



Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

## **Joint Central Committee Minutes**

Minutes of the Joint Central Committee meeting held at the SPF Training and Meeting Facility, Unit 29, City Quay, Camperdown Street, Dundee, DD1 3JA on Tuesday 8<sup>th</sup> and Wednesday 9<sup>th</sup> May 2018.

### **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:

Gordon Forsyth  
Karen Harrison  
Marcus Lorente (Day 2 only)  
Neil Macdonald  
Steven Thomson

#### East Area Committee:

Stephen Clark  
Steven Herd  
Heather Macdonald  
Grant McDowall  
Wilkie McCloskey  
Andy Malcolm

#### West Area Committee:

Paul Connelly  
Gary Mitchell  
John Munn  
Fiona Morris

#### Assistants to the General Secretary (AGS)

Amanda Givan (Conduct)  
Nigel Bathgate, (Equality)  
Brian Jones (H&S)

#### Also in attendance

Doug Keil	Business Manager
David Ross	Policy & Co-ordination Officer
Lesley Stevenson	Business Administrator
Louise Deans	Administrator

#### Observers

Gordon Wason	British Transport Police Federation
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Apologies were received from Gary Brown who was replaced on Day 2 by Marcus Lorente, and from Jenny Shanks from the West Area.

The Chair opened the meeting, thanked everyone for their attendance and invited all to take an active part. She noted that there were only two members of the Inspectors' Central Committee present and reminded everyone that attendance at JCC meetings was a duty. Area Secretaries were asked to ensure that all members were in attendance or sent a reserve and to resolve any potential issues with Divisional Management.

The Chair asked that members respond timeously to requests from Woodside Place relative to accommodation requirements for meetings and said that in future, anyone not responding by the cut-off date would have to arrange their own accommodation.

## **2 Minute of Previous Meeting**

The Minute of the previous meeting had been circulated with JCC Circular 18 of 2018 and was accepted as a true record.

## **3 Legal Advice and Assistance**

The Deputy General Secretary informed the Committee that since the last JCC there had been 56 new cases as follows; 15 criminal legal defence cases; 1 civil legal defence case; 2 misconduct cases; 8 RTAs; 10 personal injury cases; 1 CICA case; 5 employment dispute cases (police officers); 1 employment dispute case (ex-police officers); 1 property protection case; 7 contract dispute cases and 5 other cases. A further 10 cases had been rejected.

The Deputy General Secretary advised the Committee that he had been made aware of two appeals against a decision not to grant legal advice/assistance

Heather Macdonald made an appeal on behalf of an East Area member whose application for legal advice/assistance had been rejected. After discussion the Committee rejected the appeal.

Grant McDowall made an appeal on behalf of an East Area member whose application for legal advice/assistance had been rejected. After discussion the Committee rejected the appeal.

## **Allard & Others v Devon and Cornwall**

The Deputy General Secretary Advised that he and the General Secretary had been working on this issue for some time. Whilst progress was recognised as slow, it was an inevitable product of the type of issue under consideration. He also reported that actuarial advice was being secured to help value the total liability.

## **Holiday Pay Claim**

The Deputy General Secretary reported that following many meetings and exchanges of correspondence a formula to deal with the continued issue of accruing liability had been agreed. In effect this meant that the pay approach for holidays in the future took account of total earnings over the year. This was welcome. The Deputy General Secretary also advised that the settlement offer did not meet our expectations at this time. The cases continue to be cisted.

## **Held in Reserve**

The Deputy General Secretary reported that he was part of a panel comprising representatives of the force and SPF that had now been created to review outstanding claims.

### **4 Police Negotiating Board (PNB)**

The General Secretary reported that there had been no formal meetings of the PNB since the last JCC. There had been numerous meetings of the Technical Working Group in respect of ongoing matters. Two meetings of the Joint Secretaries of the PNB had been scheduled for 22 May and 5 June 2018 where the pay claim for 2018 would be discussed.

At this juncture the JCC considered the approach to the pay negotiations and continued to offer their support for the positions advocated by the wider staff side.

The Committee discussed at considerable length the progress that had been achieved at the PNB and how these achievements more than demonstrated the value of face to face negotiations

The General Secretary further reported that the issue around overnight allowances was expected to be resolved in the near future. The allowance would have three potential elements, being away overnight, being further restricted when away from home, and where standards of accommodation fell short of agreed requirements.

An agreement in respect of disruption allowance was also expected in the near future for a fourth and subsequent disruptions of a rest day in any 42 day rolling period.

The General Secretary reported that amongst the other matters discussed by the PNB technical working group were the general approaches to removal allowances, and annual leave in hours. On the latter issue the General Secretary reminded the Committee that it was likely a formal agreement on this would be recorded at the next full PNB.

### **5 Pensions**

The General Secretary reported that the Scheme Advisory Board had not met since the last meeting of the JCC and that decisions were still awaited by HM Treasury in relation to their assumptions which inform the triennial valuation of the scheme. He advised these assumptions were awaited by all schemes and this was not something unique to the police schemes. The valuation was important for a variety of reasons but the most obvious to members would be in respect of any changes to contribution rates.

The General Secretary reported that the UK Police Pensions Consultative Forum met on 16 April in Belfast. He circulated two papers to the Committee which detailed the summaries of two highly relevant legal cases in respect of pensions; namely the Brewster and the Walker cases. The Committee welcomed the papers and noted their contents. The General Secretary provided an update on the 2.25 commutation cap and the apparent U-turn in England and Wales on this important issue he reminded the Committee that he had written to the Cabinet Secretary relative to this some time ago but the issue in Scotland remained in limbo.

The Scottish Police Pensions Board met on 2 May 2018 in Galashiels and was attended by the Vice Chair and the SPF Policy & Co-ordination Officer. Amongst the matters discussed were

IT issues in SPPA. It was noted that a new SPPA website was being developed and is expected to launch in 2019.

The Vice Chair reported that Annual Benefits Statements had now been re-written and an updated version had been created which will be used in future by the Agency.

The Committee noted that awareness training would be provided to Full Time Officer Bearers in relation to pensions by Iain Rawlings (PSoS).

The SPF Policy & Co-ordination Officer said that an agreement had been reached with SPPA Administrators that in future, correspondence to be sent to members would first be sent to Sharon Dalli and the Vice Chair for approval.

## **6 Scottish Police Consultative Forum (SPCF)**

The General Secretary reported that there had been no meetings of the SPCF since the last JCC.

## **7 Scottish Police Authority (SPA)**

It was reported that a meeting was scheduled with the Chair of the SPA, Susan Deacon in the next couple of weeks. The Committee noted that the application process for the ACC and DCC posts had now closed and the outcomes were awaited.

## **8 Scottish Police Budget & Finance**

It was reported that the SPA had received papers on creating capacity showing £37.1m could be saved by reducing officer numbers by 1171. The SPA and the Service have subsequently denied this is the intention but this denial is being treated with considerable scepticism given the precise arithmetic detail. The General Secretary, Chair and Vice Chair had attended a meeting with members of Police Scotland Finance Department relative to the 3 and 10 year financial plans.

The Vice Chair reported that this meeting proved to be exceptionally worthwhile as it was clear the financial assumptions were drawn up in splendid isolation of the realities of policing. The members of the finance team clearly understood the importance of the issues the SPF presented and made clear their appreciation for our inputs.

## **9 Joint Negotiating Consultative Committee (JNCC)**

The General Secretary reported that the last meeting of this group was held on 2 April 2018 and amongst the matters discussed were Telematics and 2026. He reported that the meeting was somewhat muted in both content and participation due to the impact of the holiday period on attendance. Despite this the SPF raised concerns over the dearth of progress on what should be fairly mundane day to day activity, as well as the apparent refusal to implement previous decisions from the forum.

## **10 2026 Update**

The General Secretary gave an update on the Duxbury/Carleton University Survey and said the timeframe had been extended from 4-6 weeks. Over 5,000 responses had been received with 12,000 comments and 4,000 suggestions included. It was noted that the data would not

be shared until there was a confidence in what it said. It was reported that the Service had volunteered to provide additional resources to analyse the data and hoped that it would be completed by Summer 2018.

The General Secretary advised he had written to DCC Iain Livingstone and the Chair of the SPA in relation to the handling of the approval process for Telematics. A meeting was held on 20 March 2018 and was attended by the four officials from Woodside Place, the AGSH, Head of Procurement Collette Sherry and Chief Superintendent Gordon Crossan, who chaired the meeting in the absence of ACC Mawson. Details of the meeting were shared with the Committee.

The Vice Chair provided an overview of a number of the 2026 Work streams.

## **11 Finance Standing Committee (FSC)**

The Finance Standing Committee met on 18 April 2018 and the Minute was circulated with JCC Circular 21 of 2018. The SPF Central Government Grant Accounts, Members Benefit Trust Accounts and SPF Voluntary Fund Accounts were all circulated and a detailed narrative in respect of each set of accounts was provided. After some careful consideration and deliberation the JCC thereafter approved all Accounts.

The JCC approved proposals to mark the SPF Centenary in 2019 and sponsorship arrangements for the Holyrood Magazine Awards, the Press Awards, the Credit Union Charity Golf Event and the Maggie's Centre Penguin Parade.

The Committee was reminded that the SPF Conference will take place 25-28 March 2019. The Conference theme will be "The Cost of Policing".

The General Secretary explained to the Committee that the money SPF received from Government was referred to as Grant in Aid. This was an old arrangement which covered most of the elements of the remuneration to the national office bearers, as well as office costs and some meeting expenses. Over the years the grant increasingly failed to meet the matters originally intended and was effectively showing an increasing "paper" deficit, with the balance being met from the Voluntary fund.

The need for Grant in Aid in a single police service was increasingly difficult to justify. As a consequence it was agreed with the Scottish Government that the process should be terminated with effect of 2018.

The General Secretary advised the Committee that remuneration of the permanent officials was previously met from grant in aid and as such the committee had to consider what future arrangements (if any) it chose to make in this regard. At this point the General Secretary asked for the suspension of standing orders. This was unanimously supported.

The permanent officials thereafter left the meeting.

After 30 minutes standing orders were reinstated and the permanent officials returned to the meeting.

Andy Malcolm thereafter proposed the following motion which was duly seconded and unanimously carried.

"That this Joint Central Committee maintain the previous remuneration arrangements in respect of the Executive Office bearers from the Grant in Aid Account to be transferred to the Voluntary Fund."

## **12 Legislation and Regulation Standing Committee**

The Legislation and Regulation Standing Committee had not met since the last JCC meeting.

## **13 Operational Duties Standing Committee**

The Operational Duties Standing Committee met on 18 April 2018 and the Minute was circulated with JCC Circular 21 of 2018.

A paper on the new Workforce Agreement was circulated, discussed and approved by the Committee.

It was reported that the Vice Chair and AGSH had recently met with members of the Taser Implementation Team regarding the deployment of Taser. It was noted that the Force would ideally like Taser to be issued as PPE but this wasn't the policy of the College of Policing, or NPCC who we are aligned to. The Committee discussed the Chronicle system and the fact that PIRC require using it to monitor and manage the use and deployment of Taser.

The Vice Chair advised that the Police as Victims of Crime Motion, remitted by Fiona Morris of the WAC, would be being raised at the Wellbeing Group.

The Committee discussed the promotion process and the large numbers of people waiting in pools. It was noted that whilst the SPF was not permitted to involve itself in the promotion of individuals and the Chief Constable retained the right to promote whoever he liked, there were many important issues of policy and practice that required SPF involvement. Some of these included the diploma, promotion panel scores and success rates amongst others.

The Vice Chair advised that no promotion process would satisfy everyone and that SPF were highlighting the pros and cons of each approach being considered. Of primary importance was that the process was fair, transparent and had the confidence of officers. SPF were working to ensure that was the case and were pushing the Force to communicate the policies better.

## **14 Conduct Subject Committee**

The Conduct Subject Committee met on 17 April 2018 and the Minute was circulated with JCC Circular 20 of 2018.

Amanda Givan, the AGS (Conduct) reported that she had an open and productive meeting with the Head of Investigations of the PIRC on 24 April 2018 with further meetings scheduled quarterly. From that, she is seeking discussions with PSD around processes, particularly the process where the details of PIRC investigations is notified (or isn't) to subject officers or witnesses. PIRC share all the relevant information with PSD together with details of their powers but confirm that regularly this isn't being passed on to officers as expected. The AGSC said that she was advised by PIRC that a significant number of new investigators had been appointed and all were former police officers. Other matters raised were the length of time taken to note statements and the lack of updates given to subject officers.

She reported that the new structure introduced had seen a local representative identified for every local policing division with PSD providing a named staff member as a single point of contact. Processes around recording and updating of ongoing cases should mean that training needs can be identified and generally make us more resilient. Future meeting dates had been scheduled for 31 July 2018 and 2 October 2018 and would be held in the SPF Training Facility in Dundee.

The AGSC said that discussions continued around the application of with cause drug testing and that PSD were now finally accepting that any intelligence relating to a serving police officer abusing controlled drugs must be considered as part of a misconduct investigation. She said that the policy effectively stated that on service of a notice of investigation form that an operational order can be given to a subject officer to provide a with cause drugs sample. The SOP states that this sample will be whatever was deemed most appropriate and in most cases would be a hair sample. Any failure or refusal to provide the sample would be treated as failing to obey a lawful order in terms of a breach of the standards of professional behaviour and in all likelihood would be the subject of misconduct. The Committee discussed this matter and agreed that legal opinion should be sought. The Deputy General Secretary agreed to write to DCC Livingstone to inform him that the SPF does not agree with the actions and seeks to protect SPF members' rights around failure to provide.

## **15 Equality Subject Committee**

The Equality Subject Committee met on 17 April 2018 and the Minute was circulated with JCC Circular 20 of 2018.

The next meeting of the PNB Equality Working Group would be held the following week in relation to ongoing matters.

## **16 Health and Safety Subject Committee (H&S)**

The H&S Subject Committee met on 17 April 2018 and the Minute was circulated with JCC Circular 20 of 2018.

An update paper had been circulated with the Agenda and was noted.

The Chair gave thanks to the AGSH for the sterling work he had done recently regarding H&S. The Committee noted that he had been asked to sit on the Home Office Vehicle Procurement Group, a first for a staff association and also asked to attend the EuroCOP Autumn Conference with the initial focus on vehicle safety. He was to be involved in the development of a questionnaire to be used across Europe during European Police Safety Week.

The AGSH gave an update on Noise at Work and said that an independent consultant had identified four different duties where there maybe issues apparent with noise. The Force need to address health assessments and hearing tests and said operational deployments were an issue particularly for motorcyclists, surveillance and operational officers deployed at events. PSNI recently had a number of legal cases in relation to this.

A Short Life Working Group had been established on First Aid and was headed by ACC Nelson Telfer.

The AGSH said that relative to weight testing of vehicles, 50% of those tested were in contravention of gross vehicle weights and axles. The Ford Kuga had been identified as an

option to meet police specifics and a cage.

It was noted that £2.2m had been awarded for telematics and £1.9m had been cut from the fleet budget.

The Vice Chair gave an update on Wellbeing and said that a Short Life Working Group had been established on Working Time, chaired by Chief Superintendent Gordon Crossan. A meeting was being held that day which the Vice Chair was unable to attend.

## **17 Integration of BTP into PSoS**

It was reported that the SPF had been formally invited to sit on the Joint Program Board which was welcomed by the Committee. The SPF Policy and Co-Ordination Officer had attended a number of meetings recently as an Observer. It was noted that many complex issues such as pensions and employment status remain to be resolved and the General Secretary said he was keen on an approach which would lay out options for affected officers.

## **18 Police Related Charities**

### Police Treatment Centre (PTC) & St George's Trust

The next meeting of the PTC would be held the following day where it was expected a new Chair would be elected.

### Scottish Police Bravery Awards

Arrangements are progressing for the ceremony in November this year. Requests for nominations have been circulated and will be sent out again in the coming weeks.

This year the reception for the award winners will be hosted at the Bute House, the First Minister's residence.

### Police Dependants' Trust

The last meeting was held in April and Mark Lindsay, Chair of PFNI, was elected as the new Chair of the Board of Trustees to replace Tim Jackson who is retiring.

Lots of work is being done in the area of mental health wellbeing as well as in the traditional arena of physical injuries.

### National Police Memorial Day

Planning for this year's event in Belfast is well underway and registration has opened for the Civic Reception as well as the service itself.

The SPF will be well represented and we are accompanying the family of John Alcock who are lighting the candle on behalf of Scotland.

Planning has now started for next year's event which will take place in Glasgow. On 28 September 2019, the Lord Provost will host a Civic Reception within the City Chambers.

The service will take place on 29 September 2019 within the Royal Concert Hall which is very fitting as 29 September is St Michael's Day and he is the Patron Saint of Police Officers.



## Scottish Police Memorial Trust

The service will take place on the morning of 5 September at the Scottish Police College.

### **19 JCC Circulars Issued Since Last Meeting**

A paper was circulated and noted.

### **20 Standard Operating Procedures (SOPs) Issued Since Last Meeting**

A paper was circulated and noted.

### **21 EuroCOP/ICPRA**

The General Secretary gave an update and said that the last meeting of EuroCOP was held the previous week and a number of representatives had attended. Updates had been provided by European Trade Union Congress on collective bargaining where notable cultural differences between North and Southern Europe in terms of tactics were identified.

The meeting featured a presentation from Sweden on violence against police officers. Digital security is an issue and members should be reminded to manage their digital footprint.

He advised that in his capacity as General Secretary of ICPRA he would be attending the International Labour Conference in Geneva later in the month with the ICPRA Chairman Tom Stamatakis.

The next meeting of ICPRA Council is scheduled for September 2018.

### **22 National Selection Panels for Promotion**

The Vice Chair had given an update on this subject under Item 13. This item was removed from future agendas.

### **23 Motions**

The following Motions were proposed by the General Secretary and Seconded by the Deputy General Secretary.

#### **Motion 1**

**To amend the below numbered rules as follows (deletions shown in strikethrough; additions in red)**

8.1(a) During their tenure the Officers of an Area Committee shall not be subject to re-election as a member of their Area Committee but may seek re-election to their post by the Area Committee ~~at the meeting prior to the four yearly Area Committee elections.~~ prior to the expiry of their current term.

10.2 Such Elections as provided for in Rule 10.1 shall take place at the last meeting of such time as the Joint Central Committee shall determine. ~~held before the meeting determined by Rule 8.1(a).~~

### **Explanatory Note**

This rule change will ensure that full time officials to Area Committees, as well as assistants to the General Secretary are elected for four year terms from the date of election.

**This motion was discussed and following a vote thereafter carried.**

**The Committee agreed that the new arrangements should be implemented retrospectively back to individual post holders election dates.**

### **Motion 2**

#### **To create a new rule 3.2.7 to read**

In the event of any candidate in any round of an election receiving the majority of the votes available, the election will end and that candidate will be declared the winner.

### **Explanatory Note**

This rule change will ensure that needless rounds of an election are not required where a candidate receives the majority of the available votes in any round involving more than two candidates.

**This motion was discussed and following a vote thereafter carried.**

## **24 Correspondence**

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

In particular he said he had received a letter from the Director of HR relative to the reinstatement of the provision of notes for probationers at the SPC. This had resulted due to the AGSC highlighting the issue of probationers being expected to use electronic devices or print out their own notes.

A letter had been received from ACC Mark Williams around planning over the summer period with an assurance that events would be well managed.

A letter was received from Steven Thomson, NAC Secretary, intimating his retiral from the JCC and PSoS.

## **24 Competent Business**

The Committee was informed that the criteria for claiming bereavement support payment had changed making more individuals eligible for the payment. This should be borne in mind when dealing with police officers and their families after a bereavement. It was agreed that the Chair would circulate a link to the website to all Full time office bearers.

## **25 Closure**

The Chair thanked everyone for their attendance and inputs at the meeting and said that the next meeting would be held on 21 and 22 August 2018 in the SPF Training and Meeting Facility, Unit 29, City Quay, Camperdown Street, Dundee, DD1 3JA.

The Chair reported that Steven Thomson and Fiona Morris were both attending their last JCC meeting before their retiral from the service. She thanked them for their contributions to SPF over the years and wished them well for the future.

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**