



Scottish Police Federation **East Area Committee**

Minutes of the Fourth Quarterly Meeting of the East Area Committee of the Scottish Police Federation held on Wednesday 3rd December 2014 Held within the Deer Park Conference Centre, Livingston

1 Opening of Meeting

The Chair welcomed all those in attendance along to the Fourth Quarterly Meeting of the East Area Committee. With particular mention being given to Jackie Muller, Lead within the SPF for Equality and a member of the East Area, John Hay who was attending the meeting as a NON TAC Representative and finally, Calum Laurie from the East Area Office who would be assisting in the Office Bearer Elections.

The Chair then informed the attendees of Fire Procedures in the event of an emergency advising those in attendance of the timetable of events for the Meeting.

The Chair then asked for all discussions to be conducted through him and declared the meeting open.

2 Attendance

Inspector Graham Capes	C - Forth Valley
Inspector Hugh Loudon	C - Forth Valley (Elections only)
Inspector Andrew Malcolm	C - Forth Valley
Sergeant Ewan Graham	C - Forth Valley
Constable Mhairi Davidson	C - Forth Valley
Constable Grant McDowell	C - Forth Valley
Constable Paul Redwood	C - Forth Valley
Constable John Hay (Non TAC)	C - Forth Valley
Inspector Fraser Downie	P - Fife
Sergeant Wilkie McCloskey	P - Fife
Constable Kevin Payne	P - Fife (Elections Only on Leave)
Constable Steven Herd	P - Fife
Inspector Colin Gagen	E - Edinburgh
Inspector Allan Symington	E - Edinburgh
Inspector David Watt	E - Edinburgh
Sergeant Willie Stevenson	E - Edinburgh

Sergeant Neil Spowart	E - Edinburgh
Constable Mark Wilson	E - Edinburgh
Sergeant Norman Towler	E - Edinburgh
Inspector Raymond Dutton	J - The Lothian's & Scottish Borders
Inspector Heather MacDonald	J - The Lothian's & Scottish Borders
Sergeant Graeme Shearer	J - The Lothian's & Scottish Borders
Sergeant Brian Jones	J - The Lothian's & Scottish Borders
Sergeant Scott Meechan	J - The Lothian's & Scottish Borders
Sergeant Mark Sherman	J - The Lothian's & Scottish Borders
Constable Neil Elder	J - The Lothian's & Scottish Borders
Jackie Muller	SPF Equality Lead
Stewart Ross	Secretary
Amanda Givan	Deputy Secretary
Gordon Dixon	Chair
Nigel Bathgate	Vice-Chair

3 **Apologies**

Sergeant Murray McKenzie	C - Forth Valley
Sergeant Thomas Clague	P - Fife
Constable Reuben Merrick	E - Edinburgh

Non-Attendees

Chief Inspector Alwyn Bell	E - Edinburgh
----------------------------	---------------

4 **Elections of East Area Office Bearers to Take Effect from 1 February'15**

At this point, the Chair vacated his seat and Nigel Bathgate, Vice-Chair, asked for nominations for the position of Chair.

Election for post of Chair:

Nomination: Gordon Dixon
Proposed: Neil Elder
Seconded: Mhairi Davidson

Nomination: Brian Jones
Proposed: Grant McDowall
Seconded: Heather Macdonald

Nomination: Andy Malcolm
Proposed: Fraser Downie
Seconded: Graham Capes

After two rounds of voting, Brian Jones was duly elected the new Chair for the East Area Committee.

The current Chair, Gordon Dixon, took his place once more to continue with the Elections for the other three posts.

Election for post of Secretary:

Nomination: Stewart Ross

Proposed: Raymond Dutton

Seconded: Amanda Givan

Nomination: Grant McDowall

Proposed: Paul Redwood

Seconded: Stevie Herd

The voting for the post of Secretary resulted in a draw therefore, as per SPF Rules, the final decision went to a cut of the cards. Grant McDowall was successful and duly elected the new Secretary for the East Area Committee.

Election for post of Deputy Secretary:

Nomination: Amanda Givan

Proposed: Mhairi Davidson

Seconded: Kevin Payne

Nomination: Allan Symington

Proposed: Mark Wilson

Seconded: Norman Towler

Amanda Givan was duly re-elected into the post of Deputy Secretary.

Election for post of Vice-Chair:

Nigel Bathgate being the only nomination on the morning of the meeting was duly re-elected Vice –Chair.

Following a short break the Chair left the meeting to attend to other business and the Vice Chair, Nigel Bathgate, chaired the remainder of the meeting. It was confirmed that the handover date for those elected to the posts of Secretary and Chairman would be notified at a later date.

5 Minutes of Previous Meeting

The Minutes from the meeting held on 3rd September 2014 had previously been circulated to the Committee for their information and attention. The

Minutes were proposed by Grant McDowall, seconded by Heather Macdonald and thereafter recorded as a true reflection of that Meeting.

6 Matters Arising

(a) Joint Central Committee

The Secretary informed the Committee that the Joint Central Committee had met at the Glynhill Hotel, Renfrew on Tuesday 4th and Wednesday 5th November 2014. He further informed them about legal cases of which there had been 10 new cases, 4 Road Traffic, 5 Injury on Duty and an Employment Tribunal case. Two of which were rejected. Those in attendance were advised of a pending Fatal Accident Enquiry and informed that there would be a full report in February 2015.

An Employment Appeals Tribunal case regarding the calculation of holiday pay had been circulated and copies were handed out to the representatives to take away. The Committee were informed that this would not be a quick fix and that it could take years. Jackie Muller informed the Committee that the outcome was out with the SPF's hands as it was not in Police Regulations and was a civil matter. The Scottish Police Federation are simply trying to protect the position of their officers. No doubt this will be appealed at a higher level however, the forms must be completed and lodged now as there will be no going back. The general consensus was that if you felt you may have a claim you should complete the form as there will be no opportunity in the future to submit a claim.

Jackie Muller offered to assist the EAC office bearers with an understanding of the legal basis of this if they wished.

PNB Scotland Committee met on 7th October where it was agreed that an Equality Working Party would be established. The terms of reference were in the process of being drafted.

An advert is out for the Independent Chair of the PNB Pensions. Both Doug Keil and David Hamilton's names have been put forward to sit as members of the Pensions Board on behalf of the Scottish Police Federation.

After a heated debate in relation to the Member Services, the decision was taken to approach Insurance Brokers and have them quote for the scheme.

An update was given on the Northern Ireland Firefighters position regarding pension age which means a smaller reduction if people go at age 55. Mercers have been engaged to have a look and see what the implications might be for a Scottish Scheme.

The Scottish Police Consultative Forum agreed that the English type caution would **not** be used in Scottish Conduct interviews.

PSOS will be setting up a priority meeting to discuss Superintendents and the Inspecting ranks long hours and work ongoing to make sure that PNB Circulars and SHHD circulars are relevant.

The following SPA matters were discussed, stop and search, i6, Health & Safety, Commonwealth Games, Payroll and most importantly an Employee Engagement survey which has to be completed before the end of the financial year.

(b) Joint Negotiating Consultative Committee

The matter of deployable 24/7 resources was being looked at the by the SPA.

The Commonwealth Games is still rumbling on. There appears to have been a number of overpayments to some officers yet others are still waiting on their mileage claim expenses! This is unfair as these officers have been waiting since July. The Force has called a meeting to discuss this issue.

The Secretary reported that the Stop and Search Fife Pilot was going well. There are positives such as pulling together how things are recorded and work is being done on the database. On the negative side Mark Wilson informed the meeting that there seems now to be a performance culture within 'E' Division in particular, with the amount of searches having to be recorded. We need to go back to the Force and remind them that our Chief Constable has been quoted in saying that "Police Scotland does **not** have a performance culture!" Therefore, why does this problem exist? Something needs to be done about this.

The Last Motion which was presented by Stewart Ross at the JCC was passed.

(c) Health & Safety

The minutes of the last Health and Safety Standing Committee meeting held on the 14th October 2014 had been circulated and are available on the SPF website. The main topics discussed being the new shift model within Fife which appears to be well received and will return around 100 community officers to response; the amalgamation of the control rooms to Bilston towards the end of January 2015; an Enhanced Pad Desk will be up and running for a period of time ensuring that those officers who are not able to go to Bilston are suitably employed.

Managers need to make a decision quickly as no one knows exactly where or when this is move is happening.

(d) Conduct

The minutes of the last Conduct Standing Committee meeting held on the 14th October 2014 had been circulated and are available on the SPF website.

A brief discussion ensued about Hearings and how officers attending Hearings appear to have a slim chance of success. The PIRC enquiries are pretty brutal. Allan Symington informed the Committee that if the officers e-mail Professional Standards that they can obtain a list of questions likely to be asked. The DCC decides whether a case should go to a Hearing and thereafter delegates this to a Chief Superintendent and Superintendent. The Chief Superintendent should have no prior knowledge of the case. It was felt by the representative's that the people who now chair these Hearings have introduced a culture of fear! The easiest thing to do is dismiss the officer so there is no come back on the Chair to be criticised. Andy Malcolm informed the Committee that if any officers felt they needed help or guidance, to go to Levy and McRae even if it's just for good advice.

Jackie Muller proposed that David Kennedy, National Lead for Conduct be invited to the next EAC Meeting to answer any questions the Committee may have in relation to Conduct. The Committee agreed.

(e) Equality

The Vice-Chair, Nigel Bathgate gave a brief report. The minutes of the last Equality Standing Committee meeting held on the 14th October 2014 had been circulated and are now available on the SPF website.

From a National perspective there was some doubt whether a PNB Scotland Equality Working Group would be established following the cessation of the PNB Gender Equality & Work Life Balance Working Group but this has now been agreed and will hopefully reflect the successes that the National Group were able to achieve over the years of its existence. A record of achievements are available on the SPF web-site.

The Maternity, Adoption & Paternity SOP was updated and a final version is awaited. In addition, the Equality Lead has put together a ready reckoner of questions and answers which is available on the SPF web-site.

Final versions of the Part-time and Flexible working SOP have now been published and work is ongoing by our National Vice-Chair in

relation to the Ill-Health Retirement and Attendance Management SOPs which will hopefully gain some concessions from the Force's initial stand-point.

Equality training along with other areas of training will be up and running post quadrennial elections and there will be vacancies on the East Equality Committee for any East Area representatives who are interested.

From a local perspective, the last East Equality meeting was held on 29 September 2014.

The Vice-Chair still remains heavily involved in drafting and negotiating flexible patterns for officers who are faced with the change in their previous departments demand profile which is the most commonly used tactic to bring change to patterns that have proven beneficial to officers over months and years.

The application of the Performance Regulations in relation to attendance is still extremely frustrating. One officer is moving to stage 2 in the process despite the fact that this officer is certified by a Medical Practitioner! The Vice-Chair will update the Equality Group at the next East Equality Meeting as to how this progresses hopefully, with a favourable outcome, once the flaws in the divisions approach have been highlighted.

(f) Finance

The minutes of the last Finance Standing Committee meeting held on the 15th October 2014 had been circulated and were available on the SPF website.

The next Finance Meeting will be held on 21st January 2015.

(g) Operational Duties

The minutes of the last Operational Duties Standing Committee meeting held on the 15th October 2014 had been circulated and are available on the SPF website.

Topics discussed had included Special Constables and the inclusion of them in OBL's. Issues had also been raised in relation to training within the Custody Suites especially for the Sergeants who are the Duty Officers.

The next Operational Duties Meeting will be held on 21st January 2015.

(h) Legislation/Regulations

The Secretary, Stewart Ross, gave a brief report discussing the performance framework and the consultation had been responded to. Copies of the SPF response to the Smith Commission was handed out to the Committee for their perusal and retention.

The next Legislation and Regulations Meeting will take place on 21st 2015.

(i) Police Charities

Police Treatment Centre

Work is ongoing within the PTC and we have finally got to the stage after number of years were we can go out to tender in relation to the upgrades to Castlebrae. Hopefully the wheels will get moving in the New Year.

St Georges

The Secretary updated the Committee on amendments to grants to be given to St Georges Children. This lifted some restrictions.

Scottish Police Benevolent Fund

Amanda Givan reported that that applications to the fund had increased and the people who need help appeared to be getting it. The Committee were informed that if they are approached by an officer that the website shows all the information they require to point the officer in the correct direction however, if they are not comfortable giving out advice then they were to point the officers in her direction.

(j) EAC Representative Elections

As per memorandum circulated regarding the Conduct of elections to be run by the Electoral Commission. Rules for the elections had been approved at the last JCC. The elections will be led by David Ross and held electronically. The SPF have managed to secure all of the force e-mail addresses. It is an online election process to apply to be a Committee Representative and officers will get an e-mail with a password and user ID for whatever constituency they are in.

A brief discussion then took place in relation to why there was such a short deadline. Andy Malcolm stated that the deadline should have been longer than 11 days and that this was poor planning on behalf of the SPF.

(k) Area LNCC

A paper had been circulated to the Committee with an update on the meeting held on 3 October where, amongst the issues discussed, were the blanket cancellation of rest days; operational base levels; attendance management; morale; senior officers posts and shift ballots. The Secretary also informed the Committee that ACC Kate Thomson (ex- Dumfries and Galloway) had replaced ACC Mike McCormack on a temporary basis.

(l) Divisional Updates:

Forth Valley

Graham Capes updated the Committee accordingly. There are problems with OBLs and resources. Forth Valley have said they will increase OBL's on 05.1.15 by 50% however, saying and doing are two different things. They have 100 out of their 625 establishment either off sick or on restricted duties and worries that this growing capacity will mean officers will not be given time off.

The Secretary informed the Committee that the Force will be looking into restricted duties. Jackie Muller, National Equality Lead, asked those in attendance to bear in mind that there is a difference on being on restricted duties. Officers should ask for reasonable adjustments and have a backup letter from his/her GP. Terminology is everything therefore it has to be right in the first instance. This comes under disability under the Equality Act and the officer is simply looking for a reasonable adjustment due to their disability.

Fife

Fraser Downie informed the Committee that there had been no meeting but that one was expected to take place within the next 2 weeks.

Edinburgh

Mark Wilson updated the Committee. There was no point in increasing OBL's and the division was shuffling staff on a weekly basis. They continue to fail to meet public demand. Notifications are still being sent to officers via internet and annual leave is still being issued in blocks however there are floating days. There are too many citations officers feel like they are carrying around mail bags!!

Lothian's & Scottish Borders

There had been no meeting prior to this committee meeting with the next one scheduled for 10 December 2014.

Discussion took place in relation to the West (Strathclyde) being able to manage the shifts as they have greater numbers. The general feeling was that the model was broken as there simply are not enough officers in any of the other areas. It was felt that there was a genuine imbalance within the areas.

(m) Major Events

The Deputy Secretary will be attending a meeting in relation to the British Open Golf Tournament being held in St. Andrews in July 2015. She will keep everyone updated accordingly. Resources are likely to be sourced from Fife and Dundee Divisions.

7. New Business

a) British Summer Time

This was withdrawn from the table due to it being considered on another agenda.

b) Annual Leave

This item had been discussed at length during the earlier part of the meeting and the Vice Chair asked if the Committee were content to have no further discussion on it. The Committee agreed.

c) Communications

The Secretary had put together and sent out a Newsletter to the Committee however, only 3 had opened it prior to the meeting!

The East Area Committee will have their own section of the SPF Website with topics on it specifically for the East Area.

8. Motions

Motion 1

'That this Central Conference asks the Joint Central Committee to seek an amendment to Police Regulations which provides for the adjustment to an officer's working hours in respect of BST and GMT'.

Explanatory Note

Officers in Scotland who are required to work when 'the clocks change' in October and March do not have their tours of duty adjusted. There were legacy arrangements in areas of the country prior to Police Scotland where tours of duty were adjusted by an hour in October and March to ensure there was no detriment to either the officer or organisation. This motion seeks to have this adopted nationally and avoid officers working an additional hour in October without recompense.

This Motion was withdrawn.

Motion 2

That this Area Committee asks the Joint Central Committee to amend Police Federation (Scotland) Rules 2013 and, insert Rule 17.2.

'That all expenses and honoraria paid to individual members of the Joint Central Committee or Area Committee's from Federation Funds are published with the annual accounts. This shall be published online and will show on an individual basis the total payments made from Federation Funds to members of said Committee's and can include, at the discretion of the Joint Central Committee, any hospitality received whilst acting on behalf of The Scottish Police Federation'.

Explanatory Note

The Police Federation (Scotland) Regulations 2013 provide the framework and guidance with regard to operations, expenses and accounting. The Joint Central Committee (JCC) of the Scottish Police Federation (SPF) also produced Regulations which provide guidance regarding these Regulations.

As an organisation charged with ensuring the "welfare & efficiency" of its members, it is vital that payments made from funds are clear and transparent. Currently, the SPF accounts detail the overall sum paid to officials however, do not disclose who these are received by.

This Motion was carried.

Motion 3

'That this Central Conference asks the Joint Central Committee to seek agreement at the Scottish PNB to have officers who are required to work on either a rest day or free day falling during a period of annual leave, that said day will be compensated in the same manner as if it were a day of annual leave or a day taken off in lieu of overtime'.

Explanatory Note

Officers in Scotland who are required to work on a rest day during a period of annual leave have this day treated as a cancelled rest day. This cancellation does not take cognisance of the significant negative impact that this has on officers and their families.

This Motion was not competent as it was already a claim at PNB therefore, the Committee agreed that it should be withdrawn.

9. Competent Business

Graham Capes wished to discuss business continuity now that half the full-time officials had not been re-elected. The Committee were informed that no immediate plans were in place but were hopeful that there would be a hand-over period and that the new incumbents would receive local and national support as they come to terms with their new roles.

Jackie Muller thanked Stewart Ross for all the work he had done on behalf of the members. He is a well-respected and liked office bearer who has worked tirelessly for the membership.

10. Date and Place of Next Meeting

The next East Area Meeting will be held on 4th March 2015 the venue has still to be decided.

11. Closure of Meeting

The Vice-Chair, informed the committee of the retirement of Raymond Dutton, acknowledging Raymond's work whilst on the committee and wished him a very long and healthy retirement.

The Vice-Chair thanked everyone for attending and for their valued input into proceedings. He wished everyone a safe journey home and formally closed the meeting.

**Stewart Ross
Secretary**

**Nigel Bathgate
Vice-Chair**

