



Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

Joint Central Committee Minutes

Ref: CS/DJK/LW

Minutes of the Joint Central Committee meeting held at the Hilton Doubletree, Dunblane on Tuesday 18th and Wednesday 19th August 2015.

1. ATTENDANCE AND OPENING

SPF Office Bearers:

Calum Steele
David Kennedy
Brian Docherty

General Secretary
Deputy General Secretary
Chairman

North Area Committee:

Neil Macdonald
Steven Thomson
David Hamilton
Graham Sloan
Neil Cameron
Frank McManus (reserve)

East Area Committee:

Grant McDowall
Amanda Givan
Andy Malcolm
Nigel Bathgate (Day 1 only)
Brian Jones
Heather MacDonald (Day 2 only)

West Area Committee:

Malcolm Macdonald
Gary Mitchell
Andrew Smith
Phil Maguire
Andrea MacDonald
Charlie Sweeney

Subject Secretaries

Jim Foy
Jackie Muller
Peter Jones

Conduct Secretary
Equality Secretary
Health & Safety Secretary

Observers

John Crawford	North Area
Caroline Scobbie (Day 2 only)	North Area

Also in attendance

Doug Keil	Business Manager
Lynne Welsh	West Area Supervisor

Apologies were received from the SPF Vice Chairman, Gordon Macdonald and Heather MacDonald (Day 1 only). Brian Jones arrived at 11 a.m. The Chairman opened the meeting, thanked everyone for their attendance and invited all to take a full part in the meeting. He gave a special welcome to Gary Mitchell who was attending his first meeting as a JCC member and to Frank McManus who was attending the meeting as a reserve. John Crawford was welcomed as an observer to the meeting. The Chairman also welcomed Lynne Welsh as minute taker.

The Chairman informed the Committee that there were two items he wished to bring to their attention prior to the adoption of standing orders. He said that members would recall that a matter was discussed at the last meeting under a suspension of standing orders and at the end of that discussion he had said that further consideration would be given. He reported that the issue had been resolved to the satisfaction of the parties concerned.

The General Secretary informed the Committee that the second matter related to correspondence received raising a complaint about two members of the JCC. The two members concerned left the meeting at this point. The General Secretary explained the background to the issue and advised the committee on the content of the correspondence in question. The Committee unanimously agreed that the individual be treated as a persistent and vexatious complainer and that no further actions be taken regarding his correspondence. The two members re-joined the meeting.

The separate Central Committees met between 10 and 11am.

2 MINUTE OF PREVIOUS MEETING

The Minute of the previous meeting had been circulated with JCC Circular 31 of 2015 and was accepted a true record.

3 LEGAL ADVICE AND ASSISTANCE

The Deputy General Secretary informed the Committee that Elaine Connor would commence employment with SPF as the new JCC Legal Administrator with effect from Wednesday 19 August 2015. In accordance with earlier JCC decisions, legal advice and assistance would be provided in-house from 1st October 2015.

Malcolm Macdonald asked if correspondence in relation to Legal Advice should now be addressed directly to Elaine and the Deputy General Secretary confirmed that a new email address would be set up for this purpose. New documentation would be finalised and a meeting would be arranged in the near future with all full time Office Bearers.

The Deputy General Secretary informed the Committee that since the last JCC there had been eighteen new cases, four Fatal Accident Inquiry, ten Personal Injury, one conduct and three disability cases.

The Chairman thanked David Kennedy for the work he had done in his new post as Deputy General Secretary and for the smooth handover of the national conduct role.

Steve Thomson made an appeal on behalf of an officer who had his request for legal advice rejected by a North Area office bearer. The officer had wished to raise an action for constructive dismissal. After a discussion, the Committee agreed that the original decision to reject had been appropriate and rejected the appeal.

4 PNB

The PNB last met on the 30th July at St Andrew's House in Edinburgh.

The General Secretary reported that the Official Side had agreed a 1% pay rise from September 2015. He reminded the Committee that there were two further aspects of the claim and that these had been rejected by the Official Side. The Staff Side was considering what further action might be taken.

He said that a new Independent Chair for the PNB, Mr Ian Mackay, had been appointed.

He also reported that a Staff Side claim on maternity leave and pay had been accepted by the Official Side but that some further detail remained to be resolved at an Equality Working Party meeting later in the week. He thanked Jackie Muller for her work on this matter.

The General Secretary said that a Technical Working Group was working on examples of exigencies of duty and that a further group was to consider the Staff Side claim for an overnight allowance as well as an Official Side issue related to working into a rest day.

He reported that a meeting had been held in Glasgow on 5 August 2015 of a group entitled UK Police Remuneration Forum. This had been created on the demise of the PNB UK and debated ongoing pay related issues in Scotland, England & Wales and Northern Ireland. The following matters were discussed, Widows Pension (Northern Ireland); The Ombudsman's ruling regarding officers retiring between 2001-2006; Overnight allowance; Skills and experience tests in E&W; Medals to be issued posthumously to officers killed in the line of duty and the requirement for a manual on overseas deployment.

The General Secretary invited questions on the issues presented.

5 PENSIONS

The General Secretary said that widows/widowers who remarried were being generously provided for in relation to pensions in Northern Ireland. However this was not the case in Scotland where Scottish Ministers had no legislative authority to implement such provisions. The Home Office had indicated there would be re-instatement of pensions for some widows/widowers who remarried but that the provisions would not go as far as they had in Northern Ireland.

He reported that the SPPA was undertaking a massive task in preparing to make payments to officers who had retired between 2001 and 2006 as a result of the recent Ombudsman's ruling. He said the amount of money involved was large but it would not impact on the costs of the scheme. It was estimated that approximately three thousand retired officers stood to benefit and each of them had been written to by the SPPA.

The General Secretary informed the Committee that he was aware of recent social media activity regarding a solicitors firm which was considering a challenge to the Government's pension reforms. He reminded the Committee that during the entire consultation process the Staff Side had been advised by expert lawyers and Counsel on Pensions.

He had recently circulated updated a synopsis of the legal advice to full time office bearers which clearly stated that there were no grounds to challenge the new pension scheme. He said a JCC Circular had been prepared and placed on the SPF website.

6 SCOTTISH POLICE CONSULTATIVE FORUM (SPCF)

The SPCF last met in St. Andrew's House in Edinburgh on 30 July 2015. Items discussed included the lack of Senior Officer Performance Regulations; PDR Light and Working Time Regulations and compliance for inspectors and superintendents. This latter matter in particular had resulted in a particularly robust exchange of views.

With regard to Working Time Regulations, the General Secretary confirmed that a gold group had subsequently been set up and had convened on 10 August 2015 with DCC Richardson as its Chair. Members discussed a number of issues relative to working time and recording of hours and agreed the General Secretary should explore a number of considerations in advance of the next meeting.

The SPCF also received a further update on the "Pathways to Policing" project which had substantially changed from that received at the same forum some months earlier.

7 SCOTTISH POLICE AUTHORITY (SPA)

The Chairman had attended the last meeting and gave an update on the SPA scrutiny report on Ill health retiral which was to be published in the near future; Standing Operating Procedures; EIA's; Health and Wellbeing; Absences; Firearms Enquiries and C3 resourcing and restructuring.

8 SCOTTISH POLICE BUDGET & FINANCE

The General Secretary updated the Committee and said that the £17 million funding gap (after savings) was predicted to grow to £30 million. The Committee discussed officer numbers, ill health retirements, national insurance changes and the shrinking Scottish budget.

9 LOCAL NEGOTIATING CONSULTATIVE COMMITTEES (LNCCs)

North

David Hamilton reported that the North LNCC met on 25 June 2015. He informed the Committee that the meeting had been dominated by a discussion on island flights which had been raised by the SPF. Amongst other items discussed were the Staff Survey; resources; custody; specialist skills; T in the Park; SCD-CID review; OSD and TOIL.

East

Grant McDowall reported that the East LNCC met on 23 July 2015 at Randolphfield. The meeting was chaired by ACC Thomson. Amongst the matters discussed were sickness levels and absence management; ill health retirals; area control rooms (ACR); competency related threshold pay (CRTP); Bilston Glen ACR and standby for court. The Chairman asked the Committee to advise him of any issues relative to ACR as soon as they arose.

West

Malcolm Macdonald said that West LNCC met on 17 July 2015 and was chaired by ACC Wayne Mawson. Amongst the matters discussed were the provision of vehicles and on call arrangements for superintending ranks; staff survey; police use of search; efficiency savings and TOIL buy back. The following matters were raised by the SPF, Ill health retiral; custody backfill; variations; planning for

major events and lack of resources at Community Policing Teams and Area Control Rooms. The next meeting would be held on 8 October 2015.

The Deputy General Secretary informed the Committee that a recent memo issued by the force in April regarding toil was incorrect and this had been highlighted.

10 JOINT NEGOTIATING CONSULTATIVE COMMITTEE (JNCC)

The General Secretary reported that the JNCC met on 9 June 2015 and was chaired by the Chief Constable. Amongst the items discussed were ill health retirals; shifts and variations; women leaving the service early; localised postings; ASPS business travel; PIM/PIP procedures; police use of search and housing difficulties in the North area.

The General Secretary said that ASPS had requested a car lease scheme for their members because of the high mileage many of them incurred. It had been suggested that a high quality vehicle be provided under a leasing scheme. The Committee discussed the requirement, the current essential users and casual users' arrangements and whether such a scheme would impact on arrangements for the federated ranks.

The General Secretary advised that he also raised the issue of the Recognition Agreement and sought the Chief Constable's reassurance that its content and applicability still stood. The Chief Constable provided an unequivocal reply that it did.

The General Secretary reminded the Committee to re-familiarise themselves with the content of this document and not shy from reminding those with whom they negotiate of the processes signed up to by the Police Service.

11 FINANCE STANDING COMMITTEE (FSC)

The FSC met on 29 July 2015 and the Minute was circulated via JCC Circular No. 36/2015. The FSC made the following recommendation to the JCC:

The FSC recommends to the JCC that consideration is given to taking appropriate professional advice and moving money from the Trust Accounts to other investments.

This was approved by the JCC.

12 LEGISLATION AND REGULATION STANDING COMMITTEE

The Legislation and Regulation Standing Committee met on 29 July and the Minute was circulated with JCC Circular 36 of 2015. The General Secretary reported that he met with John Scott QC in respect of his review of the police use of search. During that meeting it was acknowledged that the timescale provided for reporting as comprehensively as might be wished would be an exceptionally challenging task. The meeting was productive and covered all the areas previously highlighted by the SPF. The potential outcomes from the review included recommendations for either a code of practice on consensual searches or a statutory code on all searches.

The Chairman and General Secretary had met with ACC Val Thomson regarding the recent Police Scotland questionnaire. It was clear from that meeting that there is more work to come in respect of call handling and procedures used in former forces may be looked at.

13 OPERATIONAL DUTIES STANDING COMMITTEE

The Operational Duties Standing Committee met on 29 July and the minute was circulated with JCC Circular 36 of 2015. The matter of Special Constables joining the Voluntary Fund was discussed and

members considered how payments should be made by Special Constables and whether there would be tax relief implications for them. The Deputy General Secretary said that he would be speaking to Special Constables in October and this would be raised then.

14 CONDUCT SUBJECT COMMITTEE

The Conduct Standing Committee met on 28 July 2015 and the Minute was circulated with JCC Circular 36 of 2015. The Conduct Secretary informed the Committee that a training course on the 1996 Conduct Regulations would be held in the near future. Members also discussed the involvement of Solicitors when a plea in mitigation was to be heard and the longevity of warnings. The Deputy General Secretary said he had recently discussed this with DCC Richardson and he expected that clarity would be provided on this point soon.

The General Secretary raised issues relative to the PIRC, SPF, PSoS and lawyers and expressed the view that the advice we hand out to members required updating. The Deputy General Secretary said he would look at this as a matter of urgency.

15 EQUALITY SUBJECT COMMITTEE

The Equality Standing Committee met on 28 July and the Minute was circulated with JCC Circular 36 of 2015. The Equality Secretary informed the Committee that there was a poor turnout at the last meeting and all areas should highlight to their members the importance of attending the meeting or alternatively notifying their apology in advance. The West Area Secretary informed the Committee that he had sent out correspondence to all West Area representatives to this effect.

The Equality Secretary said that members of the JCC should remember that an Equality Impact Assessment was required when any change to arrangements was being considered and members should ensure that the persons responsible for making the change knew of this requirement.

16 HEALTH AND SAFETY SUBJECT COMMITTEE (H&S)

The Health and Safety Committee met on 28 July and the Minute was circulated with JCC Circular 36 of 2015. The Health and Safety Secretary informed the Committee that the East, West and North Area Health and Safety Leads would be carrying out health and safety inspections over the West Area and would thereafter be arranging same for the North and East Areas.

A meeting of the vehicle user group was arranged for the first week in September and it was hoped that the kit list would be agreed as soon as possible. Amongst the other issues discussed were safety checks at Bilston Glen; Area Control Rooms (ACR); training courses; the uniform sub group; fire risk and the allocation of duty time for safety Representative duties.

17 POLICE RELATED CHARITIES

Police Treatment Centre (PTC) and the St George's Trust

The Equality Secretary updated the Committee regarding some recent decisions made by the Trustees at the Police Treatment Centres (PTC).

Initially the item relative to use of the home by non-police officers was on a closed agenda and as such no details could be disclosed. It was unclear where the initial proposal came from however the matter is now on the open agenda and a letter was received by the General Secretary earlier this week from the Police Treatment Centres outlining the decisions taken. The General Secretary read the correspondence he had received from the PTC to the Committee. With effect from 1 January 2016, the PTC would be open to Special Constables, PCSOs and Custody Officers who would be able to apply for membership at the same rate as that currently paid by Serving Officers.

With effect from 1 January 2016, retired officers would have to pay 50% of the rate paid by serving officers if they wished to use the facilities. The Equality Secretary also informed the Committee that the Ambulance Service have made a donation of £10,000 which would allow them to send up to ten of their paramedics to the PTC. The Committee discussed the matter at length and there was concern regarding the implications of such a decision for issues including security and proposed waiting time for patients. It was also felt that the decision was unfair to serving officers who have made donations throughout their service and it would in effect change the ethos of what the PTC is there for.

The Chairman suggested that a meeting take place with Peter Cairns at the PTC where the views of the SPF could be put forward. It was also agreed that checks be made to ascertain if there had been any changes made to the constitution and rules of the PTC in recent years. The Equality Secretary informed the Committee that all concerns had been voiced at the meeting and requested that if the General Secretary corresponded with Peter Cairns on this matter that all three Trustees be copied in to any correspondence. This was agreed.

The Equality Secretary updated the members regarding the submission of St. Georges Trust applications and advised that applications could be forwarded initially with financial information to follow at a later date when available.

Scottish Police Bravery Award/Lewis Fulton Medal

The Chairman gave an update and thanked the Conduct Secretary for his work in organising the bravery awards. Full details of the event will be collated by him and this will be provided to the JCC for the next meeting. Programmes are being prepared at present and all matters are in hand. Consideration may be given to making the awards a bigger event in future.

Police Dependents' Trust

The Chairman informed the Committee that the Police Dependents' Trust (PDT) is doing well financially. There have been some changes to grants and donations. If members are aware of anyone who they think may benefit from the trust then they should register their details as soon as possible. A new welfare fund has been set up and funding has been set aside for mental health issues and funding is also available for those involved in major incidents/terrorist incidents.

National Police Memorial Day

The Chairman informed the Committee that anyone attending the Memorial Day should now be registered via the website as entry may be refused without the valid card. The event on the Saturday evening will be hosted by the Police Service of Scotland. The Memorial Service will take place on the Sunday at 3pm and this will include an element in respect of the Clutha tragedy.

18 JCC CIRCULARS ISSUED SINCE LAST MEETING

A paper was circulated and was noted.

19 CORRESPONDENCE

- Letter to the General Secretary from the PTC
- Letter to General Secretary with thanks to the Deputy General Secretary
- A series of robust exchanges with PIRC
- Letters to Chief Constable regarding travel to Islands
- Letter to Chief Constable regarding payroll for Fife and Lothian and Borders Officers deductions for member services. (Now resolved)
- Letter to Chief Constable re social dialogue

- Letter to Chief Constable re Allard and others –V- Chief Constable of Devon and Cornwall in relation to CHIS handlers overtime payments
- Lengthy response from Chief Constable to letter regarding volunteers
- Letter from Chief Constables' office regarding Superintendents' review
- Letter regarding National risk and concern project (i6)
- Invitation to APEX Scotland lecture

20 COMPETENT BUSINESS

The General Secretary said that in advance of elections it was not uncommon for political parties to contact the SPF for potential manifesto ideas. He had already been contacted by one party in advance of the 2016 Scottish Parliamentary elections and wished the committee to discuss potential manifesto proposals. He invited members of the Committee to put forward issues for further discussion at a meeting of Area Chairs and Secretaries and a number of initial proposals were forthcoming following the discussion.

The Chairman highlighted that there had been recent contact from members regarding correspondence from a company outlining the opportunity to claim back tax on clothing and federation subscriptions. This has nothing to do with the SPF and the information appears to have been harvested by the company from open source online information. It was agreed that the SPF website be updated informing members of this and reminding them to be mindful of their online footprint.

The Chairman offered best wishes to Inspector Charlie Sweeney, West Area on his forthcoming retirement.

21 CLOSURE

The Chairman closed the meeting and wished everyone a safe journey home.

A vote of thanks was given to the Chairman.

BRIAN DOCHERTY
Chairman

CALUM STEELE
General Secretary

CONSTABLES CENTRAL COMMITTEE

Minutes of a meeting of the Constables' Central Committee, held at the Hilton Doubletree, Dunblane on Tuesday 18th August 2015.

1. ROLL CALL

Steven Thomson	North Area
Neil MacDonald	North Area
Grant McDowall	East Area
Amanda Givan	East Area
Malcolm Macdonald	West Area
Gary Mitchell	West Area

Brain Docherty	Ex Officio
Calum Steele	Ex Officio
David Kennedy	Ex Officio
Jim Foy	Ex Officio
Jackie Muller	Ex Officio
Peter Jones	Ex Officio

2. APOLOGIES

Apologies were received from Graeme Ednie, Ex Officio.

3. ADOPTION OF STANDING ORDERS

Standing orders were adopted for the duration of the meeting.

4. OPENING OF MEETING

The meeting was opened by Malcolm Macdonald as the previous Chair was now a National Lead and was unable to Chair the meeting. He welcomed all attendees.

4.1 Election of Chair of Constables Central Committee

The Secretary called for nominations for this post. Steven Thomson was nominated by Neil MacDonald and seconded by Gary Mitchell. There being no further nominations, Steven Thomson was duly elected to the post.

He then took over as Chair for the remainder of the meeting.

5. MINUTES OF THE PREVIOUS MEETING

The Minutes of the previous meeting were accepted as a true record of the meeting

6. MATTERS ARISING

(a) PNB

The General Secretary informed the Committee that there were no items of business of the PNB which was solely of interest to the Constables rank.

The Secretary had received no correspondence in regards to this agenda item.

(b) JCC AGENDA

No items on the agenda relative to the Constables' rank.

7. COMPETENT BUSINESS

No items of competent business had been received by the Secretary.

The Equality Lead raised an issue in regards to changes and amendments to the rules made by the trustees of the Police Treatment Centre regarding Attendance at the Centres. This was to be fully discussed at the Joint Central Committee.

8. CORRESPONDENCE

No correspondence had been received.

9. DATE OF NEXT MEETING

The next meeting is to be held on Tuesday 3rd November 2015.

10. CLOSURE

The Chair closed the meeting and thanked everyone for their attendance.

Malcolm Macdonald
Secretary

Steven Thomson
Chair

SERGEANTS CENTRAL COMMITTEE

Minutes of a meeting of the Sergeants Central Committee held in the Hilton Doubletree, Dunblane on Tuesday 18th August 2015.

1. ROLL CALL

David Hamilton	North Area
Graham Sloan	North Area
Nigel Bathgate	East Area
Brian Jones	East Area
Andy Smith	West Area
Phil Maguire	West Area

2. APOLOGIES

There were no apologies.

3. CHAIRMAN'S OPENING REMARKS.

David Hamilton opened the meeting by welcoming everyone present and invited a full participation from the group.

4. MINUTES OF PREVIOUS MEETING

The Minutes of the previous meeting were accepted. There were no matters arising.

5. WORKING TIMES REGULATIONS

A general discussion took place over the WTR; members of the SCC should highlight the need for Sergeants to ensure the WTR are recorded correctly at their local Area meetings.

6. CONFERENCE WORKSHOP

The Chair had forwarded an email to the members of the SCC with the contents of the report which would be forwarded to the DCC via the JCC with the results and findings of the Sergeants Forum. General discussions over the contents of the documents thereafter took place.

7. AOCB

PDR LITE

The Chair and Secretary gave the Committee an update on the upcoming PDR which was due to be rolled out at the end of October. There was a point raised about an appeal procedure which has not been included.

Action: - David Hamilton to raise this point at the next meeting of the review group.

8. CLOSURE OF MEETING.

David Hamilton closed the meeting and thanked everyone for their input. He was acknowledged in the normal fashion.

DAVID HAMILTON
Chairman

ANDREW SMITH
Secretary