



# Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

## Joint Central Committee Operational Duties Standing Committee

Ref: CS/DJK/LS

### MINUTES

21 August 2013

#### 1. Attendance

North Area Committee	Graham Sloan
North Area Committee	Peter Jones
East Area Committee	Stewart Ross
West Area Committee	Jim Foy
West Area Committee	Malcolm MacDonald
General Secretary	Calum Steele
Chairman	Brian Docherty
Deputy General Secretary	Robert Milligan
Conduct Secretary	David Kennedy
Business Manager	Doug Keil
Business Administrator	Lesley Stevenson

Apologies were received from Andrea MacDonald, David Hamilton and Graeme Ednie who were replaced by Jim Foy, Graham Sloan and Peter Jones respectively; the Vice Chairman and the Equality Secretary.

#### 2. Opening of Meeting

The Chairman opened the meeting by welcoming everyone and by thanking them for attending.

#### 3. Minutes of Previous Meeting

The Minutes of the last meeting had been circulated with JCC Circular 35 of 2013. Malcolm MacDonald informed the Committee that Item 5 of the previous minute said that the West Area would have Area Committee meetings to discuss consultations; it was in fact Office Bearers meetings. This was noted and the minute was thereafter approved.

#### 4. Accelerated Careers Development Programme

There was no update.

## **5. Police Diploma**

The Deputy General Secretary told the Committee that there would be a validation panel meeting on 25<sup>th</sup> September and he would attend.

The Committee discussed the diploma and the value of it. They had concerns about how many people were already qualified for promotion and how many supervisors would be needed for the future.

## **6. Special Constabulary**

The General Secretary told the Committee that Jackie Muller had sent a response to the Special Constabulary National Strategy 2013-2016 as follows:

*Dear Sir*

### **Special Constabulary National Strategy 2013 - 2016**

*Thank you for the opportunity to comment on this strategy document and accompanying Equality Impact Assessment (EIA) on behalf of the Scottish Police Federation (SPF). The SPF represents police officers up to and including Chief Inspector and this includes all Special Constables*

*The SPF welcomes and acknowledges the hard work that has gone into proposing better recruitment, training and opportunities for Special Constables over the past three years which has resulted in this well-intentioned strategy document. However, the accompanying Equality Impact Assessment refers, throughout the document, to "the policy" and makes specific reference to details which are not included in this document. Examples of this are references to "clear procedures for the recruitment of Special Constables within Police Scotland", the Special Constable SOP and "tattoos". These topics are rightly absent if this is truly intended as a strategy document but the EIA appears to address the more in depth policies and procedures which have not been included in this consultation.*

*At Para 1.7 the document lacks evidence to support the reasoning detailed. There is neither cognisance nor reference to the data provided in the Equality and Diversity in Police Scotland 2013 document produced and published on 1st April 2013. Some of the data in the aforementioned document contradicts detail included in the EIA.*

*Specifically in relation to Disability at Para 1.7, the suggestion that "each candidate will be assessed individually and where reasonable adjustments can be made, this will not preclude a person from becoming a Special Constable" does not reflect the current experience of regular officers who, irrespective of the terms of the Equality Act 2010 are being referred to the Selected Medical Practitioner for consideration of ill-health retirement if they are not able to perform "front line, fully operational duties".*

*In relation to Pregnancy and Maternity, there is no reason why officers falling into this category cannot be deployed, subject to proper risk assessment, as are regular officers.*

*The reference in respect of Race regarding reduced levels of written and oral English being mitigated by "reasonable adjustments" is not evidenced nor is there any detail as to how this could practically be implemented. All applicants to Police Scotland require a set standard of education and written/oral abilities. Further, in respect of asylum seekers, the SPF believes that unless residency criteria are met then UK legislative requirements cannot be circumvented.*

*The SPF does not believe that the comments regarding historic legislation are evidenced or relevant in relation to Sexual Orientation. Homosexuality became legal in England and Wales in*

*1967 and in Scotland in 1980. Any person with a criminal conviction of any type would have the circumstances considered on their merits and we see no difference in the circumstances described in the EIA.*

*In relation to the actual Strategy Document, there is a lack of rationale in relation to the commitment to recruit and maintain Special Constables to a level of 10% of the regular establishment figures. Is this specific to the current levels or is there an intention to adjust this figure as establishment figures rise and fall in future years?*

*Para 5.2 should include recognition of not just the different geographical areas of Scotland but the diversity of its people and potential recruits.*

*At Para 7 there is no reference to the Working Time Regulations, an issue raised consistently over the years by the SPF, and this is not only fails to acknowledge the importance of this legislation but demonstrates a lack of commitment to the health, safety and welfare of Special Constables.*

*Overall, the Strategy document and associated EIA is well-intentioned but lacking in detail and evidence. The SPF looks forward to working closely with Police Scotland to ensure that such policies and procedures are developed and introduced to the betterment of the organisation.*

*As you are aware, Gordon Dixon is the appointed SPF representative for Special Constables and I feel sure he will welcome further dialogue in relation to this section of Police Scotland.*

## **7. CBRN**

The Committee was informed that the new CBRN programme was due to be signed off by ministers within the next few weeks. A considerable amount of time and money had been spent evaluating standard day to day PPE capabilities which had determined that police and ambulance staff have no capabilities to enter hot zones while standard firefighter PPE with breathing apparatus gives 20 minutes of protection. This has helpfully shifted the onus from snatch rescue and initial scene survey back to the fire service. The challenge now is to ensure that the police, fire and ambulance services are all working together and David Hamilton would be meeting with Dougie Lynch from Operational Support Division to ensure that a coordinated approach was being taken. The number of CBRN responders in Scotland will decrease due to specialist kit moving to the Fire service.

## **8. Mutual Aid - Northern Ireland**

The Chairman told the Committee that there had been a debrief the previous day and that G8 had been hailed as a success. Some issues regarding entitlements and payments were still outstanding but would hopefully be resolved shortly. The Chairman and Deputy General Secretary would attend a meeting on 29<sup>th</sup> August. The Committee discussed Operation Solentina and associated problems and it was agreed that the Chairman and Deputy General Secretary would raise these issues at the meeting on the 29<sup>th</sup> August. They also discussed the commonwealth games and officers being deployed to Malawi.

## **9. Consideration of JCC Consultation**

It was agreed that the consultation process would be discussed at the JCC meeting in September but the Legislation and Regulations and Operational Duties Standing

Committees would be more heavily involved in this area of work than had previously been the case.

## **10. SPC Working Group on Probationer Training**

The Committee was informed that there had been several meetings of this group chaired by Chief Inspector Stuart Ord who is Head of Probationer Training at the Scottish Police College (SPC). All new recruits are being inducted at the SPC and the Scottish Police Federation have been allocated time on day 1 to address recruits and discuss/sign up for the insurance scheme etc. There is no longer a stage 2 at the SPC and all further training will be carried out within the relevant areas/divisions. At present the intention is to have courses of 40-60 every four weeks which is likely to change when the number reaches the required levels to sustain the Scottish Government commitment. The first intake was from the West Area. The Committee was informed that all new recruits would be provided with transport to and from the SPC every weekend for the duration of the course (hire car/mpv with agreed pickup points) and any travel on Sundays would be compensated by an additional rest day. Those who choose to use their own transport would not be compensated (unless by prior agreement).

## **11. Post Incident Procedures**

There was no update.

## **12. Workforce Agreements**

The Chairman gave thanks to Malcolm MacDonald, Graeme Ednie and Stewart Ross for the work they have done in relation to this matter. He also told the Committee that the workforce agreement would be going to the Force Executive this week for approval before being signed off by the Chief Constable and the General Secretary.

Malcolm Macdonald told the Committee that he had spoken to Gordon Alexander recently who wanted to meet and he said that he would ensure Stewart Ross and Graeme Ednie were invited to that meeting.

## **13. Custody**

The Committee discussed the custody programme and the benefit of it in Scotland. It was agreed to recommend to the Health and Safety Subject Committee to have a Custody Sub Group set up.

## **14. Competent Business**

The Committee noted that Andrea MacDonald attended a meeting on behalf of the Chairman at the first Force Firearms Monitoring Group and that she would give an update at the JCC.

Members discussed the future of Welfare Officers and the potential impact on the SPF.

Malcolm MacDonald reported that in relation to annual leave and the Commonwealth Games there appeared to be one sub group allocated only a fortnight for leave. This would be investigated.

Members also discussed public order trainers going to Malawi and it was agreed that the Chairman would look into this further.

Members discussed the requirement for a Firearms Sub Committee and this would be examined further.

## **15. Closure**

Date of next meeting: 16 October 2013

The Chairman thanked everyone for their contribution to the meeting and wished them a safe journey home.