



Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

JCC Circular 32 of 2016

Ref: CS/DJK/LS

20 July 2016

Attachments: JCC Minutes May 2016

Dear Colleague

JCC Minutes May 2016 – Information

I refer to the above and attach herewith the Minute of the JCC meeting held in May 2016, which will be considered for approval by the JCC at its meeting in August.

Whilst this circular is primarily for your information, any comments you have on its content should be notified to me no later than ten days after its date of publication.

Yours sincerely

Calum Steele
General Secretary



Scottish Police Federation
5 Woodside Place Glasgow G3 7QF
**Joint Central Committee
Minutes**

Minutes of the Joint Central Committee meeting held at the DoubleTree By Hilton Dunblane Hydro, Dunblane, on Tuesday 10th and Wednesday 11th May 2016.

1. Attendance And Opening

SPF Office Bearers:

Calum Steele	General Secretary / Treasurer
David Kennedy	Deputy General Secretary
Brian Docherty	Chairman
Graeme Ednie	Vice Chairman

North Area Committee:

Neil Macdonald
Steven Thomson
David Hamilton
John Crawford
Caroline Scobbie
Frank McManus

East Area Committee:

Amanda Givan
Grant McDowall
Brian Jones
Nigel Bathgate
Heather Macdonald
Andy Malcolm

West Area Committee:

Malcolm Macdonald
Gary Mitchell
Andy Smith
Paul Connelly
Joe Thomson (Day 1 only)
Andrea MacDonald
Joe Conway (Day 2 only)

Subject Secretaries

Jim Foy	Conduct
Jackie Muller	Equality
Peter Jones	Health & Safety

Also in attendance

Doug Keil	Business Manager
Lesley Stevenson	Business Administrator
Steven Maitles (Day 1 only)	Head of Finance

Apologies were received from Neil Cameron who was replaced by Frank McManus and on Day 2, Joe Thomson who was replaced by Joe Conway.

Fiona Morris attended the meeting on Day 2 as an Observer.

The Chairman opened the meeting and thanked everyone for their attendance. He invited all to take a full part in the meeting and asked that anyone wishing to leave inform him prior to doing so.

2 Minute Of Previous Meeting

The Minute of the previous meeting had been circulated with JCC Circular 10 of 2016 and following a minor amendment was accepted as a true record.

3 Election of JCC Vice Chairman

Amanda Givan, Peter Jones and Andrea MacDonald had all intimated their intention to stand for the position of SPF Vice Chairman. They were all proposed and seconded in line with Rules and each addressed the Committee in turn. Following secret ballots, Andrea MacDonald was elected. The Chairman was given approval for the election ballot papers to be destroyed.

4 Legal Advice And Assistance

The Deputy General Secretary informed the Committee that since the last JCC there had been 29 new on duty cases, ten criminal cases, six RTA's, six injury cases, three conduct cases, two fatal accident inquiries, one employment case and one Investigatory Powers Tribunal case. There had been a further 49 cases, 25 of which were criminal off duty and 24 were related to civil matters.

He told the Committee that he intended to use local solicitors for criminal cases and would be meeting them soon.

Allard Case (Devon & Cornwall)

The Deputy General Secretary (under item 24) raised this issue and updated the Committee on the work ongoing in relation to this case.

5 PNB

The General Secretary reported that the last Police Negotiating Board meeting was held on 22nd February 2016 in Edinburgh. He said work continued slowly at the Equality Working Group and the Technical Working Group continued to work through the issues like improved guidance on Exigencies of Duty and consideration of an Overnight Allowance.

The Equality working group was spending a lot of its time discussing the blanket application of annual leave in hours. The General Secretary asked the Committee to give further consideration to annual leave in hours and reach a position for use in future negotiations. The Committee discussed this matter at length and agreed resistance to introduction should be continued.

The Equality Secretary said that members of the Equality Working Group had discussed issues around protected characteristics and general fairness. She said that agreement

had been reached at that meeting and it was hoped that it would be ratified at the full PNB meeting later in the month.

The General Secretary further updated on the work at the technical working group in respects of held in reserve arrangements and how this linked to the question of an overnight allowance. He briefed the Committee on a proposal from the Official Side and reported that whilst in value terms it was some distance from the expectations of the Staff Side; it nonetheless conceded some important principles.

He also updated on the official side desire to seek changes to the compensation arrangements when officers work from a normal working day in to a rest day.

The General Secretary thereafter provided a report on the work being progressed in respect of the legislation for the PNB in Scotland and in particular to the process for accessing and the type of qualifying cases for binding arbitration.

6 Pensions

The General Secretary said there had been no significant pensions meetings since the last JCC. He said however, that JCC Circular 9/2016 had been issued attaching SPPA Circulars 2, 3, 4 and 5/2016 which contained useful information in respect of a number of issues including the revaluation rate for CARE pensions in 2015/16.

Since the JCC Circular was issued, the SPPA has published a further circular, 2016/06 which details the new actuarial tables for lump sum calculations in the 1987 pension scheme.

The Committee discussed shared/parental leave and it was considered that the SPPA Circular 2016/04 did not adequately cover the issue. It was agreed that the Committee should continue to pursue the issue through the internal SOP.

David Hamilton reported on the work of the Scottish Police Pension Board (SPPB) which included consideration of a service level agreement. He expressed the view the KPIs within the SLA were unsatisfactory and did not meet the members' expectations. He further expressed the view that the Governance arrangements could be improved.

He also said that a letter sent from the SPPA to scheme members about national insurance and contracted out pensions had been complex and comprised a concerning paragraph about future communications and said that he would be raising this matter at a future meeting of the Board.

Doug Keil said that an approach to the Chair of the SPPB had been made from the RPOAS for representative status on the SPPB. He explained that the SPPB essentially assisted the Scheme Manager in securing compliance with scheme regulations and other governance regulations and the requirements of the pension's regulator. In the context of the RPOAS approach, it was important to note that the SPPB did not negotiate on, nor was consulted on, proposed changes to pension's legislation and nor did it discuss particular issues relating to a member or member's pension problems.

He explained that the Public Service Pensions Act 2013 stated at:

Section 5(4)(c) [The regulations must include provision -] requiring the board to include employer representatives and employee representatives in equal numbers.

Section 5(6)(b) “member representatives” means persons appointed to the board for the purpose of representing members of the scheme and any connected scheme.

The Scottish Police Pension Scheme 2015 regulations provided that membership will consist of, amongst others:

3 members nominated by the staff side of the representative bodies (who reflect a broad range of interests: active, deferred and pensioner reps)

The Staff Side of the Police Negotiating Board Scotland (SS PNBS) in conjunction with the JCC, ASPS and SCPOSA in their own right had nominated David Hamilton, Andrew Barker and himself as members. The Staff Side and its constituent bodies considered that these individuals represented a wide range of members and were sufficiently experienced and knowledgeable to carry out the required tasks. On being made aware of the proposal from RPOAS the Committee re-affirmed its support of the representation chosen and expressed no support for a representative of the RPOAS.

7 Scottish Police Consultative Forum (SPCF)

It was noted that the General Secretary had been unable to attend the last meeting.

David Hamilton gave an update on Pathways to Policing and the Special Constable Performance and Conduct Regulations.

Following a general discussion the Committee expressed some reservations over the effectiveness of the SPCF.

8 Scottish Police Authority (SPA)

The Chairman and General Secretary gave an update on the meeting they had attended on 2 March 2016 and said that the main item discussed was budgets.

It was noted that the SPA Review of Governance in Policing had been published and was circulated with JCC Circular 11/2016. It was further noted that the SNP Manifesto expressed a commitment to implement the report. The General Secretary reported that whilst many of the recommendations in the Governance Review appeared benign, some of the recommendations could be seen to represent a significant change to police governance.

9 Scottish Police Budget & Finance

The General Secretary and Chairman updated the meeting on discussions that had been held that morning with Chief Officers on the subject of the budget.

It was apparent that the budgetary position represented one of the greatest challenges for the Police Service of Scotland and it was reported that many of the options being considered by the PSoS would be deeply unpopular.

The General Secretary highlighted that whilst the SPF could and should maintain opposition to wholesale, un-evidenced and unquantified in terms of impact, cuts it did not have the option of standing on the side lines whilst decisions that impacted on members were being made.

The meeting heard that the General Secretary had implored the inclusion of local representatives of the SPF to be involved at local meetings which were looking at budgetary proposals and had received an assurance this would happen. It was incumbent on all representatives to become involved.

10 Local Negotiating Consultative Committees (LNCCs)

Steve Thomson told the Committee that the North Area LNCC had met on 21 April and was chaired by ACC Cowie. Amongst the items discussed were CRTP payments ill-health retirements and sickness. The General Secretary reminded the Committee that Regulations did not allow for arbitrary withdrawal of CRTP>

Grant McDowall told the Committee that the East Area LNCC was to meet the following day and on the agenda was CRTP, the Bradford score, staffing at Bilston and C3. Jackie Muller reminded the meeting that whilst the Bradford Score was a management tool, it should not be the basis upon which adversarial managerial action is founded.

Malcolm Macdonald told the Committee that he and Fiona Morris had attended the West Area LNCC on 27 April. Amongst the items discussed were annual leave entitlements after sickness and shift patterns. He said he was very disappointed at the way the West Area LNCC was performing as meetings had been cancelled at the last minute and there were no agenda papers or action logs.

11 Joint Negotiating Consultative Committee (JNCC)

The General Secretary told the Committee that the next meeting would be held on 27 May 2016 and he would provide an update thereafter.

12 Finance Standing Committee (FSC)

The FSC met on 13th April 2016 and the Minute was circulated via JCC Circular No. 16 of 2016 and was noted.

The Head of Finance attended the meeting and circulated a copy of the Trust Accounts 31.03.15 to the Committee. Following a discussion, the trust accounts were approved.

David Hamilton asked about the increase in the commission paid to the insurance broker and was informed that commission was paid based on the percentage of people subscribing to it. As more people had joined the scheme, the actual cost had reduced.

The Deputy General Secretary identified that the extension/conference room at Woodside Place was in an increasingly poor state of repair. The building was suffering water ingress and was incapable of maintaining a comfortable working temperature. In addition the recent safety inspection had identified a number of issues that required to be addressed. He stated that the extension required to be refurbished.

The General Secretary / Treasurer reported that the trustees were actively considering moving the provision of a salary replacement scheme from being an insured product to a wider benefit allied to general subscription. This would require some additional work but it was expected this would reduce costs.

The meeting noted and discussed the changes to the insurance package and whilst recognising the pressures the trustees were under, expressed concern at the manner in which the situation arose.

13 Legislation And Regulation Standing Committee

The Committee noted that there had been no meetings since the last JCC. The next meeting was scheduled for 3 August 2016.

14 Operational Duties Standing Committee

The Operational Duties Standing Committee met on 13th April and the Minute was circulated with JCC Circular 16 of 2016.

The Committee discussed held in reserve and post incident management (PIM) and noted that the PIM issue would be discussed at the next JNCC meeting. It was noted that a training course for full-time office bearers would be held at the end of the month in Merrylee House.

15 Conduct Subject Committee

The Conduct Standing Committee met on 12th April and the Minute was circulated with JCC Circular 16 of 2016.

The Conduct Secretary told the Committee that there had recently been nine misconduct hearings and he reported on the outcomes. He said that while there were some concerns about consistency and the Force not using Performance Regulations where appropriate there had actually been fewer hearings since the establishment of PSoS. He said that feedback indicated that our solicitors were performing well in relation to both criminal and conduct representation. He said the next conduct meetings in July would comprise refresher training. The Conduct Secretary also reported on area training and misconduct proceedings in E&W.

Members discussed aide-memoirs relative to the PIRC powers, vetting and risk assessments.

16 Equality Subject Committee

The Equality Standing Committee met on 26th April and the Minute was circulated with JCC Circular 16 of 2016.

The Equality Secretary raised her concerns with the Committee about the Performance & Development, Equality & Diversity Governance Group dealing with issues that did not relate to Equality.

She also told the Committee that she had responded to the Adoption/Maternity and Paternity SOP and urged the Committee to remain cautious when dealing with these types of issues due to there being lots of inaccurate information being given. She asked that any specific issues were sent to herself or Area Leads.

17 Health And Safety Subject Committee (H&S)

The Health and Safety Committee met on 12th April and the Minute was circulated with JCC Circular 16 of 2016.

He said that since the last meeting the HSE had issued an improvement notice to Police Scotland (PS) in relation to the control and management of asbestos. The notice required PS to devise an asbestos management plan and to provide a plan for rolling this out across the country in a reasonable time. The notice was to be complied with by 11 April 2016. He said he had attended several gold and silver group meetings convened to ensure compliance with the notice and said he thought that PS had recognised the seriousness of the situation and would carry out more than 400 building surveys over the next 8-9 months. He also said that the Chief Constable had instructed the group to ensure plans were in place to avoid future prosecutions.

The H&S Secretary said that together with Brian Jones he was making progress at Bilston Glen in relation to required changes.

The Committee discussed the poor state of police buildings generally and the requirement for inspections to extend beyond the larger and former headquarters type buildings.

18 Police Related Charities

Police Treatment Centre (PTC) and the St George's Trust

The General Secretary told the Committee that there had been a proposal for police officers in Sweden to use the facilities at the PTC in a collaborative arrangement. The Equality Secretary raised her concerns with this proposal and said she would keep the Committee informed of any developments.

Scottish Police Bravery Awards

The Chairman reported that there had been 22 nominations received for the Bravery Awards so far. The closing date is 31 August 2016. He encouraged the Committee to promote the awards amongst the wider membership.

Police Dependants' Trust & National Police Memorial Day

It was noted that due to personal circumstances, the Chairman had been unable to attend the last meetings of the PDT and NPMD. The next meetings were due to be held the following week and he would give an update in due course.

19 JCC Circulars Issued Since Last Meeting

A paper was circulated and was noted.

20 EuroCOP/ICPRA

It was noted that the meeting took place on 25/26/27 April in Torremolinos, Spain and that six representatives from the SPF had attended.

The General Secretary had been re-elected as General Secretary of ICPRA. Members discussed the benefits of attending the meeting and it was noted that the two position papers adopted at the EuroCOP meeting (on Terrorism and the Migration and Refugee Crisis) would be circulated in the near future.

The General Secretary also reported that he would circulate a number of additional papers from ICPRA and EuroCOP and whilst these would be fairly substantial, he encouraged members to read them as they provided an invaluable insight into the reach and influence of both organisations.

He highlighted for example that through ICPRA, the SPF was at the forefront of pushing for international labour standards for police officers through the International Labour Organisation based in Geneva.

21 Retirement Dinner

The Chairman told the Committee that this issue had been discussed with SPF Trustees and it was agreed that the dinner should remain as is. It was agreed that this item could be removed from future agenda's.

22 Motion

The following motion was submitted by the North Area Committee.

Motion – Temporary Promotions

That the North Area Committee requests the Joint Central Committee to actively pursue with the Chief Constable the development, publication and adoption of Force Policy and Guidance covering the selection of officers for temporary promotions that would be applicable and binding on all divisions and departments of the Force.

It was noted that as this was now JCC Policy there was no requirement to hear the motion.

23 Correspondence

The General Secretary said that other than routine items of correspondence he had not received any correspondence of note.

24 Competent Business

Scottish Police Credit Union Golf Day

It was agreed that rather than making a donation to this event, a donation of £1500 would be made directly to the PTC and COPS.

Equality Subject Committee Emergency Motion

The Equality Subject Committee to ask the JCC to review the venue for Annual Conference 2017.

The motion was carried.

IAWP Conference

It was agreed that Andrea MacDonald and Fiona Morris would attend this event.

Election of General Secretary

The General Secretary reported to the Committee that it was his intention to seek re-election to his post at the next meeting of the JCC. He intimated that the closing date for nominations was 28 days prior to the JCC and that the election would be the first matter of business.

25 Closure

The Chairman thanked everyone for their attendance and gave congratulations to Andrea MacDonald on her election.

He told the Committee that this was SPF Vice Chairman, Graeme Ednie's last JCC meeting before retiring from the police service in August and gave thanks to Graeme for his time and work carried out over the years. He then wished him a long and healthy retirement and best wishes for the future.

He closed the meeting wishing everyone a safe journey home.

A vote of thanks was given to the Chairman.

Brian Docherty
Chairman

Calum Steele
General Secretary