



Scottish Police Federation East Area Committee

**Minutes of the First Quarterly Meeting of the East Area Committee of the
Scottish Police Federation was held on Wednesday 2nd March 2016 within
Bathgate Golf Club, Edinburgh Road, Bathgate, EH48 1BA**

1 ATTENDANCE

Inspector Andrew Malcolm	C - Forth Valley
Inspector Mark Murphy	C - Forth Valley
Inspector Hugh Loudon	C - Forth Valley
Sergeant Mark Westmorland	C - Forth Valley
Sergeant Murray McKenzie	C - Forth Valley
Constable Paul Redwood	C - Forth Valley
Constable David Reid	C - Forth Valley
Sergeant Stephen Clark	P - Fife
Sergeant Wilkie McCloskey	P - Fife
Constable Austin Barrett	P - Fife
Constable Colin Nicoll	P - Fife
Constable Stevie Herd	P - Fife
Inspector Allan Symington	E - Edinburgh
Inspector Heather MacDonald	E - Edinburgh
Inspector Ian Williamson	E - Edinburgh
Inspector Neill Whiteside	E - Edinburgh
Sergeant Norman Towler	E - Edinburgh
Sergeant Gordon Dixon	E - Edinburgh
Constable David Stupart	E - Edinburgh
Constable Euan Sinclair	E - Edinburgh
Inspector Andrew Elliot	J - The Lothian's & Scottish Borders
Inspector Andrew Toombs	J - The Lothian's & Scottish Borders
Inspector Michelle Ritchie	J - The Lothian's & Scottish Borders
Constable Neil Elder	J - The Lothian's & Scottish Borders
Constable David Davison	E - Edinburgh
Sergeant Neil Spowart	E - Edinburgh
Sergeant Mark Sherman	J - The Lothian's & Scottish Borders
Grant McDowall	Secretary
Amanda Givan	Deputy Secretary
Brian Jones	Chair

GUEST

K Thomson Assistant Chief Constable, East Area

2 APOLOGIES

Inspector Douglas Simpson	P - Fife
Inspector Fraser Downie	P - Fife
Inspector Ian Stephen	P - Fife
Sergeant Graham Ross	P - Fife
Sergeant John McEwan	E - Edinburgh
Sergeant Scott Meechan	E - Edinburgh
Constable Scott Callaghan	C - Forth Valley
Constable John Brownlee	J - The Lothian's & Scottish Borders
Constable Richard Wood	E - Edinburgh
Constable Christine Murphy	J - The Lothian's & Scottish Borders
Jackie Muller	Equality Secretary
Nigel Bathgate	Vice-Chair

3 OPENING OF THE MEETING

The Chair, Brian Jones, welcomed all those in attendance to this, the First East Area Committee Meeting of 2016 taking the opportunity to congratulate Neill Williamson, Ian Stephen, Douglas Simpson, Mark Murphy and Ian Williamson who had all recently been elected to the Committee. He informed them that he looked forward to working closely with them while assuring them that the Scottish Police Federation would provide them with the necessary training and skills to enable them to fully support the members.

The Chair indicated that since the last Committee Meeting Iain McGregor had resigned from the East Area Committee and Fraser Downie would be retiring from the Force in May. Their service and contribution to the work of the Committee was acknowledged accordingly.

The Committee were then informed that ACC K Thomson would be attending later in the morning at which time the Chair would address ACC Thomson and thereafter she would answer any questions they may wish to ask.

The Chair next informed the attendees of the Fire Procedures in the event of an emergency thereafter, reminding those present that every member would have the opportunity to express their views and that **all** points or issues **must** be directed through the Chair allowing everyone who wishes to participate the opportunity to do so.

The meeting was then declared open.

4 SEPARATES

At this point the individual ranks split for separate meetings relating to their respective ranks.

5 MINUTES OF THE PREVIOUS MEETING

The minutes from the previous meeting held on 2nd December 2015 had previously been circulated to the Committee. The minutes were agreed and thereafter recorded as a true reflection of the meeting. (Proposed by Murray McKenzie and seconded by Allan Symington).

6 MATTERS ARISING

(a) JOINT CENTRAL COMMITTEE UPDATE

Prior to giving his JCC update, the Secretary explained the current set up of the Scottish Police Federation for the benefit of the new Representatives present.

The last meeting of the JCC was held on 9th and 10th February 2016 at Pitlochry the minutes of which would be placed on the SPF website when ratified. The following points of interest were discussed:

PNB – A Technical Working Group had met in January 2015 to put together a paper relating to a better understanding of the exigencies of duty. The document should be finalised by summer 2016.

The claim regarding rest days and working days during a period of annual leave is still ongoing with the Scottish Police Federations position standing that, **ANY** day during a period of annual leave should be compensated in the same manner.

Additional working for Part-time Officers was discussed and it was decided that those who are in receipt of CRPT should be paid pro rata for additional hours worked.

The Government has increased the National Insurance on pensions by 1.4% which means that officers will notice a slight reduction in their take home pay however, this is **NOT** a change in the Police Pension.

Scottish Police Pensions Authorities IT System is experiencing some problems and it has currently been deemed not fit for purpose. An upgrade is awaited with a technical working group being set up to look at a complete review. The Pension Statements which were to be provided in the next few months will not now be sent out for the foreseeable future due to the IT problems.

Pensions are a personal matter and as such the Federation **cannot provide advice**. Officers with queries should contact PSoS Pensions Department or the SPPA directly.

Scottish Police Consultative Forum (SPCF) – The last meeting of the forum was held on 3rd February 2016. Topics discussed had been Pathways to Policing whereby the PSoS are pushing ahead with recruitment, tutoring and fitness and are looking to implement a number of recommendations prior to summer 2016. A Gold Group has been set up which the Federation is represented on. Working Time Regulations and a SOP for Special Constables was also discussed.

Scottish Police Authority – The last meeting was held on 11th January 2016. This is effectively a new Board as 4 members of the SPA had resigned and 3 new members had been appointed. Discussions mainly took place regarding the new shape and construction of the Service under the new Chief Constable, Phil Gormley. Andy Malcolm said that it was disappointing to hear that the Chair of the SPA did not speak with the SPF about his views in relation to the reduction of staff by 1000.

Scottish Police Budget and Finance – Meeting took place with ACC Richardson on 19th February with discussions based around trying to establish where savings could be made as the likelihood will be that there will be less money available. The SPF are looking to protect CRTP, starting pay, incremental rises and overtime rates protecting the take home pay and pensions for our members.

Joint Negotiation and Consultative Committee (JNCC) – There had been no meetings since the new Chief Constable had taken up post. The SPF will, however, ensure there is no slippage on the work ongoing by continuing to push for this meeting to take place.

Police Charities – Amanda Givan explained the Benevolent Fund to the Committee and how it works in detail for the benefit of the new Committee Representatives.

The last meeting had been held on 8th February 2016 within the Police Treatment Centre at Auchterarder. The charity is running well.

Jackie Muller and Nigel Bathgate both attended the Police Treatment Centre meeting held on Thursday 4th February 2016 in their capacity as Trustees. There appears to be a large uptake in Retired Officers from Scotland joining even though the changes mean they require to pay a reduced monthly contribution.

In some areas the advance notification letters in relation to officers being placed on half or nil pay were not being sent to officers off longer term sick. This was causing extreme difficulties for both the member and the SPF however, these have now been reinstated.

The Committee were asked to seek recipients within the East Area for the SPF Bravery Awards with nominee's names to be sent to Grant McDowall prior to 1st July 2016. These awards are for Police Officers only.

(b) HEALTH & SAFETY

Brian Jones informed the meeting that the East Area Health & Safety Committee had met on Tuesday 14th January within the Livingston Office. The minutes of this meeting had been circulated. The next meeting would take place on Tuesday 5th April, within the Livingston Office. The main topics covered included the introduction of life vests within police vehicles which are for additional aid only and are not to be worn when entering the water prior to rescue.

The roll out of PAVA has been stalled until further notice. Another £24,000 is required to complete the order. There have been reports of leakage from some of the canisters.

Fire Risk Assessments have been carried out in all primary buildings which include Custody and it is hoped that the remaining assessments will be undertaken prior to the end of the financial year. Fire Risk Assessments **MUST ONLY** be carried out by those qualified in Fire Risk Assessment therefore, officers instructed to carry out assessment who are not trained should contact the Federation.

Weekly vehicle checks were once again discussed and it was noted that a National Kit List has now been agreed to. It is hoped that these will be put in place shortly.

Bilston is still causing concern in relation to resource levels. Health & Safety spot checks had been carried out as a matter of urgency on 23rd December 2015 following problems with mandatory overtime and re-rostered rest days to cover the festive period in order to obtain the operational base levels. The Health & Safety Secretary, Peter Jones, wrote to the Force highlighting the difficulties faced however, to date, a reply has not been received.

The JCC Health & Safety Subject Committee Meeting was held on 19th January 2016 the minutes of which have been circulated.

Concerns had been raised in relation to airwave coverage within hospitals with the mention of airwave light being a possible solution however, this is currently work in progress.

Winter hats have been approved with additional pieces of winter clothing being considered for adverse weather conditions.

Weekly vehicle and equipment checks have now been progressed to the Health & Safety for action. SPELLS Training has been identified as **not being suitable** for Health & Safety Training. The Health & Safety Executive are investigating the Police Service of Scotland and have given them an Improvement Notice in relation to 5 cases of asbestos being found in buildings within the West Area. The Accident Investigation Collisions regarding the two X5 BMW's in which 4 Traffic Officers in the East had been injured was also discussed.

At this point of the proceedings the Chair gave an Address to ACC Thomson on behalf of the Committee. It was agreed that the transition had been difficult however, we needed to look forward now and not back as the clock cannot be turned back. We need to take cognisance of all the hard work carried out in the past, take the good bits and work out what best suits. We want to be able to flex locally giving a local delivery as there is not one size that fits all.

Thereafter followed a lengthy question and answer session allowing the Committee to put some of their colleague's questions to the Assistant Chief Constable. Both parties agreed that this had been a very worthwhile exercise and it is hoped that the Assistant Chief Constable would be able to return at another time.

(c) CONDUCT

Amanda Givan updated the Committee informing them that the last Conduct Area Meeting had been held on 6th January 2016 within Livingston with the JCC Conduct Standing Committee Meeting being held on 19th January 2016 at Glasgow.

Concerns continue in relation to criminal cases being marked by COPFS as no proceedings for the time being. Any subsequent admission or acceptance of misconduct could leave the officer open to serious repercussions if COPFS retain the opportunity or ability to proceed with a criminal case. Any correspondence received by officers from the Crown or those who receive updates from PSD should pay particular attention to the terminology when advised their case is marked no proceedings. The terminology is extremely important.

Those present were urged to let Amanda Givan know if they hear of officers with issues and ensure that this is fed into the East Area Office in order that cases can be monitored and bespoke advice provided.

There is still concern that some Investigating Officers have little understanding or sufficient knowledge of the 2014 Conduct Regulations resulting in issues with many cases. The East Area have experienced problems in this regard where the SPF have had to step in to identify and rectify issues during investigations and more alarmingly at Misconduct Meetings and Hearings. There is clearly a need here for all officers to seek advice when the subject of misconduct arises.

There has been recent praise from members on the work of individual PIRC officers in being helpful when noting statements however, concern remains over the approach of some investigators. Any information regarding this should be forwarded to Amanda for collation to the Conduct Secretary.

The Deputy Secretary updated those present in relation to the cases being monitored and advised of the investigations which had resulted in Misconduct Hearings since the last meeting.

The next meeting of the EAC Conduct Committee will be held on 6th April 2016 within the Livingston office at 1000 hours.

(d) EQUALITY

Andy Malcolm updated the Committee on behalf of Nigel Bathgate informing that the last Equality Subject Committee meeting had been held on 19th January the minutes of which had been circulated. This meeting had not been quorum and Andy Malcolm reiterated the importance of attendance at such meetings. The main topic from this meeting was in relation to fitness testing. It had been reported previously that the Force had been reluctant to engage with the Scottish Police Federation however, a written response has been received from the Force in respect of fitness testing and a meeting with the Equality Secretary and the Force will follow.

The Police Negotiating Boards Equality Group had met in December 2015 when the additional hour's payment for part-time workers, which is a long standing item at PNB, was discussed. An agreement could not be reached between the Staff Side and the Official Side in relation to a regulatory change or not therefore, this will be passed to the full PNB. Scottish Ministers had confirmed that PNB Circular 9/2014 was agreed with Rest Days and Free Days treated the same for payment however, a circular is still awaited.

Rest Days and Free Days during annual leave still remains a topic for negotiation. The consensus is that all days during annual leave should be treated as annual leave days as far as compensation but, the qualify period which SPF consider to be 3 days, the official side wish extended to 5 days. This is the case in England and Wales. The continued debate regarding Free Days and Rest Days continues despite a considered agreement 3 meetings ago.

Annual leave to be carried over is going forward to full PNB. The SOP shows that if an officer cannot or is not willing to take leave when on extended sick leave then 20 days maximum can be carried over but should be used within an 18 month period.

The last East Area Equality Meeting had been held within the Livingston office on 4th January 2016. The Disability in Employment SOP reported at the last meeting is under review. It would appear that the PSoS apply little regard to the SOP as it stands and the legislation which directs it. It is happening more and more that officers are unnecessarily extended absence due to the Force not considering reasonable adjustments in time, resulting in officers being reduced to half or nil pay and adding extra stress onto them. Where these officers would have wanted to be redeployed, at an early stage, they simply want to leave due to the protracted process the Service has adopted. This has been fed to the PSoS at meetings of the People and Development Equality and Diversity Group.

The Opinion Survey was discussed and a brief update given. The Force had divided the outcomes of the survey into short, medium and long term approaches to the issues highlighted. Short term will focus on annual leave taking on flexibility.

(e) FINANCE

Brian Jones informed the Committee that the last Finance Meeting had been held on 18th January 2016 the Minutes of which would be circulated in due course.

Topics discussed had been VAT and historical accounts, accommodation with reference to the SPF estate and premises and, how there is to be a Financial Risk Register introduced.

The next meeting will be held on 13th April 2016 within Woodside Place.

(f) OPERATIONAL DUTIES

Grant McDowall gave a brief update. The last meeting of the Operational Duties took place on Monday 18th January 2016 within Woodside Place, Glasgow. Once ratified the minutes will be put on the SPF website. The following topics had been discussed:

An agreement to probationary fitness testing throughout the country had been agreed with the bleep test being the preferred measure as of the 1st January 2016.

The 12 week Basic Training Course will be reduced to 11 weeks as of the end of February 2016 which allows officers to arrive at their respective divisions a week earlier than previously agreed. This will be achieved by reducing the drill time by 20 periods.

Non-core inputs from the likes of PMAS and SPRA will be carried out in the evenings however the SPF and Pensions input will remain part of the core programme.

Also discussed was Tutor Training, a National Course has been running since 2015. All probationers will receive a minimum of 480 hours with a Tutor Constable which, if required, can be increased.

CBRN Suits will be available from 2017 and discussions are currently ongoing regarding who will pay for the upkeep of the suits will it be the Police or the Home Office?

British Summer Time has been agreed and will be written into the Workforce Agreement therefore, there should be no further local agreements with areas starting at differing times.

A new shift pattern has now been agreed for the Firearms which will come into operation on 4th April 2016. Bilston Glen had been discussed and a Health & Safety Report has been submitted to the Chief Constable regarding ongoing issues.

Work for Dundee is ongoing and a number of officers are in place or being identified. A proposed shift pattern for all ACR's is being considered and will be sent to the SPF Secretaries for consultation.

Euan Sinclair raised the question about double crewing. It would appear that in some areas, diary car routine calls have been single crewed. This is a health risk and should be recorded as a near miss. If these are not recorded then it will be very difficult to manage. The Secretary agreed to correspond with the Assistant Chief Constable regarding this matter.

(g) LEGISLATION AND REGULATIONS

It was decided that further meetings of this committee would be held as and when necessary.

(h) AREA LNCC

No meeting had taken place.

(i) DIVISIONAL UPDATES

Fife

Stevie Herd informed the Committee that no meetings had been held.

Forth Valley

Andrew Malcolm updated the Committee accordingly. A meeting had been held with Superintendent McLeod when a deployment plan was discussed which appears to be work in progress. There will be a review of the deployment plan in 6 months. It had been a very productive meeting with some issues going to the Divisional Improvement Group.

Edinburgh

Norman Towler updated the Committee informing them of the new Chief Superintendent, K MacDonald. Two meetings had been planned however, the Chief Superintendent had to cancel due to other work commitments. A date will be looked at for an alternative meeting.

Lothians & Scottish Borders

There appear to be problems with CRTP Applications whereby most of the officers applying for this have been rejected on the say so of a Superintendent. From the outset

it would appear that guidance is not being followed correctly and putting officers at a disadvantage.

(j) MAJOR EVENTS

The Scottish Defence League protest is due to take place on 20th March 2016 and will have an impact on Public Order Officers. Norman Towler informed the Committee that notification for this only came out via a memorandum on the intranet.

8 COMPETENT BUSINESS

Murray McKenzie explained that the management within Divisions of Grade 3 and 4 calls was problematic. He was concerned that supervisors were being tasked with this management and additional staff were being taken away from the front line.

After a lengthy discussion and many concerns being voiced, it was agreed that this process complies with SOPS/Guidance. Application in the East appears to be time focused with no recognisable system and no real process in place. It was felt that the SOP was not fit for purpose. The Secretary agreed to correspond with the Assistant Chief Constable to highlight our concerns.

9 DATE OF NEXT MEETING

The next meeting will be held on Wednesday 8th June 2016.

10 CLOSURE OF MEETING

The Chair thanked everyone for attending and for their valued input into proceedings. He reminded the Committee that it was vitally important that all members are encouraged to raise any concerns at the earliest possible opportunity with their local Representatives.

He wished everyone a safe journey home and formally closed the meeting.

Grant McDowall
Secretary

Brian Jones
Chair