



## Scottish Police Federation North Area Committee

Minutes of the 3rd quarterly meeting of the Scottish Police Federation – North Area Committee held on Monday 31<sup>st</sup> August and Tuesday 1<sup>st</sup> September 2015 at the Atholl Palace Hotel, Pitlochry.

### 1. Members Present

#### Full Time Officials

David Hamilton	Chair
Graham Sloan	Secretary
Steve Thomson	Deputy Secretary
John Crawford	Vice Chair

Peter Jones	National Health & Safety Secretary
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Constables	Sergeants	Inspecting Ranks
Fraser Robertson Brian Dick Mike Purdie Linsey Burns Neil MacDonald Gary Johnston Paul Reynolds Sandy Smart	Derek Baxter David Threadgold Andrew Bilton Martyn Turner Karen Harrison James Thomson Gordon Forsyth	Gordon Deans Iain Smith Gordon Milne Caroline Scobbie

### 2. Opening of Meeting

The Chairman opened the meeting and welcomed all members present and he encouraged everyone present to take an active part in the meeting and to contribute to discussion and debate. He extended his welcome to Louise Deans, office administrator from Aberdeen who was attending as a minute taker.

### 3. Apologies for Absence

Apologies were received from;

Grant Letham  
Dave Forsyth  
Neil Cameron  
Graham Smith  
Stephen Ross  
Davie Smith  
David Ogilvie  
Gus Morrison  
George Murray  
Gordon MacDonald  
Frank McManus  
Neil Macdonald (day 2)

#### **4. Approval of Previous Minutes**

The Minutes of the previous Meeting which were circulated in advance of the Meeting were formally approved having been proposed and seconded by Caroline Scobbie and Gordon Forsyth.

#### **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 0024/14

The Secretary advised that the work of Supt Ritchie had now been passed to Supt Mark Hargreaves. The Secretary, along with the other Area Secretaries and Woodside Place officials, had met with Supt Hargreaves in early August. His work is at an early stage and to date had not included data from the North. A further meeting was being planned and the Secretary would report back to the Committee at that time.

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

##### **5.2 Chief Constable's Retiral**

The Chairman invited an open discussion around the recent announcement of the Chief Constable's intention to retire. Varying views were expressed regarding the impact of that decision and on the SPF's response to the announcement. It was unanimously

agreed that maintaining trust and a constructive relationship with the Force Executive was essential for our members' interests.

## **6. Standing Items**

### **6.1 JCC Update**

The Secretary advised that the JCC had met on 18<sup>th</sup>/19<sup>th</sup> August 2015 and the minutes would be circulated in due course.

#### PNB

The Chair advised that the PNB met on 30<sup>th</sup> July 2015, the Official side accepted the Staff side claim for a 1% pay rise with effect from 1<sup>st</sup> September 2015. This has now gone forward as a recommendation for ministerial sign off.

The second part of the Staff side claim was for 0.6% to be made payable with effect from 1<sup>st</sup> April 2016. The rationale behind this was that the median earnings increase across a range of public and private sector employees was 1.6% based upon Scottish Government figures. This was not accepted by the Official side and Staff side are now considering options.

The Staff side's proposal to use the median earnings increase, as had been the case pre 2010, as a long term formula was rejected by the Official side.

The Official side had agreed in principle to an improvement to the Maternity Pay provisions, extending Maternity Pay from 13 to 18 weeks. An Equality Sub Group had been established to consider the detail and implementation of this new provision.

A Technical Working Group had also been established to consider other outstanding claims including, further defining Exigencies of Duty, Overnight Allowance and review of Compensation Working into a Rest Day after nightshift.

#### Pensions

The Chair advised that the Scottish Police Pension Board had now had training and had held its first meeting on 29<sup>th</sup> June 2015. A number of issues were discussed but he wished to highlight a forthcoming change to National Insurance Contributions whereby the employee contributions will rise by 1.4% as a consequence of changes to the state pension scheme. Further details of 'the impact of ending contracting out' will be circulated in due course but it is effectively a tax change, not a pension change.

#### Consultative Forum

The Forum met on the same day as PNB and working time issues generated more discussion. A Working Time "Gold" Group is to be established by the Force to take this issue forward. There was also discussion on a new route to recruitment, namely Pathways to Policing.

#### Scottish Police Authority

An announcement regarding the appointment of a new Chair is expected soon. It is clear that the SPA are supportive of the SPF's position on ill health retirement and understand the frustrations of officers affected.

The chair had learnt that a common pay date to have all staff on a similar pay date has been delayed by a further year.

A new Firearms licensing model was discussed and agreed with the papers available on SPA website. [www.spa.police.uk](http://www.spa.police.uk) Like many national arrangements, it would mean different things to different parts of the country depending upon legacy practice.

Performance and issues within C3 Division were discussed by the authority and a conditional go-ahead for the next stages of the C3 programme was agreed.

### JNCC

A Budget Gap of £17 - £30 million was highlighted underpinning the dire financial position the Force finds itself in

A local Redeployment Board was being introduced in the early stages of the Ill Health process to consider opportunities for redeployment of officers rather than delaying matters at the end.

A Stop Search code of practice looked inevitable and announcements were awaited from the Cabinet Secretary. A briefing session with Parliamentarians had been held where SPF argued against the outlawing of consensual searches by Police officers.

The longevity of warnings re misconduct was also discussed and further developments are awaited.

### Police Charities

Possible changes to Police Treatment Centre membership to extend to PCSOs, Special Constables and paramedics were discussed but not supported by the committee

The Police Dependants' Trust have made funding available to assist officers suffering from certain categories of PTSD further details would be circulated in time.

**Action 0003/15 - The Secretary is to establish more information about the Police Dependants' Trust available funding for officers suffering from PTSD.**

### Tax Rebate

It was apparent that some members have received letters from a tax company regarding rebates, this included reference to rebates for Federation Subscriptions. Some members expressed concern how their details had been made available to this company. It appears the data was obtained through data mining, where officers will have submitted their details to some website search engines such as for car insurance

## **6.2 Subject Committees**

The minutes of all National Subject Committees were circulated as JCC Circular 36/2015.

- **Conduct**

The Vice Chair advised the Committee that the current conduct figures both on and off duty were as follows:-

Conduct On:	35
Conduct Off:	6
Criminal On:	30
Criminal Off:	14
Total:	85

Currently have 5 suspended officers in the North Area.

Operation Hortam is drawing to a close, there are currently 6 officers left in terms of conduct.

Following his input the Vice Chair took questions from the committee with several points made about delays with matters sitting at CAPD.

**Action 0004/15 – Vice Chair to establish delays in dealing with a D Division officer with case sitting at CAPD.**

**Action 0005/15 – Vice Chair to liaise with Jim Foy, National Conduct Secretary to establish if a representative of CAPD would attend a NAC or JCC meeting.**

- **Equality**

The Secretary confirmed that the NAC Equality Sub Committee had met for the first time on 15<sup>th</sup> July 2015 in Dundee, the draft note of the meeting had been circulated.

Absence Review

The Secretary then gave a brief update that at present there were the following officers absent across the North Area:-

A&B Divisions	26 – 2 in IHR process
D Division	24 – 3 in IHR process
N Division	11

The IHR process is continuing to take a considerable time for many, the process is changing slightly with a Local Postings Panel looking to establish if there are other roles an officer could be redeployed to earlier in the process.

There has been some recent success with officers having their reduced pay reinstated while they wait within the IHR process.

Grievance

Not aware of any currently on going receiving support.

Flexible Working/Part time

There have been some issues recently in D Division where officers are having their flexible patterns reviewed and have been receiving support through this process.

The Secretary then invited any questions.

## **Health & Safety**

The Deputy Secretary advised that the NAC Health & Safety Sub Committee had last met on Monday 13<sup>th</sup> July 2015 in the A Division Conference Room, Aberdeen. At this meeting training was delivered by the National Lead. The draft minutes have been circulated to the Committee.

### **North Area Health & Safety Meeting**

The Deputy Secretary advised that the North Area meeting chaired by ACC Robertson had met on one occasion since the last NAC meeting on Thursday 6<sup>th</sup> August 2015.

### **National Health & Safety Meeting**

The Committee was updated that he attended this meeting on Tuesday 27<sup>th</sup> July 2015.

The Deputy Secretary provided the Committee with an update in relation to the T in the Park Event which took place between 10<sup>th</sup> and 12<sup>th</sup> July 2015. A varied discussion took place.

An update was also provided in relation to vehicle check surveys which all reps had been asked to carry out between now and this NAC meeting.

A brief update was also provided about notebooks and a survey that had previously been carried out.

The National Secretary has also received correspondence from the DCC designate advising that duty time is to be given to Health and Safety representatives to undertake their prescribed functions. This has been shared with Health and Safety reps.

Finally an update was provided by the National Secretary in relation to all 27 reps throughout Scotland receiving specific training in regard to Health and Safety.

## **Action 0006/15 – Peter Jones to provide more information about the Building Fire Assessment Training rollout.**

The Deputy Secretary invited any questions.

### **6.3 Standing Committees**

The minutes also formed part of JCC Circular 36/2015.

- **Finance**

The Chairman confirmed that the Finance Standing Committee had met on 29<sup>th</sup> July 2015 and he updated on the discussions at that meeting.

- **Legislation & Regulations**

The Secretary gave an update that John Scott QC had been asked by the Scottish Government to report on *Stop and Search* and would shortly be meeting with the General Secretary. Brain Docherty sat on the PSoS Stop/Search Practice Group and that consideration was being given to a questionnaire to seek members' views on police search.

- **Operational Duties**

A draft paper re Special Constables subscribing to SPF is to be circulated.

There was discussion regarding post incident training/procedures.

Discussion also took place regarding the circulation of minutes prior to approval and the delay in circulating.

## **Task 0007/15 – Secretary to pass back feedback about the circulation of minutes.**

### **6.4 Force/Area Meetings Update**

#### **LNCC**

The North LNCC met in Inverness on 25<sup>th</sup> June 2015, Graham Sloan and David Hamilton attended. The meeting was chaired by ACC Derek Robertson. The following matters were discussed, including the Staff Survey and staff morale.

The subject of Concessionary Travel to islands had been raised following a change to the wording of the PSoS SOP which was impacting on officers. The matter was not concluded within the meeting with it being taken off the table for further discussion.

The Secretary was able to update that further discussion had now taken place on 25<sup>th</sup> August 2015 and the matter had been resolved satisfactorily and was now being progressed with ACC Robertson.

### **LNCC 5C**

No update was available.

### **Divisional Management Meetings**

N Division – The Vice Chair advised that no one has attended recent meetings.

A Division – The Secretary informed the Committee Supt Milton is being replaced by Nick Topping and once in post he needed to confirm the meeting dates.

B Division – The Secretary advised Chief Supt Campbell Thomson has now taken over from Mark McLaren, and has held his first Divisional Rep meeting and plans to alternate these meetings between Inverurie and Elgin.

D Division – The Chair gave an update on a recent meeting. Various issues were discussed including OBLs and single crewing.

Custody Division – No formal meetings had been held with the new Commander yet.

The Chair explained that it was the hope of the NAC officials that Divisional Management Meetings became Rep-led. He invited the Divisional reps to appoint a Meeting Co-ordinator from their number to liaise with Management Teams. The full time officials would continue to meet with Commanders in an informal basis and would only attend occasional meetings.

### **Task 0008/15 – Area reps to identify a meeting co-ordinator to liaise with management teams.**

## **7. New Business**

### **7.1 Motion**

Proposal for amendment to the Police Service of Scotland Regulations 2013- PAYMENT OF OVERTIME ON RESTDAYS WITH MORE THAN 15 DAYS NOTICE FOR SPECIFIED EVENTS AND OPERATIONS

“That the North Area Committee asks the Joint Central Committee to seek agreement within PNB Scotland to amend Annex 8 to Regulation 18 of Police Service of Scotland regulations 2013 as follows;



- 1) Renumber sub paragraph (ii) to (iii)
- 2) Insert new sub paragraph  
(ii) *where 15 or more days' notice of the requirement is given and the Chief Constable and the Joint Central Committee of the Scottish Police Federation are in mutual agreement with regard to a specific event or operation, an allowance at the rest-day rate applicable as if 14 days' notice of the requirement had been given; or*
- 3) Amend reference to (ii) to (iii) in final paragraph."

### **Explanatory Note**

One of the founding principles of PNBS has been the desire to identify matters of mutual benefit to both sides. This motion presents a risk-free way of enabling a more efficient and beneficial approach to working on rest days.

Compensation for working on Rostered Rest days is currently governed by Annex 8 to Regulation 18 of Police Service of Scotland regulations 2013.

#### **Annex 8      Regulation 18**

##### **PUBLIC HOLIDAYS AND REST DAYS**

##### **1)      ROSTERED REST DAYS AND PUBLIC HOLIDAYS**

- a) *A constable of the Police Service of Scotland of the rank of constable or sergeant must, if required to do duty on a day which is a rostered rest day, be granted:*

*(i) where the constable receives less than 15 days' notice of the requirement, an allowance at the appropriate rest-day rate; or*

*(ii) in any other case, another rest day,*

*and where another rest day is granted in accordance with sub-paragraph (ii), the chief constable must, within 4 days of notifying the constable of the requirement to do duty on the originally rostered rest day, notify the constable of the date of that other rest day.*

As a consequence of this, officers who are notified of a requirement to work with more than 15 days' notice are obliged to have their rest days re-rostered. There is currently no lawful mechanism for compensating officers for working rest days at overtime rates when more than 15 days' notice is given.

The Chief Constable is increasingly required to police large scale commercial events where full cost recovery could be applied. It is in the interests of both the Force and Officers to have a mechanism where, following agreement, staff could work under

overtime arrangements, thus not accumulating rest days and providing a more cost effective mechanism for compensating officers who work only a small part of a rostered rest day.

This provision also facilitates the proper application of the Scottish Police Authorities Charging to External Events Policy and the expectations of the Police and Fire Reform (Scotland) Bill 2012 in protecting communities from receiving a diminished service as a consequence of policing commercial events.

The motion puts in place a 'double lock' provision ensuring that such an arrangement requires the explicit agreement of both JCC and the Chief Constable for each event or operation to which this provision is made.

The amended regulation would then read;

**1) ROSTERED REST DAYS AND PUBLIC HOLIDAYS**

*a) A constable of the Police Service of Scotland of the rank of constable or sergeant must, if required to do duty on a day which is a rostered rest day, be granted:*

*(i) where the constable receives less than 15 days' notice of the requirement, an allowance at the appropriate rest-day rate; or*

*(ii) where 15 or more days' notice of the requirement is given and the Chief Constable and the Joint Central Committee of the Scottish Police Federation are in mutual agreement with regard to a specific event or operation, an allowance at the rest-day rate applicable as if 14 days' notice of the requirement had been given; or*

*(iii) in any other case, another rest day,*

*and where another rest day is granted in accordance with subparagraph (iii), the chief constable must, within 4 days of notifying the constable of the requirement to do duty on the originally rostered rest day, notify the constable of the date of that other rest day.*

The Committee were content to submit the motion to JCC on behalf of the NAC.

**Task 0009/15 – Secretary to forward Motion to JCC.**

**8. AOCB**

Paul Reynolds had requested that SPF Communication be discussed both at a local level and more widely. The previously submitted Communication Paper that had been prepared by the NAC was discussed and the difficulties encountered.

The importance of representatives sharing updates from meetings was emphasised and how the newsletter email link could be used.

**Task 0010/15 – Secretary to recirculate the Newsletter Email link.**

**9. Correspondence**

The Secretary advised he had no items of correspondence to take to the attention of the committee.

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

The Chairman advised the next Meeting of the North Area Committee would be held on Monday 30<sup>th</sup> November and Tuesday 1<sup>st</sup> December 2015 at the Atholl Palace Hotel, Pitlochry commencing at 1300 hours on Day 1 and 0900 hours on Day 2.

Dates of future meetings

29<sup>th</sup> February/ 1<sup>st</sup> March 2016

6<sup>th</sup> / 7<sup>th</sup> June 2016

5<sup>th</sup> / 6<sup>th</sup> September 2016

5<sup>th</sup> / 6<sup>th</sup> December 2016

**11. Closure of Meeting**

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

**Graham Sloan**  
Secretary