JCC:

The L&R SC recommend to the JCC that Woodside Place officials be given the authority to make decisions relative to the BTP merger.

15 Operational Duties Standing Committee

The Operational Duties Standing Committee met on 2 August and the Minute was circulated with JCC Circular 37 of 2017. It was reported that an SPF Communications draft policy including media releases, Social Media and the website amongst other issues was almost complete and it would be circulated in due course.

16 Conduct Subject Committee

The Conduct Subject Committee met on 1 August and the Minute was circulated with JCC Circular 37 of 2017.

The AGS (Conduct) asked the Committee to keep her informed of all matters relating to gross misconduct. She further asked that she be kept updated on disposals and that the members' database is always updated with the relevant information. She said that weekly discussions with PSD management team had been agreed during which time it was hoped that any emerging issues could be dealt with. It was noted that currently only one Chief Inspector carrying was out preliminary assessments for PSD however it is expected that another will be appointed to take over this role for the East and North areas. It was reported that DCC Gwynne will be taking over the role of DCC Designate following the retiral of DCC Livingston.

Training days for Chairs and Assessors were being conducted by the Force and the AGS (Conduct) had been invited to attend the next one scheduled for September/October.

The (AGS Conduct) said that she would be seeking to arrange a meeting with PIRC regarding investigations that had concluded in order to find out whether anything could be learned from them.

17 Equality Subject Committee

The Equality Subject Committee met on 1 August and the Minute was circulated with JCC Circular 37 of 2017.

The AGS (Equality) reported that there had been no formal Equality Working Group (EWG) meeting of PNB since the last JCC meeting. An informal meeting to discuss equality issues had been held the previous fortnight between the Official Side and Staff Side. The matters discussed will form part of further discussions and proposals before the next meeting of the PNB EWG. Items on the agenda include maternity, shared parental leave, IVF and Kinship. It was noted that the Official Side was keen to introduce discussions on special leave with efforts to standardise police officer and support staff terms in the existing guidance.

It was reported that the Force Equality and Diversity Governance Group had met in July and was chaired by DCC Fitzpatrick. Amongst the matters discussed was the recruitment freeze in the West area, recently appointed Wellbeing champions and the suggestion of reconvening the Flexible Working Group. The Committee also noted that the Force want to relaunch the whole concept of Flexible and Agile Working.

The AGS (Equality) reported that each Area Committee had been looking at the issue of menopause and its effect on older female workers. A proposal for an external provider who provide training in relation to menopause awareness was advanced by the Equality Committee and is being examined.

18 Health and Safety Subject Committee (H&S)

The H&S Subject Committee met on 1 August and the Minute was circulated with JCC Circular 37 of 2017.

The AGS (H&S) gave an update to the Committee and said that during the last quarter, 424 officers were assaulted; 161 of which during arrest. A further 271 were injured due to slips, trips & falls, training and in road collisions. 280 near-miss reports were submitted over the last quarter with a total of 1145 Scope Reports submitted. The number of RIDDOR reportable incidents was 37.

He reported that concerns had been raised by armed policing officers regarding the redeployment of equipment from the TAC vest to the utility belt. This is a new practice in the East and the North areas and a range of issues have been highlighted including entanglement with seatbelts and concerns relative to back/hip pain. A total of 92 concerns had been raised thus far. As a result, a meeting was held with the H&S Secretary, armed policing and the PSoS Safety Manager, where it had been agreed a new risk assessment was required to address this change in working practices and address the concerns raised.

It was reported that concerns continue to be raised around the country regarding the deployment of officers to the fast road network without suitable instruction, training, information or supervision to manage collisions and incidents. The issue of training and equipment is being progressed by a short life working group.

Further concerns had been raised relative to the ongoing apparent limitations within which ITFCs operate when considering to deploy firearms officers to incidents. This matter has been raised with ACC Higgins.

The H&S Board met on 18 August and the Minute will be circulated when received. It was reported that a new safety manager had been appointed and took charge of a team of 10 full time safety advisors. A number of safety alerts have been published addressing lead acid batteries, Lyme disease, vehicle safety, asbestos, method of entry, BWV's and fentanyl. In addition, a formal inspection programme has been identified and the rolling two year programme will capture all PSoS premises.

The UPPE Group met on 8 May at the SPC and amongst the matters discussed were, body armour, PPE budgets, winter hats, tick repellent, kennel staff and CS spray. The next meeting was scheduled for 23 August.

The Joint UK Staff Associations H&S Group met on 30. Concerns had been raised nationally regarding the apparent lack of accuracy on recording working time. Work was progressing on this matter. Further concerns regarding the impact of nightshift working had been raised and work was being done by the NPCC H&S Strategic Board on this matter.

The SPF PPE review was progressing well and the results of the online survey were with the Vice Chair.

Two accident/investigations were ongoing relating to a firearms incident in July and an RTA in July. The SPF Near Miss Guidance document had been updated and was available of the SPF website.

19 Police Related Charities

Police Treatment Centre (PTC)

The AGS (Equality) reported that the PTC AGM was held in Harrogate on 22 June 2017.

He reported that over the previous year, 3553 patients were treated at Harrogate and Castlebrae; 2981 were serving officers, 340 retired officers and 32 PCSO's, custody officers and special constables.

He further reported that the Psychological Wellbeing programme had attracted an 8% increase in the numbers benefitting from the programme which amounted to 702 officers. The programme is a combination of counselling, classes and workshops concentrating on coping mechanisms, stress awareness and issues around sleep problems. It also involves complimentary therapies.

The PTC is in a sound financial position with income to the charity up by £1m over the year, largely as a result of officer donations.

The last Trustee's meeting had been held at Castlebrae on 5 August and the main issue discussed was a motion to extend the eligibility group to Police staff in CSi type roles. The matter would be further discussed at the next meeting in September. Members of the Committee expressed a strong view that the eligibility for the PTC should remain unchanged at least until a proper assessment regarding capacity had taken place and a structured protocol for any changes to membership was developed.

St George's Trust

The AGS (Equality) reported that the St George's Trust AGM was held in Harrogate on 22 June 2017. He said that the Trust was in a sound financial position although investment income exceeded donations income by nearly 20%, not a sustainable long-term position. In total, in excess of £0.5m was distributed in terms of grants and gifts. He reported that there were currently 183 child beneficiaries and 41 supported students.

Donation rates for St George's will increase from 1 January 2018 by 10p and will support a positive budget position for the next 5 years and redress the investment income against donations.

Scottish Police Bravery Awards

The Bravery Awards will be held on 30 November in Edinburgh and preparations are well underway. Nominations would be discussed by the Awards Panel when it meets on 8

September.

Police Dependants' Trust

It was reported that the PDT was going through a number of changes at the moment including a merger with the National Police Fund. A number of programmes were ongoing.

National Police Memorial Day

It was noted that the next Memorial Day would be held on 23/24 September in 2017 in Cardiff. The Committee noted that Joe and Sharon Holness had now retired. The Event would next be held in Scotland on 2019.

20 JCC Circulars Issued Since Last Meeting

A paper was circulated and was noted.

21 Standard Operating Procedures (SOPs) Issued Since Last Meeting

A paper was circulated and noted.

22 EuroCOP/ICPRA

The next meeting of EuroCOP will be held on 25/26 October 2017. This meeting will also include a Conference on Violence in the Police. A number of JCC Circulars regarding EuroCOP business had been issued and the General Secretary commended these to the committee. It was noted that Grant McDowall and Paul Connelly would be additional attendees at the Conference in October.

The Committee discussed the recent visit by the SPF to Sweden and in particular their attitude to health and wellbeing. Members agreed that the relationships established and the information gleaned from the visit were of tremendous value.

The General Secretary advised that ICPRA had been invited to participate in a worker's symposium on whistleblowing at the ILO at the end of October. This was a remarkable achievement and would be the first occasion any police union bodies had secured the opportunity to participate in ILO events.

23 National Selection Panels for Promotion

There was nothing to report.

24 Motions - EAC

The following motions were remitted by the EAC:

Motion 1

“The East Area Committee asks the Joint Central Committee to seek amendment to the Police Service of Scotland Regulations, 2013, so that all Constables and Sergeants who have their rest day re-rostered in order to police a commercial event receive, in addition to the re-rostered rest day, either payment or time off in lieu at the officer’s choice at double time”.

After discussion this motion was defeated.

Motion 2

“This East Area Committee asks that the JCC ask the PSoS to show the findings of the Deloitte Report or to undertake an open and transparent review of the distribution of local policing resources across the territorial divisions to ensure resources are allocated proportionately to demand”.

After discussion this motion was carried.

25 Correspondence

The General Secretary identified and made available to the Committee, a number of items of correspondence.

In particular he raised an item of correspondence from Jim Foy, former Conduct Secretary which had intimated his retiral from the service and the JCC. Thanks were given to Jim for the work he had done whilst in the role and best wishes were given for a long, healthy and happy retirement.

26 Competent Business

The General Secretary said that Chuck Cohen of Indiana State Police had attended an event at the SPC the previous week which had been a resounding success. He opined this represented a significant feather in the cap for the SPF and indeed the wider service. A number of members of the Committee who attended the event concurred. The Committee agreed that if the opportunity presented itself, a similar event should be pursued in the future.

Martin Bertram raised an issue in respect of resilience in Areas due as the West Area office was currently understaffed due to long term illness and asked whether a rule change would be required. The General Secretary said that a rule change would not be required as the principle office bearers in each area were empowered to run their areas with considerable latitude. He gave the example that if a member of a Committee was identified to pursue a particular element of local work, this was at the sole discretion of the local officials.

Martin Bertram asked whether police officers involved in charity work, Parent/Teacher Associations, or sporting councils should have to declare a business interest. The Committee was clearly of the view that these were not business interests.

27 Closure

The Chair thanked everyone for their attendance and inputs at the meeting and said that the next meeting would be held on 31 October/1 November in the DoubleTree by Hilton Dunblane Hydro.

She closed the meeting by wishing everyone a safe journey home. A vote of thanks was given to the Chair.

Andrea MacDonald
Chair

Calum Steele
General Secretary