



# Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

## Joint Central Committee Minutes

Ref: CS/DJK/LS

Minutes of the Joint Central Committee meeting held at the Hilton Grosvenor, Glasgow on Tuesday 11th and Wednesday 12th June 2013.

### 1. ATTENDANCE AND OPENING

#### Former Force

Calum Steele (General Secretary)	-	Northern
Robert Milligan (Deputy General Secretary)	-	Dumfries and Galloway
Brian Docherty (Chairman)	-	Strathclyde
David Ross (Vice Chairman)	-	Northern
Tom Bingham	-	Strathclyde
David Blacklock	-	Dumfries and Galloway
John Crawford	-	Northern
Gordon Dixon	-	Lothian and Borders
Graeme Ednie	-	Northern
John Ferguson	-	Tayside
Amanda Givan	-	Fife
David Hamilton	-	Tayside
Blair Henderson	-	Strathclyde
Paul Hogan (Day 2 only)	-	Tayside
Peter Jones	-	Grampian
David Kennedy	-	Strathclyde
Mike Kennedy	-	Grampian
Andrea MacDonald	-	Strathclyde
Malcolm MacDonald	-	Strathclyde
Willie MacLennan	-	Northern
Scott McCallum	-	Fife
Wilkie McCloskey	-	Fife
Iain McGregor	-	Central Scotland
Andy McIntyre	-	Central Scotland
Gordon Milne (Day 1 only)	-	Tayside
Jackie Muller (Day 1 only)	-	Lothian and Borders
Stewart Ross	-	Central Scotland
Peter Russell	-	Lothian and Borders
Graham Sloan	-	Grampian
Donald Walker	-	Dumfries and Galloway

The Chairman opened the meeting by thanking everyone for their attendance. He welcomed Wilkie McCloskey and Andrew Hastie who were replacing Ian Muir and Graham Neilson respectively. Apologies were received from John Adams. David Cummings and Paul Hogan attended the meeting as Observers on Day 1. Paul Hogan replaced Gordon Milne on Day 2. The Chairman invited all in attendance to take a full part in the meeting.

The Separate Central Committees met between 10 and 11am.

## **2 MINUTES OF PREVIOUS MEETING**

The Minutes of the last meeting were accepted as a true record.

## **3 LEGAL ADVICE AND ASSISTANCE**

The Committee was informed that since the last JCC meeting four new case files had been received; three conduct cases (13-13, 15-13 and 16-13) and one CICA case (14-13). A further eleven files were rejected.

Malcolm MacDonald presented an appeal on behalf of a former Strathclyde officer in relation to a potential defamation of character. After debate a vote was taken and the appeal was rejected. It was agreed that further work on this matter could be undertaken out with the meeting.

Andrea MacDonald presented an appeal on behalf of a former Strathclyde officer relative to an overtime claim. After debate a vote was taken and the appeal was rejected.

## **4 PNB**

The General Secretary said that at the last PNB meeting on 10 April Steve Williams, Chairman of the PFEW had been elected Staff Side Chairman. An amended PNB constitution accommodating the Police Service of Scotland (PSoS) and the Scottish Police Authority had been approved.

The General Secretary said that a 1% pay rise effective from 1 September 2012 had been agreed for officers in England and Wales but further discussions were required before the position in Scotland was finalised.

He advised that at the last meeting of the PNB Scotland Standing Committee, the Staff Side was presented with an offer of 1% across all pay points and appropriate allowances, for all ranks up to and including Chief Superintendent. The Staff Side was advised this was in line with the Scottish Government's public sector pay policy. The Staff Side responded that a negotiating body should not be bound by a pay policy as this undermined the nature of negotiation. However in recognising the constraints placed upon the public sector finances the Staff Side was prepared to table a claim for a 1% pay increase for all ranks, across all pay points and appropriate allowances. The Official Side noted the Staff Side position.

*Note: Out with the meeting, representatives for the Chief Officers met and agreed that any consideration of a pay clime for their ranks considered as part of a wider review of Chief Officer remuneration. This was communicated to the Official Side. An Agreement for an increase to police pay in Scotland, in line with the Official Side offer has now been reached and increases will take effect from the 1st September 2013.*

The General Secretary reported the proposals for a Pay Review Body (PRB) for England and Wales had also been announced and as a result the PNB as a UK wide body would cease to exist in October/November 2014. He said the Scottish Government had agreed that a negotiating body would be established for Scotland and members discussed staffing requirements relative to this. It was agreed that a paper on this matter would be presented to the September meeting.

The General Secretary said that he had attended a meeting with the Cabinet Secretary for Justice along with Doug Keil and had made a final attempt to achieve improvements on the proposed police pension scheme changes which had been discussed over recent months. He had been made aware that Ministers, while sympathetic, were not minded to support variations which had significant financial implications. Every possible avenue had been explored to achieve improvements but there had been nowhere to go within the restrictions applied by the Treasury.

The Cabinet Secretary for Justice had made a commitment to talk to his ministerial colleagues once again but the General Secretary did not think that improvements would be possible. The Chairman and others thanked the General Secretary for his work on this matter and expressed the view that if no beneficial changes were achieved it would not be for want of his efforts or expertise.

*Note: The day after the JCC meeting the General Secretary was advised there had been no change. The Cabinet had yet to make a decision in light of the representations he made to the Cabinet Secretary on the 5th June. A decision was expected before the parliamentary recess later in the month. This decision would amount to an announcement of the 'reference scheme' for Scotland and would be virtually identical to that published for England & Wales. The delay in publication of a reference scheme would result in significant challenges for the SPA and increase pressure on day to day administrators who would have less time to familiarise themselves with a new process. The new regulations would be sent for consultation late September, mid-November at the absolute latest.*

Members discussed severance packages under the Hutton proposals and at the end of the debate agreed that these would not be in the best interests of members. They also discussed shorter term pension schemes and the proposed changes to ill health arrangements.

Members also discussed the importance of communications with the membership on pension scheme changes and agreed that a number of roadshows should be arranged across the country at an appropriate time.

The General Secretary said that the Home Office had reawakened the consultation on the Police Injury Benefit Regulations for England and Wales. He had responded in the very short timescale provided but said that any proposals for Scotland would be subject to the normal consultation period and would be circulated to members of the JCC when published.

The General Secretary circulated a one page budget paper which showed significant shortfalls in the Police Service budget for Scotland. Members discussed a number of related issues.

## **5 GENERAL INTERESTS COMMITTEE**

There had been no meetings.

The General Secretary asked the Committee for their opinion on the desirability of continuing with these meetings given the multitude of fora available for meetings within the new Police Service of Scotland.

After discussion the Committee agreed dissolution of the General Interests Committee should be sought. The General Secretary undertook to liaise with his counterparts in both ASPS and SCPOSA in this regard.

It was agreed to delete this item from the agenda.

## **6 FINANCE STANDING COMMITTEE (FSC)**

The last meeting of the FSC was held on 19 February and the Minute had been circulated. The General Secretary told the Committee he hoped a consolidated set of accounts would be prepared by the JCC meeting in September.

## **7 LEGISLATION AND REGULATION STANDING COMMITTEE**

The first meeting of the Legislation and Regulation Standing Committee was held on 28 May 2013. The Minute had been circulated and approved.

Mike Kennedy raised the question of the Police Advisory Board for Scotland and a national Joint Negotiating Consultative Committee and whether these should be dealt with at this point in the Agenda. The Chairman said that these issues were still being discussed and he would update the JCC at the next meeting.

The General Secretary noted there was an issue of particular interest to the Inspecting Ranks for which attempts had been made to place on the (now defunct) PABS agenda. He further advised that at the conclusion of the last PNB Scotland Standing Committee, the independent chairman raised the prospect of having a second meeting immediately at the conclusion of future PNB Scotland Standing Committee meetings to deal with non-negotiable matters.

The General Secretary opined that whilst this general notion had merit, it was also

restricting as one of the great benefits of PABS was the ability to introduce 'external' expertise when required. The committee agreed and further agreed efforts should continue to find an appropriate forum to replace PABS. It was agreed to delete this item from the agenda.

## **8 OPERATIONAL DUTIES STANDING COMMITTEE**

The first meeting of the Operational Duties Standing Committee was held on 28 May 2013 and the Minute had been circulated and was approved.

Malcolm MacDonald told the Committee about a meeting he, Graeme Ednie and Stewart Ross had attended where shift patterns, periods of compensatory rest; workforce agreements and Post Incident Procedures had been discussed.

The Chairman raised the issue of Special Constables and the intention for them to be used at the Commonwealth Games. It was agreed that this matter be would be further discussed.

## **9 CONDUCT SUBJECT COMMITTEE**

David Kennedy reported that Area Committees had established Conduct Committees, agreed dates for local training and meetings.

He said the PIRC was receiving referrals from forces and most were of a type which would previously have been investigated by an outside force. He had no concerns at this stage.

The designated DCC had reviewed the cases of all suspended officers. David Kennedy had arranged regular monthly meetings with the Professional Standards Department. He had also arranged a meeting with COPFS to discuss operational statements and with Chief Superintendent John Pow to discuss the new Conduct Regulations.

David Kennedy said he was finalising forms and contact details and he would circulate when prepared.

## **10 EQUALITY SUBJECT COMMITTEE**

The Equality Secretary gave an update and told the Committee that the first meeting of the Equality Subject Committee was scheduled to meet on 20 August 2013 in Woodside Place. The North and West Area Committees have already met and the East Area Committee will meet on 27 June 2013.

There were emerging issues across all areas regarding the manner in which supervisors were undertaking case reviews for those on reasonable adjustments under the Equality Act 2010 and those undertaking a period of short-term restricted, light or recuperative duties. She had examples of this and was in the process of writing to DCC Neil Richardson about this matter. The issue had also been placed

on the Agenda for the meeting in June.

The Committee was informed that the Equality Secretary had carried out some work regarding FIT notes and was in the process of collating responses from Area Leads on the issue of individuals submitting them and the Force being unable to facilitate the suggestions of the GP. She would be meeting DCC Richardson about this matter later this month. A Briefing Note explaining the law surrounding FIT notes would be circulated in the near future.

The Equality Secretary told the Committee that there were still a number of Standard Operating Procedures which required review and amendment relating to Equality as the use of eight legacy force documents could amount to discrimination. Discussions are ongoing regarding this matter.

The Scottish Police Staff Association Equalities Working Group (SPF and ASPs) will meet later in the month and it was hoped that this forum would facilitate an opportunity to steer the Force in a proactive way. Regular contact between the Equality Secretary and the support staff association is ongoing.

The Committee discussed ill health retirements, disability, half pay no pay, absence management and capability procedures and the Equality Secretary said she would raise these issues at her meeting with Mr Richardson.

## **11 HEALTH AND SAFETY SUBJECT COMMITTEE**

The Health and Safety Secretary gave a brief update to the Committee and said that the Subject Committee would meet on 20 August in Woodside Place.

## **12 POLICE RELATED CHARITIES**

The Committee reaffirmed the previous agreement that the charities that SPF would support the National Police Memorial Day, Scottish Police Memorial Trust, Police Treatment Centres and the St George's Trust.

## **13 JCC CIRCULARS ISSUED SINCE LAST MEETING**

A paper had been circulated and was noted. The General Secretary said that consultations on legislation would be passed to the appropriate Standing or Subject Committee.

At this point in the meeting members discussed appropriate travelling time and distance questions and issues surrounding workforce agreements and the force day. It was agreed that these matters would be discussed at the first meeting of the National Joint Negotiating Consultative Committee on 26 June.

## 14 G8

The Deputy General Secretary gave an update to the Committee. As it was of a confidential nature, it was agreed that it would not be reproduced in the Minute.

## 15 COMMONWEALTH GAMES

The Deputy General Secretary told the Committee that he had very little to report on this matter. A meeting would be held in July.

Stewart Ross asked if notice of annual leave periods had been issued yet and was told that they had not been. The Chairman said he expected that information in the near future.

## 16 POLICE FEDERATION (SCOTLAND) RULES

A draft set of Rules had been circulated with the papers. The Committee discussed the draft and after discussion the General Secretary proposed a motion that after necessary amendments, the Rules would be adopted and with effect of the close of business and replace the old Police Federation Scotland Rules in their entirety. The motion was seconded and carried without dissent.

## 17 TEMPORARY INSPECTORS - PUBLIC HOLIDAYS

Andrea MacDonald had been advised that the previous regulatory position whereby temporary inspectors were compensated for working on public holidays as if they were still sergeants had changed under the new PSoS Regulations. She had raised this at a meeting of the Chairs and Secretaries in May and the Vice Chairman had said he would investigate and clarify. The Vice Chairman told the Committee that he had contacted the Scottish Government and that they had confirmed that in the process of updating the Regulations, there had been no intention to alter any of their provisions. He had asked the Government to set this down in a letter and he would circulate it when received.

## 18 MOTIONS

The following Motions were submitted by the North and East Area Committees for consideration:

*"The North Area Committee asks the Joint Central Committee to engage as a matter of urgency with the Chief Constable or his designated deputy or deputies to discuss the provisions of the Police Federation (Scotland) Regulations 2013, Regulations (11),(12) & (13) and agree liability in respect of the costs associated with all SPF meetings such agreement to be published in writing for the information of all relevant parties."*

*North Area Committee*

**This motion was carried.**

*“The North Area Committee asks the Joint Central Committee to undertake an independent evaluation of honoraria to establish whether the basis upon which recommendations were made was appropriate in the new Police Service of Scotland and restructured Scottish Police Federation.”*

*North Area Committee*

**This motion was carried.**

*This Transitional Area Committee asks the JCC to suspend the current 'honoraria' awarded to full time office holders and to return to those previously awarded by legacy force Joint Branch Boards until a full review of process and rationale for the awarding of any future 'honoraria' is completed.*

*It is also requested that such a review includes the development and implementation of clear job descriptions, priority setting and tasking processes and performance monitoring and management structures for each full time role, which will provide ongoing evidence of individual effectiveness and suitability to remain in post and for consideration during the awarding of any future discretionary 'honoraria' based on an individual's role and performance following their period of office.*

*East Area Committee*

**This motion was defeated.**

*This Area Committee asks that the Joint Central Committee negotiate with the Scottish Government and have them change their legislative decision to reduce the Scottish Police Federation Annual Conference to a biennial event.*

*West Area Committee*

**This motion was defeated.**

## **19 CORRESPONDENCE**

The General Secretary told the Committee that outwith general correspondence he had accepted an invitation to speak at the opening of a Norman Morrison Museum exhibition on 18 July on the Isle of Lewis

## **20 COMPETENT BUSINESS**

The General Secretary told the Committee that Lancaster Partners, the providers of the pocket and desk diaries to the SPF had gone into administration. The Committee agreed no replacement should be sought.

Donald Walker raised the issue of pre-retirement courses. The Chairman explained how Police Money Matters had been appointed the sole provider.

David Hamilton raised the issue of the former SPF Working Groups on ICT and Member Services and said he felt that they had stopped too soon. He was assured

that the relevant items could be discussed at the JCC or be placed on the Operational Duties Standing Committee Agenda.

## **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

## INSPECTOR'S CENTRAL COMMITTEE

Minutes of the Inspector's Central Committee meeting held in The Hilton Grosvenor Hotel, Glasgow on Tuesday 11 June 2013

### 1. Roll Call

#### Former Force

Andy McIntyre	-	Central Scotland
David Blacklock	-	Dumfries and Galloway
Scott McCallum	-	Fife
Mike Kennedy	-	Grampian
Peter Russell	-	Lothian and Borders
Willie MacLennan	-	Northern
Tom Bingham	-	Strathclyde
Andrea MacDonald	-	Strathclyde
Gordon Milne	-	Tayside

Paul Hogan attended the meeting as an observer.

### 2. Apologies

There were no apologies.

### 3. Opening of Meeting

The Chair opened the meeting and welcomed everyone. He then spoke about the sad loss of the East Area Committee Vice Chair, Ian Muir, and asked that all present stand for a moment of quiet reflection.

### 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. Previous Actions

#### 6.1 ICC Survey Progress

The Chair updated the meeting that Phase 2 was ready to begin and this would involve Focus Groups across the country. It is anticipated that the two Scottish Focus Groups will be held between 5 and 25 September, he is currently awaiting confirmation from Professor Turnbull regarding the exact dates.

The Focus Groups will be held at two central venues and will accommodate 20 – 25 at each meeting. The Chair and Secretary hope to attend one of the North of England Focus Groups prior to this as observers.

The Chair commented that this survey will be of great importance to the Inspecting Ranks and this is evidenced by the fact that it links in directly to other items which are on the agenda.

## **6.2 ICC – Conference**

The Chair stated that he was pleased that the ICC had met during Annual Conference as it allowed for a great deal of discussion and provided a mandate for him and the Secretary to progress a lot of work on behalf of the Inspecting Ranks as we moved into the Police Service of Scotland.

The Chair asked members for their opinion and all agreed that it had been a successful meeting. The Chair asked for any comments from the Representatives to be fed back to him.

## **7. Matters Arising**

### **7.1 On Call – Chief Inspectors**

The Chair provided an update regarding this matter in terms of meetings and advised that all correspondence which had been circulated to the Inspecting Ranks.

He advised that he and the Secretary had also met with representatives from ASPs who are fully supportive of the action we are taking as this matter also affects their members.

The Force has accepted that the introduction of On Call was not being done properly and that anyone carrying out this role at present is doing so by goodwill and can withdraw at any time.

The ICC fully accepts that there is a requirement for an On Call commitment but it has to be properly controlled and for specific On Call duties not simply to have a Chief Inspector out at the weekends to chair meetings.

There are a number of equality issues which impact upon On Call and the Force have been asked for an EIA and a Business Case to support the need for On Call but this has not yet been provided.

A lengthy discussion took place and included issues such as the Working Time Directive, the lack of ACPOS ranks which is causing their former workloads to be pushed down the rank structure, the fact that Chief Inspectors and Detective Chief Inspectors are often at work at 0630hrs to prepare for meetings but do not finish at 1430hrs having worked 8 hours.

The Chair advised that he and the Secretary are meeting with ACC Penman on 17 June. The members agreed with the current and proposed strategy to be followed by the Chair and the Secretary.

**8. AOCB**

**8.1 Public Holidays**

There was discussion surrounding the compensation provided to the Inspecting Ranks when working a public holiday. At present they only receive one day in return but if they were to be paid they would be paid double time.

It is accepted that statute states the entitlement is only one day but all agreed that there is scope to pursue this for two days even if this is just for Christmas Day and New Year's Day. This matter was to be progressed to the main JCC for further discussion.

**9. Correspondence**

There were no items of correspondence.

**10. Date of Next Meeting**

The next meeting of the ICC will be held on 10 September at the Dunblane Hydro.

**MIKE KENNEDY**  
Chairman

**ANDREA MACDONALD**  
Secretary