

SCOTTISH POLICE FEDERATION EAST AREA COMMITTEE

Minutes of the Third Quarterly Meeting held on Wednesday 27th November
2013 within the Queensferry Hotel, North Queensferry

Members Present

Inspector Andrew Malcolm	C - Forth Valley
Inspector Graham Capes	C - Forth Valley
Inspector Allan Symington	E - Edinburgh
Inspector David Watt	E - Edinburgh
Inspector Colin Gagen	E - Edinburgh
Inspector Gillian Tennant	J - The Lothian's & Scottish Borders
Inspector Raymond Dutton	J - The Lothian's & Scottish Borders
Inspector Heather MacDonald	J - The Lothian's & Scottish Borders (am)
Inspector John Lawson	P - Fife

Sergeant Murray McKenzie	C - Forth Valley
Sergeant Ewan Graham	C - Forth Valley
Sergeant Willie Stevenson	E - Edinburgh
Sergeant Graeme Shearer	J - The Lothian's & Scottish Borders
Sergeant Stuart Oliver	P - Fife
Sergeant Thomas Clague	P - Fife
Sergeant Wilkie McCloskey	P - Fife

Constable Grant McDowell	C - Forth Valley
Constable Paul Redwood	C - Forth Valley
Constable Mhairi Davidson	C - Forth Valley
Constable Mark Wilson	E - Edinburgh
Constable Jeff Whelan	E - Edinburgh
Constable Karl Cleghorn	E - Edinburgh
Constable Richard Scott	J - The Lothian's & Scottish Borders
Constable Thomas Murphy	J - The Lothian's & Scottish Borders
Constable Steven Herd	P - Fife
Constable Matthew Spencer	P - Fife

Stewart Ross	Secretary
Amanda Givan	Deputy Secretary
Gordon Dixon	Chair
Nigel Bathgate	Vice-Chair

OBSERVERS

Constable John Hay	C - Forth Valley
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APOLOGIES FOR ABSENCE

Chief Inspector Alwyn Bell	E - Edinburgh
Inspector Hugh Louden	C - Forth Valley
Inspector Fraser Downie	P - Fife
Sergeant Keith Bendall	J - The Lothian's & Scottish Borders
Sergeant Brian Jones	J - The Lothian's & Scottish Borders
Constable Neil Elder	J - The Lothian's & Scottish Borders
Constable Kevin Payne	P - Fife
Constable Reuben Merrick	E - Edinburgh

OPENING OF MEETING

The Chair welcomed everyone to the new meeting venue, The Forth Crossing Education Centre, South Queensferry, on which was the final East Area Committee Meeting of 2013. He covered basic housekeeping and fire evacuation procedures for the attendees.

Representatives were duly reminded that their attendance at Meetings and Committees was a duty and that approval had been granted by the Chief Constable for their attendance he stressed the importance of Representatives attending and contributing on behalf of their respective ranks.

The Chair was disappointed to advise that it had been their intention to present four Motions submitted by the Committee however, due to lack of numbers present, they may have to be placed on the next Meeting Agenda.

The Chair then informed the Committee that David Kennedy, SPF Conduct Secretary would be joining them after lunch. Also in attendance in the afternoon would be Professor Peter Watson, Solicitor Advocate and Senior Partner of Levy & McRae and Alasdair Gillies to introduce themselves giving a summary of what their firm offered the membership. Under the auspice of the SPF.

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

ADOPTION OF STANDING ORDERS AND RULES OF PROCEDURE

The Adoption of Standing Orders and Rules of Procedure were formerly adopted for the duration of the meeting, proposed by Murray McKenzie and seconded by Andy Malcolm.

MINUTES OF THE SECOND COMMITTEE MEETING HELD ON WEDNESDAY 25TH SEPTEMBER 2013

The Minutes of the above meeting were previously circulated with no issues being raised and were approved as a true record of that Meeting. Proposed by Andy Malcolm and seconded by Mhairi Davidson.

NEW BUSINESS

(a) Joint Central Committee - Update

The Secretary advised that he had attended a JCC Meeting on the 11 November 2013 the minutes of which could be found on the Scottish Police Federation website www.spf.org.uk

The Committee was updated on a presentation that had taken place during this meeting by Professor Bob Elliot an academic member of the panel who advises PNB. During his presentation he discussed the current financial crisis stating that this recession was the longest and deepest ever experienced. The Secretary advised that he further discussed the effects this caused on future pay negotiations. He then went on to say that it was Professor Elliot's belief that Officers' should consider themselves at an advantage if they managed to hang on to their current Pay and Conditions.

The Secretary informed the Committee that we were managing to retain the Scottish equivalent of PNB allowing us to be able to sit down and negotiate with the Government on officers' Terms and Conditions. He was also pleased to advise that the Government had also given early indications that they would agree to be bound by arbitration on Pay and Conditions and possibly Pensions.

Also raised at JCC were JNCC and LNCC Meetings. The Secretary advised that following some debate it became evident that some LNCC's were following different formats therefore it was agreed that some guidance would be forthcoming from Woodside Place in an attempt to standardise these.

The Committee was also updated on a SPF Media Campaign about to be launched highlighting the positive work that Police Officers in Scotland do on a daily basis the Secretary advised Gordon Dixon would be assisting in this campaign.

Some discussion took place regarding an issue the Secretary had taken to JCC in an attempt to clarify the National stance on notification periods for a shift pattern change. After some debate the Committee instructed the Chair to seek further clarification from Woodside Place. He was also tasked with requesting an update on a letter sent to the Chief Constable regarding exigencies of duty.

Graham Capes provided an update on meetings which had taken place at Woodside Place which he had been elected to attend following Motions submitted by two areas regarding the review into Honoraria for Full-time Officials.

He advised the Committee that the Meetings had been chaired by Doug Keil and that the 2012 Report had been discussed; a timeline of events had been circulated; advised how officials working time had been considered and any payments made pre April 2013. The Committee were informed that eleven points had been put to the Committee and were being addressed. They are nearing the end of the exploratory stage and a draft report had been prepared.

Graham asked the Committee if they had wished anything further to be raised at the next Honoraria Committee Meeting. Two points were raised which he agreed to take to the next meeting.

The Secretary explained circumstances surrounding Motions which had been submitted to JCC with short notice and the Committee updated on the outcome of these motions.

(b) STANDING COMMITTEES

Health & Safety

The Deputy Secretary, Amanda Givan informed the Committee that an East Area Health & Safety Meeting took place on 26 November 2013 within the new Livingston East Area Office.

She advised that Health & Safety structures were in place and that matters were running smoothly. There had been two Area Meetings chaired by Mr McCormack and National Meetings attended by National Health & Safety Secretary, Davy Cummings, chaired by Mr Richardson. Minutes of these meetings are still to be circulated.

The need to record working hours of Chief Inspectors and Inspectors due to pressures being placed upon them to work long hours without recompense had been raised at a National Meeting and the Deputy Secretary briefed the Committee. It was agreed by the Committee that this was a healthy breakthrough as Senior Management needed to be protected also.

Some concerns regarding Custody were raised as it was felt that this Division was not being adequately represented at Force Health & Safety Meetings. Following on from this, much discussion ensued regarding the function of Health & Safety Representatives and their geographical function. The Chair clarified that all Representatives were Area Representatives and did not just cover specific divisions within their area however, the Committee was

reminded that Colin Gagen worked within the Custody and any concerns could be fed through him.

Conduct

The Chair advised the Committee that Minutes for the previous meeting had been circulated.

He touched on issues raised such as the concerns over the quality of statements. This created further discussion surrounding operational statements and when these can be asked for. The information provided on the SPF Website remains in relation to this.

A question regarding current case workloads was raised and whether trained Conduct Representatives were being utilised or just full time officials and whether we were satisfied that demands were being met for those who needed Federation Representation. The Chair confirmed that presently, in the main, full time officials were managing cases and he was confident that demands were being met.

Equality

Nigel Bathgate advised that there had been no Equality Meetings in the last quarter. A meeting was scheduled for Monday 2 December 2013.

He advised that a Chair would be elected at this Meeting and flexible working would be discussed.

Finance

The Chair informed the Committee that previous minutes of this meeting had been circulated.

Operational Duties

The Chair updated the Committee on various topics which were being looked at for example Police Diploma; the recruitment of Special Constables; Mutual Aid and Risk Assessments for Northern Ireland; Post Incident Procedures and the Work Force Agreement.

A Representative raised concerns regarding the lack of a Force Transfer Policy and the impact this has on staffing.

Also raised was the confusion that officers had regarding which station to report to at the start of a shift and transport issues between their home and seconded station. The Deputy Secretary clarified that an officer's home

station or normal place of duty was defined as the station where their locker and officer safety equipment was stored and that they should be either transported to their seconded station with travelling time built in or recompensed for using their own vehicle. She also advised that there was concerns over officers not being covered by their personal car insurance for travelling to alternative stations and advised that at no point should an officer transport their CS Spray in their own vehicle.

A Representative asked for written clarification on this and the Deputy Secretary agreed to circulate the relevant PNB Circular.

Further discussion ensued around Public Holidays and the use of Mutual Aid from other areas to cover these. It became apparent that there was an issue in Forth Valley regarding the 2 January and whether or not it would be recognised as a Public Holiday.

The Chair agreed to take this to the next LNCC Meeting to discuss.

Legislation/Regulations

The Chair advised that Minutes of the previous meeting had been circulated.

(c) POLICE TREATMENT CENTRE & ST. GEORGE'S FUND

It was with regret that the Secretary informed the Committee of the death of a member attending at Castlebrae. He advised that he and the Chair had attended the Home in their capacity as Trustees to support the staff who had been on duty.

There will be a review of procedures in the Home following on from this.

He further advised that CEO Michael Baxter was to retire after seven years in post. A review of the CEO's role is taking place and Paul Grant, Central Manager has been appointed Acting CEO until this review has taken place.

A question was raised in connection with the number of officers subscribing to the Home. The Secretary advised that there were different levels of support throughout the country and that numbers were falling due to cuts in officers in England therefore, Trustees had taken the decision to offer the first twelve months free to new recruits which, he hoped would help boost funds in time.

(d) BENEVOLENT FUND

The Deputy Secretary advised that the Fund was still operating with no apparent problems.

A Representative suggested a presentation anonymising cases of successful grants and loans to officers being circulated around the membership to show how the fund could work for others.

The Deputy Secretary agreed this was a worthwhile exercise and would look into having something produced.

(e) MEMBER SERVICES

The Committee was advised that the new Scheme was operating and no issues of concern had been raised.

A Representative gave the Committee positive feedback from a member who had to use the Travel Insurance following an incident abroad. However, negative feedback had been received surrounding a claim under the Home Emergency Assistance Scheme, both updates were noted by the Secretary.

Representatives were once again been asked to encourage officers, if they have not already done so to complete a new Mandate Form for the Scheme to ensure that we hold the correct contact details for the officers in the event of a Claim.

All relevant Forms can be found on www.spf.org.uk

(f) LOCAL NEGOTIATING AND CONSULTATIVE MEETING

The Secretary informed the Committee that a formal agenda had now been created for meetings giving more structure. He updated the Committee on a meeting which took place and the issues discussed including Operation Ariel and the reinstatement of rest days, 'task not ask' for the allocation of meal breaks within Command and Control Centres and performance factors/performance meetings.

Some discussion took place surrounding the 'task don't ask' procedure, with Representatives giving examples of where this was not being carried though, however some Representative felt that things were improving in most Divisions.

(g) REFORM - FEDERATION

The Secretary updated the Committee that the East Area Committee Office was now fully up and running following a move into the new premises on 16

November 2013. He advised that all staff commenced there on 18 November 2013 and he asked that his thanks to all staff and colleagues be recorded in the minutes for their help in the packing and unpacking of the three Offices into one and how quickly the Office in Livingston was operational.

He advised the address for communication was:

Scottish Police Federation
East Area Committee
9 Houston Interchange Business Park
Livingston
West Lothian EH54 5DW

He also encouraged all Representatives to visit the premises.

It was suggested that this item be removed from the Agenda. A Representative suggested that a review be carried out in twelve months' time to look at costs v's the move and the Secretary agreed that this could be looked at in due course.

DIVISIONAL UPDATES:

City of Edinburgh

Mark Wilson informed the Committee on issues within the City of Edinburgh such as the Work Force Agreement not being adhered to, pressures being placed on members and the amount of officers going off work sick. He advised that discussions with management will continue and he was confident that they were listening and taking on his concerns.

The Lothian's & Scottish Borders

Tom Murphy reported to the Committee that 'CID' shifts were still causing concerns as they were not working. He updated the Committee on cases of officers feeling threatened and obliged to carry out duties to prevent them being moved to another area.

The Secretary agreed to make attempts to attend the next meeting to encourage J Division to have more involvement with the Committee.

Fife

Stevie Herd updated the Committee on a Meeting he attended with Stuart Oliver. He advised that there had been an issue with Area Officers not

shouting up that they were on duty. This has now been resolved and everyone is signing in.

He further advised that the 2-2-2 shift pattern was working fine for Fife area, Mutual Aid and the costs saved on the recent Public Holidays was discussed as was the fact that Annual Leave for 2014 had been circulated to the Membership.

The Committee was also advised that Uniform was discussed and an update was given regarding the Police Vehicles. No smaller vehicles would be purchased and ten vehicles were due to be upgraded which, he believed would be Focus Estates.

The next Meeting is scheduled for January 2014.

Forth Valley

Graham Capes advised that a meeting took place where non-compliance of the Work Force Agreement was discussed. Issues also raised at this meeting included, OBL's what they were and how the figures were decided? He advised that he had also raised the issues of officers being seconded to other stations and what was considered as 'reasonable distances'.

Graham further raised concerns with the Committee regarding the shortage of Forth Valley Sergeants on the Committee and a discussion ensued over what steps had been taken to fill these vacancies. The Secretary advised that the Non-TAC Sergeants had been approached however, no one wanted to come on to the Committee as a TAC Representative with the exception of Ewan Graham, who had come onto the Committee as a TAC Sergeant Representative.

Some discussion took place regarding a membership vote to have new candidates identified and elected. The Secretary advised that guidance would need to be sought from Woodside Place and he would update the Committee as soon as he knew the correct procedure to be followed.

A Representative raised concerns he had where he believed that the Federation as a whole were achieving less for its membership and that Representatives were being involved less since the restructure in April. He further stated that it was his opinion from feedback received from the officers that the Federation involvement with its membership was worse now than prior to April 2013. Discussion ensued regarding capacity and workloads. Representatives asked what the review process would be for the new structure if deemed not to be working or, it was felt there were not enough Representatives in Areas.

The geographic skills base of trained Representatives was also discussed in relation to Conduct Representatives and Health & Safety Representatives within Divisions.

David Kennedy, Conduct Secretary, stressed the importance of Divisional Meetings being diaried, taking place using structured Agendas and being properly minuted. He further advised from his experience that when this process was followed that Management became more aware of the importance of these meetings.

The Divisional Representatives all agreed that this format would work best and were asked to submit Minutes to the East Area Office for collation and circulation to the Committee.

(h) MAJOR EVENTS

The Chair informed the Committee that the next major event would be Hogmanay and discussions surrounding the City of Edinburgh not wanting to cancel rest days for Hogmanay ensued. A Representative asked whether it was the intention of other divisions to cancel rest days for Hogmanay. Other events discussed included the Commonwealth Games and the Ryder Cup.

Discussion took place surrounding the blanket ban on Annual Leave for 2014 and the process for Officers wishing to apply for leave under exceptional circumstances within the restricted dates outlined to Representatives.

LEVY & MCRAE VISIT

The Chair welcomed Professor Peter Watson, Solicitor Advocate and Senior Partner of Levy & McRae and Partner, Alasdair Gillies to the East Area Committee Meeting.

Professor Watson thanked the Chair and the Committee for the opportunity to attend the meeting and allowing the Representatives to put a 'face to the name'. He gave the Committee a brief summary of the National Scheme being provided to the membership by his firm, Levy & McRae through DAS and the Insurance Broker Carmichael & Partner. He advised that Levy & McRae offered a 24/7 Legal Advice Helpline and advised they had local Solicitors keyed up in every Sheriff Court Area in Scotland.

The process of application was explained to the Committee from the creation of the application for Legal Assistance to the generation of an online client portal which is password protected and can be accessed by the member allowing them to view documents pertaining to their claim online.

Other subjects discussed included Police Interviews, Operational Statements and the non-requirement of an officer to provide one if asked to do so and, Management Meetings held by Counter Corruption or Professional Standards Departments in Force.

Professor Watson encouraged the Representatives to contact Levy & McRae direct for any Legal Advice and assured that there would be no charge made to the Organisation for advice given to Representatives.

Alasdair Gillies updated the Committee on the Levy & McRae Website, <http://www.lemac.co.uk> and Twitter Account @LevyandMcRae

Advice was given regarding the use of Lawyers during Police Interviews as opposed to Representatives and the advantages of Levy & McRae being informed at the earliest opportunity discussed. Examples were given of when utilising their services early how this has resulted in the recovery of vital evidence within the 'golden hour' period of time.

Alasdair gave the 24/7 Legal helpline number 0844 893 0786 to all representatives encouraging them to make sure they contacted Levy McRae at the earliest opportunity.

Professor Watson and Alasdair then answered questions put to them by the Committee.

The Chair thanked Professor Watson and Alasdair Gillies on the behalf of the Committee for attending and providing such a worthwhile and informative input on Levy & McRae and the service provided to the Scottish Police Federation Membership.

COMPETENT BUSINESS

The Chair was disappointed to advise the Committee that four Motions had been submitted to the Committee for discussion which required to be voted upon however, as the numbers attending the Committee had fallen below quorate the Motions could not be heard at this Meeting. It was agreed that an e-mail should be circulated to the Committee Members to remind them that attending East Area Committee Meetings is a duty of which, approval for their attendance has been given by the Chief Constable.

A Representative raised a query regarding Non-TAC Representatives and whether they were able to attend Meetings and the Secretary clarified this for the Committee.

CORRESPONDENCE

The Chair informed the Board that three resignations from the Committee had been tendered from the following Representatives: Colin Chalmers, legacy Lothian & Borders; Iain McGregor and Iain Williamson both legacy Central Scotland. Their letters were read to the Committee and the Chair extended thanks on behalf of the Scottish Police Federation to the Representatives for their Service to the Membership.

The Chair informed the Committee that this had been Tom Murphy's last meeting prior to his retirement, he also extended his thanks for all the support and effort he had afforded the membership over the years he had been a Representative.

CLOSURE AND DATE OF NEXT MEETING

The next East Area Meeting will be held on 5 March 2014 within the Exhibition Centre in South Queensferry.

The Chair thanked every one for attending and for their valued input into proceedings. He wished everyone a Merry Christmas and a prosperous New Year and the meeting was then brought to a close.

Stewart Ross
Secretary

Gordon Dixon
Chair