



Scottish Police Federation **East Area Committee**

Minutes of the Second Quarterly Meeting of the East Area Committee of the Scottish Police Federation held on Wednesday 3rd June 2015 within Bathgate Golf Club, Edinburgh Road, Bathgate, EH48 1BA

1 Opening of Meeting

The Chair welcomed the East Area Committee to the Second Quarterly Meeting congratulating those who had recently been elected. He said that he was looking forward to working closely with them all in the near future 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 then informed the Committee that it was with deep regret and sadness that once more he had to advise them that since the last meeting there had been a Death in Service. The Chair and Secretary had, on behalf of the East Area Committee, passed condolences onto the family and friends of Allan Mclean who died recently. The Committee were then upstanding to observe a minutes silence as a mark of respect.

The Committee were informed that after the last elections, the East Area still had 3 vacancies in the Inspecting ranks and 1 vacancy in the Sergeants rank. He reiterated that it was imperative that we had a full complement of representatives to ensure **all** our members were appropriately represented. The situation would be monitored and hopefully it would not be too long before suitable candidates could be identified and placed in post.

The Chair welcomed the National Leads for Conduct, Jim Foy and Health & Safety, Peter Jones. Jim and Peter would be giving updates on any pressing issues or developments in the worlds of Conduct and Health & Safety. The Committee were encouraged to take advantage of Peter and Jim's expertise and knowledge.

The Chair further informed the Committee that once more they were moving forward to a very busy summer of planned major events which, would require the flexibility of the members to ensure the job gets done.

The Committee must ensure that the Police Scotland Regulations are adhered to without so called cosy agreements being reached on overtime to the detriment of their colleagues. The Quarterly Meetings should be used to identify areas of challenge and introduce plans to address those challenges for the benefits of the members.

2 Attendance

Inspector Hugh Louden	C - Forth Valley
Sergeant Iain McGregor	C - Forth Valley
Sergeant Mark Westmorland	C - Forth Valley
Sergeant Murray McKenzie	C - Forth Valley
Constable David Reid	C - Forth Valley
Constable Scott Callaghan	C - Forth Valley
Sergeant Stephen Clark	P – Fife
Constable Austin Barrett	P - Fife
Constable Colin Nicoll	P - Fife
Constable Stevie Herd	P - Fife
Inspector Allan Symington	E - Edinburgh
Sergeant Neil Spowart	E - Edinburgh
Sergeant Norman Towler	E - Edinburgh
Constable Richard Wood	E - Edinburgh
Constable Euan Sinclair	E - Edinburgh
Constable David Stupart	E – Edinburgh
Inspector Michelle Ritchie	J - The Lothian's & Scottish Borders
Inspector Andrew Toombs	J - The Lothian's & Scottish Borders
Inspector Andrew Elliot	J - The Lothian's & Scottish Borders
Sergeant Mark Sherman	J - The Lothian's & Scottish Borders
Constable Christine Murphy	J - The Lothian's & Scottish Borders
Constable John Brownlee	J - The Lothian's & Scottish Borders
Grant McDowall	Secretary
Amanda Givan	Deputy Secretary
Brian Jones	Chair
Nigel Bathgate	Vice-Chair

Guest

Peter Jones	Health & Safety Lead
Jim Foy	Conduct Lead

3 Apologies

Inspector Graham Capes	C - Forth Valley
Inspector Andrew Malcolm	C - Forth Valley
Inspector David Watt	E - Edinburgh
Sergeant Wilkie McCloskey	P - Fife
Constable Paul Redwood	C - Forth Valley
Constable John McEwan	J - Lothian's & Scottish Borders
Inspector Heather MacDonald	E - Edinburgh
Constable Neil Elder	J - The Lothian's & Scottish Borders
Sergeant Graham Ross	P - Fife
Inspector Fraser Downie	P - Fife
Sergeant Scott Meechan	E - Edinburgh
Constable David Davison	E - Edinburgh

Non Attendee

Sergeant Gordon Dixon	E - Edinburgh
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4 Divisional Meetings

As no individual rank meetings were required the Committee broke into divisional meetings to discuss what was happening within the respective divisions.

5 Minutes of Previous Meeting

The minutes from the previous meeting held on 4th March 2015 had previously been circulated to the Committee for their information and attention. The minutes were proposed by Allan Symington and seconded by Murray McKenzie and thereafter recorded as a true reflection of the meeting.

An action point from the previous meeting in relation to the Memo of Understanding 2013, Court and Standby, is a work in progress. The Chair intimated that depending on what Area an officer worked unfortunately would depend on how he/she was treated for court and standby. Peter Jones will raise this nationally with Stevie Diamond as an officer should remain 9 – 5 on the day they attend court.

Jim Foy who had previously been the WAC Conduct Secretary explained that he was now the Conduct Lead for Scotland. He gave a brief update regarding advice and guidance in relation to Conduct to those representatives present admitting that he had felt that the SPF had let the Representatives down in relation to training. However, he hoped to have every representative trained

in the basics of Conduct with those on the Conduct Committees given an intermediate level of training. Representatives will be monitored regarding plea and mitigation to ensure that they are following the correct procedures and there will be templates to help with this. Training and having structure in place is extremely important for the representatives. There needs to be consistency throughout the Force. He went on to inform the Representatives that they should **NEVER** give an officer false hope by telling them that everything was going to be ok and that they should always take the position that they do not know what the outcome could be for the officer also, reminding the officer never to discuss their case with anyone else. Representatives need to be extremely careful especially with gross misconduct and if they have any doubts at all they should contact Amanda Givan who is the Contact Secretary for the East Area.

The Chair thanked Jim Foy for taking time out of his busy schedule to come and speak to the EAC Representatives.

6 Matters Arising

(a) Joint Central Committee

The Secretary informed the Committee that the Joint Central Committee had met at Athol Palace, Pitlochry on Tuesday 12th and Wednesday 13th May 2015.

The Committee was further advised that David Kennedy had recently moved to the post of Deputy Secretary of the Scottish Police Federation in April 2015 and that an Election had taken place for a new Conduct Secretary. Two candidates Jim Foy and Neil MacDonald were nominated and after a vote, Jim Foy was duly elected the new National Lead for Conduct.

Elections had been discussed due to the many vacancies within the Areas and it was decided that between Monday 18th and Friday 22nd May 2015 that nominations would be sought from suitable candidates to try and fill the vacancies.

A circular had been sent out and, the following were duly elected to sit on the East Area Committee:

Fraser Downie	P Division
David Davison	E Division
Graham Ross	P Division
John McEwan	J Division
Andy Toombs	J Division
Drew Elliot	J Division
Michelle Ritchie	J Division

Four vacancies still remain vacant within the East namely, two Inspecting ranks within P Division, one inspecting rank within E and one Sergeant within P Division. Steps will be taken to address the possibility of filling these posts.

The Committee were informed that the National Chairman, Brian Docherty, had voiced concerns regarding officers being offered overtime which was not being paid at the appropriate rate. A letter was published on the SPF webpage advising that, in these instances, the Deputy Chief Constable would be contacted.

The Secretary advised that PNB had met on 24th April where discussions had taken place regarding Superintendents receiving an On-Call Allowance. The disparity in maternity pay in Scotland was also discussed and it is hoped that this will be resolved as soon as is reasonably practicable.

It was further reported that in relation to pensions, CARE was introduced on 1st April 2015. All members on the 1987 and 2006 scheme will now pay 13.46%. The employer's contribution will be 23.1%.

The Secretary informed the Committee that it was felt that there had been deliberate procrastination preventing officers from obtaining Ill-Health Retirement and that the Force had slowed down the process due to finances. He advised that the SPF had written a letter to the Chief Constable stating PSoS response to ill health was inhumane and advised that legal action would be taken if this situation was not resolved.

Discussion had also taken place with SPA regarding the retention of women and part time flexible working, this is reinforced by the amount of female officers leaving in their 20's and 30's.

It has been established that there is currently an 11 million pound hole in the Police Budget for 2015/16. Action is being taken by PSoS to have VAT removed, which would cover the shortfall.

Work will commence on Castlebrae in June and is expected to last approximately 10 months. During this time the pool will be closed and officers will be bussed to local facilities.

Regarding the motions passed at Conference, it was decided that the following action would be required:

- **Protecting the Front Line from “one size fits all”** - this was forwarded to the Operational Duties Sub-Committee to be progressed.

- **Rest and Refreshment Breaks** - evidence gathering would take place and it would then be passed onto the Health & Safety Committee for progression.
- **Court Citations and Attendance** - this had been passed to a Working Practices Review Group to be set up under ACC Higgins for progression.
- **Alterations to Duty Rosters** - this matter has been taken to the staff side at PNB for progression.
- **Working Abroad** - this matter has been passed to the UK Federation to be progressed through the Foreign and Commonwealth Office.
- **Policing and the West Lothian Question** - letters have been circulated to all political leaders in Scotland for their consideration.

(b) **Health & Safety**

The Chair advised the Committee that the East Area Health & Safety Committee had met on the 7th April 2015 at Livingston. This was the inaugural meeting of the new Committee and the minutes of this meeting had been circulated. The next meeting is scheduled for Wednesday 15th July 2015.

The minutes of the last Health & Safety Standing Committee Meeting held on 21st April, 2015 would be circulated and made available on the SPF Website. The main topics discussed included Water Rescue unfortunately there continues to be no firm resolution in sight in relation to this item however, there is now a greater understanding regarding the abilities of Fire Scotland to respond to attend such incidents.

Resourcing challenges at Bilston are causing major concerns and continue with the need of compulsory overtime to ensure radio channels are answered with further resources required for telephony 101/999 calls. Either officers work the 12 hour shifts or their colleagues calls go unanswered which would be a greater problem! There have been too many near misses with a whole channel not being monitored at times.

It would appear that there are still problems being encountered in relation to employing sufficient staff to fill all vacancies which has raised a significant overtime bill. A specific risk assessment has been completed by PSoS for the current 12 hour working and is now in place.

The process to change the North Area Control Room should **not** go ahead and it may be an idea to postpone VR for support staff as once

the wheels are in motion, it cannot be stopped leaving the Control Room without sufficient trained staff.

Concerns had also been raised over the lack of refreshment breaks in Custody Suites in the West Area. The North and East Areas will make enquiries and report back to the next meeting.

The East Area Health & Safety Meeting met at Stirling on Wednesday 13 May 2015, Chaired by ACC Thomson the minutes of which, when published, will be circulated to the Committee. Mark Westmorland attended on behalf of the Chair advising that there were no pressing issues. Locus protection\weekly vehicle checks are still to the forefront.

Peter Jones, National Lead for Health & Safety gave a short input. He informed the Committee that he had had a meeting with the Head of Procurement and Fleet Management on the 8th August 2014 when they had discussed the standardisation of equipment stored in vehicles and whether it was fit for purpose. Also attending the meeting had been a Constable and Sergeant from Road Policing who had been tasked to produce and sign off a kit list. He chased this up only to be told that they never have nor will the Force ever have anything to do with a kit list in cars. Peter will look further into this. It was also noted that the Force are wasting money ordering 3 single road signs at a time instead of ordering in bulk to save money.

Although not confirmed, it is hoped that throw lines will be placed in police vehicles.

A meeting was being diaried with Jackie Lambert the Force Health & Safety Adviser who is looking to set up Health & Safety Training for Chief Inspector level and above. It is hopeful that the PSoS training dates will start soon. Permission has been granted for Federation Representatives to attend the courses.

The Chair informed the Committee that a report would be put together for JCC advising that the move in the North should not go ahead however, Peter Jones said that he feared that no matter what the Federation said regarding Health & Safety, the Force may go ahead with move anyway.

Custody breaks had also been discussed and the stated case in South Wales regarding a Custody Sergeant and the European Directive causing debate regarding Health & Safety in England and Wales.

Also touched on was pedal bikes and the kit for Community Officers. The Command Team will be approached regarding the kit and any problems will be sent to Peter Jones to take to the Committee.

Neil Spowart said that too many cars were unsuitable for CID due to low or no markings which was placing officers in a position they would not normally find themselves in also, some Edinburgh vehicles do not have ZH radios enabling for officers to shout for assistance. It was suggested that if an officer is not in a suitable marked vehicle which completely identifies them as a police officer then they should radio the call in providing of course there is a radio in the car! The Committee where asked to ensure that members record **all** near misses and the Divisional Commanders would be spoken to as a matter of urgency.

Peter Jones informed the Committee that there had been a very poor response to the Divisional Vehicle Survey which had been carried out. This was being revisited and each Federation Representative would now be asked to complete reports on divisional vehicles. The Chair would send out the forms along with guidance notes. Once completed they should be returned to the Chair for onward transmission to the Force. Representatives were encouraged to complete as many as possible remembering to mark up the log books when complete so as to avoid duplication.

The Chair thanked Peter Jones for taking time out of his busy schedule to attend the EAC Quarterly Meeting.

(c) Conduct

The Deputy Secretary advised the Committee that there had been no meeting to date. A meeting was however planned for July.

She had formed a good working relationship with Professional Standards and informed the Committee that there was a steady flow of ongoing cases. She further informed the Committee that the Conduct Representatives would now be more involved in daily conduct matters as there was too much for one person to manage.

Currently the Force were working from 3 different Regulations namely 1996, 2013 and 2014 therefore Conduct Representatives require to have an insight into **all** three. It is important that the Representatives know which regulations they are working from and also to remember not to make promises that cannot be kept.

Things are ticking along however, it has been noted that there has been an increase in resignations of late. The Deputy Secretary then went on to explain the role of the PIRC who are a team of investigators from different walks of life including Retired Police Officers and that everything they do is by instruction of the Crown. If the representatives think there is something that the Livingston Office need to know about then they should make them aware as soon as possible.

After a request from Norman Towler, the Deputy Secretary agreed to send out the on call rota to the representatives as an EAC Circular.

(d) Equality

The Vice Chair informed the Committee that the first meeting of the newly elected East Equality Committee had taken place on 6 April 2015 at Livingston Federation Office. The minutes had been circulated and could be found on the SPF web-site.

The next meeting is scheduled for Monday 13 July, 2015 and there will be a further training input at that meeting following on from the Introductory Training input in April. Details will be circulated with the agenda in the near future.

The Vice Chair further informed the Committee that there are and will always be significant challenges for the Equality Committee. Currently Disability as a discipline headline features high on the list of significance. From the basic unfairness applied to individuals in their efforts to return to work or remain off whilst suffering often significant conditions right through the Ill Health process.

Last year through to April this year we witnessed lengthy delays in processing ill-health through to the SPA and, since April this has become even harder with further delays in the system due to the imposition of the 'Postings Panel.' The EAC continue to challenge at every stage where our members are being disadvantaged whilst in this process.

Varying fitness test for Probationers was discussed and enquiries will be made to see if we have a case.

(e) Finance

The Finance Standing Committee met on the 22nd April 2015 the minutes of which will be circulated when published.

(f) Area LNCC

The area LNCC met on 8th April 2015 at Randolphfield and was chaired by ACC Thomson. Also in attendance was Chief Superintendent Gill Imrie who gave an input into the current shift pattern for J Division. Issues were discussed surrounding the current sickness levels which are more prevalent in C and J Divisions and how these could be addressed to assist officers in their return to work.

The ACR at Bilston Glen was also discussed. It was established it was costing the Force 540 hours in overtime per week to maintain the ACR.

Discussions about staffing revealed that officers were being transferred and civilian staff were undertaking training. Full time officials are visiting Bilston on a weekly basis to monitor the current situation which, is believed will continue for a further 5 weeks. At this time the ACR is still understaffed and 12 hour working is continuing for some officers.

(g) Legislation and Regulation Standing Committee

The Legislation and Regulation Standing Committee last met on 22nd April 2015 the minutes of which will be circulated and put on the SPF Website.

(h) Operational Duties Standing Committee

The Operational Duties Standing Committee met on 22nd April 2015 and the minutes of which will be circulated and put on the SPF website.

A paper was circulated at the Operational Duties Standing Committee Meeting on 22 April 2015 which drew attention to the practice of overtime being 'offered' to members at less than regulation rates. The Standing Committee agreed to propose to the Joint Central Committee that the following letter be published on the SPF website:

Dear Colleague

Message to Supervisors re Overtime Compensation

First, can I immediately acknowledge your hard work under pressurised circumstances and say that the SPF stands ready to address any workplace issues you may have on this or any other matter.

The reason for this letter probably begins in the financially strict circumstances of Police Scotland but while I acknowledge that, it does not excuse the practice of offering overtime to constables or sergeants at less than regulatory rates. Unfortunately, we are receiving increasing numbers of such complaints and it is our duty to do something about them.

Can I ask that you report pressure from above to offer overtime at less than regulatory rates? It is the intention of the SPF to report such conduct to the Deputy Chief Constable (Designate) for his consideration of misconduct proceedings.

Yours sincerely

*Brian Docherty
Chairman*

A paper was circulated at the Operational Duties Standing Committee Meeting on 22 April 2015 relative to 'Notifications'. It was agreed that the JCC be asked to examine a statement as follows to be agreed with Police Scotland:

Notification

No officer should be contacted when off-duty unless it is in relation to court or for some other urgent matter which cannot wait until the officer is next on-duty. This principle should be strictly adhered to in relation to alterations to rosters where the day in question is more than 5 days hence.

'Notification' should be recorded by a supervisor who should keep a record of when the officer received the notice, not merely when the notification was sent.

(k) Divisional Updates:

Forth Valley – C Division

Iain McGregor informed the Committee that there had not been a meeting however, now that Chief Superintendent John Hawkins was in post a meeting would be arranged in due course. The only real issues in C Division are staffing levels. Murray McKenzie further informed the Committee that officer's requests to carry forward annual leave were being refused by the Chief Inspector. The SOP is clear, officers can carry over 5 days or less however, anything over this would have to be for exceptional circumstances. Murray Mckenzie will report back to the Committee.

Fife – P Division

Stevie Herd updated the Committee accordingly. There had been a change in management and a new Chief Superintendent was now in post. He had raised his concerns regarding Bilston. ACR's are being graded mostly 2's with very little or no grade 1, 3 or 4 calls. There is a criteria put in place for a reason however, this seems not to be getting used which is having a knock-on effect on officers. It may be due to training and a lack of understanding of what grade 2's are! It is hoped that this will change when staff are in their respective roles longer. Issues regarding lack of ARV's and Dogs available. Fuel cards are now being supplied as opposed to pumps which are being shut down at the stations.

Edinburgh

Norman Towler updated the Committee on issues within the City of Edinburgh Division. There had been a change in command team and it

was hoped that a meeting would take place in July with the new Superintendent. Lack of resources is still the major concern.

Lothian's & Scottish Borders – J Division

Mark Sherman updated the Committee. They were working a new shift pattern of which the officers were neither very strongly for or against. This will be reviewed in 6 months and a report published. CPT Officers varied here there and everywhere as a result of the new shifts. Also causing issues with prisoners being locked in cells for the following shift to deal with. Chief Inspector knocking back applications for job transfers even though they have been accepted by Sergeants and Inspectors. It is felt that they are not progressing applications as they cannot afford to lose the staff. This is to be monitored and taken back to LNCC. John Brownlee raised the problem in the rural areas of no toilet facilities for officers on point duties after discussion it was decided that the representatives should raise this with the S.I.O as it is their responsibility and if they come across any problems they are to contact the Livingston Office.

(i) Major Events

The Chair informed the Committee that planning for the Scottish Open Golf was ahead of schedule.

The Deputy Secretary gave a brief update on the Open Golf at St. Andrews. Staffing plan and traffic plans were well advanced. The early starts for T Off times mean that officers will be on point and officers will be collected and taken to the points. There had been a slight issue regarding part-time and flexible working however, this has now been rectified. Everyone working this detail should already know. Any issues representatives are to contact Amanda Givan.

Due to the venue change, T in the Park is causing some concern. The Force were looking for volunteers in C and P Divisions. Officers unaware what shifts they will be working as yet.

7. Competent Business

Murray McKenzie put forth a motion for discussion in relation to detaining persons in custody under the Mental Health Act as this was having an increasing demand on officers having to transport mentally ill persons to hospital then sitting in waiting areas for them to be seen. There is little or no help for Mental Health within the A & E. The public look at these people as if they are prisoners and mostly they are not. The motion was not fully debated but the Secretary took an action to raise this at the Operational Duties Standing Committee.

The Secretary informed the Committee that they would all be receiving a self-explanatory email to sign up to Mail Chimp this will enable all members to access day to day publications and news and activity of the Scottish Police Federation. He further reminded them that all the information could be found on the SPF Website. Also, an East Area Committee Newsletter was being produced and this would be circulated in due course.

Some representatives are still experiencing problems with their SPF websites and this would be addressed. Also, representatives who had android phones required instructions from SPF to access. Contact would be made with SPF to ascertain where these instructions could be found and the relevant officers notified.

The Chair reminded the Committee of the importance of completed Group Insurance Nomination Forms. Members are responsible for ensuring that they have completed their form and returned it to the EAC Office in Livingston if they are contributing members to the scheme. These are legal documents and if not completed, should anything happen to the officer, could cause unnecessary stress for the officers family during what would already be an extremely difficult time for them.

8. Date and Place of Next Meeting

The Third Quarterly Meeting of the East Area Committee will take place on Wednesday 2nd September 2015 within Bathgate Golf Club at 1000 hours.

9. Closure of Meeting

Prior to closing the meeting the Chair expressed his thanks to Mark Wilson for all his endeavours whilst serving on the Committee wishing him well following his recent promotion to Sergeant.

He further wished to record a thanks for the all hard work and dedication of Inspector David Watt whilst working with the SPF and wished him well on his forthcoming retirement.

The Chair then thanked everyone for attending and for their valued input into what had been a busy and most productive meeting. He reminded the Committee that it was vitally important that all that 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

