



Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

Joint Central Committee Equality Subject Committee

Ref: CS/DJK/LS

MINUTES

20 August 2013

1. Attendance

North Area Committee	Steve Thomson
North Area Committee	Gordon Forsyth
North Area Committee	Graham Sloan
East Area Committee	Stewart Ross
East Area Committee	Nigel Bathgate
East Area Committee	Iain MacGregor
West Area Committee	John Adams
West Area Committee	John Campbell
West Area Committee	Pamela Fleming
General Secretary	Calum Steele
Chairman	Brian Docherty
Equality Secretary	Jackie Muller
Deputy General Secretary	Robert Milligan
Vice Chairman	David Ross (Meeting Chairman)
Business Administrator	Lesley Stevenson
Jayne Monkhouse	Equality Advisor

2. Opening of Meeting

The Chairman opened the meeting by welcoming all present and in particular he thanked Jayne Monkhouse for attending.

3. Minutes of Previous Meeting

As this was the first meeting of the Equality Subject Committee, there were no previous minutes.

4. PNB Gender Equality & Work Life Balance Working Group

The Equality Secretary told the Committee that this group last met in London on 5th June 2013. She told the Committee that there were two items on the Agenda;

Staff Side (SS) claim for carry-over of annual leave (maternity leave or unpaid sick leave)

This claim is still ongoing and precedents had been set in legacy forces where those on unpaid sick leave were paid for untaken leave. This claim is for carry-over of leave NOT payment (unless you leave the service). It is about statutory leave under the Working Time Regulations (WTR) which is different in the UK and in Europe. The SS claim is for 28 days (5.6 weeks under domestic WTR) but the recent case of Healey v Sood Enterprises indicates that it should be 20 days (4 weeks under the WTR).

SS claim for compensation for rest days and free days within a period of annual leave

This claim is still ongoing. The Official Side (OS) say they are not “unsympathetic” but want to better understand the issues. This matter was referred to the Technical Working Group for more dialogue.

The Equality Secretary told the Committee that the Flexible Working Guidance which was written by Jayne Monkhouse was published by the College of Policing and the OS was happy to endorse it from an E&W point of view.

The next meeting would be held on 16th September and the Equality Secretary would attend.

5. Scottish Police Staff Associations Equality Working Group

The Equality Secretary told the Committee that this Working Group had been formed principally to inform the Scottish Staff Side on matters relating to equality. Previously ASPS had an Equality Business Area and the SPF did work separately so it made sense to work together. Membership will be three members from ASPS, three members from the SPF plus invitees from the Gay Police Association, Women’s Development Forum, Scottish Police Muslim Association, SEMPER and other groups as necessary.

It was agreed that Jackie Muller, David Ross and John Campbell would represent the SPF on this group.

6. Maternity/Paternity/Adoption

The Equality Secretary told the Committee that she had several requests from Area Equality Committees for guidance on maternity issues. Three PNB circulars had been circulated prior to the meeting and should answer most of the queries.

A PFEW leaflet on paternity leave was circulated at the meeting and was discussed. It was agreed that this was an excellent tool for members and representatives and it was agreed that the Equality Secretary would produce a range of leaflets on Equality issues for publication.

The Committee discussed Police Maternity Pay and referred to PNB Circular 13/6 which had caused confusion due to different arrangements in place in Scotland. The Circular referred to police maternity pay between weeks 13-18. This is not applicable in Scotland due to PSoS Regulations 2013 only allowing 13 weeks police maternity pay. It

was agreed that the Equality Subject Committee would recommend to the JCC that the proposal for increase of police maternity pay be endorsed for progression to the PNB Scotland Committee.

7. Part-time/Flexible Working

The Equality Secretary informed the Committee that PSoS do not have a single Standard Operating Procedure (SOP) and were still working with legacy force procedures which were causing problems. With the help of Jayne Monkhouse, it had been amended to include Scottish differences in legislation and was circulated for comment. It was agreed that Equality Subject Committee would recommend to the JCC that the document approved by them be endorsed for progression to the PNB Scotland Committee.

8. Disability

The Equality Secretary raised the issue of officers on rehabilitative duties and said that reviews were still ongoing. Managers are quoting "Police Scotland Guidance" and stating that those not fully fit for operational frontline duties within 12 weeks would be referred to the selected medical practitioner for consideration of ill health retirement. The Equality Secretary said that she had written to DCC Neil Richardson asking to see the guidance and seeking assurance that Police Scotland was aware of the terms of the Equality Act in relation to disability and the provision of reasonable adjustments; and that there was no intention for disabled officers to be discriminated against by refusal to accommodate reasonable adjustments. His response did not answer the two specific questions but stated that legacy force SOPs and procedures would remain effective until PSoS SOPs were published. His response also stated that the SPF had been fully involved in the creation of that document. It was agreed that the Vice Chairman would seek clarity on the status of all SOPs and report back. Members also discussed fitness tests, the experience in E&W and the importance of ensuring that these were equality impact assessed.

9. Gender Pay Gap

Jayne Monkhouse gave a PowerPoint presentation on the Gender Pay Gap.

The Equality Secretary reminded the Committee that in January 2011 the Scottish Government Police Division put a paper to the PNB confirming agreement of a package of changes to pay and conditions of service for police officers in Scotland. In the package there was a commitment to introduce a mechanism to consider future uplifting of police pay in advance of end of pay freeze and a commitment to further understand equal pay issues. It was agreed that the Equality Secretary would prepare a list of data requirements to be included in the SPF response to the PNB for Scotland consultation.

10. Training/Legal Updates

It was noted that training would be included in the SPF training weeks (dates as circulated) and that the Equality Secretary would liaise with the Deputy General Secretary and Vice Chairman on this matter.

11. Monitoring

It was noted that the East and West Area equality consultations were complete and that the North Area consultation was still ongoing. It was agreed that the Equality Secretary would amend the form and recirculate it to equality leads.

12. Area Updates

Stewart Ross, John Campbell and Graham Sloan gave brief area updates on relevant matters.

13. Competent Business

The Equality Secretary advised the Committee that PSoS have now published Standard Operating Procedures on Equality, Diversity and Dignity and Grievance; and expressed disappointment that the Grievance SOP did not reflect the SPF views which were submitted at the early stages of the consultation.

14. Closure

Date of next meeting: 15 October 2013

The Chairman thanked everyone for their contribution to the meeting and wished them a safe journey home.