



Scottish Police Federation North Area Committee

Minutes of the 2nd quarterly meeting of the Scottish Police Federation – North Area Committee held on Monday 2nd and Tuesday 3rd June 2014 at the Atholl Palace Hotel, Pitlochry.

1. Members Present

Full Time Officials

David Hamilton	Chair
Graeme Ednie	Secretary
Graham Sloan	Vice Chair
John Ferguson	Deputy Secretary (day 1 only)

Constables

Linsey Burns
Stephen Cook
Brian Dick
John Drysdale
Neil MacDonald
Angus Morrison
Sandy Smart
Davie Smith
Steve Thomson
Shaun White

Sergeants

Derek Baxter
Gary Brown
John Crawford
Gordon Forsyth
George Murray
Steve Raeburn
Steven Ross
David Threadgold

Inspecting Ranks

Sandy Brodie
Neil Cameron
Stuart Ednie
Paul Hogan (day 1 only)
Murdo MacLeod
Gordon Milne
Iain Smith
Ewan Strachan
Bob Thomson

Observers present

Andrew Bilton
Mike Purdie

2. Opening of Meeting

The Chairman opened the meeting and welcomed members present in particular Bob Thomson who was attending his first meeting and Sandy Brodie who, on this occasion was replacing Caroline Scobbie. He also welcomed Andrew Bilton and Mike Purdie who were attending as observers.

He encouraged everyone present to take an active part in the meeting and to contribute to discussion and debate.

3. Apologies for Absence

Apologies were received from;

Les Donaldson	<i>Duty commitments</i>
John Ferguson	<i>Day 2 only – duty commitments</i>
Murray Haston	<i>Duty commitments</i>
Paul Hogan	<i>Day 2 only – duty commitments</i>
Grant Letham	<i>Annual leave</i>
Caroline Scobbie	<i>Sick leave</i>

Excusals during meeting;

Sandy Brodie	<i>left the meeting at 1100 hours on day 2</i>
Gordon Milne	<i>left the meeting at 1215 hours on day 2</i>

4. Approval of Previous Minutes

The Minutes of the previous Meeting which were circulated in advance of the Meeting were formally approved.

5. Matters Arising

5.1 Action/Decision Log

The action and decision logs had been circulated in advance of the Meeting and the contents were noted by the Committee.

Action - 0001/14

The Secretary advised this action had been completed and North Area Bulletin entitled Strategic Objectives had been circulated to the Committee on 7th March.

The meeting agreed to **close** the action.

Action - 0002/14

The Chairman advised that following the previous NAC meeting he had met with the Deputy General Secretary and expressed the concerns of the NAC in relation to SPF communications. He advised discussion would be continued under agenda item 5.2.

The meeting agreed to **close** the action.

Action - 0003/14

The Secretary advised he had received responses from Andy Bilton and Gordon Forsyth in relation to this action and thanked them for their contributions. After discussion it was agreed to carry the action over to the next NAC meeting to provide an opportunity for further information to be obtained.

The meeting agreed to **retain** the action.

Action - 0004/14

The Chairman advised this was linked to the previous action and further information was required in order to progress matters.

The meeting agreed to **retain** the action.

Action - 0005/14

The Chairman advised the meeting he and the Secretary had met with ACC Thomson on 8th May 2014 during which a number of matters had been discussed including the NAC concerns regarding HR policy development.

The meeting agreed to **close** the action.

Action - 0006/14

The Chairman advised the Meeting this item had been raised and discussed at the last LNCC on 20th March 2014 the Minutes of which had been circulated to the Committee.

The meeting agreed to **close** the action.

Action 0007/14

The Secretary advised F/T Officials had obtained details of Divisional Management Meetings and would attend wherever possible. Reserves would be sought as required.

The meeting agreed to **close** the action.

5.2 Communication

In accordance with previous decisions taken the Meeting approved the contents of the Strategic Objectives which had been circulated in advance of the meeting.

The Meeting acknowledged the success of the #itswhatwedo campaign which had raised the profile of policing in Scotland and had exceeded all expectations in terms of the publicity generated both nationally and internationally however remained of the view improvements were still required to the way in which information was being communicated to the wider membership.

The Meeting discussed at length the importance of improving SPF membership communications and expressed its frustration at an apparent reluctance to examine and improve the issue at a national level.

A number of suggestions were made by members of the Committee which included potential opportunities to make better use of Police Scotland systems processes and procedures including intranet, electronic briefings, weekly orders and bulletins as well as seeking to expand on the detail available on the SPF website to include area pages, increased use of social media and it was agreed full time officials would continue to make representations at a national level in an effort to secure improvements.

Notwithstanding efforts to improve corporate communications it was accepted much work required to be undertaken at a local level and frequent and effective engagement was a primary role of local representatives and fundamental to the overall issue of communication. The new structure of SPF was now more reliant on local representatives fielding enquiries from their members at a local level and in order to do so it was recognised there was an urgent need to ensure local reps were properly trained to provide them with the necessary tools and confidence to undertake their role.

The Secretary advised the unprecedented demands on the organisation over the previous 12 months had resulted in attention being focused on other priorities and the provision of training for representatives was required. His new role as SPF Vice Chair had the portfolio for training and one of his priorities would be to identify and arrange the delivery of suitable and sufficient training for representatives and elected officials across the SPF.

The Chairman advised at a meeting of the Operational Duties Standing Committee held on 23rd April 2014 it had been agreed he and the Deputy General Secretary would meet to discuss a co-ordinated approach to communications and he agreed to keep the Committee updated on any developments.

Action 0008/14

Chair to create a draft communication strategy, circulate to members of the NAC and take to next meeting of Operational Duties Standing Committee.

6. Standing Items

6.1 JCC Update

The Secretary advised the JCC had met on 13th/14th May 2014 and the Minutes of this meeting would be circulated in due course.

SPF Vice-Chair

The Chairman advised following intimation by the SPF Vice Chair, David Ross of his intention to retire from the service with effect from 30th June the JCC had elected Graeme Ednie to succeed David and take up the position on 1st July. The Chairman congratulated Graeme on his appointment and wished him every success in his new role.

Consequently the Chair advised the NAC would require to identify a new Secretary and an election would take place at the next meeting. Details would be communicated to Committee members, in the near future, inviting nominations for the post of Secretary in accordance with timescales provided for within standing orders.

Members enquired if any interim arrangements were available for the Committee to fill the Secretary's post in the interim and clarification was provided by the Secretary that the rules provided no such facility and consequently the NAC would run with three full time officials between 1st July and the September meeting.

SPF Health & Safety Secretary

The Secretary advised the JCC had also elected Peter Jones to fulfil the role of SPF Health & Safety Secretary. The Meeting wished Peter every success in his new role.

Pensions

The Secretary reminded the Committee of the ongoing UK Government consultation "Freedom of Choice in Pensions" which he had forwarded by e-mail on 15th May and which remained live until 11th June.

He highlighted the proposals contained within 1.12 and 3.30 to change the age from which it is possible to access pension without tax penalty from 55 to 57 with effect from 2028 and explained this would have enormous implications for Police Officers whose scheme design for the 2015 Police Pensions Scheme was predicated and valued on the potential to retire, albeit without actuarial reduction from age 55.

He advised the General Secretary had written in the strongest terms to the Cabinet Secretary for Finance and Sustainable Growth and a response was awaited.

The Secretary reported that work on the 2015 Pension Regulations was progressing slowly and that it was looking increasingly likely the draft would not be ready before the summer. In relation to survivor benefits, ill health and governance arrangements a lot of work had yet to be done.

Governance arrangements in Scotland were developing and it was expected a pension's board would be created on which staff side would have three representatives. Although these three representatives were yet to be selected there was a likelihood SPF would be allocated two of these three places.

The Chairman advised work was ongoing relative to disability, abatement and survivor benefits and there may be improvements achieved in these areas albeit it was too early in the process to provide further detail.

The Secretary advised of a local issue in relation to difficulties encountered by some retiring officers where payment of their commutation was being unnecessarily delayed and he that the contents of the Police Pension Regulations 1987, Part L, paragraph L3(6) was unequivocal and required for commutation to be paid "forthwith".

Commonwealth Games

The Secretary advised efforts were currently being made to secure a bonus payments agreement for the Inspecting Ranks during CWG2014 and he would advise of developments in due course.

The Meeting discussed at length concerns regarding CWG2014 planning arrangements and expressed disappointment that despite several years prior notice of the event Police Scotland were as yet unable to confirm rostering arrangements and thereby clarity in respect of the individual duties of staff throughout the period of the games.

Action 0009/14

Secretary to express the concerns of the NAC regarding CWG2014 rostering arrangements to the Deputy General Secretary

6.2 Subject Committees

The Secretary advised meetings of the JCC Subject Committees had been held on 22nd April 2014 the minutes of which he had circulated in advance of the meeting.

- **Conduct**

The Deputy Secretary was pleased to report the numbers of officers in the North Area subject of investigation in relation to Criminal or Conduct matters had reduced from 66 at the last NAC meeting to 42 currently.

Operation Hortam accounted for 15 of the 42 and the Deputy Secretary advised he continued to maintain regular contact with the enquiry team and although progress was slow he was optimistic this number would further reduce prior to the commencement of the CWG2014.

The Deputy Secretary highlighted apparent trends in respect of Officers being reported for contraventions of Sections 2 or 3, RTA, 1988 and allegations relating to data protection issues and suggested it was vital the membership were aware of their vulnerabilities in these areas.

The Deputy Secretary advised he continued to meet with Supt Craig Blackhall (Head of PSD North) and believed he maintained a good working relationship with PSD North. He also continued to liaise closely with the SPF Conduct Secretary David Kennedy and would arrange the delivery of further conduct and performance training in the near future.

A Member raised concerns regarding the process of “with cause” drug testing based on a B4 intelligence log which the Committee considered fell well below a reliable source and was therefore insufficient grounds on which to require a test sample. After discussion it was agreed the Deputy Secretary would raise the concerns through the Area Conduct Subject Committee.

Action 0010/14

Deputy Secretary to ensure concerns in relation to “with cause” testing are raised at the next Area Conduct Subject Committee meeting.

The Chairman also sought the meetings view in respect of Counter Corruption interviews and a number of concerns were expressed by Representatives regarding their experiences. It was agreed the Deputy Secretary would take the concerns forward through the Area Conduct Subject Committee.

Action 0011/14

Deputy Secretary to ensure concerns in relation to counter corruption interviews are raised at the next Area Conduct Subject Committee meeting.

- **Equality**

The Vice-Chair advised the NAC Equality Sub Committee had met on 9th April 2014 and the draft Minutes of this meeting and the approved Minutes of the January meeting had recently been circulated to members of the NAC by the Secretary.

He also advised the JCC Equality Subject Committee had met on 22nd April and the Minutes of that meeting had previously been circulated to members of the NAC by the Secretary.

The next meeting of the JCC Equality Subject Committee is scheduled for 29th July and the NAC Equality Sub Committee is scheduled for 16th July although consideration will require to be given to impact of CWG2014 in respect of both meetings.

Absence Review

The Vice-Chair advised 59 officers were currently absent longer than 28 days (A&B 19, D 23, N 17) which he highlighted was a decrease on the numbers at the time of the last NAC meeting. At least 5 staff who are on the A&B list are currently undergoing the IHR process and some others on the list have been granted an IHR and will leave the service later this month.

He advised of some appeals in respect of several half pay decisions in relation to officers undergoing IHR but these appeals have been unsuccessful. The IHR process is taking a considerable time for some with many being longer than 6 months.

It had also been established recently that in May there were 19 staff in A & B division going through the IHR process and SPF were not aware of most of these considerations as many of them were currently deployed in long term restricted roles and had asked to be considered for IHR.

Action 0012/14

Vice-Chair to establish through the Equality SC the IHR process with expected timescales.

The Secretary expressed concern that it appeared the Chief Constables discretion to retain officers on full was not being exercised in a number of cases and that appeals were being unsuccessful. He suggested and the meeting agreed it would be advantageous to establish a factual position in the North Area before progressing further. Consequently it was agreed the Vice-Chair would gather data for presentation at the next NAC meeting.

Action 0013/14

Vice-Chair to gather statistical information in relation to half pay and no pay submissions and appeals to identify the frequency of Chief Constables discretion being exercised.

At the last NAC meeting concerns were expressed regarding the effect that increasing demands might have on Officer's health and wellbeing and the potential for an increase in work related absence due to psychological. From the top line data available it is not clear if there is any significant increase and it cannot be easily established if any such absence is work related. The North Area Health and Safety Committee have discussed this topic and Alan Manning, HR North Area has been tasked to provide further data to that meeting. The Vice-Chair undertook to provide further information when it became available.

Grievance

The Vice-Chair advised he was aware of two grievance cases where officers are being assisted by Representatives one being in N and one in A Division.

Flexible working

The Vice-Chair advised the ongoing VSA consultation for Road Policing had highlighted the following issues in relation to flexible working;

Where an Officer is working an approved flexible or part time pattern at a time when the organisation seeks to alter or amend the core pattern then the Officer is not required to submit a change to their flexible pattern but can elect to remain on the approved pattern until it is due for review, usually at annual appraisal.

Recent feedback would suggest Officers in these circumstances were being informed they would have to change which is not the case. Whilst in reality most Officers elect to try and 'fit in' to a new pattern they need to be made aware they cannot be forced to make such change.

- **Health & Safety**

The Vice-Chair confirmed since the last NAC meeting the NAC Health & Safety Sub Committee had met just once on 7th April 2014 in Aberdeen. The approved minutes of the January meeting and draft minutes of the April meeting had been recently circulated to members of the NAC. The next meeting of the NAC Health & Safety Sub Committee is scheduled for 14th July although consideration will require to be given to impact of CWG2014.

North Area Health & Safety Meeting

The Vice Chair advised the North Area meeting chaired by ACC Thomson had met on two occasions since the last NAC meeting on the 11th March and 20th May. It was reiterated at the meeting contact required to be made with the Federation in the event of significant injury to members of the Federated Ranks.

6.3 Standing Committees

The Secretary advised meetings of the JCC Standing Committees had been held on 23rd April 2014 the Minutes of which he had circulated in advance of the meeting.

- **Finance**

The Chairman provided an update of discussions at the last meeting.

He advised the accounts were currently being audited and would be considered at the next FSC meeting before being presented to JCC in August for formal approval.

He drew the meetings attention to the seven recommendations which had been remitted from FSC to JCC and answered a number of questions from members.

The Chairman also advised members of the FSC were considering how money from the Trust could be used for member's benefits and sought the meetings views in respect of the North Area. After discussion it was agreed members would take time to consider options "off-table" and advise F/T officials accordingly.

- **Legislation & Regulations**

The Secretary advised there had been no meetings of this forum since the date of the last NAC meeting.

- **Operational Duties**

The Chairman summarised the discussions at the last meeting.

Transfer Policy

The Meeting had a general discussion regarding the contents of the recently published Transfer & Deployment SOP and several concerns were expressed in relation to the impact of the policy on members of the Federated Ranks in the more rural stations within the North Area. The Meeting agreed to monitor closely the application of the policy to ensure members were not adversely disadvantaged when applying for advertised vacancies across the country.

Operation ISMAY

The Meeting discussed the forthcoming NATO summit on 4th/5th September in Newport, Wales and raised a number of matters in relation to the impact mutual aid requirements would have for Police Scotland and members of the Federated Ranks.

Stop & Search

The operational use of "stop & search" was discussed at length and it was agreed that despite assurances being provided at a senior level within the Force application of "stop and search" at divisional levels continued to give cause for concern.

It was acknowledged representations continued to be made at the highest level in an effort to secure a satisfactory resolution.

Working Time Regulations

The Chairman highlighted the importance of encouraging all members of the Federated Ranks accurately recording their working time. The Meeting discussed a number of relevant issues which included the requirement to record all time at work irrespective of whether such time incurred overtime for example the preparation time for morning reports and shift briefings.

Operational Base Lines

A member raised concerns regarding operational base lines and in particular the methodology used to reach the officer numbers currently available throughout the North Area.

The Secretary advised he shared the concerns raised and provided a summary of the legacy arrangements in "N" Division. He informed the meeting that despite several attempts to identify how current establishment figures had been reached no such clarity had been forthcoming and he remained unsighted on the risk assessment process or the consultation or negotiation with elected representatives in advance of the current deployment pattern. He suggested, and the meeting agreed, this was an area of work to be progressed through the Area Health & Safety Subject Committee.

Action 0014/14

Vice Chair to raise OBL's on the agenda of the next meeting of the Area Health & Safety Subject Committee to discuss the concerns raised.

6.4 Force/Area Meetings Update

JNCC

The Secretary suggested and the meeting agreed future JNCC updates would be raised under the JCC standing agenda item.

He advised there had been no recent meetings of the Policy & Procedure or Terms & Conditions working groups but updated the meeting on business discussions at a recent meeting of the Working Practices Review Group which he had attended.

He also advised at last JNCC standard operating procedures in relation to substance misuse and postings & transfers had been approved and adopted although the publication of an expenses policy was still awaited. He expressed disappointment at the delay in the publication of an expenses SOP which he explained required a change to statutory legislation in order to facilitate proposed arrangements in respect of travel costs in certain circumstances related to transfer.

LNCC

The Secretary advised he and the Chair had attended the last meeting of LNCC on 20th March during which time items in relation to custody requirements on islands/remote stations; re-rostering of rest days; divisional resource levels; CAV days had been tabled for discussion. Actions in relation to the recording of working time; employee assistance program and the claim in respect of "held in reserve" for Operation Jersey 2013 remained open.

The Meeting discussed custody supervision and in particular the arrangements in relation to supervisory ratios and custody training and agreed these continued to be significant areas of concern. The Chair agreed to liaise with Sandy Brodie in the first instance with a view to raising the concerns identified with Chief Superintendent Ciorstan Shearer.

Action 0015/14

Chairman to liaise with Sandy Brodie in respect of the concerns raised in relation to custody supervision with a view to engaging with Ch Supt Shearer in due course.

Divisional Management Meetings

The Secretary advised he continued to engage as frequently as practicable with management meetings in "N" Division the agendas of which are heavily dominated by CWG2014 considerations.

The Vice Chair similarly advised meetings in "A" & "B" Divisions were similarly dominated by CWG2014 matters.

The Chair provided an update of the development of planning arrangements in advance of the Ryder Cup at Gleneagles in September the biggest aspect of which was traffic management planning. He expressed concern about initial plans for some officers to commence duty around 0400 hours, a proposal F/T officials did not support. After discussion the Meeting agreed it was prepared to negotiate on the 0400 hour start if the frequency and overall length of shifts were reasonably limited.

7. New Business

There were no items of new business.

8. AOCB

In addition to the discussions at agenda item 6.1 further clarity was sought by a member in relation to the arrangements required for the election of a new Secretary after which it was agreed the Secretary would provide clarification by e-mail to all NAC members.

Action 0016/14

Secretary to seek clarification regarding the election process and communicate information to the NAC members.

9. Correspondence

The Secretary advised he had no items of correspondence to be brought to the notice of the Committee.

10. Time and Date of Next Meeting

The Secretary advised the next Meeting of the North Area Committee would be held on Monday 1st and Tuesday 2nd September at the Atholl Palace Hotel, Pitlochry commencing at 1300 hours on day 1 and 0900 hours on day 2.

Dates of future meetings

1st/2nd December 2014

11. Closure of Meeting

The Chairman advised the Committee that John Drysdale was due to retire from the Service in the near future and consequently was attending his last NAC meeting. He thanked John for his many years of dedication and commitment to the SPF both with former Grampian Joint Branch Board and the NAC and wished him a long, happy and healthy retirement.

The Chairman advised the Committee, as previously intimated, the Secretary was also attending his last meeting of NAC and would be starting his new role as SPF Vice Chair on 1st July. He thanked Graeme for his efforts on behalf of the Committee and the Meeting wished him every success in his new role.

The Chairman thanked the Committee for their active and constructive participation and closed the Meeting by wishing everyone present a safe journey home.

He was thanked by the Meeting in the customary manner.

David Hamilton
Chair

Graeme Ednie
Secretary