



Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

Joint Central Committee Minutes

Ref: CS/DJK

Minutes of the Joint Central Committee meeting held at the Hilton Craigendarroch Hotel, Ballater, on Tuesday 12th and Wednesday 13th June 2012.

1 ATTENDANCE AND OPENING

Calum Steele (General Secretary)	-	Northern
Brian Docherty (Chairman)	-	Strathclyde
Robert Milligan (Deputy General Secretary)	-	Dumfries and Galloway
David Ross (Vice Chairman)	-	Northern
John Adams	-	Dumfries and Galloway
David Barclay	-	Tayside
Donald Walker	-	Dumfries and Galloway
Ewan Henderson	-	Northern
Gordon Dixon	-	Lothian and Borders
Graeme Ednie	-	Northern
John Ferguson	-	Tayside
Tom Bingham	-	Strathclyde
David Hamilton	-	Tayside
Blair Henderson	-	Strathclyde
Amanda Givan	-	Fife
Peter Jones	-	Grampian
David Kennedy	-	Strathclyde
Mike Kennedy	-	Grampian
Andrea MacDonald	-	Strathclyde
Malcolm MacDonald	-	Strathclyde
William MacLennan	-	Northern
Fraser Downie	-	Fife
Iain McGregor	-	Central Scotland
Garey Miller	-	Dumfries and Galloway
Jackie Muller	-	Lothian and Borders
Ian Muir	-	Fife
Graham Neilson	-	Strathclyde
Stewart Ross	-	Central Scotland
Graham Sloan	-	Grampian
Andrew McIntyre	-	Central Scotland
Stewart Sandilands	-	Lothian and Borders

The Chairman opened the meeting by thanking everyone for their attendance. He welcomed Fraser Downie, Ewan Henderson and Tom Bingham who were replacing Scott McCallum, Hamish Grace and Raymond McLeary respectively.

The Separate Central Committees met between 10 and 11am.

2 MINUTES OF PREVIOUS MEETING

John Ferguson asked that the word 'outline' be added before the word 'planning' at item 10d of the previous Minute. This was agreed. He also asked if the delegated authority mentioned at item 10d of the previous Minute was compatible with Rule 25(1)(b) of the Police Federation (Scotland) Rules. The Committee agreed that this was compatible and the Minute was adopted as a true record of the proceedings with the addition detailed above.

3 LEGAL ADVICE AND ASSISTANCE

The Deputy General Secretary informed the Committee that since the last JCC meeting seven new case files had been received, three of which were rejected. The remaining four were; 24/12 wrongful arrest; 25/12 medical appeal; 26/12 RTA; and 27/12 claim against Strathclyde Police.

4 PNB

The General Secretary gave a full update on Police Negotiating Board meetings relative to the Winsor Report as it affected England and Wales. He also reported on Pension meetings. There were no formal proposals from the Scottish Government on pensions but a number of highly technical proposals emanating from the Hutton report were being examined by the PNB. He said he would circulate what information he could on pensions. (JCC Circular 44 of 2012 is reproduced on SPF website at www.spf.org.uk)

He also reported on a paper which had been prepared by ACPOS on pay and conditions of service. There had been a meeting on 5th June relative to that ACPOS paper which the SPF could not attend and another meeting was to be arranged. There were no firm proposals in the ACPOS paper but clearly there was a requirement for SPF to obtain the services of a financial pay specialist. The Committee gave its approval for this to be done. The Committee discussed these issues in full and the General Secretary said he would continue to circulate specific information to the wider membership as and when he could.

5 POLICE ADVISORY BOARD FOR SCOTLAND (PABS) AND GENERAL INTERESTS COMMITTEE

The General Secretary informed the Committee that there had been no meetings of PABS since the last meeting of the JCC but that he and the Chairman had called for one to be held in the near future at a recent meeting with the Cabinet Secretary for Justice. He said a meeting of the General Interests Committee had been arranged for 22 August 2012.

6 FINANCE STANDING COMMITTEE (FSC)

The Treasurer reported on a meeting which had been held on Tuesday 29 May 2012. The Minute of that meeting had been circulated. This was noted by the Committee. The Treasurer stated issues relating to three Joint Branch Board Trusts identified at that meeting had since been resolved.

He said that he was still awaiting information from six Joint Branch Boards relative to their accounts and that this information was required by Wednesday 20th June. The Chairman underlined the importance of this information being submitted by that deadline.

7 EFFICIENCY STANDING COMMITTEE (ESC)

The Deputy General Secretary reported there had been a meeting of the ESC on 29 May 2012. The Minute had been circulated with JCC Circular 39 of 2012. This was noted by the Committee. In addition, he said that he would be attending a meeting on Thursday 14 June at the Scottish Police College on the Police Diploma.

8 WELFARE STANDING COMMITTEE (WSC)

The Vice Chairman reported that there was a meeting of the WSC on 29 May 2012. The Minute was circulated with JCC Circular 39 of 2012. This was noted by the Committee.

The Vice Chairman raised the issue of SPC Instructors Allowance and said he had a meeting arranged with Chief Superintendent David Thomson in a weeks' time.

9 JCC CIRCULARS ISSUED SINCE LAST MEETING

The Committee noted the paper.

10 FORCE REFORM

The General Secretary gave an update to the JCC in relation to the work which had been and was being done on the Police and Fire Reform Bill. He explained the Stage 2 and Stage 3 process and how amendments would be handled. He said that the Stage 2 debate coincided with the first day of this JCC meeting. The Committee discussed three sections of the Bill specifically,

S.22, Failure to perform duty (page 9) - The SPF brief to MSPs read, this creates a new statutory offence of neglect of duty carrying a potential five years imprisonment. It is already a crime at common law for a public official, a person entrusted with an official situation of trust, wilfully to neglect his duty, even where no question of danger to the public or to any person is involved. A new statutory offence is unnecessary and the penalty is excessive.

The Bill had already been amended to reduce the sentence on conviction under solemn procedure from five to two years. It had been made clear that the new offence would be introduced so the question now was whether the 12 months sentence under summary procedure could be reduced.

S68 (3) Report on Investigations (page 30) - The SPF brief to MSPs read, SPF believes a new sub-section 4 should be added to read, "the Commissioner must not act in a manner which is likely to provide the name of any person or particulars which could identify any person without providing to that person or persons not less than seven days' notice of that intention so to do." SPF believes this measure would allow people to prepare for what could be a significant intrusion to their privacy.

This amendment had not been supported to date, but the JCC believed that occasionally police officers have to do things in line with their duty that are remarkable, incredibly difficult and highly controversial. At the extreme end of the spectrum, that can include taking someone's life. In such cases, the JCC believe that individual officers should be protected from media and public scrutiny as this may have a profound impact on their and family life. It understands that the interests of the individual, the force and the public can often be different so this part of the Bill needs to cater for the widest range of circumstances.

The amendment SPF would like to see adopted would not prevent publication of details, but it would allow an individual in this situation the opportunity to prepare for disclosure or even contest it.

Schedule 4, 9(4)(b) Limitation on mobility of transferred constables (page 78) - The SPF brief to MSPs read, this proposes that when constables are promoted to a higher rank they lose the protection that prevents them being assigned duties which necessitate them moving home to a place out with their 'old' force area. This was not part of the terms of any previous force amalgamations. **This should be removed.**

This amendment had not been accepted to date. The Committee felt that there had been a misunderstanding of what this was about. The offending sub section is a new feature of policing; it did not exist in the 1975 amalgamation arrangements. It is new, it gives a new power to the chief constable to move an officer anywhere in the country against his or her will, whether on promotion or not. It amounts to a significant new imposition on the working, private, and family lives of police officers.

If this was removed, it would not significantly restrict the ability of the chief constable to move officers around the country. The situation would in fact be exactly the same as exists currently. Such moves will not only be linked to promotions as some people seemed to believe but could happen at any time. Officers cannot accept a promotion and then refuse to fill the particular post. Officers' will be told where the promoted post is and if they don't wish to fill it then the promotion will not happen.

What this provision does is remove a perfectly reasonable protection from any officer promoted after 1st April 2013. It does not stop the chief constable moving them from one workplace to another. It would only prevent a forced move of house, home and family, out with the old force area. Not one chief officer had been able to explain what would be lost operationally if the amendment was supported.

Jackie Muller said there was also a potential discrimination issue related to a promotion policy which involves moving home. She had been advised that such issues could relate to both sex and religion. And finally, the Committee agreed there was a concern that this might lead to a centralisation of talent and a loss to local communities of officers from those communities.

It was noted that Stage 3 would begin in the week beginning 25 June and Royal Assent would be given 4-6 weeks after the end of Stage 3.

The General Secretary reminded the Committee each and every member present should be lobbying on these issues.

The Vice Chairman reported the three ACPOS Workstreams had not met formally but he was to meet Gary Craig from ACPOS Grampian in the near future about some HR related issues.

The Chairman reported that he and the Vice Chairman recently had a useful meeting with Chief Superintendent Calum Murray who had the weighty task of compiling a single set of Force SOPs etc for the new Police Service of Scotland.

The General Secretary advised the Committee the Deputy Chief Constable of Lothian and Borders Police had kindly agreed to 'backfill' for Jackie Muller who was virtually full-time

engaged on equality and diversity issues relative to reform. The Committee welcomed this development.

Finally, the Chairman said that as the next meeting of the JCC was not until 11 and 12 September, he was asking the Committee to agree that any financial decision relative to reform required before then be delegated to the Finance Standing Committee. This was agreed.

10a JCC Working Group on SPF ICT

David Hamilton reported that there had been a meeting of the JCC Working Group on SPF ICT on 28 May. The Minute had been circulated. In addition, he said there had been a users group meeting held on 21 May. The Working Group had decided not to pursue the offer of a proof of concept model from one provider at this time. He said there had been a number of provider presentations made by companies and another was set up for a week's time. He hoped to obtain a demonstration model from one company. He said work was also ongoing on telephony.

10b JCC Working Group on SPF MEMBER SERVICES

The Treasurer said a meeting had been held on 28 May. It had been agreed that the aim was to organise a package of core elements which would be offered to members as a single scheme and in addition a range of optional extras. Differing packages would then be arranged for retired members and support staff.

It was agreed that the General Secretary and the Treasurer would progress the appointment of an independent solicitor from Balfour Manson to oversee the tender process. The aim would be for that person to be provided with criteria for selection by the JCC Working Group on SPF Member Services. That person would then approach potential providers, invite responses to a tender document and present those responses 'blind' to the JCC for a decision. The General Secretary had made initial contact with the firm.

It was agreed that information on current non-core elements of existing Force arrangements should be sent to the Treasurer as soon as possible.

Members discussed a national death benefit scheme and it was agreed that Andrew Sleight of Levy McRae would be asked to look at the best way of arranging this. The Treasurer had met with Mr Sleight and was to provide him with further information.

The next meeting was arranged for Monday 20 August 2012.

10c JCC Working Group on SPF STAFF

There had been no meeting of the above group since the last JCC meeting. A meeting is to be held in late autumn.

10d JCC Working Group on SPF STRUCTURE

The General Secretary said a meeting had been held on 28 May. It had been agreed that Electoral Reform Services should be contacted before further work was carried out on our future election arrangements. He had made initial contact with the ERS. He said some fairly significant discussions had been held at Woodside Place about future structures which would be further developed and then put to this working group for debate. The next meeting was arranged for Monday 20 August 2012 but a meeting before then may have to be

arranged.

11 MOTIONS

The General Secretary reported the Committee had to determine how to respond to motions passed at Annual Conference 2012.

Police Federation (Scotland) Rule 27

The Joint Central Committee asks Annual Conference to delete Rule 27 of the Police Federation (Scotland) Rules and replace it with a new Rule 27 to read:-

These rules may, from the close of this conference, to the opening of Conference 2014, be amended or replaced by the Joint Central Committee only by a two thirds majority

The JCC (in accordance with Rule 16) agreed that Rule 27 be amended and that once updated rules were circulated, no further action was necessary;

Island Weighting Allowance

This Joint Branch Board asks Annual Conference to ask the Joint Central Committee to seek, through any appropriate negotiating mechanism, the introduction of an Island Allowance.

This Motion was passed to the Welfare Standing Committee.

Powers of Entry Search and Seizure

This Joint Branch Board asks Annual Conference to ask the Joint Central Committee to seek a review of police powers of entry search and seizure, so that legislation may be updated or implemented in Scotland enabling police officers to enter and search premises without warrant but only where a person has been arrested in relation to specific offences

This Motion was passed to the Efficiency Standing Committee.

Scottish Crime Recording Standards

This Joint Branch Board asks Annual Conference to ask the Joint Central Committee to seek a review of the Scottish Crime Recording Standards and the system of recording crimes and offences within Scotland.

This Motion was passed to the Efficiency Standing Committee.

Preventative Legislation for Bogus Workmen Type Crimes

This Joint Branch Board asks Annual Conference to ask the Joint Central Committee to petition the Scottish Government to create legislation to prevent cold calling at households for general work:-

e.g. - building work, gardening work and security systems.

It was agreed that a Project be raised on this Motion.

Contact Centres

This Joint Branch Board ask annual conference to ask Joint Central Committee to seek "fit for purpose" structures within contact centres and control rooms to be in place for the new national police force.

It was agreed that no further specific action be taken on this Motion but that it be dealt with through the reform process.

12 CORRESPONDENCE

The General Secretary said he had received a number of letters congratulating the SPF on a successful Conference. The General Secretary thereafter reported on the following;

- A letter from Hamish Grace intimating his pending ill-health retirement from the police service and his resignation from the JCC. The General Secretary expressed great sadness at the nature of the resignation. The JCC endorsed the General Secretary's comments and wished to record their thanks to Hamish and send him and his family best wishes for the future.
- A letter from Humza Yousaf MSP relating to parades and marches. Members debated this issue and made a number of points which would be included in a reply to Mr Yousaf.
- An invitation from NAPO to a Conference in Florida in July. The Committee agreed not to take this offer up.

13 COMPETENT BUSINESS

Mike Kennedy reported on a request for funding to part pay for a study being done in England and Wales on 'Long Working Hours and the Well Being of Police Inspectors'. Members agreed to contribute £5000 towards this.

Malcolm McDonald asked if the General Secretary had written to the Education Secretary regarding the Olympics and the impact on police officers' annual leave and consequently their children's' attendance at school. He had written and was awaiting a reply.

Tom Bingham asked if anything by way of compensation for long hours working had been arranged for the inspecting ranks working in home force areas during the Olympics. He was advised that nothing had been raised nationally in this regard.

14 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

SERGEANTS' CENTRAL COMMITTEE

Minutes of a meeting of the Sergeant's Central Committee held in the Craigendarroch Hotel, Ballater, Tuesday 12 June 2012

1. ROLL CALL

Iain McGregor	-	Central Scotland
John Adams	-	Dumfries and Galloway
Ian Muir	-	Fife
Graham Sloan	-	Grampian
Gordon Dixon	-	Lothian and Borders
Ewan Henderson	-	Northern
Blair Henderson	-	Strathclyde
Graeme Neilson	-	Strathclyde
David Hamilton	-	Tayside
Rab Milligan	-	Ex Officio

2. APOLOGIES

There were no apologies.

3. CHAIRMANS OPENING REMARKS

The Chairman opened the meeting by welcoming everyone present and invited a full participation from the group.

4. CUSTODY

Derek Baxter the former SCC rep from Grampian attended and provided the SCC with an update on National Custody matters. This was discussed by the SCC.

5. REFORM

A discussion took place of the up to date situation and in particular the geographic breakdown of the new Force.

6. CORRESPONDENCE

There were no items of correspondence.

7. COMPETENT BUSINESS

There were no items of competent business.

8. CLOSURE OF MEETING

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

BLAIR HENDERSON
Chairman

GORDON DIXON
Secretary

INSPECTOR'S CENTRAL COMMITTEE

Minutes of the Inspector's Central Committee meeting held in The Hilton Grosvenor Hotel, Glasgow on Tuesday 12 June 2012

1. ROLL CALL

Andy McIntyre	-	Central Scotland
Garey Miller	-	Dumfries and Galloway
Fraser Downie	-	Fife
Mike Kennedy	-	Grampian
Stewart Sandilands	-	Lothian and Borders
Willie MacLennan	-	Northern
Tom Bingham	-	Strathclyde
Andrea MacDonald	-	Strathclyde
David Barclay	-	Tayside

2. APOLOGIES

Apologies were received from Scott McCallum (Fife).

3. OPENING OF MEETING

The Chair opened the meeting and welcomed everyone especially Tom Bingham who was taking over from Raymond McLeary who had retired and Fraser Downie who was standing in for Scott McCallum.

4. ADOPTION OF STANDING ORDERS

Standing Orders were adopted for the duration of the meeting.

5. MINUTES OF PREVIOUS MEETING

The minutes of the previous meeting had been circulated and were adopted as a true record of that meeting.

6. MATTERS ARISING

The Chair updated the Group regarding the ICC Survey – 'Time for Justice? Long Working Hours and the Well-Being of Police Inspectors' and what happens next.

He advised the Group that he and the ICC Secretary had held a meeting with the General Secretary to discuss strategy and it had been agreed that the Vice Chair SPF would assist in progressing the findings of the survey within the Reform Group.

In addition the General Secretary agreed that a letter with a copy of the survey would be sent to the Justice Minister from the SPF to show unity within the organisation.

In the meantime the ICC members are asked to consider ways in which the members can be educated and encouraged to engage with and fully utilise the Working Time Regulations.

The Chair suggested that this could be done by means of members of the ICC visiting the

various Forces and speaking to the Inspecting Ranks about the survey and the way ahead.

The Chair also updated members that the General Secretary had agreed in principle to fund the next stage of the research based on the survey. (This matter was subsequently ratified at the JCC) A bid had also been submitted by the University of Cardiff Business School for a research grant to help with this work.

The proposal is that for the next stage of the research there will be two extended Focus Groups (30 in each Group) held in Scotland in January 2013. Similar workshops will be held in England and Wales however the data provided in the Scottish response to the survey was good and the researchers are keen to expand upon it.

The Chair has also been invited to the SPF Health and Safety Forum to present the findings of the survey.

At present the ICC is not formally represented on the Forum and this presents a wider issue for the forthcoming restructuring of the SPF. It is imperative that the ICC is represented on all Forums.

The Chair asked that the Group provide feedback to him regarding how the Inspecting Ranks are managed at each of the eight Forces highlighting good practice such as the CSP deal to allow the Inspecting Ranks to accumulate TOIL.

General discussion ensued about the survey and reform in general.

7. CORRESPONDENCE

There were no items of correspondence.

8. AOCB

The Secretary raised the issue of payment for the Inspecting Ranks who remain within their own Force but who have to work extended periods either backfilling for colleagues who are working at the Olympics or covering events in Scotland. This issue had been raised at the Strathclyde Police JBB. It was agreed to raise this matter at the full JCC.

9. DATE OF NEXT MEETING

Date of next meeting is Tuesday 11 September 2012.

ANDREA MACDONALD
Secretary

MIKE KENNEDY
Chair