



SCOTTISH POLICE FEDERATION WEST AREA COMMITTEE

Ref: MM/AM/LW

Minutes of the West Area Committee Meeting held in the Glynhill Hotel on 3 December 2015 at 10 am

1. ATTENDANCE AND OPENING

WAC Office Bearers

Andrea MacDonald - Chair
Gary Mitchell - Vice Chair
Malcolm Macdonald - Secretary
Martin Bertram - Deputy Secretary (Health & Safety)
Fiona Morris - Deputy Secretary (Equality)

West Area Committee

Amar Shakoor
Graeme Cobb
Gemma Beattie
Andrew Fairie
Marketa Hola
Gerry Welsh
Catherine McNally
Alan Heron
Ian Florence
Alistair MacKinnon
Campbell Smith
Gordon Cumming
Christopher Thomson
Andy Hastie

John Munn
Andy Smith
Scott Wilson
Lorna Hogarth
Paul Connelly
Stuart Finnie
Jennifer Shanks
Phil Maguire
Gemma Mazur
Terence Robertson
Edward Mather
Neil Mackay
Kenneth Kean

Lynne Gray

APOLOGIES

Michael McCaughey
Garry Kirkwood
Grahame Gosling
Paul Connelly- from 12 noon
David Bruce – from 12 noon
John Haynes – from 12 noon
Joseph Conway – from 3 pm
Joe Thomson
Gary Gray
Joe Irvine
Jennie Macfarlane

GUESTS

The National Conduct Secretary Jim Foy attended the meeting with Detective Superintendent John Paterson and Detective Chief Inspector Andy Goodwin, (Counter Corruption Unit) who provided an input prior to lunch.

OBSERVERS

Linda Mathers

The Chair opened the meeting and welcomed everyone to the Fourth Quarterly Meeting of the West Area Committee. Members were informed that time would be allocated after lunch for Divisional Meetings.

Secretaries of the separate Committees were requested to submit their minutes to Lynne Welsh by the end of the month in order that the full Committee Minutes can be circulated timeously.

Honoraria

The Chair updated members with regards to recent correspondence circulated by a member of WAC in relation to the matter of honoraria. Following lengthy discussion at previous WAC Meetings, the matter had been closed and was now concluded.

However, due to the nature of the correspondence, the Chair opened the matter up for discussion.

ACTION - It was agreed that the Chair and Secretary discuss the matter with Full time Officials at HQ, Woodside Place.

One member stated that he wanted to report that the Representative who had sent the information was very helpful within their Division with regards to any enquiries/issues arising and was very efficient within the role of Federation Representative. The WAC Secretary endorsed this statement.

2. ADOPTION OF STANDING ORDERS

As per the new Rules, the Standing Orders took effect as soon as the meeting was opened and would remain in place throughout the meeting, including separates unless specifically suspended for any reason.

3. MINUTES OF PREVIOUS MEETING

The minutes from the previous meeting had been circulated along with the Constables Minutes on 22 October 2015 and the minutes from the Sergeants' and Inspectors' Committee were circulated on 2 December 2015.

Actions from previous meeting

The following actions were raised at the WAC Meeting on 3 September 2015. Updates were provided.

(1) Item 5 - Legal Advice

In respect of Police Officers being held in Custody, one member asked if consideration could be given to having a specific care plan/set of questions as we do with military personnel. Matter to be raised at the 5C LNCC

The WAC Secretary raised the matter at the 5C LNCC on 26 November 2015 which was chaired by ACC Val Thomson. This was then passed to Chief Superintendent Gary McEwan at Custody who appeared to accept proposals but had a concern regarding implications for Professional Standards. They will therefore progress the matter through Professional Standards.

(2) Item 6 – JCC Updates

With regards to the 1% pay rise, a WAC Circular was to be issued to confirm details once available.

WAC Circular 57/2015 was sent out to all Federation Representatives on 14 September 2015.

(3) Item 6 – JCC Updates

The SPPA are to issue annual pension statements however members asked if it would be possible to get estimates of final lump sums, with all of the usual caveats.

This matter has been pursued by the staff representatives on the Scottish Police Pension Board. The SPPA produced a sample of the annual benefits statement which was heavily criticised as it followed the model used for the NHS and Education. They were advised this is not suitable for Police Officers.

Until this matter is resolved, SPPA will be struggling to provide forecasts as and when but they are now doing this for those in the Ill Health Retiral process.

Those who have received annual allowance statements are advised to check them carefully and contact PSoS Finance to ensure that the figures are correct.

A number of complaints have been made to the Chief Executive about the way in which the SPPA is conducting its business.

(4) Item 6 – JCC Updates

Confirm why recent changes to the admission policy for the Police Treatment Centres, including the decision to charge Retired Officers, was discussed at a closed session and report back to WAC.

The SPF General Secretary has written to the Chief Executive , PTC and awaits a response.

(5) Item 12 – Operational Duties

- 1) WAC Secretary to e mail David Kennedy, Deputy General Secretary re issues with TOIL.

These matters are to be raised with Stevie Diamond, Force Resource Manager.

The WAC Secretary informed members that the Force Resource Manager accepted that the matter had been poorly handled and the processes had now been changed.

The WAC Chair advised that there will be changes to Resource Management in the New Year, hopefully by April at latest whereby there will be calculator in the TOIL section on SCOPE so that Officers can see when it will come off payroll etc. This should make it easier for Officers to manage.

(6) Item 13 – Conduct

WAC Chair to contact Nicky Page at People and Development regarding correspondence being sent to Officers home address with “Police Scotland” franking stamp visible on envelope.

This matter was raised by the Secretary at the LNCC on 8 October 2015 and actioned to Elaine Williamson from People and Development. The SPF General Secretary will also write to the Force regarding this matter.

(7) Item 15- Health & Safety

Line Managers were previously informed in advance via SCOPE that Safety Training expiring which allowed them to arrange training timeously. This process appears to have ceased. Request that it be reinstated if possible.

Chief Superintendent Bates chaired the West Health & Safety Meeting and he will make contact with the SCOPE team regarding this matter.

(8) Item 18 - Competent Business.

With regards to sickness during annual leave period, the WAC Secretary has to make enquiries regarding some Officers having to submit a medical certificate if off less than seven days if they are wishing to claim back annual leave. There is concern that GP's may charge to provide this.

This matter was raised by the WAC Secretary at the LNCC on 8 October 2015.

4. LEGAL ADVICE & ASSISTANCE

Six applications for Legal Advice have been submitted to SPF HQ since the last WAC Meeting:

- 2x RTA
- 1 x Salary entitlement (retired ill health)

- 1 x Discrimination
- 1 x Injury on Duty (due to faulty equipment)
- 1 x Grievance (inequality in workplace)

There were two appeals to the JCC. In both cases, the original decision was upheld and funding was refused.

5. JOINT CENTRAL COMMITTEE NATIONAL UPDATES

PNB

The PNB last met on 29 October 2015. The General Secretary informed the Committee that it had been agreed to increase the Staff Side by one member of each rank.

Amongst the items discussed were:

- Maternity pay/leave - This issue had now been resolved and is awaiting ratification which is a formality.
- Rest days/free days during annual leave – SPF has engaged counsel and this matter is progressing.
- Shared parental leave – Staff Side are doing some work around shared parental leave and pay.
- Children/Families Act – Staff Side continue to review this piece of legislation.
- Carry-over of Annual Leave – this also refers to annual leave during a period of absence. Staff Side are preparing proposals for the consideration of the Official Side.
- Additional hours worked for P/T workers – the Equality Secretary is to have a meeting with SPA officials to discuss this matter.
- Police Pay – 1% had been awarded across the federated ranks from 1 September 2015.
- Plain clothes and on-call allowances have also been increased by 1%.
- Establishment of PNB for Scotland – legislation would be published as a Statutory Instrument.
- It was agreed that a Technical Working Group would be established to consider issues such as overnight allowance; exigencies of duty and alterations to a duty roster. The first meeting takes place in December 2015.

Pensions

The General Secretary told the Committee that there had been no meetings since the last JCC.

The General Secretary sits on the Scottish Police Pension Scheme Advisory Board.

The Committee discussed the Scottish Police Pension Board and was informed that there would be a meeting the following day. David Hamilton, Chair of the North Area Committee and Doug Keil, SPF Business Manager, both sit on this board. David Hamilton asked that any issues be highlighted to him and he would raise it at the Board meetings.

Members discussed various complaints that they had received from Officers about the performance of the Scottish Police Pensions Authority (SPPA). These included a reluctance to produce forecasts which could make decision making in ill-health retiral cases almost impossible. Malcolm Macdonald, WAC Secretary stated that there were problems due to the fact that the SPPA was acting without a service level agreement. David Hamilton will take these matters to the SPPB.

The Chair informed the members that we now have an agreement in the West whereby when an Officer is in the IHR process they can request a forecast through People and Development. Members had two options when taking their pension; a large lump sum along with a smaller pension or alternatively, a smaller lump sum and a larger pension. (Pensions Regulations regarding commuting maximum allowance)

Pensions Road Show

West Area Federation Representative's, Andy Hastie and Chris Thomson gave a brief update to members in relation to the recent Pensions roadshow. It was suggested that a meeting be arranged between Andy and Chris and Staff Representatives from the Scottish Police Pensions Board (SPPB) in order that a Circular may be issued to members with all information.

ACTION – Andy Hastie and Chris Thomson to contact Staff Representatives at the SPPB to discuss a possible circular with information from the Pensions Roadshow.

Edward Mather and Chris Thomson left the meeting at 11.55 am

Edward Mather and Chris Thomson returned to meeting at 12 noon

Scottish Police Consultative Forum (SPCF)

The SPCF last met 29 October 2015 and was chaired by the new Chair, Ian Mackay.

Items discussed were:

- Working Time
- Pathways to Policing Project.

The Equality Secretary told the Committee that she had a meeting the previous day with the Pathways to Policing team regarding the Equality Impact Assessment and had advised them that it now needed to include Human Rights.

David Hamilton, Chair, North Area said that he had been made aware that recruits no longer needed to have a driving licence to join the Police Service of Scotland. This was discussed and the Committee expressed its opposition.

Scottish Police Authority (SPA)

The Committee was informed that the General Secretary had met the new Chair of the SPA, Andrew Flanagan and had discussed structure, staffing and accountability. The Committee discussed the resignation of the Chief Constable and the possible impacts on the service and its management.

One member asked who had currently been assigned the role of Chief Constable. The Chair informed the members that DCC Neil Richardson was presently interim Chief Constable. The WAC Secretary advised the members that there will be a review of his position now that he has undertaken that post. He would be unable to keep the portfolio for conduct.

Scottish Police Budget & Finance

The General Secretary gave an update advising the Committee that there was a £25m shortfall in the Police budget which could rise to £35m by the year end. He also discussed savings already made and costs aligned to Police and Support Staff salaries and VAT.

The West Area Chair informed members that we had been invited to respond to the Scottish Government Consultation in respect of budget. The General Secretary compiled a report which was submitted. Reports were also submitted from SPA and PSoS.

Motion

The following motion was received from the NAC:

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 sub-paragraph (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.

MOTION UNANIMOUSLY APPROVED

The JCC will take this back via the PNB Scotland Standing Committee. The Chair informed the members that anyone wishing a copy of the motion should contact Merrylee House. Full details and a copy of the motion will be circulated via JCC Minutes in due course.

6. JCC CIRCULARS

The following JCC Circulars have been issued.

- 38/15 03.09.15 - HMICS Call Handling Review (Interim Report) - Information
- 39/15 03.09.15 - Report by the Advisory Group on Stop & Search - Information
- 40/15 14.09.15 - PNB Pay & Allowance Agreements – Information
- 41/15 15.09.15 - Legal Advice Assistance – Information
- 42/15 01.10.15 - SPF Legal Advice & Assistance - Information
- 43/15 05.10.15 - SPPA PPS Circular 9 of 2015 - Information
- 44/15 05.10.15 - JCC Minutes August 2015 - Information
- 45/15 12.10.15 - ICPRA ENEWS ISSUE 3 – Information
- 46/15 13.10.15 - European & External Relations Committee - Human Rights Inquiry -
Consultation
- 47/15 15.10.15 - Abusive Behaviour and Sexual Harm (Scotland) Bill - Consultation
- 48/15 20.10.15 - Self-Certification Guidance - Consultation
- 49/15 21.10.15 - JCC Agenda and Papers November 2015 - Information
- 50/15 26.10.15 - Subject & Standing Committee Minutes September 2015 - Information
- 51/15 02.11.15 - Senior Officer Performance Regulations – Consultation
- 52/15 06.11.15 - Pensions Administration Survey – Information
- 53/15 06.11.15 - ICPRA – A review of austerity by the International Labour Office (ILO) -
Information
- 54/15 06.11.15 - Draft Regulations Amendments – Consultation
- 55/15 06.11.15 - Draft Regulations Amendments – Consultation
- 56/15 10.11.15 - HMICS Call Handling Review - Information
- 57/15 10.11.15 - Potential controls or prohibition of electronic training aids in Scotland -
Consultation
- 58/15 11.11.15 - Victims' Rights (S) Regulations 2015 - Information
- 59/15 19.11.15 - Donation Rate Increase at the Police Treatment Centre - Information
- 60/15 23.11.15 - SPA Review of Police Governance – Consultation

61/15 25.11.15 - Criminal Verdicts (S) Bill – Consultation

7. **WAC CIRCULARS**

The following WAC Circulars have been issued.

- 55/15 04.09.15 - HMICS Call Handling Review (Interim Report) - Information
- 56/15 04.09.15 - Report by the Advisory Group on Stop & Search - Information
- 57/15 14.09.15 - PNB Circulars
- 58/15 15.09.15 - SPF Legal Advice and Assistance - Information
- 59/15 29.09.15 - SPPA Customer Service Review (REPS ONLY)
- 60/15 02.10.15 - SPF Legal Advice and Assistance
- 61/15 02.10.15 - SPPA Roadshow (REPS ONLY)
- 62/15 05.10.15 - SPPA PPS Circular 9 of 2015 - Information
- 63/15 06.10.15 - Briefing Paper on weekly rest day
- 64/15 06.10.15 - Working Time annual leave entitlements
- 65/15 09.10.15 - Superintending Role Review (INSP ONLY)
- 66/15 13.10.15 - ICPRA ENEWS ISSUE 3 - Information
- 67/15 19.10.15 - CICA claims process
- 68/15 20.10.15 - Reps E mail addresses
- 69/15 06.11.15 - Pensions Administration Survey - Information
- 70/15 11.11.15 - JCC Subject and Standing Committee minutes
- 71/15 19.11.15 - Donation Rate Increase at the Police Treatment Centre - Information
- 72/15 25.11.15 – Equality E mail address
- 73/15 27.11.15 - Scottish Police Benevolent Fund

8. **WAC OFFICE BEARER AND CHAIRS AND SECRETARIES MEETING**

The minutes from the meeting held on 1 October 2015 were approved at the meeting on 1 December 2015 and were circulated to the WAC on 1 December 2015.

At the meeting on 1 December 2015 a member raised a question in relation to the change in the role of Firearms enquiry Officers. The number of civilian Firearms Enquiry Officers has been cut and there was some suggestion that Firearms Enquiry Officers would be asked to visit applicants to uplift application forms and payment and

thereafter return same to the Office. Officers were not comfortable with this plan for various reasons.

A meeting was arranged for 23 December 2015 with the Deputy General Secretary and the Licensing & Violence Reduction Division (LVRD) which the WAC Chair and Secretary will attend. An update will be provided at the next WAC Meeting.

ACTION - The WAC Secretary to update the members regarding this matter at the next WAC Meeting.

9. **JCC FINANCE STANDING COMMITTEE**

The minutes from the meeting held on 30 September 2015 were circulated via WAC Circular 70/15 on 11 November 2015.

The SPF Annual Accounts have been approved by the Finance Standing Committee and they are available to view at SPF HQ if requested or on the SPF website once approved by the JCC.

10. **LEGISLATION AND REGULATION STANDING COMMITTEE**

The minutes from the meeting held on 30 September 2015 were circulated via WAC Circular 70/15 on 11 November 2015.

The WAC Secretary reported that the meeting on 30 September 2015 had been brief mainly due to the fact that there were no on-going consultations. JCC Circular 39/15 was discussed in relation to stop search. The WAC Secretary thanked one of the members for highlighting recently circulated correspondence regarding a requirement for Response and Community Police Officers to complete a form in this respect. The Federation have concerns regarding the content of this document and the complaints that may well arise. This document was issued without the SPF's prior knowledge.

ACTION - WAC Secretary will raise issue regarding stop search form with the SPF General Secretary.

11. **JCC - OPERATIONAL DUTIES STANDING COMMITTEE**

The minutes from the meeting held on 30 September 2015 were circulated via WAC Circular 70/15 on 11 November 2015.

The minutes from the West Area Operational Duties Committee held on 13 August 2015 were circulated to the WAC on 30 November 2015.

The WAC Secretary reported that the last West Area Operational Duties Committee Meeting was held on 12 November 2015. The draft minutes were sent to the Committee on 26 November 2015 and will be approved at the next meeting, prior to being circulated to the WAC.

Matters discussed included Shifts, Duty Change variations, Annual Leave and Working Time Regulations.

Concern was raised regarding members carrying out cell observations of prisoners of the opposite sex. No discussion or consultation had taken place between PSoS and the SPF before this point and the matter was also raised by the WAC Secretary at the 5C LNCC meeting.

The WAC Chair highlighted one of the items in the minutes from the Operational Duties Standing Committee, at Conference a motion was passed which related to protecting front line services and a review of Resource Allocation within the Force. The General Secretary provided an update on a recent meeting he had with the Cabinet Secretary for Justice to help identify coherent structures of the service and he was content that the concerns were being recognised by the Government. A report is being prepared which has not yet been circulated. The motion has been taken forward to the Cabinet Secretary and members will be kept updated.

The WAC Secretary reported that there were two ongoing pieces of work in respect of National shift patterns:

1 - Armed Policing

Currently looking at a corporate pattern for Scotland.

There are two patterns for each of the armed policing groups, two for those who work 24/7 and two patterns for those who work 17/7. Several concerns were raised as training has to be carried out as a team which invokes seven day working which SPF does not support. The pattern as it stands just now is under review.

2- Road Policing

This is in its infancy and there is a staff survey underway for shifts as it has now been agreed that the current shift pattern appears unsuitable and therefore it is now under review.

In respect of local shift patterns, the following was discussed :

Divisional Violence Reduction Unit

The Secretary thanked Chris Thomson for the work carried out in respect of this. The WAC Secretary has issued a consultation paper and Chris is collating responses.

LA and LC Community Involvement Units – The majority rejected this proposal. This matter is ongoing.

Offender Management Unit – Lanarkshire

Thanks to Andy Smith for carrying out this consultation. The proposal has been rejected.

12. JCC - CONDUCT COMMITTEE

The minutes from the meeting held on 29 September 2015 were circulated via WAC Circular 70/15 on 11 November 2015.

The minutes from the West Area Conduct Committee held on 21 July 2015 were circulated to the full WAC on 28 October 2015.

The last West Area Conduct Committee meeting/training day was held on 27 October 2015. The draft minutes have been sent to the Committee on 30 November 2015 and will be approved at the next meeting prior to being circulated to the WAC.

The Vice Chair informed the members that it had been a busy period since the last WAC and thanked the members who had assisted by reporting matters to him and for the support provided to the membership.

He reported that meetings with PSD had continued in relation to matters of process and individual cases.

He reported that the subject of the submission of statements relating to matters that are within the CAP process was raised again. This relates to the restrictions that PSD have when it comes to the conclusion of a CAP enquiry, regardless to whether it has been subject to submission to PF as initially criminal and or a matter under misconduct. When PSD are closing an enquiry they require to write to the complainer with a result, the difficulties they have is that where Officers choose to make no comment on the complaint by way of explanation the only response they can send is that the complaint is substantiated. This is clearly not in the best interest of anyone; in such circumstances it is acceptable that Officers get the chance to offer their view of the circumstances.

If Officers are facing a criminal allegation they will be detained in terms of Section 14 of the Criminal Procedure (Scotland) Act 1995 and interviewed with full legal support, the right to silence being the most obvious, all other matters are open to Officers to provide operational statements to offer explanation and evidence. Witness, suspect and accused are all still valid questions to be asked by Officers.

The Vice Chair reported that a very productive relationship had been formed with colleagues in PSD, which has allowed wider conversations on matters of conduct.

Issues have been raised in connection with timescales regards criminal enquiries and reports, the vast majority that have long timelines are sitting with COPFS, in the West these are primarily reports that involve multiple Officers, which makes getting full responses difficult.

A meeting had been held with senior management at PSD, who also are frustrated with the timescale for enquiries as it impacts on them operationally, and they do appreciate the welfare impact on individual Officers and their families. As a result of this, it is hoped to improve the process for requests to PF for case status updates, with a joint protocol. It is early days and the first lists of Officers will be submitted this month.

Legal Assistance & Advice

The Vice Chair has attended and monitored a few criminal trials and reported some good results at court where the performance and service from our legal partners was of a high standard.

He reported that training continues to progress well and along with the National Conduct Secretary, we are shaping and creating the best level of training that we can offer members. It is also very much the case that Officers who are keen to develop in that role identify themselves and development opportunities and training will be made available. Conduct work is a big commitment but it is one area where some of the most productive work as a Federation Representative can be done.

PIRC

Issues have been raised through local Representatives and directly with the Vice Chair and other Office Bearers primarily with regard to the manner and length of time PIRC take for statements.

This has been an ongoing National discussion. As a result of local concerns, the Vice Chair attended with a member who was requested to attend for a statement to be taken. Observations were that even with him in attendance; concerns were raised that the manner of statement taking could be perceived as verging on interrogation, which the Officer had felt it was. With reference to the length of time taken, this particular meeting was scheduled by them as four hours however was heading towards eight and potentially the next day, after discussion the statement was concluded that day albeit in six hours rather than four.

PIRC investigators were made aware of various concerns.

The National Conduct Secretary has likewise attended a similar meeting, there are a number of points to be raised and the overall performance and treatment of our members will continue to be monitored.

A member stated that Federation Representatives were concerned about giving out incorrect information in terms of PIRC enquiries and asked if some guidance notes could be provided.

ACTION - To provide Federation Representatives with requested information regarding PIRC.

Conduct Cases

In summary, for conduct the West Area sit with over 60% of all police conduct matters in Scotland. The Vice Chair provided an update on current case files.

These matters date back to 2012 and obviously up to the current period.

The Vice Chair informed the members that he was currently in the process of contacting all Officers with ongoing conduct cases to confirm whether they have had any kind of update in order that PSD can be updated and the matter can thereafter be placed on their agenda.

The Vice Chair informed members that there had been some changes to the Legal Advice process but this would have no impact on Officers as this was mainly a change to the administration process. Federation Representatives would be updated so that they are aware of the new processes.

The Vice Chair thanked the members for their work on behalf of the members in relation to conduct and asked for any questions.

One member asked if there was any guidance in relation to the transport of members of the public in police vehicles. The Vice Chair informed him that there was nothing to date that he was aware of but would make further enquiries in this regard.

ACTION - Vice Chair to make enquiries for guidance in relation to transporting of members of public in police vehicles.

2.50pm - Marketa Hola left the meeting

2.53 pm - Joe Conway left the meeting and Marketa Hola returned to meeting

13 **JCC - EQUALITY SUBJECT COMMITTEE**

The Deputy Secretary (Equality) informed the members that the minutes from the meeting held on 29 September 2015 were circulated via WAC Circular 70/15 on 11 November 2015.

The WAC Deputy Secretary (Equality) thanked the Board for electing her to the post at the last WAC meeting on 03 September 2015 and advised the Board that she had only taken up the position on 12 October 2015. She thereafter advised the Board that she had undertaken training in maternity and disability. She had also attended a Seminar with the WAC Chair on part time and flexible working.

She also advised that she had attended a workshop at the Police Training Centre at Jackton presented by the Scottish Human Rights Commission on an integrated approach to Equality and Human Rights Impact Assessments (EQHRIA). She advised the Board that she had that week circulated consultation documents in relation to EQHRIA to the Equality Committee and would appreciate any comments. The Deputy Secretary (Equality) also emphasised that she was keen that members of the Equality Committee also receive training to enhance their knowledge and to assist them dealing with enquiries from the members.

The WAC Deputy Secretary (Equality) advised that there had been one meeting of the Equality Committee, the Minutes had been circulated to the Committee members and when approved would be fully circulated. At that meeting she stood down from her position as the Vice Chair, however, due to the short notice it was agreed that an Interim Vice Chair could be elected at the next meeting due in January in order that due notice of the position could be given. In the interim the post would be temporarily covered by Gemma Beattie.

At the meeting on 14 July it had emerged that there appeared to be issues in relation to how Officers were being treated in the West area when disclosing that they were pregnant. Examples provided appeared to include deployment and shift changes amongst others. Nigel Bathgate, Vice Chair, East Area and Graeme Sloan, Secretary, North Area were both in attendance at that meeting and commented that the East and North did not appear to have the same problems.

It was agreed that a survey would be undertaken and Gemma Beattie agreed to take on this piece of work. She has already completed a large amount of research and provided a comprehensive feedback of what she had ascertained to date. It is a massive commitment and the Deputy Secretary (Equality) expressed her gratitude to Gemma for taking this on board.

The Deputy Secretary (Equality) advised that PNB Scottish Standing Committee Circular 2015/07(Advisory) has been published. She reminded the Committee that at Annual Conference 2015, Jackie Muller, National Equality Secretary had asked the question about Scottish Police Officers only receiving 13 weeks occupational maternity pay whilst Police Officers in England and Wales received 18 weeks. She stated that this Circular was aimed to rectify this anomaly with the agreement taking effect for women whose babies are expected on or after 1 April 2016 and for men and women who are the main adopter and have a child placed with them for adoption on or after that date.

This agreement would also allow Officers to extend the final 5 weeks of maternity or adoption pay so that week's 1 to 13 are at full pay and weeks 14 to 23 are at half pay. The Deputy Secretary (Equality) explained what that would mean in relation to both premature and babies born late.

Members were informed that the minutes from the West Area Equality Standing Committee held on 14 July 2015 were circulated to the full WAC on 22 October 2015.

The West Area Equality Committee met on 8 September 2015 and the draft minutes were circulated to the Committee only on 21 October 2015. The next West Area Equality Meeting would take place on 5 January 2016 and would include training for both members and reserves of the Equality Committee.

One member asked regarding payment for attending court whilst on maternity leave. The Deputy Secretary (Equality) requested that the member forward the details to her and she would pursue the matter.

ACTION - Deputy Secretary (Equality) to pursue matter and report back to member with update.

14. **JCC - HEALTH AND SAFETY SUBJECT COMMITTEE**

The Deputy Secretary (Health & Safety) informed the members that the minutes from the meeting held on 29 September 2015 were circulated via WAC Circular 70/15 on 11 November 2015.

The West Area Federation Health and Safety Committee last met on Wednesday 22 July 2015, the meeting in September was not quorate and had to be cancelled. The draft minutes from July have still to be approved.

The Deputy Secretary (Health & Safety) had attended the Joint UK Health and Safety meeting met on 17 September 2015.

The West Area Health and Safety Board met on 11 November 2015 the minutes of which have yet to be circulated for approval.

The Deputy Secretary (Health & Safety) had attended the National Health and Safety Board meeting which met on 18 November 2015.

September West Area meeting

This meeting was not quorate and had to be cancelled.

The Notebook is being trialled in 'K' division there are 4 notebooks on trial.

The full list of vehicles tested will be sent to the National lead on a spread sheet all submissions have been scanned and recorded.

Joint UK 11 June 2015

The minutes of the meeting have been circulated and were recently forwarded onto the members of the West Area Committee.

Airwave replacement was discussed at this meeting where Police Federation of England and Wales have been attending these meetings. It was agreed that SPF should also seek a seat at this group as it will affect SPF in 2020 and beyond. The Deputy Secretary (Health & Safety) stated that he felt that we have area specific problems which can be compared to England and Wales however we have greater land mass covered with less sites.

Police Federation of Northern Ireland are having Dr Gui an Ergonomist from Leicester University on 29 September 2015 to look at police vehicle/carriage of kit/wearing of body armour. Dr Gui will then prepare a report for all interested parties. A copy of this report will be shared with the Joint UK group in due course.

JCC Health and Safety Committee 30 September 2015

The minutes have been circulated and main topics were in respect of Water safety. There will be an update at the National Board meeting.

Fire risk assessments – This was carried out by Health & Safety advisors in buildings that have custody suites, Fire risk is the Force's major concern and a new Fire book and guidance is awaiting approval. Training is also being provided to the Force. The Deputy Secretary (Health & Safety) is hoping to attend this course and ascertain if it is of value to our Health & Safety Committee.

In relation to kit lists for vehicles, ACC Higgins has instructed the Vehicle User Group to devise a list which was broadly in line with what the SPF had supplied to the group.

Discussion also took place in respect of the Federation being contacted out of hours if Officers are injured on duty and what this would entail. It is believed that RIDDOR (Reporting Injuries, Diseases and Dangerous Occurrences Regulations 2013) should be the point where we start. Discussions will have to take place with C3 in respect of this and how feasible this process can be and what is required for the process to be completed. This is still a work in progress.

West Area Health and Safety Board 11 November 2015

An issue has been identified recently in respect of locus protection equipment in rural and exposed areas for long periods of time and in adverse weather conditions. Equipment can be provided from emergency planning however, after 48 hours it is not an emergency. A store of equipment has been recovered in Fettes, Edinburgh. The West area is to approach National Board to look at disseminating the equipment to the three areas possibly through logistics.

Also raised at this meeting were the issues being reported in respect of Airwave coverage within Queen Elizabeth hospital. There is in place a base set and guidance from C3 when attending, this only provides cover in A&E and the issues with the wards remain. Airwave contract does not cover inside buildings and as such is not part of the contract. Continue to monitor and report incidents via C3 and SCoPE.

Since this meeting the same issue has been raised in respect of the Glasgow Royal Infirmary. Correspondence has been sent to Superintendent Hendren 'G' Division in this regard to see if the same can be set up here as has been done at the Queen Elizabeth Hospital. There has been no update from Superintendent Hendren to date.

ACTION – WAC Secretary to pursue matter.

Fire safety was discussed at length which involves all divisions.

'Q' division raised a concern in respect of Mitsubishi Shoguns and Carbon Monoxide poisoning from the exhaust manifolds. Information in this regard should have been put out to divisions, there are 80 vehicles across Scotland, 45 to 50 have already had the manifolds replaced.

There is an issue with SCoPE as notification is not being sent to Line Managers when staff are due their Safety Training. This matter was raised by the Deputy Secretary (Health & Safety) and the matter is being progressed to ascertain if this can be done.

With regards to the issue with winter hats, enquiries have been made to find that the contract for same has not been processed. This matter is being taken to ACC Higgins with the National lead as it was discussed at UPPE in January 2015.

The West Area reported an increase in assaults in charge bar areas, this is apparently replicated within the Scottish Prison Service and is linked with New Psychoactive Substance abuse.

Small shields were discussed for them to be rolled out throughout the West and Scotland as is the practice in legacy Strathclyde. This was discussed at National Board meeting and passed onto Uniform and Personal Protection Equipment group for work to be carried out.

National Health and Safety Board meeting 18 November 2015.

At this meeting, water safety report was discussed at length on a report submitted by Steve Simpson at People & Development whereby it was recommended that throw lines and life vests be retained within the vehicles. This was supported by the Divisions and the Federation. A policy decision is required in this respect. The Deputy Secretary (Health & Safety) asked for all equipment to be returned to the vehicles pending this policy decision as both East and North had not removed their equipment but was

informed that the policy will have to be made prior to this occurring. A memorandum from John Gillies, Director of People and Development was circulated to all Divisional Commanders to return the equipment to the vehicle they were removed from after carrying out the appropriate safety checks on the equipment. The type of equipment will be looked at in Personal Protective Equipment Working Group to ensure consistency throughout the Force.

One member asked about the water safety kit. The Deputy Secretary (Health & Safety) replied that all representatives should provide a list of what equipment is required in respect of water safety prior to 16 January 2016 if possible.

All Federation Health & Safety Committee members have been approved to receive Designated Safety Officer training from the Force. Training dates for the West are 19 January, 28 January and 03 February 2016. Committee members were asked to note these dates and contact Jackton to obtain a place on the course.

Fire Safety is the greatest issue for PSOS at this time and courses are being run for Fire Risk Assessor however a question was raised as to the liability of those carrying out the risk assessment. The Deputy Secretary (Health & Safety) enquired if it was personal or corporate liability and was informed that it was both; he stated that our members require to be informed of this prior to completing the course or completing a Fire Risk Assessment. The Deputy Secretary (Health & Safety) is communicating with Health & Safety Advisors to ascertain what issues there are.

The Workplace Inspection toolkit was approved. This provides guidance to Officers who have responsibility for the buildings they work in (Designated Safety Co-ordinator)

There are no great issues in respect of the RIDDOR reports being submitted.

The West Area Health & Safety Standing Committee Meeting arranged for 30 September 2015 was cancelled as it was not quorate. The next Health & Safety Meeting is scheduled for 6 January 2016.

The WAC Secretary informed the members that with regards to the Airwave replacement, this was a national project and details have been passed to the SPF Deputy General Secretary.

15. **MOTIONS**

There were no motions.

16. **CORRESPONDENCE**

The WAC Secretary informed the members that one item of correspondence had been received; a letter of resignation from Dawn Bethune. The Secretary read this to the Committee and informed members that he had sent a letter of thanks to Dawn.

17. **COMPETENT BUSINESS**

LNCC

The WAC Secretary reported that the LNCC meeting had been held on 8 October 2015 and was chaired by ACC Mawson. ACC Mawson provided an update in respect of stop search which was now a standing item on the LNCC agenda. He then gave a general update. The WAC Chair expressed disappointment in respect of the outcome of the review of Stop and Search carried out by John Scott QC.

Other matters raised included:

- Duty time to attend meetings – An action was raised by ACC Mawson to ensure that Federation Representatives be allowed duty time for meetings
- Annual Leave allocation 2016 – some Resource Managers were refusing 2016 annual leave requests
- Complaints regarding some Divisions not honouring nine days floating annual leave days and insisting they be used within annual leave periods.
- Raised concerns regarding medical certificates having to be provided in connection with claiming back annual leave
- Franked mail being sent to home addresses. Elaine Williamson, HR Business Partner is looking into this matter

There then followed a brief update from Divisional Commanders.

5C LNCC

The WAC Secretary had attended the last 5LNCC meeting on 26 November 2015. The C3 update highlighted that concerns had been raised recently regarding SPF being made aware of information from the media regarding serious assaults/injuries to Officers. It appeared that Force Overview was not providing the Federation with an update due to Data protection issues. This resulted from a complaint from an Officer who did not want his personal information disclosed to anyone. As a result of this, they have had to review their policy. The WAC Secretary had raised genuine concern as we can also provide assistance and support on a welfare basis to Officers. In some cases the media reported information is not always accurate.

The WAC Secretary asked that if any local Representative is made aware of an incident of an important nature, that they report this to Merrylee House .

Concerns were raised regarding the issue of Officers having to keep constant observation of prisoners of the opposite sex. This situation appears to be ongoing.

Bravery Awards

Members were informed that the Bravery Awards had taken place on 3 November 2015. The Secretary informed the members that the awards were being sponsored by PMAS and that there had been five recipients of the award.

The awards may be expanded next year and a further update will be provided at the next WAC Meeting.

18. **CLOSE OF MEETING**

The Chair wished all members and their families a very Merry Christmas and a Happy New Year on behalf of the Office Bearers and Staff at Merrylee House.

The Chair then closed the meeting and thanked the members for their attendance and wished everyone a safe journey home.

ANDREA MACDONALD
CHAIR

MALCOLM MACDONALD
SECRETARY