



# Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

## Joint Central Committee Minutes

Ref: CS/DJK/LS

Minutes of the Joint Central Committee meeting held at the Hilton Grosvenor, Glasgow on Tuesday 5th and Wednesday 6th November 2013.

### 1. ATTENDANCE AND OPENING

#### **SPF Office Bearers:**

Calum Steele	-	General Secretary
Robert Milligan	-	Deputy General Secretary
Brian Docherty	-	Chairman
David Ross	-	Vice Chairman
Graham Neilson	-	Treasurer

#### **North Area Committee:**

Graeme Ednie  
David Hamilton  
Paul Hogan  
Peter Jones  
Mike Kennedy  
Graham Sloan

#### **East Area Committee:**

Nigel Bathgate  
Gordon Dixon  
Raymond Dutton  
Amanda Givan  
Heather MacDonald  
Stewart Ross

#### **West Area Committee:**

John Adams  
David Blacklock  
Andy Smith  
Andrea MacDonald

Malcolm MacDonald  
Donald Walker

### **Subject Secretaries**

David Kennedy  
Jackie Muller (Day 1 only)  
David Cummings

### **Observers**

John Campbell  
John Ferguson  
Jim Foy

### **SPF Staff:**

Doug Keil  
Lesley Stevenson

The Chairman opened the meeting and welcomed Raymond Dutton to his first JCC meeting as a full member and Andy Smith as a replacement member from the West Area Committee. He thanked everyone for their attendance and invited all in attendance to take a full part in the meeting.

Bob Elliott, Professor of Economics, Aberdeen University (and advisor to PNB Staff Side and the Federated Ranks of Staff Side of the PNB Scotland Standing Committee) attended the meeting on Day 1 and gave a presentation on the financial challenges and wider economic conditions impacting on police pay and conditions.

Kenny MacAskill, Cabinet Secretary for Justice attended the meeting on Day 2 and gave an update on the Criminal Justice Bill.

The Separate Central Committees met between 10 and 11am.

Before the Joint Meeting started, the General Secretary spoke about two motions he had received from the West Area Committee. Both motions had been received in good time but neither fitted the normal format for rule change motions. The General Secretary asked the JCC to consider whether they should be heard at this meeting or returned for resubmission. The JCC asked that they be heard at this meeting – see item 19.

## **2 MINUTES OF PREVIOUS MEETING**

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

### **3 LEGAL ADVICE AND ASSISTANCE**

The Committee was informed that since the last JCC meeting eight new case files had been received one conduct (30-13), one injury on duty (25-13), one challenge to misconduct proceedings (26-13), one CICA (28-13), one medical discharge (29-13), one RTA (31-13), one ill health retiral appeal (32-13) and one protected disclosure (27-13). A further four files had been rejected.

Malcolm MacDonald made an appeal on behalf of a West Area member whose application for legal advice/assistance had been rejected. After discussion the General Secretary proposed that the Deputy General Secretary make a decision on the case following the determination by the Selected Medical Practitioner. This was agreed by the Committee.

### **4 PNB**

The General Secretary reported that the main item on the PNB Agenda had been the Police Arbitration Tribunal on the outstanding Winsor issues. He reported that despite the service level agreement between the PNB and PAT that results should be made known within a set timescale, this had not occurred on the last number of occasions and given the proximity to Christmas it was unlikely to be met in this case also.

He also reported PNB constitutional issues had been discussed relative to the abolition of the PNB and the creation of a Police Pay Review Body for England and Wales and the future of a negotiating mechanism for Scotland. He said that the Scottish legislative position was lagging behind somewhat and the Independent chairman of the PNB, John Randall, had said that legislation may have to be amended to cater for this. The General Secretary also reported that the Scottish PNB would have equal status to the Police Advisory Board for England and Wales and the Police Advisory Board for Northern Ireland for dealing with reserved UK wide pensions arrangements.

The General Secretary said that at the PNB Scotland Standing Committee (PNBSSC), it was expected the Official Side would formally advise the Staff Side of its proposals to exchange some public holiday's into annual leave days. He said it was likely that Christmas Day and New Year's Day would remain as statutory public holidays.

Members had a lengthy discussion on this topic and discussed the savings being sought from PSoS, the cost of policing public holidays, the absolute imperative of protecting as far as possible police officer take home and pensionable pay and the practical impact this proposal would have if implemented.

The General Secretary said he had met Scottish Government officials to discuss the future governance of pensions through a Pensions Board and a Pensions Scheme Advisory Board. He said this was a massive responsibility and that training would be required for those who were to be involved. He thought the implementation date for these bodies would be 1<sup>st</sup> April 2015.

The General Secretary reported that he had been in discussion with the Scottish Government about the future of the PNB in Scotland, and the Cabinet Secretary for Justice's plans for binding arbitration. Whilst this had been promised in relation to pay, there was some indication that this might be extended to cover allowances. He further said that he and the Business Manager were to examine the options for drawing on the historic experiences of others from the PNB to beat shape the future arrangements.

David Hamilton asked if there were any further developments on Government decisions relative to pensions. The General Secretary said the expected Home Office circulars on this matter had been delayed by several weeks but was expected to be issued in the next few weeks (JCC Circular 74/2014 issued on 201113).

The General Secretary said that many members had commented on apparent improvements to the pensions of FBU members. He said it was important to realise that these improvements had only been achieved by FBU members sacrificing value in other areas of their scheme and that in terms of ability to retire from age 55; this simply brought their arrangements into line with what the police proposal already was. In the other headline areas, the police scheme continued to be more generous than that for firefighters.

## **5 JOINT NATIONAL CONSULTATIVE FORUM (JNCC)**

The Committee was informed that the Scottish Police Consultative Forum had been formed to replace the Police Advisory Board for Scotland and the first meeting would be held on 20 November. In the future these meetings would precede the PNB Scotland Standing Committee meetings. The General Secretary proposed that he and the Chairman attend along with Mike Kennedy (Andrea MacDonald after Mike's retirement), David Kennedy and David Hamilton (with the Deputy General Secretary as the first reserve). This was agreed.

The Committee was informed that the first meeting of the JNCC was held on 17 October 2013. It was noted that the SOP for Pay and Allowances was still awaited. The Committee discussed allowances for relocation and the mileage limits that would apply.

The Chairman informed the Committee that he and John Gillies had written to John Foley at the Scottish Police Authority about ill health retirements.

The General Secretary told the Committee that the JNCC had agreed four sub-groups; Parliamentary, Terms and Conditions, Policy Procedures Working Group and Working Practices Working Group.

## 6 LOCAL NATIONAL CONSULTATIVE COMMITTEES (LNCCs)

### North

David Hamilton gave an update to the Committee. He said the make-up of the Committee was not entirely satisfactory but agreed with the General Secretary that the new terms of reference would improve this. He also spoke about specialist services, demands on response officers, the lack of welfare officers, working time regulations and ill health retireals.

### East

Gordon Dixon gave an update to the Committee. The first meeting had been held on 26 September 2013 and that he, Stewart Ross, and Human Resources had attended. Amongst the items discussed were meal breaks, the Liberal Democrat Conference and the reinstatement of rest days. Stewart informed the Committee that the meeting had been extremely informal but recognised that the terms of reference mentioned above would change this for the next meeting.

### West

Andrea MacDonald gave an update about the second meeting of the West LNCC. She said that there was to be a review of Custody Divisions and a meeting was to be arranged to discuss the annual leave period for 2014 during the Commonwealth Games. Ill health retirement and the appeal process and key performance indicators were also discussed.

## 7 FINANCE STANDING COMMITTEE (FSC)

The last meeting of the FSC was held on 16 October and the Minute had been circulated and was approved.

An emergency meeting of the FSC was held on 4 November 2013 and the Committee agreed to recommend the following to the JCC:

*A scale be put in place for business gifts and hospitality. This was approved.*

*Funds should be spread across different banks due to the financial difficulty the Co-Op Bank was having. This was approved.*

*That once amendments had been made to the SPF Expenditure Policy, a revised policy would be circulated. This was approved.*

*That authority was granted to the General Secretary to spend around £100,000 on a campaign to highlight the role of the police officer with the use of the company Tinker Taylor TV. This was approved.*

*That the General Secretary attends the South African 20<sup>th</sup> Anniversary meeting in his role as the General Secretary of ICPRA. This was approved.*

It was noted that the Death Benefit Constitution states that a Management Committee should be in place and it was agreed that this would be the four Trustees and the Treasurer.

The Business Manager gave an update to the Committee on the Honoraria/Salary Review Group meetings which had recently taken place. He said that the exploratory stage had now come to an end and that it was hoped that a report would be prepared in time for the JCC meeting in February.

## **8 LEGISLATION AND REGULATION STANDING COMMITTEE**

The last meeting of the Legislation and Regulation Standing Committee was held on 16 October 2013. The Minute had been circulated and was approved. At that meeting the Committee had discussed a standard approach on the membership and conduct of Area Committee Meetings and agreed to discuss it further at the JCC. The JCC discussed the matter and agreed that the Standing Orders would cover these matters.

## **9 OPERATIONAL DUTIES STANDING COMMITTEE**

The last meeting of the Operational Duties Standing Committee was held on 16 October 2013. The Minute had been circulated and was approved. The Chairman gave an update on Mutual Aid for Northern Ireland and said the next meeting would be held in December.

The Committee discussed the workforce agreement and in particular changes to shift patterns. This was clearly a difficult matter in many areas of the force and it was agreed that further work was required to reach a satisfactory situation.

Gordon Dixon asked about attendance at a National Roads Policing Conference. He was asked to submit a request in the usual manner.

## **10 CONDUCT SUBJECT COMMITTEE**

The last meeting of the Conduct Subject Committee was held on 15 October 2013. The Minute had been circulated and was approved. The Conduct Secretary gave an update and said that in relation to appeals, he had asked that they were all answered within three months. They also discussed officers with formal warnings on their personal records and the concern it causes when they apply for new jobs. It was agreed that the Conduct Secretary would address this issue as the new Regulations were going through final drafting.

## **11 EQUALITY SUBJECT COMMITTEE**

The last meeting of the Equality Subject Committee was held on 15 October 2013.

The Minute had been circulated and was approved. It was noted that flexible working and maternity provisions were to be addressed by the Scottish PNB.

## **12 HEALTH AND SAFETY SUBJECT COMMITTEE (H&S)**

The first meeting of the Health and Safety Subject Committee was held on 15 October 2013. The Minute had been circulated and was approved. At that meeting it had been agreed to recommend to the JCC that a Membership Stress Survey should be carried out. It was agreed to defer this decision. The Committee discussed CS Spray and the intention to move to PAVA. Members generally agreed with this suggestion. It was agreed that the H&S Secretary would monitor this situation. It was noted that Gary Stimpson (HSE) would be happy to attend any future meetings. Any approach would be made through the H&S Secretary.

## **13 POLICE RELATED CHARITIES**

### **Police Treatment Centre**

It was noted that the Mike Baxter, CEO was due to retire and the Trustees were reviewing the role. Thanks were expressed to Mike Kennedy and Gordon Dixon for their support to staff following a suicide at the Centre.

### **St George's Trust**

Nothing to report.

### **Scottish Police Benevolent Fund**

Graeme Ednie gave an update and said that the Fund was running well. Malcolm MacDonald raised the issue of home visits and it was agreed that any further issues would be sent to Graeme Ednie.

### **Scottish Police Bravery/Lewis Fulton**

The Chairman told the Committee that he had spoken to Christine Fulton who would be delighted to be involved. Further thought would need to be given to the Award Ceremony.

### **Police Dependants' Trust**

The Chairman gave an update and reminded members that anyone eligible for registration should be encouraged to apply.

### **National Police Memorial Day**

The Chairman told the Committee that the de-brief on 29<sup>th</sup> October had gone well. The next NPMD would be held in Belfast in 2014. Anyone wishing to attend was asked to notify Woodside Place.

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

A paper had been circulated and was noted.

Gordon Dixon raised the question of the perception of SPF becoming involved in politics in actions and communications through Twitter or other social media. He said concerns had been raised about an article on the Yes Scotland website. The General Secretary reported the SPF had no control over what other bodies put on their web sites. He advised the committee the SPF had attended all the main political party conferences in Scotland and had tweeted vigorously from all. Where available this included links to all the party leaders speeches and extracts therefrom. It was important to note that where quotes from politicians are highlighted, this is done without any additional comment. The nature of the referendum debate was such that hypersensitivity and criticism is an increasing factor but the SPF should not be influenced by it. It was noted that no articles produced by the SPF had lent or given any party political or independence / anti-independence support.

## **15 COMMONWEALTH GAMES**

The last meeting of the above Committee was held on 3<sup>rd</sup> October. Pay and allowances had been discussed but the standard operating procedure had not been signed off. Graeme Ednie asked if the block freeze on annual leave would be relaxed for those not involved. The Deputy General Secretary replied that this was the approach being taken.

## **16 POLICE FEDERATION (SCOTLAND) RULES**

The Committee discussed rules and standing orders including attending meetings when off sick, timescales for resubmission of motions, the Conference Arrangements Committee and temporary ranks.

The committee agreed the standing orders should cater for;

The prevention of attendance at meetings for representatives who were on sick leave

That consideration for the attendance for ordinary members at meetings whilst on sick leave be a matter for determination by the chair

That rule change motions should specify the rule number to be deleted/amended/created and the text to be deleted/amended/created so as to leave the reader in no doubt how the rule reads before and how the rule would read after (if passed)

That no motion which seeks a similar aim can be resubmitted for consideration within two years of the original motion, unless there has been a substantial change in circumstances

## 17 TEMPORARY INSPECTORS - PUBLIC HOLIDAYS

The Vice Chairman gave an update and said that a response was awaited from the Scottish Government to a letter he had sent highlighting the issue.

## 18 COMMUNICATIONS

Andrea MacDonald said there were problems regarding divisional representatives receiving circulars etc. The Chairman suggested this matter, together with others raised including, newsletters and diaries, could be added to the Operational Duties Standing Committee agenda and further explored there.

## 19 MOTIONS

The following motions were submitted by the West Area Committee; proposed and seconded by Malcolm MacDonald and Andrea MacDonald.

### **Motions for Annual Conference at Short Notice**

“That this West Area Committee asks Joint Central Committee to amend the rules which support and allow motions to be introduced at short notice at Annual Conference.

A rule change is required to facilitate short notice acceptance of motions at Annual Conference which has been approved and submitted by an Area Committee.

The relevant Federation Rule should be amended.”

This motion was defeated.

### **Tenure - National Office Bearers SPF**

“This West Area Committee asks Joint Central Committee to amend the rules and limit the time period and tenure that the following officers can sit as National Chair, National Vice Chair, General Secretary and Deputy General Secretary of the Scottish Police Federation.

These officers are currently elected for a four year period and it is proposed that at the end of their consecutive second term, the office holder will be required to vacate the post and not be allowed to occupy or apply for any of the other full time Executive post until a period of four years has elapsed.”

This motion was defeated.

Members agreed that it was important that motions were submitted in the correct format and that this should be reflected in Standing Orders.

## **20 CORRESPONDENCE**

The General Secretary told the Committee that out with correspondence of a routine nature; he had received letters of retiral, one from Donald Walker and the other from Mike Kennedy. Both received the best wishes of the Committee for their futures.

Mike Kennedy said that he wished to express his thanks to the office bearers and wished the SPF well for the future.

## **21 COMPETENT BUSINESS**

There were no items.

## **22 CLOSURE**

The Chairman closed the meeting and wished everyone a safe journey home. A vote of thanks was given to the Chairman.

**BRIAN DOCHERTY**  
Chairman

**CALUM STEELE**  
General Secretary