

# SCOTTISH POLICE FEDERATION EAST AREA COMMITTEE

**Minutes of the Fourth Quarterly Meeting held on Wednesday 5 March 2014  
Held within the Forth Crossing Education Centre, South Queensferry**

## **1. Opening**

The Chair welcomed all those in attendance along to the Fourth Quarterly Meeting of the East Area Committee Meeting. Jackie Muller, National Equality Secretary was welcomed along to the Meeting along with two observers, Richard Woods and Kathryn Murray.

He advised that there was various items for the Committee to discuss and five Motions had to be tabled so a busy Meeting was to be expected. He informed the attendees of the Fire Procedures in the event of an emergency and the Representatives were advised of the timetable of events for the Meeting.

Representatives were duly reminded that their attendance at Committees was a duty, that approval had been given from the Chief Constable for their attendance; and stressed the importance of Representatives attending and contributing on behalf on their Rank.

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

## **2. Attendance & Apologies**

Inspector Andrew Malcolm	C - Forth Valley
Inspector Graham Capes	C - Forth Valley
Sergeant Murray McKenzie	C - Forth Valley
Sergeant Ewan Graham	C - Forth Valley
Constable Mhairi Davidson	C - Forth Valley
Constable Grant McDowell	C - Forth Valley
Constable Paul Redwood	C - Forth Valley
Constable John Hay (Non TAC)	C - Forth Valley

Inspector Fraser Downie	P - Fife
Inspector John Lawson	P - Fife
Sergeant Thomas Clague	P - Fife
Sergeant Stuart Oliver	P - Fife
Sergeant Wilkie McCloskey	P - Fife
Constable Steven Herd	P - Fife
Constable Kevin Payne	P - Fife

Inspector Colin Gagen	E - Edinburgh
Inspector Allan Symington	E - Edinburgh
Sergeant Willie Stevenson	E - Edinburgh

Constable Karl Cleghorn	E - Edinburgh
Constable Reuben Merrick	E – Edinburgh (PM Only)
Constable Mark Wilson	E - Edinburgh
Inspector Raymond Dutton	J - The Lothian's & Scottish Borders
Inspector Heather MacDonald	J - The Lothian's & Scottish Borders
Inspector Gillian Tennant	J - The Lothian's & Scottish Borders
Sergeant Keith Bendall	J - The Lothian's & Scottish Borders
Sergeant Brian Jones	J - The Lothian's & Scottish Borders
Sergeant Graeme Shearer	J - The Lothian's & Scottish Borders (AM Only)
Constable James Friery	J - The Lothian's & Scottish Borders
Stewart Ross	Secretary
Amanda Givan	Deputy Secretary
Gordon Dixon	Chair
Nigel Bathgate	Vice-Chair
Jackie Muller	National Equality Secretary

### **Observers**

Kathryn Murray  
Richards Woods

### **Apologies**

Apologies had been received from:

Inspector Hugh Louden	C - Forth Valley
Constable Joyce Greenhorn	C - Forth Valley
Constable Matthew Spencer	P - Fife
Chief Inspector Alwyn Bell	E - Edinburgh
Inspector David Watt	E - Edinburgh
Inspector Peter Russell	E - Edinburgh
Constable Neil Elder	J - The Lothian's & Scottish Borders

### **3. Adoption of Standing Orders and Rules and Procedures**

The Committee was advised by the Chair that the Scottish Police Federation Rules, Regulations and Standing Orders, adopted 17 February 2014, which had been circulated to the Committee in EAC Circular 08/2014 would be adopted as the Rules, Regulations and Standing Orders for the Committee, and would replace any temporary ones that had been in place.

Following a proposal from Andrew Malcolm, which was seconded by Mhairi Davidson the Standing Orders were adopted by the Committee.

#### **4. Rank Separate Meetings**

Following a request from the Inspectors' Committee, the Committee broke to discuss Rank Specific Issues.

#### **5. Minutes of Previous Meeting**

The Minutes from the Committee Meeting held 27 November 2013 had previously been circulated to the Committee for their information and attention. The Minutes were proposed by Murray McKenzie and seconded by Graham Capes, and therefore recorded as a true reflection of that Meeting.

#### **6. Matters Arising**

##### **(a) Joint Central Committee**

A Power Point Presentation which the Secretary had prepared was shown to the Committee, outlining the current Financial Position of Police Service of Scotland in comparison to England and Wales and how changes were affecting our membership. The financial challenges facing Police Officers in Scotland over the coming years compared to Police Officers in England and Wales and how these facts might influence the Scottish Police Federations' negotiating strategies in the future were highlighted.

Much debate ensued following the presentation and the Secretary clarified a few points raised by the Committee.

The Chair advised that the Scottish Police Federation had launched their #itswhatwedo video campaign, which he had been involved in the production of. The Committee was shown three trailers of the videos made and advised that the campaign was designed to highlight the multitude of different considerations Police Officers face when dealing with what start as the most routine of calls. The videos show that Police Officers are ordinary people doing an extraordinary job, dealing with events and tragedies others struggle to imagine. Placing themselves in harm's way so others don't have to, making split second decisions every day and knowing their every action and reaction is subject to the most enormous scrutiny. The videos place viewers in the shoes of the Police Officer giving an insight into what an extremely hard job Police Officers have.

Representatives and Members are encourage to promote these videos, they can be found here: <http://www.itswhatwedo.org.uk/>

The Secretary informed the Committee that JCC last meet on 11 - 12 March 2014 in the Grosvenor Hotel in Glasgow. The salient points raised were passed to the Committee, such as the discussion around PNB and the move to a PNB Scotland Committee. Main points in the

PNB update surrounded the current financial situation and the move to public holidays.

The Committee was made aware of work undertaken by Jackie Muller, National Equality Secretary, that has been appropriated by the College of Policing and copyrighted by them, the Secretary advised that there was potential for charges to be made following on from this.

Pension Contributions were also discussed at JCC, the Secretary advised that the new Contributions which had been due to come into effect in April 2014 will be increased by a further 0.05%. People failing to reach the top of a pay threshold has meant that, the expected yield is less and as a consequence the Government have decided to increase the Contributions. The Secretary advised that the Scottish Police Federation had written to the Scottish Government regarding this. He also advised that there were Governance issues surrounding the new Police Pension scheme that required a staff side member to sit on the Pensions Board due to the level of workload commitment and legal responsibility that comes with that post, potential candidates were being considered.

The LNCC which is the meeting between the Local Federation Offices and the ACC's and the way these vary around the country was also covered at JCC, some discussion around standardising these across the country was raised.

The JNCC, which is the meeting that the Office Bearers have with the Force executive was also discussed, salient points raised in that meeting were the agreement or otherwise of shifts. The Secretary advised that he had been involved in meeting with ACC Higgins when a memo had been circulated which was at odds with the Federations' position.

Also raised at JCC for information, was that the PSoS had wished to bring in a policy which effectively accepted random drug testing for officer's out with their probation. Following legal opinion that has been removed.

Graham Capes provided the Committee with an update on a Paper that had been submitted to Joint Central Committee in relation to Full Time Officials Honoraria, with finding from the Working Group. This was discussed and questions asked by the Committee clarified by Graham. He advised that the Motion put forward in the Paper had been rejected fully by the Members of JCC, and now sat with the Finance Committee to look at.

**(b) Health & Safety**

The Minutes of the JCC Standing Committee of the 22 January 2014 have been circulated and have been posted on the Scottish Police Federation Website.

The Deputy Secretary, Amanda Givan, Health and Safety lead informed the Committee that an East Area Health & Safety Meeting within the new Livingston East Area Office was scheduled for 8 April 2014. The Committee was updated on Local Force Health & Safety Meetings that had taken place. The Deputy Secretary advised that there had been a slight issue with who in Force would attend Meetings, but was glad to report that this had been resolved.

She advised topics being discussed included the volume of calls, the splitting of crews/ corroboration and the lack of Risk Assessments.

Discussion ensued between Committee Members regarding local issues, such as deployment plans within E Division, the splitting of crews and whether markers are being fully checked before Officers are sent single crewed to calls and inadequate time being allocated to Officers to carry out calls and the tasking of further calls.

After some debate the Committee was encouraged to speak to the Membership and to request that any 'near misses' due to being single crewed be evidenced and passed back to the East Area Office.

**(c) Equality**

The Minutes of the JCC Standing Committee of the 22 January 2014 have been circulated and have been posted on the Scottish Police Federation Website.

Vice Chair Nigel Bathgate, Equality Lead addressed the Committee and provided an update on Equality Issues being looked at at present. Pertinent issues included Part time Working, Flexible Working Time and Restricted Duties. The Committee was updated on local issues whereby a number of Members having their restricted duties reviewed due to an apparent misunderstanding around the difference between restricted duties and the provision or reasonable adjustments under the Equality Act 2010, he advised that steps had been taken to make sure the Force and Management were aware of these differences.

Nationally, there was an Equality Subject Meeting held in January and the Vice Chair advised the salient points discussed, which were some illegalities and inaccuracies within Standard Operating Procedures in the published Police Service of Scotland Policies relating to Equality matters which were being addressed. The Committee was advised

meantime not to rely on the printed policies in relation to Equality and to seek guidance from himself or Jackie Muller.

The Committee was advised that an agreed programme of Training for Equality Representatives had been agreed upon and that the Vice Chair was working with Jackie Muller to ensure that this meets the needs of the East Area, and he urged Equality Representatives to attend these.

Much discussion ensued surrounding the inaccuracies within the Standard Operating Procedures with Committee Members raising their concerns, that we were being used to quality assure their Policies, the Vice Chair assured the Committee that the Force had been contacted over these issues, and he would advise the Representatives of any response.

A Committee Member raised a question surrounding Officers with Type One Diabetes being stopped from driving to Response calls, the Vice Chair advised that this would be discussed off table.

**(d) Conduct**

The Minutes of the JCC Standing Committee of the 22 January 2014 have been circulated and have been posted on the Scottish Police Federation Website.

Chair and Conduct lead, Gordon Dixon informed the Committee that all Conduct related matters were progressing normally. He advised that thirty-five Conduct Forms had been submitted this year to date where Members had been assisted. He advised the Committee that with recent retirals and resignations, four Conduct trained Representatives were required to join the Conduct Committee, Representatives interested were asked to contact Gordon after the Meeting.

The Conduct Representatives were reminded of a Police Scotland Workshop in relation to the New Conduct Regulations taking place in Pitt Street on the 17 March 2014.

**(e) Finance**

The Minutes of the JCC Standing Committee of the 22 January 2014 have been circulated and have been posted on the Scottish Police Federation Website.

The Chair informed the Committee that the Finance Standing Committee had met in January where a decision was made to have no increase in the Voluntary Fund Subscriptions.

Following on from this Meeting it has been identified, further to negotiation on renewal of certain elements of the Group Insurance

Scheme it has been necessary to increase the premiums with effect of 1 April 2014, figures can be found in JCC Circular 10 of 2014.

The Chair advised that approval had been given to look into the redevelopment and modernisation of Woodside Place.

Committee Members sought clarification on some Finance related matters in relation to the sums of monies transferred from the eight individual Joint Branch Boards to the Scottish Police Federation, and if there were any restrictions on what the Funds can be used for, the Chair was able to answer this.

**(f) Operational Duties**

The Minutes of the JCC Standing Committee of the 22 January 2014 have been circulated and have been posted on the Scottish Police Federation Website.

The Chair updated the Committee on various topics which were being looked at the salient points discussed included Area Elections 2015; the Committee Members raised concerns on how this would be carried out; Communications, in particular concerns that circulars from Woodside Place were not reaching individual Members, the Deputy General Secretary is looking at this; and Work Force Agreement and in particular the introduction on new shift patterns which the Chair hoped would be agreed at the next JNCC.

**(g) Legislation/Regulations**

The Minutes of the JCC Standing Committee of the 22 January 2014 have been circulated and have been posted on the Scottish Police Federation Website.

The Committee was briefed on draft Standing Orders which had been completed and had been submitted to JCC for approval.

**(h) Police Charities**

The Secretary advised that with the Retiral of CEO Michael Baxter, Paul Grant, Central Manager had been appointed Acting CEO.

The private Home at Harrogate has been sold by the Police Treatment Centre to the St Georges' Trust, and will be utilised by Children who benefit from the St Georges Trust, the Committee was advised that it would also be made available to rent out to Members when it was not being used by the Trust.

The Deputy Secretary updated the Committee on the Scottish Police Benevolent Fund managed by the Scottish Police Federation and advised that business was proceeding as expected. She advised that

there had been nine Applications submitted from the East Area since its inception in April 2013, she asked the Committee to remind the Membership about the Fund and encourage them to get in touch should they wish to be considered for assistance.

The Deputy Secretary also advised that there were still healthy funds in the Account from money brought over from Legacy Joint Branch Boards, and that options for upping their profile to the Membership were being looked at, along with pursuing best practice for looking after the Monies.

A Committee Member asked, that if there were sufficient funds in the Account, could it be that Members subscription were set too high. The Deputy Secretary advised that the Scottish Police Benevolent Fund was a new Fund in its first year and it would need time to balance out figures to ensure the subscription rates were set at the right level.

**(i) Members Services**

The Committee was advised that all schemes managed were currently operating as we would hope service wise. They were informed of an issue regarding the claims experience for the Salary reduction cover whereby the claims experience was far worse than what had been anticipated, and would mean that there may a premium increase for that part of the policy.

Much discussion ensued with the Committee on why there should be an increase when the Policy deal was sold to the Scottish Police Federation by the Insurance Brokers on a two year deal basis, questions were asked regarding possible trends in the increase of people going off sick, such as specific locations, what the illnesses which Members were going off with were. Discussion about possible increases in stress related illness was touched upon, and the Chief Constable placing Officers straight onto half pay/no pay, where a more sympathetic approach may have been taken in the past, especially when it came to injuries on duties or serious illnesses debated.

**(j) Area LNCC**

The Chair informed the Committee that he and the Secretary attended a Meeting of the LNCC on 7 January 2014. Relevant points discussed included Performance Management becoming more outcome focussed rather than just numbers; the recording of working time, and the need for Officers to record their own working time on Scope. There was some debate with the Committee regarding this and it was felt that the Force had a duty to record each Officers' working time as opposed to it being the Officers' responsibility.

The current embargo on Annual Leave during the Commonwealth Games was also discussed and the Chair advised that he had been



told that the embargo was expected to be kept right through the duration of the games.

**(k) Divisional Updates:**

**Edinburgh**

Mark Wilson informed the Committee on issues within the City of Edinburgh division, items covered at his meeting included; the resourcing of the football match between Hearts and Hibernian; attending Court during rostered back and night shifts; the dashboard system and the shift patterns for the Commonwealth games. Some discussion ensued regarding the Policing of the Commonwealth games and concerns voiced over insufficient resources.

**Fife**

Stevie Herd updated the Committee on a Meeting he attended, he briefed them on the Division moving to two major hubs, which was set up and nearly running. Other items discussed included task not ask; red days and custodies being taken into Dundee.

**Forth Valley**

Graham Capes briefed the Committee on his Divisional Meeting and advised that salient topics covered included; the Work Force Agreement; what was classed as exigencies of duties and the importance of the Force not wanting to pay for overtime being the cause of shift changes and why it should be challenged.

**Lothian's & Scottish Borders**

Keith Bendall informed the Committee of his Divisional Meeting, and advised that this Division was undergoing a lot of change at present with a new Detective Superintendent being put in place and a new Shift Pattern being implemented.

**(h) Major Events**

**Operation Bennington**

The Secretary advised that Police Scotland issued notices to Officers on the 25 February with just sufficient notice to re roster rest days without payment, to cover the Conservative Party Conference in Edinburgh. Several issues ensued from this and the ACC was written on the same day. An information circular was then created and circulated to Representatives, covering most of the Frequently Asked Question we had had by that point. The issue will be raised with the ACC at the next LNCC Meeting.

A Committee member raised concerns regarding the resourcing of Major Events and voiced his opinion in that problems lay within the RMU/RDU Departments within Police Scotland not requesting more resources far enough in advance.

The Chair advised upcoming events such as the Edinburgh Marathon and the Battle of Bannockburn reenactment and Armed Forces Day.

## **7. New Business**

The Chair reminded the Committee Members that in January 2015 the Scottish Police Federation East Area Committee will hold their first Elections for Representatives of the Committee. The Chair asked the Committee to debate and give consideration to the electoral constituencies and the split of representation across these areas, and if we required to define these constituencies within the whole Division.

Following some discussion it was agreed that for the Forth Valley (C) and Fife (P) Divisions the Representation would remain status quo with three Representatives from each Rank coming from each Division. For Edinburgh (E) there would be four Representatives from each Rank, specifically one covering Fettes and for the Lothians and Scottish Borders there would be three from each Rank from J Division.

## **8. Motions**

The Chair advised that five Motions had been submitted, he asked the Committee that any Representative wishing to speak on any Motion seat themselves next to the Lectern whilst the Motion is being presented to the Committee.

### **Motion A**

*'That this Area Committee seek through the Joint Central Committee to ask the Chief Constable to standardise the Police Public Holiday dates across Police Scotland'.*

### **Explanatory Note**

*Following the formation of Police Scotland there is no longer a justification to retaining the Public Holiday dates set by the 8 individual legacy Forces as these dates are set annually. We currently share the same annual leave entitlement working towards standardising working practices across Scotland. Public Holiday dates are no different and there is no reason why we should seek to retain legacy dates.*

This Motion was withdrawn.

### **Motion B**

**Proposed by Mark Wilson**

**Seconded by Ben Merrick**

*'That this East Area Committee ask the Joint Central Committee to conduct a survey of the membership to establish the effects of the move to Police Scotland on officer's morale, welfare and efficiency. The results of this survey should then be carefully considered by the Joint Central Committee and appropriate action taken'.*

### **Explanatory Note**

*2013 has arguably been the most challenging year ever faced by the Scottish Police Federation and its membership. Fundamental changes to terms and conditions and pensions have been imposed upon members alongside a fundamental restructuring of Policing in our country. Such changes do not come without cost and muster rooms are awash with rumour around resignations, imposed transfers, target cultures, policing styles and much more. The Scottish Police Federation itself is not without criticism. With pension changes now being digested and Police Scotland fast approaching its 1st Anniversary, it's time to take stock of the position our members are in. We need to ask them what's changed; how's it changed and how it's effected them both personally and professionally. We also need to ask them how we can do better and we need to share it with everyone.*

Several Committee Members spoke on this and following a vote this Motion was carried.

### **Motion C**

**Proposed by Stewart Ross**

**Seconded by Jim Friery**

*'That this Area Committee asks the Joint Central Committee to survey the membership on their views regarding seeking full employment rights which would include the right to withhold labour and, if that survey demonstrates that this is the feeling of the membership then those rights should be pursued'*

### **Explanatory Note**

*The UK government has shown in its changes to Police Officers Pensions that it has no respect for the office of Constable. This survey will demonstrate to the Government the strength and depth of feeling that Police Officers currently have and give the Scottish Police Federation an additional tool to use in negotiations.*

*Employments rights should be sought as the constant erosion of conditions and the clear disdain in which the Government hold the office of Constable means that we have little or no option but to seek those rights and consider the use of a withdrawal of labour.*

Several Committee Members spoke on this and following a vote this Motion was Defeated.

**Motion D**

**Proposed by Stewart Ross**

**Seconded by Nigel Bathgate**

*“That this Area Committee ask the Joint Central Committee to pursue any and all legal challenges available in respect of the changes to Police Pensions irrespective of potential cost”.*

**Explanatory note**

*This motion arises as a result of discussions with a group of members who are amongst the worst affected by the recently announced changes to the Police Pension Schemes. It is clear from the documentation produced that there is a possibility that a legal challenge may be able to be mounted in respect of some of the changes but any prospect of success would appear highly unlikely*

Several Committee Members spoke on this and following a vote this Motion was Defeated

**Motion E**

**Proposed by Jim Friery**

**Seconded by Andrew Malcolm**

*“That this Area Committee asks the Joint Central Committee to commence an independent review of the Scottish Police Federation”.*

**Explanatory Note**

*The structure of policing and the Scottish Police Federation changed on 1<sup>st</sup> April 2014. The previous structure of Joint Branch Boards dealing with Force issues and Joint Central Committee concentrating on National policing matters was replaced by the Joint Central Committee dealing with almost all matters concerning Scottish Police Federation members being supported by 3 Area Boards. The number of representatives in each Area were reduced as part of the change process.*

*As part of the structural change in the Scottish Police Federation various allowances, particularly honoraria, were changed to reflect a National perspective. The changes and methodology of calculating honoraria were disclosed to the membership who believed that the payments being made to officials were not what they wished, were not commensurate with the role being undertaken and had been over inflated.*

*This change in structure occurred at a time when changes to member's pensions were announced and enacted. Structural change within the new*

*Police Service of Scotland are also having a profound effect on the welfare of our members, particularly changes to shift patterns, lack of transfer policy and replacement of public holidays with an annual leave allowance.*

*It is felt that the membership of the Scottish Police Federation have lost confidence in the integrity and actions of the organisation. The membership feel that they are generally not consulted on proposed changes and that the communication policy of their representative body is flawed. This lack of communication and consultation creates anger and disharmony amongst the membership who feel that the Scottish Police Federation could have provided them with more information.*

*The general feeling of the membership is that their representative body is not providing the service they desire. The lack of communication and transparency has created a suspicion amongst the membership that their full time representatives are leading a comfortable lifestyle, subsidised by them, and that they are out of touch with the realities of modern policing in Scotland.*

*The Federation's relationship with its members will only begin to improve if it transforms the way it communicates with its members. The membership feel that they are not told enough about what is going on in key negotiations or about the reasons for the outcome.*

*The membership has an absolute right to know where decisions were taken, by whom and the rationale; to see what benefits or expenses their representatives receive from their organisation. The membership should have access to all committee papers other than where there is genuine commercial, personal or external sensitivity.*

*The biggest asset the SPF possesses is the faith of its members and elected representatives. Recent actions have led to the resignation of representatives and members questioning their membership. If this continues the function of the SPF could be adversely affected.*

*The benchmark for the SPF should be exemplary representation for all members and be an excellent negotiator on behalf of its members. To achieve this it must above all: rebuild trust with its members. This requires a greater willingness to be more accountable for its performance, greater transparency and more effective in its communications.*

*Similar problems were experienced within the Police Federation of England and Wales which led to an Independent Review being conducted. This has had a profound effect on the PFEW and provided detailed evidence and recommendations on how the organisation could improve.*

*I believe the result of an independent review will provide the organisation with similar recommendations, hopefully leading to change in the current culture and an improved representative body that members can be proud of.*

*It is vital that the SPF recognises that subscribing members are demanding more information and a desire for consultation. If the SPF wishes to restore confidence and ensure it is meeting the needs of its members, it is essential that an Independent Review is initiated.*

Several Committee Members spoke on this and following a vote this Motion was carried.

**9. Competent Business**

The Chair informed the Board that three resignations from the Committee had been tendered from Derek Easton, Jeff Whelan and Richy Scott. The Chair wished to extend his thanks on behalf of the Scottish Police Federation to the Representatives for their Service to the Membership.

**10. Date and Place of Next Meeting**

The next East Area Meeting will be held on 4 June 2014.

**11. Closure of Meeting**

The Chair thanked everyone for attending and for their valued input into proceedings. He reminded the Committee that it was vitally important that all that Members are encouraged to raise any concerns at the earliest possible opportunity with their local Representatives.

He wished everyone a safe journey home and formally closed the meeting.

**Stewart Ross**  
**Secretary**

**Gordon Dixon**  
**Chair**