



Scottish Police Federation North Area Committee

Minutes of the 4th quarterly meeting of the Scottish Police Federation – North Area Committee held on Monday 4th and Tuesday 5th December 2017 at the Atholl Palace Hotel, Pitlochry.

1. Members Present

Full Time Officials

Gordon Forsyth	Chair
Steve Thomson	Secretary
John Crawford	Vice Chair
Neil MacDonald	Deputy Secretary

Constables	Sergeants	Inspecting Ranks
Fraser Robertson(Day 2) Mike Purdie Andrew Horne Mark Douglass Gary Johnson Sandy Smart Shirley Moran Angus Morrison Linsey Burns Ross Polworth	Simon Lewis-Dalby David Threadgold James Thomson Karen Harrison Grant Letham	Neil Cameron Dave Forsyth Nick Clasper Gordon Milne Gary Brown Marc Lorente David Ogilvie James Rice

2. Opening of Meeting

The Chairman opened the meeting and welcomed all members present and he encouraged everyone present to take an active part in the meeting and to contribute to discussion and debate. A special welcome was given to one of our new reps James Rice on attending his first North Area Committee meeting. Also Sheena Joss was welcomed as minute taker for the meeting.

The committee were advised that there would be inputs from ACC John Hawkins and

Callum Steele, General Secretary.

3. Apologies for Absence

Apologies were received from:

Julie Connor
Maggie Miller
Katy Townhill
Fraser Robertson (day 1)
Andy Barclay
Martyn Turner
Kevin Hird

4. 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 James Thomson and Nick Clasper.

5. Matters Arising

5.1 Rank Committees

The Inspectors met at the last meeting and the following members were elected:

Secretary – Marc Lorente
Chair – David Ogilvie

Joint Central Committee

Gordon Milne
Gary Brown

6. Action/Decision Log

The action and decision logs had been circulated in advance of the Meeting and the contents were noted by the Committee. There were no outstanding actions.

Inputs

ACC John Hawkins addressed the committee in relation to various issues and thereafter answered questions from the members. He was thanked for taking the time to speak with the Committee and acknowledged in the usual manner.

Calum Steele gave a presentation on the PNB negotiating and consultation process and various other national issues. He also updated the committee in relation to items of JCC business. Again he was thanked for the informative input and this was very well received by the committee.

7. STANDING ITEMS

7.1 JCC Update

JCC Hilton Hotel, Dunblane 31st October and 1st November, 2017

Meeting took place and as part of the transition for BTP Federation, officials attended the meeting as a observers.

Legal advice and assistance

The Deputy General Secretary provided an update that a number of new cases for various matters had come in since the last meeting.

Legal Cases

Criminal On duty – 7

Criminal off duty – 9

Misconduct - 4

RTC On duty – 3

RTC off duty – 2

Personal injury on duty – 2

Personal injury off duty – 6

FAI – 2

CICA - 0

Employment disputes – 4 + 1 ex-police

Contract disputes - 3

Other – 2

Case rejected - 0

Holiday Pay- Due to a variety of ongoing appeals this issue continues without resolution. Police Scotland have recently asked for an off table without prejudice meeting.

Held in Reserve – Process is up and running. The claim period is back to 2012, this is due to the legal limit for back claims.

While there was a closing date for submissions there is nothing to prevent historic claims being presented after this date. Any claims disputed by the Force will be presented to a Panel with SPF representation for assessment and decision.

It is critical that claims are submitted to show the true value of the Overnight Allowance that is being discussed at PNB currently.

A process for retired officers will be created and they will be advised directly. However if you do get queries meantime suitable advice can be given.

Anyone in an inspecting rank who was Constable or Sergeant at the time they qualified they will be paid at top rate for current sergeant.

Allard - This is a case taken by officers from Devon and Cornwall against their Chief Constable, this primarily came from them being CHIS handlers who were not paid for taking calls in their own time from sources.

9 CHIS Handlers from the West plus a retired officer have collated details of their call outs and working time This is so PS can research the details and quantify the potential costs to the organisation. It is likely that there will be a 3 tiered approach to backpayments again due to the complexities of individual claims. Each claimant will be identified as whether they claims fall into a high, medium or low category and a formula will be applied to provide a figure for their compensation.

Police Negotiating Board (PNB)

The PNB negotiates the terms and conditions for Scottish police officers. They are an advisory non departmental public body but only in Scotland. The board look to seek agreement between the official side, who are SPA, Chief Constable and Scottish ministers and the staff side SPF, ASPS and Scottish Chief Police Officers Staff Association forming recommendations to be passed to the Scottish ministers.

Pay deal for 2017 has been settled. Meeting due soon to discuss the reparation for rest day disruption.

Overnight allowance is being discussed. It is anticipated that there will be 3 levels of payment

- Away from home
- Expected to work
- Unsatisfactory conditions

Pensions

The Pension landscape is as follows:

Pensions Board – David Hamilton, Doug Keil and Andrew Barker (ex CC) sit on this panel

Pension Scheme Advisory Board – Calum Steele and Craig Suttie (ASPS) sit on this panel.

Scottish Police Pensions Board

Pension statements have been received. Contain very little clear information, but what there is can be used to provide accurate details for the calculator.

Annual Allowance statements have been issued. Officers who have had quick salary increases or promotions and their pension has grown significantly in the year may be affected.

SPPA are to introduce another calculator in relation to showing benefits of participants paying voluntary contributions into the CARE pension.

Scheme Advisory Board.

Government actuaries will looking at the future lifetime costs of pensions. In March 2018 a decision will be made with regard to the employee/employer contributions for the next 4 year period from 2019.

There is a slight downward trend in participation in the pension scheme, but it is still above 90%. Auto enrolment is catching some of them.

Scottish Police Consultative Forum (SPCF)

The SPCF runs in conjunction with PNB. The functions of the SPCF are not set out in legislation but Scottish Ministers have a statutory obligation to consult policing stakeholders before making any changes to the regulations governing a wide range of non-negotiable matters which affect police officers in Scotland and will look for these to be agreed through discussion at the SPCF before they are made.

There was a meeting, but it was somewhat acrimonious and nothing of reportable noteworthiness was achieved.

Scottish Police Authority (SPA)

The Scottish Police Authority (SPA) is a public body of the Scottish Government which holds Police Scotland, to account. Both bodies were established on 1 April 2013 with the inception of Police Scotland.

Susan Deacon a former MSP and Health Minister in the Scottish government has been appointed as the new Chair of the SPA.

Kenneth Hogg has been appointed as CEO of the SPA on a year secondment from the Scottish Government.

There is a visible increase in the number of open meetings being scheduled by the SPA.

The SPA held a meeting in Inverness where it was agreed that the process to close the Inverness ACR and create the National Database Enquiry Unit was agreed by the Board. It was noted that the members were actually seen to challenge the Executive. The SPA are clearly under scrutiny just now and as a result they have improved their performance.

George Graham and Robin McGill have both tendered their resignations in order to concentrate on further personal and professional commitments.

SPA meeting was held in Stirling on 28 November. The expected overspend of £47 million has been reduced to £36 million by a variety of one off savings. The recurring overspend predictions remain in the region of £47 million for future years. This £10 million saving will not be available in the future so savings will be even more difficult.

Predicted underspend of £5.2million of the reform budget due to slippage of transformation projects into next financial year.

Digital Data/ICT strategies or a lack of them and the single payroll system which has seen a slip in the delivery date were highlighted by the SPA

Scottish Police Budget and Finance

There is a shortfall in funding of £48 million for this year with a predicted £200 million deficit in the policing budget for this parliament until 2021.

The Scottish Government are committed to maintaining the revenue of the policing budget.

The Chancellor's autumn statement is still awaited and this may have consequences for the police budget.

2026

The FTOBs are attending regular meetings in relation to the various ongoing 16 workstreams under the guise of 2026. There are lots of words, but very little product. There is a general lack of cohesion around the delivery of the first 3 year plan.

Productions are back to levels higher than pre-deep clean.

Leadership, Training and Development are moving towards having fewer police officers and more support staff carrying out the roles. At present they are struggling to resource the promotion process and interviews.

PDA's are being developed and those currently in use are being replaced with newer technology. Examining the further deployment of PDA's to other areas.

Expansion of body worn video to firearms officers is being examined. While this would be useful the number of opportunities to use the equipment compared to on the frontline would be minimal.

Telecoms kiosks where officers could carry out their own phone examinations are being explored and should be rolled out next year.

There is also a push back to Education regarding children's use of social media.

IT systems – replacement for i6 consideration being given to something off the shelf or something that we already have i.e. Crimefile or Unify. Red Sigma is also an option, but there are issues surrounding its sustainability and delivery.

Corporate Services – Was the reason for having a single force in the first place, but they really are just getting out of the starting blocks now.

Linda Duxberry attended JCC prior to attending at Tulliallan for a meeting with the Force Executive. She has had minimal engagement with the force since their last meeting 5 months ago. She is progressing with the research on behalf of the SPF. Discussion took place regarding how best to progress with that as officers are verging on suffering survey fatigue.

The committee discussed what could be raised with local Councillors/MSP's in relation to Policing within the North. It was agreed that the Full Time Officials would discuss the matter and the Chair would ask for the views of the committee and national FTOBs before a balanced consistent message was passed.

Action 0001/17

Full Time Officials to discuss the above matter and the Chair would ask for information before a message is circulated.

Communication Strategy

Progress being made in relation to engaging an internal reporter/communications officer. Validity in having someone with press credentials that can get into meetings where the press are invited that we cannot currently gain access.

They would also be responsible for driving the website/social media content. Any updates thought suitable for the website are to be forwarded to the Chair.

EuroCOP/ICPRA

The dangers of Fentanyl and the report from the USA were as a result of ICPRA meetings. ICPRA will be represented for the first time at the International Labour Organisation symposium on whistleblowing.

EUROCOP – The autumn meeting was held in Bilbao. The General Secretary, Chair, Vice Chair, Grant MacDowall (EAC Sec) and Paul Connolly (Dep Sec WAC) attended this event. The aim is to expose as many JCC reps to the event as possible. The meeting will centre on violence against the police and terrorism. It was the first time that police officers from all the countries in Europe were represented.

Presentation provided that there is active intelligence showing that terror groups are harvesting information from social media to develop “kill lists” of police officers. Searching for things as simple as the “thin blue line” logo.

National selection Panels for promotion

Leadership, Training & Development wanted to hand the whole process to P&D as neither have sufficient staff to manage the process.

Andrea MacDonald and David Hamilton meet with Jude Helliker on a monthly basis and the promotion process along with temporary promotions are on her radar. Unfortunately there are numerous of other issues being addressed.

Discussion took place regarding the lack of promotion panels being held north of Perth. The unfairness of this is to be raised and addressed at the appropriate level.

Action 0002/17

Chair to look at the matter of Promotion Panel locations within the North

Police Charities

There was a motion to extend membership at the Police Treatment Centres to include civilian Crime Scene Investigators. This was narrowly rejected by the PTC trustees. JCC gave backing to the trustees to work to maintain original purpose of the PTCs to be for the treatment and wellbeing of police officers only. Inclusion of other non-officer roles would diminish the service that officers receive.

80% of Scottish officers are members, which equates to 30% of the overall membership of the PTC.

The PTC applied for funding from Libor to fund an additional wing at St Andrews, Harrogate in order to increase capacity for treating members with psychological issues. This is a fund run by the treasury which was started after the bank interest rate rigging scandal. Proceeds from the Libor fines were to be used to support Armed Forces and Emergency Services charities. On 22 November the application for the full amount of £1.5 million was granted. Building will begin soon and will allow more patients to be treated at both St Andrews and Castlebrae.

Motions

The following Motions were remitted by the EAC at the previous JCC:

“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”.

Update: The General Secretary has written to the Chief (DCC) seeking that the contents of the Deloitte report be disseminated. There has been no response thus far. The General Secretary suspects that it is unlikely that the Force will disclose the contents.

7.2 Subject Committees

The minutes of all national Subject Committees were circulated as JCC Circular 37/2017

- **CONDUCT**

Conduct Update

Conduct On - 8
Conduct Off - 13
Criminal On - 18
Criminal Off - 15

There are 7 officers currently suspended in the North Area.

There has been 1 Misconduct Hearing since the last meeting, the chair of the meeting found that there was Misconduct and dismissed the officer without notice.

There has been 5 Misconduct meetings since the last NAC,

1. Final written warning
2. Management advice
3. Written warning
4. Final written warning
5. No Misconduct

There are a further 13 Gross Misconduct allegations currently being investigated by PSD and John Crawford will update the committee in due course.

John Crawford updated the committee regarding the volume of Gross Misconduct investigations and the fact that it was considered that some would not end well.

Of note in the last 20 months or so;
D division 6 officers dismissed, 2 resignations prior to Hearing;
A division 1 resignation prior to Hearing;
N division 1 resignation prior to Hearing.

There have been 3 other Hearings over the same time period that have resulted in outcomes that did not involve dismissal and a number of Gross Misconduct enquiries that have been reduced to Misconduct.

DDC Fitzpatrick currently has responsibility for misconduct matters, while DCC Designate is covering the Chief's position.

Amanda Given is in the process of developing a practical conduct course which will hopefully be ready for roll out in the New Year.

North Area Conduct Meeting

The last North Area Conduct meeting was held on the 29 September 2017 and the minutes are available.

JCC Conduct Meeting

The Conduct sub-committee last met on the 10 October 2017 in Woodside Place Glasgow. John Crawford and Sandy Smart participated by VC. The minutes of this meeting are available and will be circulated in due course.

• **EQUALITY**

The North Equality Committee met on the 25 October 2017 by VC from the three offices in the area.

There were no significant issues to be raised on the agenda.

Nigel Bathgate had supplied the committee an update on a number of issues including

1. Steve Simpson, HR – Is to circulate a guidance document on Plain Clothes Allowance for pregnant officers.
2. Nigel is to write to ACC Higgins regarding the fitness test process in place for PSoS highlighting the issues within.
3. Refresher training for NEC members, this is to take place as early as possible and dates will be produced and forwarded to the NEC members.

The Equality leads have not met again since the last NAC so there is no update.

Absence Review

The Deputy Secretary states that no recent spreadsheet with figures have been received from HR in Dundee.

Grievance

Neil MacDonald is currently dealing with 5 Grievances. 4 in the North and 1 in the West. All are being progressed except one which has been referred to PSD as a potential misconduct matter.

Flexible Working/Part time

Not aware of any currently on going receiving support.

• **HEALTH & SAFETY**

North Area SPF H&S meeting

The Secretary advised that the NAC Health & Safety Sub Committee had last met on Wednesday 4 October 2017 at the Aberdeen SPF Office and the minutes have been circulated to the NAC. The main item which came from this committee related to

The carriage of equipment by Firearms Officers. The main issue related to a change of carrying of equipment for ARV Officers in that the tac-vest is no longer being used and all

items being carried on the belt. There are obvious implications and this was looked at by the National H&S lead. There are now risk assessments in place and effectively it will be down to Officers personal preference.

Again the Secretary encouraged local H&S reps to attend local divisional H&S meetings and feed back to him and he can take this forward to the North H&S meeting if required.

North Custody Division meeting

The Secretary updated the committee that this meeting had been cancelled in July and it met on 31 August 2017 in Aberdeen which he attended. This was chaired by the new North cluster Chief Inspector Ally Reid. The main point raised by the Secretary was obvious lack of permanent staff within the custody and the consequences of constant backfilling but primarily Local Policing. The update was provided in that Officers will be seconded to Custody Division for a period of 1 year bearing in mind the amount of posts that remain unfilled.

The Secretary and Linsey Burns met with CI Ally Reid on 25 August 2017 in regard to the concerns within the North and specifically N Division rural areas. This was done ahead of the North cluster H&S meeting so local points were addressed. This group is due to meet again on Tuesday 12 December 2017

North Area Health & Safety Meeting

The Secretary advised that the North Area meeting chaired by ACC John Hawkins had met on one occasion since the last NAC meeting on Tuesday 24 October 2017 July at Tulliallan. Grant Letham attended this meeting in his absence due to leave. It has now been agreed that the long standing issue of body armour checks will be carried out at OST refresher training.

Winter clothing/equipment. It has been agreed that another temporary solution is now in place for this year and the Committee were updated.

JCC Health & Safety Meeting

The JCC H&S subject last met on Thursday 19 October 2017 at Merrylee House, Paisley which Grant Letham attended in person and the Secretary VC'd into.

The JCC National update was delivered by Brian Jones and this can be shared with anyone within the Committee on their request.

Points of Note

The Secretary provided the committee with an updated in relation to Taser.

The Secretary also provided the Committee with an update in relation to the SPF PPE review and also body armour. He also provided an update in regards to Life jackets and throw lines.

7.3 Standing Committees

The minutes will be placed on the SPF website when ratified.

- **Finance**

The Chairman confirmed that the Finance Standing Committee had met on Wednesday 11 October 2017 at Woodside Place, Glasgow and he updated on the discussions at that meeting. The main points of note were:

- Trust accounts continue to grow in line with predictions. Members Benefit trust cannot be used for a reduction of voluntary fund contributions. Recommendation to the JCC from the FSC was to allow the trustees to carry out investigatory work into diversification of the SPF property portfolio including student accommodation.
- Consideration to be given to charity events locally. It was agreed to look to support Maggie's Centre by having an SPF penguin designed which will be sold at a charity auction later on.
- Current developments to existing SPF property are ongoing. Renovations at WSP and Dundee to start in the near future.
- Voluntary Fund amnesty is underway. The officers will be covered from the time of their application rather than the first payment due to issues waiting for payrolls to catch up.
- Financial risk register will be reviewed in the new year.
- SPF have financed the expenses of trainers providing Menopause training at the SPC which will take place on 13 December.
- Request from the Thin Blue Line Charity for financial support was rejected. This was for support for a national memorial. It was rejected on the basis that there are already a number of memorials and we have our own through the Scottish Police Memorial Trust at Tulliallan. We support the SPMT, NPMD, COPS, PDT, PTC and St Georges Fund. The PDT in particular have provided a huge amount of support to John Alcock and his family. They effectively paid for renovations to his home so that John could be cared for there rather than in hospital.

The minutes will be placed on the SPF website when ratified.

- **Legislation & Regulations**

This meeting was due to take place on Wednesday 11 October 2017 but was cancelled. It is to be re scheduled.

- **Operational Duties**

This meeting was due to take place on Wednesday 11 October 2017 but was cancelled. It is to be re scheduled.

7.4 Force/Area Meetings Update

LNCC/JNCC

LNCC

The 4th joint LNCC which was due to meet at the Scottish Police College on Monday 7 August 2017 was cancelled last minute due to Gold Group meeting.

JNCC

JNCC had not met again prior to the last JCC. There was a meeting on 20 November at Tulliallan.

Divisional Management Meetings

N – The N Divisional management meeting was cancelled and is yet to be rescheduled. Ongoing liaison with the Divisional commander is maintained.

N Division seems to be completing business as usual without any great issues. Ch Supt Macdonald addresses any issues we take to him and has introduced a number of helpful policies into the division, including, Duty officers shift pattern, Retiring officer interviews and a recognition/awards ceremonies.

A – The Secretary meets with Chief Supt Thomson every quarter and will see when as and when he needs to. This has been increased to monthly in line with the ACC monthly meetings. He formally met with him on 18 October 2017 and is due to meet with him again on 19 December 2017. Discussion was had in relation to winter gear, percentage of probationers, transfers and taser. Red days spoken about and reducing same.

D – Chief Superintendent Paul Anderson has met with the Chair and D Division reps on various occasions since the last NAC.

At the last meeting on 13 November a variety of issues were raised and discussed with Ch Supt Anderson and Supt Todd. The main points were

Temporary promotions - Command provided their rationale, which they accepted in the circumstances had been poorly communicated to staff generally.

Community Shift Pattern – Consultation has taken place with staff in relation to what the deployment model should look like. The proposal was subsequently accepted at the SMT meeting. This will then lead onto the creation of a business plan and an Equality Impact assessment prior to any formal consultation in relation to a change in shift pattern. This consultation will last for 6 weeks and if accepted will take place following the appropriate notice period for changing the roster.

Uplift of staff to Dundee ACR - Rationale behind the decision making was discussed. Various concerns raised, in particular over the training being a 5 week residential course and the implications that has particularly on part time officers with childcare issues.

Flexible working – Supt Todd confirmed that all flexible working plans should be reviewed annually as per the SOP. However he was very clear that there was no directive to have officers increase their hours. Currently the Division was operating at the authorised establishment. Any increase in hours could potentially risk posts being removed, which would be of no benefit to the Division as a whole.

HMICS report – Following the inspection earlier in the year the report has been published. It was on the whole very positive of the improvements made in the last 18 months or so. People of Tayside are less likely to be the victim of a crime compared to everywhere else in the country. Detection rates are above the Scottish average, target driven policing has been removed, partner organisations are positive about relationships across the division, evidence of effective event planning with positive community engagement were some of the highlights.

7. New Business

8. AOCB

9. Correspondence

None notified

10. Time and Date of Next Meeting

The Chairman advised the next Meeting of the North Area Committee would be held on Monday 5 and Tuesday 6 March 2018 at the Atholl Palace Hotel, Pitlochry commencing at 1300 hours on Day 1 and 0900 hours on Day 2.

The Chair wished the committee a merry Christmas and happy New Year when it comes.

Dates of future meetings

4th & 5th June 2018

3rd & 4th September 2018

3rd & 4th December 2018

11. Closure of Meeting

The Chairman thanked the Committee for their active and constructive participation and closed the Meeting by wishing everyone present a safe journey home.

He was thanked by the Meeting in the customary manner.

Gordon Forsyth
Chair

Steve Thomson
Secretary