



Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

JCC Circular 64 of 2015

Ref: CS/DJK/LS

15 December 2015

Attachments: JCC Minutes November 2015

Dear Colleague

JCC Minutes November 2015 – Information

I refer to the above and attach herewith, the Minute from the JCC meeting held in Dunblane in November.

The Sergeants' and Inspectors' separate Minutes will be circulated when received.

Whilst this circular is primarily for your information, any comments you may have on its content should be submitted to me no later than 10 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 Hilton Doubletree, Dunblane on Tuesday 3rd and Wednesday 4th November 2015.

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
Neil Cameron

East Area Committee:

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

West Area Committee:

Malcolm Macdonald
Gary Mitchell
Andrew Smith
Joe Thomson
Paul Connelly
Andrea MacDonald

Subject Secretaries

Jim Foy	Conduct
Jackie Muller	Equality
Peter Jones	Health & Safety

Also in attendance

Lesley Stevenson Business Administrator

Apologies were received from Graham Sloan who was replaced by John Crawford. The Chairman told the Committee that Phil Maguire and Charlie Sweeney had retired and that Gordon McDonald had resigned from the Committee and welcomed Paul Connelly, Joe Thomson and Caroline Scobbie onto the JCC respectively. He gave thanks to the retiring/resigning members for their contributions during their time on the JCC.

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.

The Chairman informed the Committee that the Bravery Awards ceremony was to take place that evening and that there would be five recipients. The Cabinet Secretary and DCC Neil Richardson were to attend the ceremony.

The Committee was informed that Laura Kennedy, Finance Administrator and Steven Maitles, Finance Manager would attend part of the meeting.

The separate Central Committees were to meet later in the day.

2 MINUTE OF PREVIOUS MEETING

The Minute of the previous meeting had been circulated with JCC Circular 44 of 2015 and was accepted a true record.

3 LEGAL ADVICE AND ASSISTANCE

The Deputy General Secretary informed the Committee that since the last JCC there had been seventeen new cases, six RTA's, two discrimination, one Fatal Accident Inquiry, two injury, two conduct, two ill health's, one CICA and one other criminal case. A further two applications were rejected.

Malcolm Macdonald made an appeal on behalf of a WAC officer who had his request for legal advice rejected. After a discussion, the Committee agreed that the original decision to reject had been appropriate and rejected the appeal.

Gary Mitchell made an appeal on behalf of a WAC officer who had his request for legal advice rejected. After a discussion, the Committee agreed that the original decision to reject had been appropriate and the appeal was incompetent.

4 PNB

The General Secretary told the Committee that at its own meeting, the Staff Side had been agreed to increase its membership by one member of each rank. He asked the separate ranks to advise him of the names to fill these additional roles.

The following was discussed;

- Maternity pay/leave - This issue, seeking an increase to maternity leave and flexibility over the taking of maternity pay, had now been resolved and was awaiting a Scottish Government police circular to ratify the agreement.
- Rest days/free days during annual leave – SPF had engaged counsel and the matter was progressing. It was agreed the Staff Side Secretary should write to the Official Side laying out the position.
- Shared parental leave – Staff Side was considering shared parental leave and pay and this will also be discussed within the PNB Equality Working Party.

- Children/Families Act – Staff Side continue to look into this matter and discussions are also taking place within the PNB Equality Working Party.
- Carry-over of Annual Leave – a further draft circular has been shared with the official side.
- Additional hours worked for part-time 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. Staff Side agreed to continue to consider the additional elements of the claim.

The PNB last met on the 29th October in Glasgow. The General Secretary advised the meeting this was the first meeting in which the newly appointed Chairman was at the helm. He advised that his style is noticeably different to that of his predecessor. The following was discussed.

- Plain clothes and on-call allowances – it was agreed that an oversight which meant uprating of these allowances in line with pay awards was not applied, would be rectified and applied with effect from 1st September 2015.
- Establishment of PNB for Scotland – it was noted that the forthcoming criminal justice bill would contain an enabling provision for the PNB.
- It was agreed that a Technical Working Group would be established to consider an overnight allowance; exigencies of duty and alterations to a duty roster.

5 PENSIONS

The General Secretary told the Committee that there had been no meetings of the Police Pension Scheme Advisory Board since the last JCC. The last meeting of the UK police Pensions Forum took place on the 28th September.

He reported being aware of at least 12 notifications that were incorrect regarding changes to annual allowances and that this issue was being examined.

The General Secretary outlined that there was the potential for a very small number of officers in the '87 scheme to end up with a small breach in annual allowances and receive a tax charge. The Committee was informed that the SPF had sought an opinion from one of the most senior QCs specialising in taxation and was informed that there would be no way of avoiding the tax charges.

He also observed that whilst David Hamilton was a member of the Scottish Police Pension Board (SPPB), his responsibility was to that Board and as such it would be inappropriate for David to update on its considerations at the JCC. David did highlight that he was prepared to bring any matters from members to the Board's attention.

Members discussed various complaints that they had received from members 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 said that there were problems due to the fact that the SPPA was acting without an agreed service level agreement.

David Hamilton reported that the SPPB was to meet the following day when these issues will be raised.

6 SCOTTISH POLICE CONSULTATIVE FORUM (SPCF)

The SPCF last met in Glasgow on 29 October 2015 and was chaired by the new Chair, Ian Mackay. Items discussed were working time and the Pathways to Policing Project. The Chairman advised the meeting that lack of detail on meetings attended by others made presenting a consistent picture at the SPCF more challenging. He reminded the Committee that anyone attending any meetings on behalf of SPF should complete a Central Meeting Register Form and submit it to Woodside Place.

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 been advised that it now needed to include human rights.

David Hamilton said that he had been made aware that recruits no longer needed to have a driving licence to join the police. This was discussed and the Committee expressed its opposition. The Deputy General Secretary said it would be best to wait until after the Gold Group and Working Party meetings before taking the matter further.

7 SCOTTISH POLICE AUTHORITY (SPA)

The Committee was informed that the General Secretary and Chairman had met with the new Chairman of the SPA, Andrew Flannigan. They discussed structure, staffing and accountability. The Committee discussed the retirement of the Chief Constable and the possible impact on the service and its management.

8 SCOTTISH POLICE BUDGET & FINANCE

The General Secretary gave an update telling the Committee that there was a £25m shortfall and there were real possibilities this could increase by the year end. He also discussed savings already made and costs aligned to police and support staff salaries and VAT.

9 LOCAL NEGOTIATING CONSULTATIVE COMMITTEES (LNCCs)

North

David Hamilton told the Committee that the NAC met on 30 September and that the main issues discussed were the arrangements for the Royal Court and Castle of Mey in relation to held in reserve. It was noted that the Force were looking for QC advice and that the Deputy General Secretary would speak to ACC Bernie Higgins by the end of the week. David told of his annoyance that the NAC had not been involved in the T in the Park de-briefing process and that the islands allowance issue had not been progressed. He would be meeting Nicky Page, HR later that week.

East

Grant McDowall told the Committee that the EAC met on 15 October and was chaired by ACC Thomson. The main items discussed were new shift patterns, grade 3/4 calls and the cancellation of rest days. It was noted that the cancellation of rest days would be raised at the next JNCC meeting.

West

Malcolm Macdonald told the Committee that the WAC met on 8 October and was chaired by ACC Wayne Mawson. He said that amongst the items discussed were stop/search and the advert for a new chief constable being released earlier that week. He also said he had raised the issue of representatives not being given time off to attend federation meetings and it was noted that Divisional Commanders were to ensure time was given wherever possible. The Committee also discussed Force Memo 130/15 re Annual Leave Allocation 2016 and the fact that some divisions were not honouring the 9 floating leave days instead insisting that they were taken within leave periods. It was noted that the SPF were to liaise with divisional support superintendents to seek local solution where specific examples were presented.

10 JOINT NEGOTIATING CONSULTATIVE COMMITTEE (JNCC)

The Committee was told that there had been no meetings since the last JCC due to the last meeting being cancelled. The next meeting was scheduled for the end of November.

11 FINANCE STANDING COMMITTEE (FSC)

The FSC met on 30 September 2015 and the Minute was circulated via JCC Circular No. 50/2015 and was noted. The Finance Manager circulated three sets of accounts i.e. Grant Account, Voluntary Fund Account and Trust Account. All were discussed and approved by the Committee.

The Deputy General Secretary told the Committee that all solicitors had now signed the Memorandum of Understanding and the solicitors used by the SPF were PBW Law, Levy & McRae, Slater Gordon, Craig Wood, P Shepherd and George Donnelly.

12 LEGISLATION AND REGULATION STANDING COMMITTEE

The Legislation and Regulation Standing Committee met on 30 September and the Minute was circulated with JCC Circular 50 of 2015. It was agreed that in future this Committee would only meet when necessary.

The Committee discussed SOPs (standard operating procedures) and the Chairman said he would speak to the Chief Constable regarding the ridiculously short timescales given to respond to these documents.

13 OPERATIONAL DUTIES STANDING COMMITTEE

The Operational Duties Standing Committee met on 30 September and the Minute was circulated with JCC Circular 50 of 2015.

Andrea MacDonald raised the matter of officers attending court whilst on annual leave; in particular being brought back from holidays to attend. This matter was discussed and it was noted that figures were available on the Crown Office website which could be reviewed by areas. Any specific examples were asked to be passed to the Chairman.

14 CONDUCT SUBJECT COMMITTEE

The Conduct Standing Committee met on 29 September 2015 and the Minute was circulated with JCC Circular 50 of 2015. The Conduct Secretary told the Committee that 1996 Regulations were still being used in some cases and in one case an incident which occurred in 2013 had been dealt with under the 2014 Regulations. He said that he was grateful for lots of good work being done by representatives but that there were some issues getting quorate meetings and that reserves were being considered.

Malcolm Macdonald raised the matter of training and said that it caused him difficulty in terms of the amount of office bearers' abstractions. The Chairman said this matter could be looked at off table.

15 EQUALITY SUBJECT COMMITTEE

The Equality Standing Committee met on 29 September and the Minute was circulated with JCC Circular 50 of 2015. The Equality Secretary said that Fiona Morris was now the Area Lead for Equality in the West Area. She also said that she would take on board the comments from Malcolm Macdonald in relation to using area leads for training.

16 HEALTH AND SAFETY SUBJECT COMMITTEE (H&S)

The Health and Safety Committee met on 29 September and the Minute was circulated with JCC Circular 50 of 2015. The H&S Secretary gave an update telling the Committee that since the last meeting the proposed inspections of the 14 divisional headquarters had been completed with all reports submitted to the Divisional Commanders. Plans had been put in place to address any issues raised. The next step would be for local representatives to re-visit the premises to check progress and report back. This would lead to representatives being asked to identify two buildings each in their areas where they would carry out inspections. This would be co-ordinated by area leads and should hopefully be complete early in 2016.

Targeted inspections of control rooms/call centres had also been completed and reports had been submitted to 3C Command.

The next training days would look at Accident Investigation and it was hoped this would be rolled out at the next area meetings. Four accident investigations were currently running in Scotland and updates would be given once they are concluded.

SCoPE access was an ongoing problem and the H&S Secretary asked that this matter be looked into.

Brian Jones raised the issue of the SPF not being informed of health and safety related incidents. The Chairman said that this had been raised at the JNCC where it had been

agreed that SPF should be informed of such incidents. The next meeting would be held on 27th November when the Minute should be approved.

17 POLICE RELATED CHARITIES

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

The Equality Secretary said that there had been no meetings since the last JCC. The next meeting would take place the following day.

Scottish Police Bravery Award/Lewis Fulton Medal

The Committee were reminded that the Bravery Awards ceremony would take place that evening and that Police Mutual was sponsoring the event.

Police Dependants' Trust

The next meeting would take place at the end of November in Gatwick.

National Police Memorial Day

The event would take place on 25th September 2016 in St Paul's Cathedral in London. The de-brief for the 2015 event would take place in December.

18 JCC CIRCULARS ISSUED SINCE LAST MEETING

A paper was circulated and was noted.

19 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."

After discussion this motion was carried and was remitted to the PNB Staff Side Agenda.

20 CORRESPONDENCE

The General Secretary said that other than routine items of correspondence he had received:

- An invitation to take part in the Superintendent Review
- A letter from DCC Richardson re Gold Group on WTR Compliance

21 COMPETENT BUSINESS

It was noted that the Chairman, General Secretary and Deputy General Secretary would be attending the EuroCop Congress in Dublin in two weeks' time. It was agreed that EuroCop/ICPRA should be added back onto the agenda. The General Secretary advised the meeting of the considerations for the Congress including the subscription. The meeting agreed SPF attendees should be able to agree the subscription at the meeting.

Malcolm Macdonald said he had received notification from HR that there would be a withdrawal of the 90 days' notice of absence letters which would now not be sent until 150 days of absence. The Committee discussed local arrangements and it was agreed that the General Secretary would write to the Chief Constable intimating the SPF's revulsion of this activity.

The Chairman advised the Committee that a shortlist had been created for the chief constable's post comprising DCC Neil Richardson, DCC Iain Livingstone and Phil Gormley Depute Director of the NCA.

The JCC thereafter took part in a workshop on the Structure of the Police Service.

22 CLOSURE

The Chairman thanked everyone for their attendance at the Bravery Awards ceremony, Mrs & Mrs Milligan for their attendance and 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

CONSTABLES CENTRAL COMMITTEE

Minutes of a meeting of the Constables' Central Committee, held at the Hilton Doubletree, Dunblane on Tuesday 3rd November 2015.

1. ROLL CALL

Steven Thomson	North Area (Meeting Chairman)
Neil MacDonald	North Area
Grant McDowall	East Area
Amanda Givan	East Area
Malcolm Macdonald	West Area
Gary Mitchell	West Area
Brian Docherty	Ex Officio
Calum Steele	Ex Officio
Graeme Ednie	Ex Officio
David Kennedy	Ex Officio
Jim Foy	Ex Officio
Jackie Muller	Ex Officio
Peter Jones	Ex Officio

2. APOLOGIES

No apologies were received.

3. ADOPTION OF STANDING ORDERS

Standing orders were adopted for the duration of the meeting.

4. OPENING OF MEETING

The Chairman opened the meeting and welcomed everyone.

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

There were no rank specific items to discuss.

(b) JCC AGENDA

There were no rank specific items to discuss.

7. COMPETENT BUSINESS

The CCC Chair raised an issue that had developed in the North Area, where there appeared to be a disregard to the allocation of Annual Leave Sub Group as

confirmed by Force memorandum PS 130/15. It was advised that neither the West nor East areas were affected by this issue.

There was a discussion in relation to officers being required to conduct Custody Observation duties on members of the opposite sex. This matter had just recently come into force and as such no member of the CCC had seen either a relevant Risk Assessment or Equality Impact Assessment. The CCC Secretary would raise this matter at the next meeting of the LNCC meeting with 5C senior management on 26th November 2015.

8. CORRESPONDENCE

No correspondence had been received.

9. DATE OF NEXT MEETING

The next meeting is to be held on Tuesday 9th February 2016. The venue is to be confirmed.

10. CLOSURE

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

Malcolm Macdonald
Secretary

Steven Thomson
Chair