



## Scottish Police Federation North Area Committee

Minutes of the 4<sup>th</sup> quarterly meeting of the Scottish Police Federation – North Area Committee held on Monday 30<sup>th</sup> November and Tuesday 1<sup>st</sup> December 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

Constables	Sergeants	Inspecting Ranks
Fraser Robertson Brian Dick Mike Purdie Neil MacDonald Gary Johnson Paul Reynolds Sandy Smart Davie Smith Gus Morrison	David Threadgold Andrew Bilton Martyn Turner Karen Harrison James Thomson Gordon Forsyth Stephen Ross Grant Letham	Gordon Deans Iain Smith Frank McManus Gordon Milne Caroline Scobbie David Ogilvie Dave Forsyth Neil Cameron

### 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. Louise Deans, office administrator from Aberdeen was attending as a minute taker. Welcome to Peter Jones (National Health and Safety Secretary) and Jim Foy for tomorrow.

### 3. Apologies for Absence

Apologies were received from;

Graham Smith  
Linsey Burns  
Derek Baxter  
George Murray

Excusals during meeting;

Gordon Milne arrived during the Sub Committee updates on day one.

Sandy Smart and Frank McManus left the meeting on day two after the C3 input.

### 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 Neil MacDonald and Martyn Turner.

### 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 0003/15

The Secretary advised that he had raised this matter with the national Chairman who was to seek more information directly from the Police Dependents Trust. This information would be circulated once available from the PDT.

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

#### Action 0004/15

The Vice Chair advised the matter had been raised but as it was ongoing they would not discuss ongoing cases.

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

#### Action 0005/15

The Vice Chair advised this matter had been discussed with Jim Foy, the National Conduct Lead and CAAP-D had been previously invited to JCC and declined although they may attend the National Conduct meeting.

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

#### Action 0006/15

Peter Jones provided an update on the training programme that was being rolled out shortly and comprised a one day training input.

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

#### Action 0007/15

The Secretary advised that he raised this matter at the last Operational Duties Sub Committee with the points made by the NAC discussed and have recorded in the minute. The minutes were circulated in JCC Circular 50/2015.

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

#### Action 0008/15

The following reps have been identified as the point of contact for management meetings in each area.

- A – David Threadgold
- B – Graham Sloan will manage this connection
- D – Sandy Smart
- N – David Ogilvie

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

#### Action 0009/15

The Chair gave an update re RRD – notice required etc and the Secretary advised that the motion was submitted as required to the JCC and was heard at the JCC meeting on 3<sup>rd</sup> November 2015. The JCC passed the motion.

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

#### Action 0010/15

The Chair spoke about the NAC Newsletter and the Secretary confirmed the link to the NAC Newsletter had been recirculated.

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

## **6. Standing Items**

### **6.1 JCC Update**

The Chair gave an update that the JCC had met on 3<sup>rd</sup> and 4<sup>th</sup> November 2015 and the Secretary advised the minutes would be circulated in due course.

#### PNB

The Chair advised that the PNB Staff Side met on 23<sup>rd</sup> October 2015 and PNB itself on 29<sup>th</sup> November 2015.

Staff side had agreed to increase in size by one officer per rank and Heather MacDonald (East), Andy Smith (West) and David Kennedy (HQ). This would both put in place a stronger "reserve" role but more importantly expand the PNBSS decision making to a broader range of officers.

The new PNB Chair had impressed Staff side with his approach to the PNB meeting and we expect to see a more productive forum moving forward.

The Staff side claim for a 1% pay rise in September had been accepted. The 0.6% claim for April 2016 had however been rejected. The Staff side were considering options on this.

The Official side had rejected the suggestion of re-indexing Police Pay rises to the median pay rise in Scotland.

Plain Clothes and On Call Allowances had been increased with effect from 1<sup>st</sup> September 2015 to £13.26 and £23.46 respectively.

A number of claims remain outstanding at this time and a Technical Working Group would meet the next week to develop claims on

- Compensating Rest Day/ Free Day during Annual Leave periods as Annual Leave Days
- Shared Parental Leave
- Implementation of Children and Families Act
- Carry over of Annual Leave

The Chair advised that the North Area motion seeking a way of paying police officers rest day overtime where more than 15 days' notice had been given had been supported by the JCC and would be added to the PNB agenda.

### Pensions

The Chair advised that the Scottish Police Pension Board had recently met and that he had progressed the growing concerns of Pension Scheme Members with the Scottish Public Pension Authority.

The Annual Allowance Statements (a tax on officers who accrue “large” potential pension increases in a year) had been poorly handled. The communication package accompanying the figures was very poor. As a consequence some officers who were able to offset a tax charge using previous years allowances may have incorrect figures. The Chair advised any officer in that situation to contact the PSoS Pensions Department at Fettes in the first instance.

The Annual Benefit Statements were due to be issued in November. The Chair had requested to see the format of these before they were issued and has given an initial feedback to SPPA. A significant amount of revision is required. The statement will be a statement as at 31<sup>st</sup> March 2015 (pre- CARE).

Contracting out will end in April 2016 that will see NI contribution rates rise by 1.4%. The Chair has been assured that DWP are to prepare a communications package to explain the changes to Public Sector Scheme members and his advice re questions was to direct enquiries to Government in the first instance.

### Consultative Forum

The Scottish Police Consultative Forum met on 29<sup>th</sup> November. An update was given on Pathways to Policing and SPF sought and were given assurances that any change to training would be impact assessed on frontline policing. Discussion took place regarding new recruits no longer being required to have a driving licence.

### Scottish Police Authority

The Chair reported that the new Chair of the Scottish Police Authority, Andrew Flannigan, was in post and in ‘listening mode’.

The SPA budget is significantly overspent and the Service faces unprecedented financial challenges and choices. The JCC had a helpful round the table seminar capturing JCC views on where money was being wasted and how the budget could be improved.

### JNCC

There had not been a JNCC for some time and would likely not be one until after the new Chief Constable had been appointed. There was general discussion around this topic and the Secretary advised that the JNCC should be a quarterly meetings with the Chief Constable.

## **6.2 Subject Committees**

The minutes of all national Subject Committees were circulated as JCC Circular 50/2015

- **Conduct**

The Secretary advised the Committee that the current conduct figures both on and off duty were as follows

Conduct On: 16

Conduct Off: 1

Criminal On: 22

Criminal Off: 12

Total:- 51

This is a significant decrease from the previous NAC and is caused by a number of issues. Operation Hortum as well as PSD taking a fairly reasonable approach to many minor issues.

Operation Hortum is coming to a close with 3 officers receiving warnings in December, only one officer remains at the PF or CAAP-D.

There are presently 6 officers suspended across the North Area. There will be a number of hearings taking place with one later in the month.

There has been no meeting of the Conduct Committee since the last NAC. Disappointingly on the 1<sup>st</sup> October the meeting was not quorate due to a number of reasons, this meeting was turned into a training day. Discussion took place regarding attendance at such meetings with the following points raised that Monday was not a good day to hold the meeting and video or telephone conferencing as the best option. There was further suggestions of holding such meetings whilst at NAC.

- **Equality**

The Secretary confirmed that the NAC Equality Sub Committee had met on 9<sup>th</sup> September 2015 in Dundee, the draft minute of the meeting had been circulated.

### **Absence Review**

The Secretary advised that he currently did not have new figures for officer's presently long term absent and has asked for the information again to be shared. He confirmed that where an officer was already allocated to a rep in connection with any other issue they would also be the point of contact for the ill health support.

### **Grievance**

Not aware of any currently on going receiving support.

## **Flexible Working/Part time**

Not aware of any currently on going receiving support.

The Secretary then invited any questions.

The recent practice of officers having their CRTP being subject to an automatic review based on their Bradford score was discussed at length. The Chair had sought a view from the National Equality Lead as to the potential conflict with the Equality Act where officers had a recognised disability.

The Committee asked for some guidance to all staff regarding the Competency Related Threshold Payments Scheme.

## **Action 0011/15**

Guidance to be circulated to all staff on the CRTP Scheme.

- **Health & Safety**

The Deputy Secretary advised that the NAC Health & Safety Sub Committee had last met on Monday 28<sup>th</sup> September 2015 at Dundee.

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

The Deputy Secretary advised that the North Area meeting normally chaired by ACC Robertson had met on one occasion since the last NAC meeting on Wednesday 4<sup>th</sup> November 2015. This meeting was attended by Davie Smith in the absence of Steve Thomson as he was at JCC. This meeting was chaired by Chief Superintendent Adrian Watson in the absence of ACC Robertson.

## **National Health & Safety Meeting**

The Deputy Secretary advised that the National Health & Safety Committee last met on Tuesday 29<sup>th</sup> September 2015 in Glasgow.

The Deputy Secretary provided the Committee with updates in relation to:

- T in the Park Debrief or lack of
- Divisional HQ Inspections and in particular the North Area
- Notebooks
- Vehicle checks
- Training

The Deputy Secretary invited any questions.

Peter Jones, the National Health & Safety Secretary provided an update that the decision to remove the Water Rescue equipment from vehicles had been reviewed.

He provided further information that the issue of winter hats had not been completed by the allocation of national contracts, this matter was being progressed nationally.

Specific issue of clothing for officers working at Ski Centres was discussed, with one member intimating his vast experience in relation to Goretex is available if required. It was the view of the Committee that this had been resolved some time ago.

### **Action 0012/15**

Peter Jones to raise the matter of Winter Clothing nationally.

### **CCU – Guest Speakers**

Chief Inspector Andrew Goodwin and Superintendent John Patterson provided an update on the current presentations that CCU were delivering across the country and took questions from the members.

## **6.3 Standing Committees**

The minutes also formed part of JCC Circular 50/2015

- **Finance**

The Chairman confirmed that the Finance Standing Committee had met on 30<sup>th</sup> September 2015 and he updated on the discussions at that meeting, the main part of which had been the transfer of the Legal Advice and Assistance element of the Group Insurance Scheme to the Voluntary Fund. Officers would see an increase in their Voluntary Fund subscriptions offset by a reduction in the Group Insurance Scheme premium.

Full time officials have been assured that there will be no detriment to the service provision and that it may even be enhanced.

- **Legislation & Regulations**

The Secretary confirmed that the Legislation and Regulation Standing Committee had met on 30<sup>th</sup> September 2015 and he updated on the discussions at that meeting.

#### Regulations and Determinations

That a report from John Scott QC would be published to abolish consensual search and that a code of practice for use of search would be created.



A question on PSoS travelling time was raised and the General Secretary confirmed that the Chief Constable had set it at 1.5 hours, it was agreed that this would be examined further and an outcome is awaited.

A question was subsequently raised regarding officers attending interviews for promotion or specialist posts on Rest Days and experiencing difficulty in getting the Rest Day back. It was apparent that work was ongoing nationally regarding a national policy position. Until this national policy was applied members were encouraged to seek local resolution if issues arose.

- **Operational Duties**

The Secretary confirmed that the Operational Duties Standing Committee had met on 30<sup>th</sup> September 2015 and he updated on the discussions at that meeting.

The Special Constables Governance Group met on the 8<sup>th</sup> September 2015 at the SPC. The following items of discussion were worthy of note.

- The question of using Special Constables to lead on rural crimes.
- A recruitment need in the North Area.
- The question of employers being encouraged to permit their employees to become Special Constables.
- Misconduct procedures for Special Constables.

Discussion took place surrounding Special Constables. The General Secretary recognised the work that Special Constables do and appreciated their assistance but is mindful that it's voluntary, and for some a second job. This for some is a gateway to join the Service and should not be used as a lead on Wildlife or Rural Crime due to the nature of the types of crime that is committed. The meeting were in agreement.

#### CBRN

The Chair gave an update on the Home Office Operational Response package. He stated there remained difficulties with this and a further update was awaited.

#### Post Incident Procedures

The General Secretary highlighted a number of pertinent issues that had come to light following recent high profile events.

A one day course for as many office bearers preferably before Christmas would be organised. A discussion took place around the involvement of PIRC when dealing with PIP.

#### Custody

Opposite sex searches had been raised with the Equality Secretary and she was to make enquiries and report back.

The NAC expressed their concern at any move to introduce routine searching of members of the opposite sex and that current procedures were appropriate and sufficient.

#### Communications

Graham Sloan confirmed the information he provided in the Action Log update that the NAC asked for clarification as to why the Minutes are only sent in draft form and only approved at the next meeting.

The General Secretary advised that it was normal practice to approve Minutes at a subsequent meeting and until then Minutes would remain as drafts. The notes that each representative takes at meetings should be sufficient to give an update to Area Committees.

#### Protecting the Frontline

The motion was discussed under Competent Business at the last meeting, it was agreed that this matter would be raised at the Political Party Conferences. The Chair provided a brief update on the Party Conferences he had been asked to attend.

#### 3C

The General Secretary asked that Dave Forsyth be thanked for his contribution and all the work he had carried out in relation to this. The General Secretary identified that the issues highlighted had been raised with HMICS.

#### Competent Business

The question about British Summertime was raised and the General Secretary reminded the meeting that he had written to the Chief Constable on this subject in the past and had received an assurance the SPF suggested solution would be considered. The Deputy General Secretary said he would speak to Stevie Diamond regarding this.

Members of the NAC were aware of the subsequent issue with the end to BST, which only saw the SPF suggested solution implemented at the last minute.

It was the view of the Committee that this issue along with others should have been addressed by the Working Practices Review Group and that work was necessary to collate these issues and others into a single list to be addressed.

## **Action 0013/15**

Committee members to submit any issues they believe should be resolved at the WPRG to the Secretary by email.

## **National Conduct Lead**

The Chair introduced Jim Foy, who provided a brief update on the national position with conduct matters and PIRC.

## **3C – Guest Speakers**

Chief Superintendent Alan Speirs and Superintendent Andrew McDowall provided an update on the current position within C3 and the move to the national model and took questions from the members.

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

### **LNCC**

The North LNCC met on 1<sup>st</sup> October 2015 and was attended by the Chair and Deputy Secretary. The Chair expressed his dismay that once again Castle O'Mey overtime compensation was not being paid and that unless resolved quickly, SPF would proceed to legal action.

The T in The Park debrief had been held without any invitation being extended to SPF, much to the annoyance of the Gold Commander. The Chair advised that much earlier engagement with SPF would be required for 2016, if the event went ahead.

ACC Robertson was disappointed that the Chair had not been contacted by People and Development regarding the revised Islands Travel Allowance. The Chair advised the Committee that he had since lost patience waiting and approached and met with Nicky Page (P&D) himself. The Force was agreeable to a change and suggested enshrining the agreement at PNB. The amended policy will now go to the next JNCC for ratification.

### **LNCC 5C**

Met in Stirling on 26<sup>th</sup> November 2015, Peter Jones represented the NAC at this meeting and gave a brief update on Productions and Custody.

## **Divisional Management Meetings**

N – John Crawford advised the meeting remain ongoing but with no issues to highlight to the Committee.

A – Superintendent Nick Topping is now in post and has met with Graham Sloan. David Threadgold is meeting regularly with him.

B – Chief Superintendent Thomson continues to meet on a 6 weekly basis with Graham Sloan, reps will continue to be invited to these meeting in Inverurie.

D – Chief Superintendent Eddie Smith met with D Division reps on 5<sup>th</sup> October and a variety of matters were discussed. Since then an issue with CRTP payments has arisen. The Chair was in discussion with the Command Team to try and head off a series of Grievances/Employment Tribunals under the Equality Act.

C3 – The Chair had met with ACC Robertson, Chief Superintendent Smith, Chief Superintendent Speirs and Alan Manning seeking assurance that the North Area C3i project phases were co-ordinated, planned and didn't leave D Division with a skills shortage. He had major concerns in the short term regarding this.

Custody - No meetings have been held with Custody Division Command yet.

## **7. New Business**

### **7.1 Operation Ailey**

The Chair gave a general brief of Operation Ailey and advised representatives to channel any complaints and queries to the Full Time Officials in the first instance.

## **8. AOCB**

- RRD's during sick leave – raised by Brian Dick seeking clarity on the position. Confirmed there is no compensation for a rest day during sick leave, this has previously been the subject of a legal opinion.
- TOIL Balances – raised by Sandy Smart following a request from an officer to have his TOIL balance paid. There is no process currently in place to allow a 'legacy' balance to be paid out with the recently introduced 90 day process. A TOIL balance cannot be lost and officers are encourage to reduce their balances.
- Mountain Rescue – raised by Sandy Smart following information that officers in the Mountain Rescue Teams have been advised there will be no overtime for training.

### **Action 0014/15**

David Hamilton to raise this issue with OSD Management.

- Paris Attacks safety threat – raised by Mike Purdie. The content of the recent SPF press release following the Paris attack was discussed.

During discussion around the AOCB issues it was apparent that in D Division overtime was being made available for staff to carry out specific crime patrols while rest day. It was suggested that this was due to a significant overtime underspend. There was further evidence that in other areas the opposite was in place with no overtime being approved or sanctioned.

### **Action 0015/15**

The Secretary is to highlight to the General Secretary the silo approach to finance and overtime spend.

## **9. Correspondence**

The Secretary confirmed he had two items of correspondence relevant to the Committee. The first item was the resignation notification from Gordon MacDonald who was standing down from the NAC on transfer to a post at the Scottish Police College. It would now be necessary to hold an election for a replacement which would take place into the New Year seeking a representative from the new North East Division.

The second item was from Paul Reynolds resigning from the NAC as he is shortly to retire from the service.

The Chairman thanked both officers for their involvement in the NAC and wished Paul the very best for the future on leaving the service.

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

The Chairman advised the next Meeting of the North Area Committee would be held on Monday 29<sup>th</sup> February and Tuesday 1<sup>st</sup> March 2016 at the Atholl Palace Hotel, Pitlochry commencing at 1300 hours on Day 1 and 0900 hours on Day 2.

### Dates of future meetings

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