



Scottish Police Federation East Area Committee

Minutes of the Fourth Quarterly Meeting of the East Area Committee of the Scottish Police Federation held on Wednesday 4 December 2019 within The Houston House Hotel, Uphall, Livingston, EH52 6JS

1 OPENING OF THE MEETING

The Chair welcomed all those in attendance to this, the Fourth Quarterly Meeting of the East Area Committee for 2019.

The agenda, evacuation and need for attendance were highlighted, Standing Orders were adopted and the meeting was declared open.

The committee were advised of the sad loss of one of our members, Constable Martin Mooney, on Monday 28th October 2019, in Stirling. A minute silence was held in his memory.

The committee were reminded of the various police charities and important work that they undertake, particularly around support of injured officers and their families.

2 ATTENDANCE

Inspector Mark Murphy	C - Forth Valley
Inspector Ewan Wilson	C - Forth Valley
Inspector Jim Thomson	C - Forth Valley
Sergeant David Reid	C - Forth Valley
Sergeant John Burgoyne	C - Forth Valley (AM only)
Constable Lyn Redwood	C - Forth Valley
Constable Calum Baird	C - Forth Valley
Constable John Hay	C - Forth Valley

Inspector Norman Towler	E - Edinburgh
Inspector Allan Symington	E - Edinburgh
Inspector Peter Jones	E - Edinburgh
Inspector Neill Whiteside	E - Edinburgh

Sergeant Heather Macintyre	E - Edinburgh
Sergeant Christopher Richardson	E - Edinburgh
Constable David Davison	E - Edinburgh
Constable Richard Wood	E - Edinburgh

Inspector Michelle Ritchie	J - The Lothian's & Scottish Borders
Inspector Andrew Toombs	J - The Lothian's & Scottish Borders
Inspector James Morrison	J - The Lothian's & Scottish Borders
Sergeant Ross Drummond	J - The Lothian's & Scottish Borders
Sergeant James Gowling	J - The Lothian's & Scottish Borders
Sergeant Bryan Jones	J - The Lothian's & Scottish Borders
Constable Alan Hastings	J - The Lothian's & Scottish Borders
Constable James Friery	J - The Lothian's & Scottish Borders

Inspector James McLaren	P - Fife
Inspector Ian Stephen	P - Fife
Sergeant Craig Menzies	P - Fife
Constable Ian Rushford	P - Fife
Constable John Turley	P - Fife

Andrew Malcolm	Chair
Stephen Clark	Vice-Chair
Grant McDowall	Secretary
Heather Macdonald	Deputy Secretary

OBSERVERS

Amanda Givan	Assistant to the General Secretary (Conduct)
Sarah Vesty	SPF Journalist and Communications Adviser
Inspector Catherine Thorburn	"E" Division

3 APOLOGIES

Apologies were received from Anne Begley, Euan Sinclair, Darren Gallagher, David Hughes, Austin Barrett, Stephen Neilson, Michael Williamson, Graeme McLaren and Graham Ross.

4 MINUTES OF THE PREVIOUS MEETING

The Minutes of the previous meeting held on Wednesday 4 September, 2019 had been circulated and were approved.

5 MATTERS ARISING

The committee were advised of the forthcoming retirement of Grant McDowall on the 30th March 2020. This had been subject of previous circulation and the only nomination for the post was Stephen Clark, his election was endorsed by the committee.

An election was thereafter held for the post of Vice-Chair, John Hay and Richard Wood both stood for the vacant position. John Hay was subsequently elected.

(a) JOINT CENTRAL COMMITTEE UPDATE

The last meeting took place on 5th and 6th November 2019 within the training complex in Dundee.

Brian Jones was elected as the Vice Chair when the post becomes vacant in April 2020. The committee were provided with updates on ongoing legal cases including ALLARD, Holiday Pay and WhatsApp.

There was also discussion around the Dame Elish Angiolini review into misconduct and investigation of the police.

The recent JCC Circulars in relation to pensions were highlighted to the committee and that the remedy or long term outcome at this stage was unclear although it had been accepted that discrimination had occurred.

The financial position in relation to police budgets and SPA were highlighted to the committee, particularly the current underfunding and investment that is likely to be required in the future. An update was provided in relation to matters under discussion at the Police Negotiating Board and SPCF.

Update was provided in relation to matters that had been raised at the Joint National Consultative Committee including pay anomalies, the age of criminal responsibility and policing of events particularly the parades in Govan.

Committee were updated in relation to forthcoming events particularly the planning around COP26, the extent of this event and impact should not be underestimated.

SPF Bravery Awards were highlighted to the committee who identified the importance of recognising acts or incidents which exemplify dangers faced by officers on a daily basis.

b) STANDING COMMITTEE UPDATES

All meetings (Finance, Operational Duties and Legislation & Regulation Committees) were held in Dundee on 1 October 2019, the minutes of these have all been published on the SPF Website. (JCC Circular 48/2019) The Committee were updated on the pertinent elements by the Secretary and Chair.

c) HEALTH & SAFETY

Prior to the meeting the Vice Chair disseminated an update to the Committee and highlighted significant issues for them to consider including changes to body armour, footwear, health and safety inspections, clinical governance, vehicles and estates.

d) CONDUCT

The Deputy Secretary updated those present stating that the last Subject Committee Meeting had been held on 29th October, 2019 within the Federation Office at Dundee.

PIRC - Minutes of the last Conduct Subject Committee had been circulated showing live PIRC investigations which commenced in the East Area along with the PIRC reports published since the last meeting. All of which are available on the PIRC website.

CONDUCT -The position in the east as of 4th December 2019:

Conduct on duty = 10 (5 of which are Gross)

Conduct off duty = 5 (1 of which are Gross with 1 of them suspended)

Criminal on duty = 21 (1 of them are suspended)

Criminal off duty = 9 (2 of them are suspended)

Giving a total of 45 cases overall on the books with 4 officers currently suspended. This is down on the last meeting.

Since the last EAC there have been 2 Misconduct Meetings, both resulting in no misconduct and correctly referred to the Performance Regulations. There are no hearings as per PSD policy scheduled for December however, there is a full hearing and a full meeting scheduled for 3 days each in January.

Complaints against the police - The PSoS PSD Quarterly Performance Report were discussed in detail at the subject committee, it was noted that the report showed a continued decrease in complaints against the police.

Performance - We have had some notable success of late in this department, persuading divisions that misconduct matters were indeed performance i.e. mistakes nothing bad and naughty. Both J Division and C Division eventually appear to have bought into this and have been persuaded by using the Vic Marshall OBE report commissioned some years by the SPF following the Taylor reforms, an integral piece of the 2014 Conduct and Performance Regulations. These divisions will be arranging some awareness training with myself and the AGS (Conduct). Committee were asked to identify to SPF East of anyone who is subject to the performance regulations at the earliest opportunity.

PIP - There had been no PIP held since the last meeting. There have been two deaths in custody within the West Area and although the deaths were being investigated by PIRC, there was no PIP implemented.

PAT Cases – There have been three successful appeals to dismissal in the last year for East officers.

Trends – There has been an increase in Road Traffic related offences, speeding in the East but nationally drink driving has featured.

Summary

The East are in a fairly positive position with trained Conduct Representatives however, since the last EAC Craig Rogerson who was the number 2 Conduct Representative for E Division had resigned from the Committee. He will be replaced by David Davison/Peter Jones. Following the election of John Hay to the Vice Chair's role, a C Division Representative is sought to be the number 2 for conduct in that division.

As there are currently 45 officers on the books, it is not possible to provide all of them with the support they deserve, therefore, some representatives will be asked to be a single point of contact for our officers in the criminal or conduct process. These officers require regular contact, it is crucial that not only are they provided with support but, that the office is updated with every contact you have with them be it a text, call, email so as to allow the database to be updated and to accurately reflect that contact. This should always be done using the conduct email address. I will get the email and the appropriate form resent to all conduct trained reps for your information.

Finally, she went on to extend her sincere thanks to Reps from C Division for their support and assistance in dealing with a very difficult situation when we lost one of members recently. They had to deal with a lot of angry members over the communications that went out by the Force. Their assistance in dealing with that locally at a very difficult time for you guys also was genuinely appreciated.

e) EQUALITY & PART TIME WORKING

Chair highlighted the events and training that had been provided to the Equality Subject Committee in October. They were updated of training that had been provided to Superintendents and it was hoped that this would lead to greater recognition and learning around equality matters.

Issues around flexible or agile working continue to affect our members and it is clear there is often a lack of understanding or training in respect of this and other protected characteristics.

f) DIVISIONAL UPDATES

“C” Division – David Reid advised there had been no meeting with the Divisional Command team as a consequence of the Commander being transferred to a new role. A meeting with the new Commander would be organised in 2020. He did provide an update in relation to local matters affecting Falkirk.

“E” Division – Norman Towler provided an update in relation to a recent meeting with the Divisional Commander and Superintendent Rennie. Issues discussed including the policing deployment of night guard, access to Taser, impact of CAM and resourcing of events.

“J” Division– Michelle Ritchie advised there had been no meeting with the Divisional Commander however these have been organised for 2020. She has reached an agreement with the Command Team to have an SPF page on the local Intranet. Amendments to the OBL had been subject of consultation and the Command Team were working towards implementation.

“P” Division – Ian Rushford advised they had met with the Command Team where issues including the sickness hotline, multi channelling the provision of operational statements were discussed.

(g) MAJOR EVENTS

Committee discussed reporting direct and the disparity between those organised in the East and the West. Committee were reminded of the agreed guidance and that it was a Police Scotland responsibility to organise the movement and transportation of staff. There was also an impact around the transfer policy which is confined to 35 miles or 45 minutes. Committee were updated in relation to Winter City, Hogmanay, Euro 2020 and forthcoming football matches.

6 NEW BUSINESS

Committee discussed issues around communication and were requested to send any problems or solutions to either the office bearers or Sarah Vesty in order to have these addressed.

The recent training feedback was discussed and the committee were asked to highlight any training needs that they identified to the office bearers.

Succession planning particularly around office bearer roles were discussed and a paper circulated for the consideration of the committee.

7 COMPETENT BUSINESS

No matters of competent business were raised.

8 DATE OF NEXT MEETING

The next meeting will be held on Wednesday 4th March 2020.

9 CLOSURE OF MEETING

The Chair thanked everyone for attending and for their valued input into proceedings, thereafter wishing everyone a safe onward journey home prior to formally closing the meeting.

Grant McDowall
Secretary

Andrew Malcolm
Chair

APPENDIX A

HEALTH & SAFETY

SPF Local Reps – H&S Training – Another training course was held on 3rd October 2019 and a further three local Reps received training from the external private training provider.

At the recent JCC a motion was passed regarding the provision of training to H&S Reps. It was agreed that all local Reps (x 27) would receive the IOSH (Institute of Occupational Safety and Health) training. IOSH is an externally recognised UK accredited qualification that focuses on employers, managers and individuals H&S responsibilities in the workplace. The training course is delivered over 3 days. It is hoped to schedule the first IOSH course in February 2020.

And it was also agreed that the 4 x SPF H&S Leaders (AGS and 3 x Area Leads) would receive NEBOSH (National Examination Board in Occupational Safety and Health) training. NEBOSH is an academic qualification that enhances and builds upon IOSH. This training is delivered over 10 x days plus an assessment.

Custody - Joint Custody H&S Inspection / Audits - All 33 primary custody centres located across the country to be completed over the next 12 months in a collaborative approach, involving CJSD, H&S Team, Estates, Unison and the SPF. This is the 'gold' standard re H&S inspections. To date 6 centres have been audited/inspected, including London Rd, Cathcart, Falkirk, Kitty Brewster, Govan and Dundee. The remaining primary centres in the East are on the list with Dalkeith and Dunfermline scheduled to be carried out in January 2020.

Action Plans in place for all centres that have been completed and works are being prioritised as High, Medium and Low.

Footwear – 3 x boots have been identified – Altberg, Hi Tech Magnum and Haix.

Wearer trials are scheduled to commence in December 2019 and run to January 2020. 15 officers have been identified - 6 from inner city areas, 6 rural locations and three from specialist resource. All candidates will receive three pairs of boots which must be worn for period of one complete shift cycle with the necessary evaluation survey completed.

The Force have confirmed that the cost of the boots will not be considered in the scoring matrix of the survey.

Agreed that all operational officers will be supplied with footwear, including Special Constables.

Telematics – Further consultation has been conducted re the MOU. Broad agreement that the system can now only be used as a fleet management tool only. MOU to be checked legally before 'sign off'.

Taser - The current number of STOs available for deployment has shrunk from the initial figure of 520 to 276 - this is due to a variety of reasons. A strategy document and business case has been submitted and agreed by the Chief Constable to enable the training of 240 officers to replace the numbers that have been abstracted.

In addition the Force have agreed to increase the number of hubs, from the current 30 to 60. This will hopefully overcome some of the deployment issues and unnecessary travel and lost time. A

mapping exercise is to be carried out to identify the most appropriate locations for the additional hubs.

Monitoring re Taser will continue via the Chronicle system.

Taser Holster – The Force have identified a new holster that has a multi positional facility to enable the ease of use by the operator.

Emergency Services Mobile Communications Programme (ESMCP) - The strategic assessment across the UK confirms that ESN is the correct direction of travel as another TETRA network is not considered the way forward.

There are currently 37 risks on the Risk register, with 11 considered as High Risk. The highest risks are: -

- Increasing cost of the project;
- PSoS are required to fund any Non Standard Service Costs (generally relates to covert policing);
- ACR risk re downtime – for introduction of new technology and fitment and training of staff in new technology; and
- PSOS required to also fund the cost of additional hand held devices to interact with other emergency services.

Real and significant concern re the deliverability of ESN before 2022 – with 2024 being the earliest it could be up and running. As such it is highly likely that Airwave will be extended, although that will come at a significant financial cost.

Concerns have now arisen that a simple ‘jammer’ at a cost of about £100.00 could bring the system down in targeted areas. Questions are currently being asked of EE for contingency plans, although no immediate answers are forthcoming.

Concerns over the escalating costs of the programme - Scottish Government Finance Group have been advised that costs of the Project have now spiralled to £9.3bn with a cost in Scotland now rising to roughly £290 million. Initially this figure stood at £120-140 Million.

Police Scotland, via their project team are doing a good job in terms of carrying out due diligence and monitoring of every stage of the programme, with the team being reported as far more advanced than most of the rest of the UK Forces.

Security issues remain re internet capabilities of covert devices used and their use on the ESN. There is the potential that on the introduction of ESN covert officers would require to carry 3 different devices for communications, which isn't considered feasible. The UK wide Covert Policing community are considering separate options.

In terms of coverage EE have an 81% coverage in Scotland and there are still upgrades in process. EE have identified that 46 additional sites will be required in Scotland, but this is included in the contract. Coverage testing is ongoing.