



Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

JCC Circular 14 of 2014

Ref: CS/DJK/LS

3 April 2014

Dear Colleague

JCC Minutes February 2014 - Information

I refer to the above and attach herewith the JCC Minutes for your information.

The Sergeants Central Committee minutes will be circulated separately when received.

Yours sincerely

Calum Steele
General Secretary



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 11th and Wednesday 12th February 2014.

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
Neil Cameron
Graham Sloan

East Area Committee:

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

West Area Committee:

John Adams
David Blacklock
Jim Foy
Andrea MacDonald
Malcolm MacDonald
Andrew Smith

Subject Secretaries

David Kennedy

Jackie Muller

David Cummings

Observers

Graham Capes

John Ferguson

Jenny Macfarlane

Philip McGuire

SPF Staff:

Doug Keil, Business Manager

The Chairman opened the meeting, thanked everyone for their attendance and invited all to take a full part in the meeting.

The Separate Central Committees met between 10 and 11am.

2 POLICE FEDERATION (SCOTLAND) RULES AND STANDING ORDERS

The General Secretary gave a brief update on the development of the Standing Orders. A draft had been circulated. He said that Malcolm MacDonald had asked whether the timescale for motions should be increased from 14 to 28 days. This was agreed and the Standing Orders were adopted.

3 MINUTES OF PREVIOUS MEETING

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

4 LEGAL ADVICE AND ASSISTANCE

The Committee was informed that since the last JCC meeting there had been 14 new cases; 2 conduct cases (01/14) and (08/14), 4 RTA cases (38/13), (39/13), (03/14) and (05/14), 5 injury cases (35/13), (36/13), (37/13), (06/14) and (07/14), one discrimination case (34/13), one medical appeal (04/14) and one removal expenses (-2/14). A further 2 were rejected.

Malcolm MacDonald presented an appeal on behalf of a West Area member whose application for legal advice/assistance relative to a conduct issue had been rejected. After discussion the Committee rejected the appeal.

Jim Foy presented an appeal on behalf of a West Area member whose application for legal advice/assistance in relation to protected disclosure had been rejected. After discussion the Committee rejected the appeal.

5 PNB

The General Secretary reported that the last PNB meeting and the last meeting of the PNB (Scotland Standing Committee) SSC was held on 16 January. Most items of business at the PNB meeting had related to Winsor, compulsory severance and redundancy relative to

officers in England and Wales. In addition there had been discussion on the Equal Pay Audit and data gathering in the future which was of significant interest to both E&W in relation to the future pay review body and to Scotland in relation to the future PNB Scotland. He said it was clearly highly desirable that in the future separate arrangements both bodies had access to comparable data.

The General Secretary said that at the PNB SSC a number of controversial subjects had been discussed. These included a Scottish version of the PNB Report on Maternity Leave and Pay Gender, Equality and Worklife Balance and Flexible Working which the PSoS Human Resources representatives were hugely resistant to. Also discussed were sergeants acting - up as inspectors and their compensation for working on public holidays.

The General Secretary reported that agreement had been reached on exchanging 6 public holidays for 9 annual leave days (6 annual leave days for probationers). He said that whilst this had not been universally welcomed the majority of member's comments had considered it a good deal as this preserved pensionable and take home pay.

The General Secretary said that the Scottish Government and the Home Office had advised him of a 0.05% increase on the pension contribution increase to be implemented on 1 April 2014. He said the PNB Staff Side had asked for an explanation of this and that the Home Office response was very confusing and hard to interpret. He said as far could be established, the reason for the additional increase was as a consequence of workforce demographic change in E&W. PNB Staff Side will be submitting a response to the Home Office with the PNB Scotland Standing Committee Staff Side doing likewise to the Scottish Public Pensions Agency.

The General Secretary also gave brief updates on part time officers' pension contributions being based on full time salaries which he said was arguably unfair as there was no correlation with pension. He also reported on changes to the 40% tax threshold, changes to child benefit arrangements and pension increases. The General Secretary reminded the committee he had previously circulated information on changes to Annual Allowance in 2011.

The General Secretary answered a number of questions about the employers' contribution, the analysis of opt-outs and the evaluation of the Police Pension Schemes. He said he was willing to circulate relevant papers to any members of the JCC who desired them.

The General Secretary reported on the future requirements for pensions' governance which would require a board comprising both employer and employee representatives. He said the Scottish Government was more advanced on the Home Office on this and it was known that there would be a requirement for three members from each side. He said this would present significant challenges for staff associations as to meet the statutory obligations members would have to have a good knowledge of pensions and related issues. He said there was also a requirement for an advisory board to assist with compliance with the codes of practice, covenant and rules and policy. He also said it was important to recognize that employee representatives could become 'lightening rods' for members with complaints.

The Chairman reported that there had been a meeting of the Scottish Police Consultative Forum (SPCF) on 28 January 2014. The meeting considered the appropriate fora for the consideration of certain issues. He said that in future there would be a PNB Scotland, a SPCF and the Joint Negotiating and Consultative Committee (JNCC).

He said PNB Scotland would inherit the terms of reference of the current UK-wide PNB. It would have negotiating responsibilities with respect to hours of duty; leave; pay and allowances; and it would be the consultative body with respect to pensions.

He said the JNCC should deal with matters within the authority of the Chief Constable. In practice, these would be matters of management and implementation within the force of agreements reached within PNB and SPCF (and the regulations and determinations implementing those agreements) which, between them, defined the conditions of service of officers within the force. The JNCC would also provide a forum to deal with a wide range of tactical issues, not least those concerned with the deployment of police officers within the force.

The question arose of how to deal with matters which remain unresolved at the level of the JNCC. On operational matters, within a disciplined service, the decision of the Chief Constable was final. All organisations represented on SPCF value and support the essential operational independence of the Chief Constable.

Where a matter remained unresolved because there was a difference of view as to the meaning of a regulation or determination, or the application of policy or guidance promulgated by PNB or SPCF, it would be appropriate for the matter to be referred to PNB or SPCF. Similarly, if an issue is unresolved because there was no appropriate provision in regulations, that too could be referred to PNB or SPCF.

A matter which remained unresolved which was purely an issue of management or implementation would not usually be appropriate for resolution by PNB or SPCF. If the Sides so agreed, the assistance of a third party, such as ACAS, could be sought.

The terms of reference of SPCF provided for it to be the forum for the consultation required under sections 11 and 54 of the Police and Fire Reform Act 2012. However, this was a largely reactive role of providing representations on drafts of regulations which Scottish Ministers proposed to make under section 11 or 48 of the Act. He said it had been agreed that it would be appropriate for SPCF to have a wider and explicit advisory role equivalent to that of the former Police Advisory Board for Scotland (PABS).

He said it had been agreed that it would be appropriate to include in the terms of reference of SPCF a provision for it *"to advise Scottish Ministers on general questions affecting the police in Scotland (other than those within the terms of reference of PNB)"*. That is wording equivalent to that which applied previously to PABS. It would give SPCF a proactive role, enabling it to raise with Ministers issues other than those on which Ministers were minded to make regulations.

The concluded by saying that John Randall, Independent Chairman of PNB would produce a paper fully detailing these arrangements.

6 JOINT NATIONAL CONSULTATIVE FORUM (JNCC)

The General Secretary reported that the JNCC would meet on Friday 21 February when the role and relationship between the JNCC and the LNCCs would be addressed in detail. Members discussed the application of Variable Shift Arrangements (VSAs) and there was a concern about a lack of consideration of Equality Impact Assessments (EIAs). Jackie Muller asked negotiators to insist on EIAs and David Cummings advocated risk assessments for safe staffing levels. Graeme Ednie assured the Committee that these matters were being

raised and sought as appropriate. The General Secretary had been appointed Chair of the Parliamentary Liaison Sub group of the JNCC and a Parliamentary Liaison Officer would be appointed soon. The Committee agreed that this would present significant opportunities for access to all levels of government at both domestic and international.

The Vice Chairman said he had had two or three meetings with the HR Department relative to SOPs on terms and conditions. He had not been satisfied with consultation arrangements and communications with those involved and had been promised improvements. Members asked a number of questions on absence management, ill health issues and transfers.

HR staff had again raised issues contained in the Winsor report and had been firmly advised that these related to E&W only. The General Secretary asked the Committee to consider the general financial situation. He said the total police budget per annum was circa £1bn. He also said that the budget gaps year on year were as follows:

2013/14	-	£63.9m
2014/15	-	£71m
2015/16	-	£68.2m

He said that 90% of the net revenue budget was spent on staff, 69% on police officers and 20% on police staff. He said it was completely unrealistic to think that these levels of savings could be found from the remaining 10% of the budget and therefore there would be an impact on staff. He said that this impact could be on staff pay and conditions or staff numbers. Members discussed the financial situation and a number of areas where they thought savings could be made. The General Secretary advised the Committee that SPF would need a clear position on this and said he would circulate a paper in the very near future to all members.

The Vice Chairman reported that in the Policy & Procedure Working Group substance testing and in particular random testing was discussed. It had been agreed that the proposal for random testing would be withdrawn.

7 LOCAL NATIONAL CONSULTATIVE COMMITTEES (LNCCs)

North

David Hamilton reported that North LNCC last met on 19 December. He said a meeting had been arranged with the new North ACC Campbell Thomson the following day. He said relevant matters for the North included recruitment, working time recording and specialist departments.

East

Stewart Ross reported that performance management had featured on the Agenda of the East LNCC and other matters discussed included working time, annual leave 2014 and resource management.

West

Andrea MacDonald said the next West LNCC meeting would be held on 19 February where the workforce agreement, resource management and sick leave arrangements were amongst the matters to be discussed.

8 FINANCE STANDING COMMITTEE (FSC)

The last meeting of the FSC was held on 22 January and the Minute had been circulated and was approved.

The Treasurer reported that the interim audit of the Voluntary Fund would begin the following week and a meeting to discuss Trust Accounts would take place in two weeks' time.

He said HMRC had been in contact with him but had not started the necessary review work at that stage.

It was noted that there would be no increase to the voluntary subscriptions for 2014, which would remain at £2.45 per week (£10.61 per month or £9.79 per four weeks).

9 LEGISLATION AND REGULATION STANDING COMMITTEE

The last meeting of the Legislation and Regulation Standing Committee was held on 22 January and the Minute had been circulated and was approved. The General Secretary reported that there were very few Government consultations relevant to the JCC at this time. He suggested that in future this group should only meet as and when required.

10 OPERATIONAL DUTIES STANDING COMMITTEE

The last meeting of the Operational Duties Standing Committee was held on 22 January and the Minute had been circulated and was approved. David Hamilton raised the issue of CAV days (campaign against violence) and said that the working hours of 8pm to 4am was causing huge issues for members in particular working day shift on a Monday following night shift on a Saturday. This happens every four weeks and goes against Working Time Regulation Guidelines. The Chairman said he would raise this matter with the Deputy Chief Constable. Andrea MacDonald said that there was a wide variance across the force and said the 8pm to 4am hours was a big issue.

David Hamilton said he thought the SPF should arrange a seminar on performance management and invite key stakeholders. The Committee discussed this and agreed that SPF should continue to work with ASPS on this issue and present a paper to DCC Fitzpatrick. The idea of a seminar would be held in abeyance at this time.

11 CONDUCT SUBJECT COMMITTEE

The last meeting of the Conduct Subject Committee was held on 21 January and the Minute had been circulated and was approved. It was noted that the Draft conduct regulations were now finished and most of the issues raised by the SPF had been taken on board. Training for PSoS had been well received and SPF training was underway. There will be a one day course on performance regulations delivered before April and a three day course later for those more deeply involved. It was noted that PSoS have produced a training video. The Chairman asked that the members' database was kept up to date. It was also noted that the PIRC wanted to do an evaluation of its performance and intended to ask 100 members for their views.

12 EQUALITY SUBJECT COMMITTEE

The last meeting of the Equality Subject Committee was held on 21 January and the Minute had been circulated and was approved. It was noted that attendance at recent training courses run by the Equality Secretary had been very poor.

13 HEALTH AND SAFETY SUBJECT COMMITTEE (H&S)

The last meeting of the Health & Safety Subject Committee was held on 21 January and the Minute had been circulated and was approved. The H&S Secretary gave a brief update and said that a legal issue had been raised relative to who was responsible for what between PSoS and the SPA and advice and guidance was being sought from the HSE. This was to be considered further by a H&S Review Group under the chairmanship of DCC Richardson.

The Vice Chairman said that as the H&S Secretary was due to retire at the end of February. A replacement was required but the required notice period had already begun. Peter Jones had been nominated by the H&S Subject Committee and the JCC agreed that he be endorsed on an interim basis until the election in May.

The Committee discussed the road policing e-learning training package and some concerns and alarm was raised about e-learning. The H&S Secretary said he would raise the issues with those concerned.

14 POLICE RELATED CHARITIES

Police Treatment Centre and the St George's Trust

Stewart Ross said that work was ongoing to advertise for a Chief Executive for the PTC and meantime the Manager at Auchterarder was in charge.

Scottish Police Benevolent Fund

Graeme Ednie said that development was continuing and that trustees were considering an investment portfolio and a communications strategy. In general terms he described the types of request for assistance the Fund was receiving and the General Secretary asked him for a brief report on this. Graeme said he was happy to do this and would prepare a report in agreement with the Trustees.

Scottish Police Bravery/Lewis Fulton

The Chairman asked that each Area nominate a representative to assist him with the development of this matter. Areas agreed to notify him of their nominees.

Police Dependents' Trust

The Chairman reported that the CEO of the PDT had resigned last year and work to find a replacement was ongoing.

National Police Memorial Day

The Memorial Day will be held in Belfast in 2014.

15 JCC CIRCULARS ISSUED SINCE LAST MEETING

The General Secretary said there was one additional matter to be added and that was a meeting of the Justice Sub-Committee to examine ICT. He said he would be pleased to receive comments from members on this subject. Members raised issues including i6, PDAs, the VP Database, Windows XP, Missing Person Systems and the single unique identifier.

16 COMMONWEALTH GAMES

The Deputy General Secretary reported slow progress on agreeing shift patterns for specialisms and personnel movements and further meetings were scheduled.

17 TEMPORARY INSPECTORS - PUBLIC HOLIDAYS

The Vice Chairman said that as this matter was now with the Scottish Government solicitors it was agreed that it should be removed from future agendas.

18 HONORARIA

The General Secretary introduced this subject and said the Report of the Working Group had been finalised earlier in the week and circulated to members of the JCC on the previous day. He invited Doug Keil the Business Manager who had chaired the Group to introduce the Report.

The Business Manager thanked the members of the Group for their hard work on a difficult subject. He said all of them had provided invaluable assistance and without their co-operation the task of fulfilling the terms of reference would have been rendered a great deal harder. He said the remit of the Group had been raised with him by a number of people and he explained why he thought the Group had completed its remit properly. He said the Group had independently evaluated the matter to establish the appropriateness of the current arrangements, explained why it thought them inappropriate and explained what, in its view, needed to be done to achieve an appropriate outcome.

The Chairman opened the subject for debate and the Business Manager answered a number of questions from members about details in the Report. Graham Sloan asked whether meetings held on this subject had been attended by Joint Branch Board Secretaries only or Joint Branch Board Secretaries and Chairmen (para 7 and 7.1) and also the position of transitional office bearers and the length of their periods of office (para 8.5). The Business Manager answered both questions.

David Hamilton drew attention to the wording of para 12 and said this could read as if Joint Branch Board Secretaries and Chairmen had made inaccurate calculations rather than use the wrong methodology. The Business Manager was happy to assure the Committee that there had been no inaccurate information provided by anyone and agreed that it was considered that the methodology was wrong.

Jock Adams drew attention to the two Memorandums of Dissent attached to the Report from Jim McDonald and David Dick and said he thought this was highly relevant and indicative of the fact that the work was not complete. He moved that the Report be rejected. Jackie Muller seconded this proposal.

A member asked a further question about the Report and Graeme Ednie proposed that the Committee immediately move to the vote. The Chairman put this matter to the Committee and following a vote the Report was rejected.

The Chairman said the matter would be kept under review by the Finance Standing Committee. The Committee discussed the distribution of the Report and whilst recognising the desirability of it remaining within the JCC observed that it was already in circulation. David Hamilton wished the Minute to record his concerns over the Report being circulated before it was amended. The Business Manager undertook to provide an amended version to the Finance Standing Committee.

19 MOTION

The following motion was remitted to the JCC from the WAC in December 2013.

That this West Area Committee asks Joint Central Committee to approach the Scottish Government and have them amend Regulation 6(b) Police Federation Regulations 2013. The new amendment should read as follows:

6(b) must ensure that each member of joint central committee cast the number of votes calculated to represent the number of members in their Area of Police Scotland divided by the number of representatives from their area of Police Scotland on the JCC.

6(b)(1) The product of the above mentioned calculation shall be called the multiplier ;that multiplier shall be applied to each vote cast by each such member so that the vote cast by the said member shall have the same numerical value as the number of contributing members they are thus deemed to be representing.

After discussion a vote was taken and the motion was rejected.

20 CORRESPONDENCE

The General Secretary told the Committee that out with correspondence of a routine nature; he had received letters of sympathy and condolences from police representative organisations across the World regarding the helicopter crash at the Clutha Vaults pub.

He had also received a letter from a Divisional Commander who had raised the question of force communication systems being used by disgruntled elected members. In his view, these communications virtually amounted to spreading disaffection. This letter was noted.

The General Secretary said he had received correspondence from the General Secretary of the PFEW advising that the PFEW would not host the Joint UK Police Federation Meeting in 2014. It was agreed that the SPF and the PFNI should consider the holding of a meeting in 2014.

The General Secretary told the Committee that the SPF had received an invitation to the Queensland Police Federation Conference. This was discussed by the Committee and it was agreed that this invitation should be declined.

The General Secretary told that Committee that he had received letters of resignation from John Adams and David Cummings who were soon to retire from the service.

21 COMPETENT BUSINESS

The General Secretary said he had received information from the Scottish Government that it would approve SPF membership of EuroCOP with certain provisos. After discussion it was agreed SPF should apply to join EuroCOP at a membership fee of one euro 24 cents per member per annum.

22 CLOSURE

The Chairman closed the meeting and wished everyone a safe journey home. He made particular reference to John Adams and David Cummings who were due to retire from the service in the near future. Best wished were given to both for a long, healthy and happy retirement. A vote of thanks was given to the Chairman.

BRIAN DOCHERTY
Chairman

CALUM STEELE
General Secretary

INSPECTOR'S CENTRAL COMMITTEE

Minutes of the Inspector's Central Committee meeting held in the Hilton Grosvenor, Glasgow on Tuesday 11 February 2014

1. ROLL CALL

Raymond Dutton	-	EAC
Heather MacDonald	-	EAC (Secretary)
Paul Hogan	-	NAC
Neil Cameron	-	NAC
David Blacklock	-	WAC
Andrea MacDonald	-	WAC (Chair)
Graham Capes (EAC)	-	Observer

2. APOLOGIES

No apologies were received.

3. OPENING OF MEETING

The Chair opened the meeting and welcomed everyone.

4. ADOPTION OF STANDING ORDERS

Standing Orders were adopted for the duration of the meeting.

5. MINUTES OF PREVIOUS MEETING

The minutes of the previous meeting had been circulated and were adopted as a true record of that meeting.

6. PREVIOUS ACTIONS

6.1 TIME FOR JUSTICE UPDATES

PFE&W were to have a workshop, which did not transpire, therefore will be included in their main meeting in March.

The PNB Scottish Standing Committee met on 28 January during which the Chair presented a paper to those present. This has now been put onto the agenda at PNB with a sub group being set up.

ACC Derek Penman has completed his report into the Custody Division and this has now been sent to DCC Richardson. ACC Campbell Thomson now has this portfolio due to Mr Penman leaving. The Chair hopes to have a full update by the next meeting of the ICC.

There was thereafter a general discussion around the working time regulations and the hours being worked by PI/DI and CI/DCI rank.

7. MATTERS ARISING

PNB Scottish Standing Committee – The representative from Police Scotland is John Gillies (HR), however the SPF have raised concerns regarding this as they feel it should be a senior officer of Police Scotland. The Terms of Reference have been set and John Randall has been appointed as the Independent chair of the Committee.

Flexible Working SOP – Police Scotland have circulated this policy and there are a number of concerns over this as it has been completed with no consultation with SPF or HR. Jackie Muller is writing to DCC Richardson regarding this.

8. AOCB

Campaign Against Violence (CAV) days were raised and the inconsistency of approach with some divisions having only a Saturday option, which impacts greatly on both days off.

9. CORRESPONDENCE

There were no items of correspondence.

10. DATE OF NEXT MEETING

The next meeting of the ICC will be held on 13 May 2014 at the Glynhill Hotel, Renfrew.

HEATHER MACDONALD
Secretary

ANDREA MACDONALD
Chair

CONSTABLES CENTRAL COMMITTEE

Minutes of a meeting of the Constables' Central Committee held in the Hilton Grosvenor Hotel, Glasgow on 11th February 2014.

1. ROLL CALL

Graeme Ednie	North Area
Peter Jones	North Area
Stewart Ross	East Area
Amanda Givan	East Area
Malcolm MacDonald	West Area
Jim Foy	West Area
Brian Docherty	Ex-Officio
Calum Steele	Ex-Officio
David Ross	Ex-Officio
Jackie Muller	Equality Secretary
David Cummings	Health & Safety Secretary
John Ferguson	North Area (Observer)

2. APOLOGIES

Apologies were received from David Kennedy.

3. ADOPTION OF STANDING ORDERS

Standing orders were adopted for the duration of the meeting

4. OPENING OF MEETING

The meeting was opened by Peter Jones who welcomed all attendees.

Malcolm Macdonald made the committee aware of a proposal to call for an amendment to the draft Standing Orders which were to be discussed later that day. The proposal was to amend rule 4.2 to allow 28 days minimum to accept motions for any committee from the 14 days quoted. The members of Constables Central Committee were supportive of this proposal.

5. MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting were accepted as a true record of the meeting

6. MATTERS ARISING

(a) PNB

The General Secretary informed the committee that there was no items of business of the PNB which was solely of interest to the Constables rank.

A discussion took place regarding the PNB agreement to exchange Public Holidays for Annual Leave. The General Secretary informed the committee that there was provision within the agreement to allow officers to be considered if there was a date of religious significance.

A member raised a question regarding the rumour that there was an agreement reached to buy out the overtime of Constables and Sergeants. The General Secretary informed the committee that there is no work at PNB in this regard.

The Committee Chair raised a concern that it has been reported that the Force HR department are dealing with matters relative to PNB that have not yet been agreed. The General Secretary informed the committee that this matter had already been with the Force, he further informed the committee that the HR Department are now represented at the Scottish Standing Committee of the PNB.

(b) JCC AGENDA

No items on the agenda relative to the Constables' rank

7. COMPETENT BUSINESS

No items of competent business had been received by the Secretary

8. CORRESPONDENCE

No correspondence had been received.

The chair called for a vote of thanks for David Cummings who was attending his last CCC and JCC in his position as H&S Secretary for SPF. He wished David a long and happy retirement

9. DATE OF NEXT MEETING

The next meeting is to be held in the Glynhill Hotel Renfrew on Tuesday 13th May 2014. This is the AGM and is the year for the West Area to host.

10. CLOSURE

The chair closed the meeting and thanked everyone for their attendance.

MALCOLM MACDONALD
Secretary

PETER JONES
Chair