



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 on Tuesday 7 and Wednesday 8 February 2017.

### **1. Attendance And Opening**

#### SPF Office Bearers:

Calum Steele	General Secretary / Treasurer
David Kennedy	Deputy General Secretary
Andrea MacDonald	Chair

#### North Area Committee:

Gary Brown  
David Hamilton  
Karen Harrison  
Neil Macdonald  
Caroline Scobbie  
Steven Thomson

#### East Area Committee:

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

#### West Area Committee:

Martin Bertram  
Paul Connolly  
Malcolm Macdonald  
Phil Maguire  
John Munn  
Emma-Louise Smith

#### Assistants to the General Secretary (AGS)

Jim Foy	AGS Conduct
Peter Jones	AGS H&S

#### Observers

Stephen Clark – East Area Committee Vice Chair (Elect)

#### Also in attendance

Doug Keil	Business Manager
David Ross	Policy & Coordination Officer
Lesley Stevenson	Business Administrator

Apologies were received from Jackie Muller, Joe Thomson and Neil Cameron. Joe was replaced by Emma-Louise Smith and Neil was replaced by Gary Brown.

The Chair opened the meeting, thanked everyone for their attendance and invited all to take an active part.

## **2 Minute Of Previous Meeting**

The Minute of the previous meeting had been circulated with JCC Circular 60 of 2016 and was accepted as a true record.

## **3 Election of JCC Vice Chair**

Andy Malcolm and David Hamilton had intimated their intention to stand for election for this post. They were each proposed and seconded in accordance with the Rules and were both given an opportunity to address the JCC for a period not exceeding five minutes. Following the two presentations a secret ballot was held and David Hamilton was elected. The Chair was given approval for the election ballot papers to be destroyed at the conclusion of the election.

## **4 Legal Advice And Assistance**

The Deputy General Secretary informed the Committee that since the last JCC there had been 26 new on duty cases; 12 criminal cases, 2 injury cases, 1 employment dispute, 2 misconduct cases, 1 overtime payments dispute, 5 RTAs and 3 others.

There had been a further 50 off duty cases; 8 civil defence cases, 27 criminal cases, 1 misconduct case, 9 RTA's, 3 injury cases and 2 other cases (1 SPF Advice and 1 Legal Representation at court instructed by Sheriff).

### **Allard & Others v Devon and Cornwall**

The Deputy General Secretary reported that a meeting had been arranged with the Police Service of Scotland (PSoS) and it was hoped that this matter would be brought to a resolution.

### **Holiday Pay Claim**

The Deputy General Secretary reported that this issue was ongoing. The Committee discussed the Bear Scotland case and the likelihood of some relevance to considerations for the PNB in respect of the calculations for the proper remuneration for part time officers in particular.

### **Held in Reserve**

The Deputy General Secretary reported that a case was heard at the Court of Session on 22 December 2016 and the decision was awaited.

### **SPF Panel of Solicitors**

The Deputy General Secretary reported that he had received correspondence from two solicitors firms who were asking to become part of the SPF's panel of solicitors.

The Committee noted that the JCC, through the Deputy General Secretary, had absolute discretion to utilise any solicitor at any time for any purpose and there was no need to deviate from this approach. In respect of the two letters, the JCC expressed strong opposition to one of the firms.

Martin Bertram made an appeal on behalf of a West Area member whose application for legal advice/assistance had been rejected. After discussion the Committee rejected the appeal.

## **5 PNB**

The General Secretary told the Committee that there had been no PNB meetings since the JCC last met. This was a consequence of the PNB moving to 3 meetings a year meaning it was inevitable one of the meetings of the JCC would not have a substantive report from the Board. The next PNB meeting was scheduled for 22 February. The next Staff Side meeting was scheduled for 15 February. The General Secretary gave a brief update on Kinship care and IVF treatment as it applied to the service.

Members discussed ongoing work relative to exigencies of duty. A small Technical Working Group had drafted a document which contained a number of useful guidance notes but agreement was yet to be reached on one important issue. It was agreed that further work would be done on this before the next PNB meeting.

The General Secretary reported to the Committee that the PNB Staff Side had started preparations for a 2017 pay claim and went over a number of relevant considerations one or two related issues which cannot be detailed in this Minute.

The Committee noted that a few days prior to the meeting the Scottish Budget had been approved and an extra £25m had been allocated to the Police Budget. Despite this, it was unlikely that the Scottish Police Authority would take a more generous view on pay and allowances.

Members expressed concern that over recent years, inflation had seriously outstripped police pay rises and together with increased pension contributions, national insurance contributions and potential council charge increases, police pay had been seriously devalued. They expressed support for police pay to be linked to a pay index. Work would continue and the Committee would be advised when a claim was finalised.

## **6 Pensions**

The General Secretary reported that a lot of work had been done recently on the new governance arrangements relative to pensions. He also reported on the apparent accidental removal of the widow's 13 week payments from the CARE scheme; transfer of British Transport Police pensions; Annual Allowance impact for officers who received additional 60ths pension due to ill health; the 2.25% commutation limit, and the Leigh Day pension challenge.

David Hamilton reported that the Scottish Public Pensions Agency had not met its legal requirements relative to annual benefit statements and as many as 700 had still not been

sent out. He said he was working with SPPA staff to correct errors on the CARE calculator and was also a member of a communications group which was attempting to ensure that members received accurate and timely information.

Grant McDowall said a member had been advised by SPPA that the poor quality of the annual benefit statements had been as a result of the SPF asking that limited information be included. David Hamilton said he was aware that SPPA had been expressing this view and this had been raised with them. SPPA fully acknowledged that this was not in fact the case and they agreed to cease the misinformation and issue an apology to the SPF.

## **7 Scottish Police Consultative Forum (SPCF)**

There had been no meetings.

## **8 Scottish Police Authority (SPA)**

The General Secretary reported that he had met with Andrew Flanagan, Chair of SPA on 19 December. This was the first meeting in a long time and was welcomed. The General Secretary advised the meeting was cordial and he restated to the Chairman, the importance of listening to the SPF.

## **9 Scottish Police Budget & Finance**

There was no update beyond that reported in items 5 and 6 above.

## **10 Local Negotiating Consultative Committees (LNCCs)**

The Committee discussed the current structure and relevance of these meetings and agreed that improvements could be made to make better use of them. It was noted that the Chair and General Secretary were meeting the Chief Constable and DCC Designate on 15 February and would contact the Area Chairs and Secretaries prior to that meeting.

## **11 Joint Negotiating Consultative Committee (JNCC)**

It was reported that the last meeting was held on 7 November 2016. Amongst the items discussed were PIRC seizing non-uniform clothing, reporting of accidents, payroll notifications and post incident procedures. The General Secretary had raised the numbers of officers withdrawing from the Police Pension Schemes and how auto-enrolment would provide an opportunity to advertise the benefits of the Police Pension Schemes. This was particularly important as the "worth" of pensions lay at the heart of well-being.

Whilst it was envisaged ALL who had opted out of the pension schemes would be auto enrolled, a recent treasury decision meant this was no longer the case and full auto enrolment for ALL non-members would only take place from 2020.

The JNCC agreed PIP should be used for more than just firearms incidents and DCC Gwynne was to undertake further work on this.

The Chief Constable agreed footwear should be replaced on a like for like basis when seized but was not persuaded by the need for a similar approach for mobile phones.

It was agreed to progress the payroll issues out with the JNCC.

The JNCC agreed to change the accident notification processes to the SPF.

The next meeting was scheduled for 14 February.

## **12 Finance Standing Committee (FSC)**

The Finance Standing Committee met on 18 January and the Minute was circulated with JCC Circular 5 of 2017.

The Grant in Aid, Voluntary Fund and Members' Benefit Trust accounts were all circulated and discussed. The Committee thereafter approved all accounts.

It was noted that a meeting to discuss how the SPF could better utilise the money in the Members' Benefit Trust account would be held in the near future.

The General Secretary reported that further work had been done on the #itswhatwedo campaign with another video being commissioned. He sought the approval of the Committee for a £60,000 budget to be allocated for the promotion of the video. The Committee approved this proposal.

The General Secretary told the Committee that 2019 would be the 100<sup>th</sup> Anniversary of the SPF and sought approval for a budget of £25,000 to begin work for it. The Committee approved this proposal.

A recommendation from the previous FSC meeting was put to the Committee:

*"The FSC recommend to the JCC that subject to exception or significant concerns over performance, there should be a presumption against undertaking a wider Group Insurance Scheme renewal exercise for 5 years."*

The Committee discussed the recommendation and thereafter approved it.

## **13 Legislation and Regulation Standing Committee**

The Legislation and Regulation Standing Committee met on 18 January and the Minute was circulated with JCC Circular 5 of 2017.

The General Secretary told the Committee that he had recently given evidence on the Stop/Search Code of Practice and this could be viewed on either the Scottish Parliament Website or YouTube.

## **14 Operational Duties Standing Committee**

The Operational Duties Standing Committee met on 18 January and the Minute was circulated with JCC Circular 5 of 2017. Amongst the items discussed were post incident procedures; workforce agreements and the court duty change model. Members agreed

that many problems were caused by the Service using legacy arrangements as opposed to updated agreements.

Andy Malcolm gave an update on the Inspecting Ranks Review Forum meeting which he had attended on the 18 January in Dundee.

## **15 Conduct Subject Committee**

The Conduct Standing Committee met on 17 January and the Minute was circulated with JCC Circular 5 of 2017. The AGS (Conduct) reported that since the last meeting there had been five misconduct hearings and nine misconduct meetings. The Committee was given an update on the outcomes of the meetings and hearings.

He said that he had been invited to sit on a working group with PSD/ASPS to examine best practice and review regulations. This had been welcomed. A working group had been established by PSD relative to training PSD officers to improve the quality of work from PSD.

It was reported that Vic Marshall OBE, Chief Superintendent Alan Spiers and Superintendent Andy McDowall had all been invited to Conference 2017 as guest speakers. The theme will be relative to changing attitudes and modernising the approach to misconduct.

It was noted that all future SPF initial training courses or continuation training will have knowledge tests attached which will be based on coursework. Given the importance of the subject, this was considered a reasonable and sensible approach.

Training will take place across the three Areas in the near future with a particular attention to be paid to new office bearer's or new members of the Conduct Committee's.

It was also noted that PIRC had appointed a new head of investigations and further meetings will be held with them in the near future.

## **16 Equality Subject Committee**

The Equality Standing Committee met on 17 January and the Minute was circulated with JCC Circular 5 of 2017.

Nigel Bathgate, AGS (Equality) (Elect) said that PSoS were currently working on a SOP relative to dyslexia and guidance on flexible working. It was expected that these would be rolled out for consultation in the near future.

He also said he wished to thank on record Jackie Muller for all the work she did whilst carrying out the role of AGS (Equality). The Committee agreed and wished Jackie well in her retirement.

## **17 Health and Safety Subject Committee (H&S)**

The Health and Safety Committee met on 17 January and the Minute was circulated with JCC Circular 5 of 2017.

The AGS (Health & Safety) said that along with Brian Jones he was to meet with Chief Superintendent Andy Edmonston to discuss the outcome of the investigation into the three RTC's involving vehicles manufactured by a specific car maker. They had also attended a presentation from the manufacturer explaining the safety features of the vehicle.

Brian Jones said that he had carried out vehicle checks and found a disparate picture relative to the provision of kit. He said that concerns were to be raised with area ACCs.

The AGS (Health and Safety) had attended the H&S Wellbeing Group chaired by DCC Livingstone where it had been reported that a Q Division Pilot on mental health training had received very positive feedback.

## **18 Police Related Charities**

### Police Treatment Centre (PTC)

A meeting was to be held the following day.

Nigel Bathgate reported that psychological wellbeing facilities were now available at Harrogate and Auchterarder.

The General Secretary said that he had raised the question of Trustee representation at the PTC and whilst there was no opposition the Chair becoming a trustee, being an "additional" trustee would likely prove difficult to accommodate. The existing trustees agreed to examine the best way of accommodation for the Chair.

Grant McDowall would replace Jackie Muller on the Committee.

### St George's Trust

A meeting was to be held the following day.

### Scottish Police Bravery Awards

The Chair gave an update on the recent SPF Bravery Awards and said she had received positive feedback from various sources about it. The General Secretary asked for his thanks to be placed on record to Brian Docherty, former SPF Chairman for his hard work on the awards. The Committee agreed.

### Police Dependants' Trust

The Chair said that she had taken over as a Trustee on the PDT from former Chairman, Brian Docherty, and had received training.

It was noted that the PDT would merge with the National Police Fund.

### National Police Memorial Day

It was noted that the Chair was appointed an NPMD Trustee at a meeting on 9 January.

The next Memorial Day would be held on 23/24 September in 2017 in Cardiff, 2018 in Belfast and 2019 in Scotland.

Members discussed Police Charities UK and the Chair said she would report back at a future meeting.

## **19 JCC Circulars Issued Since Last Meeting**

A paper was circulated and was noted.

## **20 Standard Operating Procedures (SOPs) Issued Since Last Meeting**

A paper was circulated and noted.

## **21 EuroCOP/ICPRA**

The General Secretary said that JCC Circulars 61 and 62/2016 had been issued relative to the above.

He hoped to hear the outcome of the data gathering exercise on the Terrorism Conference which had been held in Barcelona in the autumn of 2016 when he attends the next meeting in Malta in the Spring.

He told the Committee that he was hopeful of meeting a senior director of the International Labour Organisation (diaries dependant) in Glasgow in the near future.

He further reported that Victoria Police in Australia were recruiting 3000 officers and he had arranged a conference call with Mark Burgess, Police Federation of Australia, relative to that.

The next meeting of EuroCOP was to be held in Malta in May.

## **22 National Selection Panels for Promotion**

The Chair advised that several members of the Sergeants' and Inspectors' Central Committees attended the selection panel and SPF had been formally invited to take part in a review. She would keep the Committee updated.

## **23 Motions - JCC**

The following Motions were remitted by the East Area Committee:

### **Motion 1**

*"That this Area Committee asks the Joint Central Committee to discuss the current CRTP process and consider a negotiated agreement to align it to the PDR/PDC systems to reduce bureaucracy and duplication".*

**This motion was discussed.**

## **Motion 2**

*"That this Area Committee asks the Joint Central Committee to seek compensation for officers when their Rest Days are re-rostered and notification of their replacement Rest Day is not provided within 4 days as per the Regulations".*

**This motion was defeated.**

## **Motion 3**

*"That this Area Committee asks the Joint Central Committee to discuss the promotion confirmation process and align it to PDR/PDC to reduce bureaucracy and duplication".*

**This motion was discussed.**

## **Motion 4**

*"That this Area Committee asks the Joint Central Committee to discuss the structure and composition of the Scottish Police Federation".*

**This motion was discussed.**

After the motions were considered the General Secretary reminded the committee that the procedures for motions was specifically catered for in the rules and whilst it remained open to any area to submit any motion at any time if they wished, that requesting items be placed as substantive issues on the agenda could result in more open and wide ranging considerations.

## **24 Motions – Conference 2017**

The following Motions were remitted by the West Area Committee:

### **Motion 1 - West**

*"That this Area Committee asks Conference to ask the Joint Central Committee to ask the PNB (Scotland) to agree the provisions of PNB Circular 2014/8 (Advisory) for implementation in Scotland."*

### **Motion 2 – West**

*"That this Area Committee asks Conference to ask the JCC to approach the Scottish Government to engage with the Lord Advocate to seek parity when dealing with Police Officers as victims of Crime."*

### **Motion 1 - East**

*"That this Central Conference asks the Joint Central Committee to seek an amendment to Section 51 of the Police, Public Order and Criminal Justice (Scotland) Act 2006 to extend football banning orders to include any person merely found in possession of pyrotechnic devices".*

There were no amendments proposed by the JCC to the motions.

The General Secretary gave a brief update on the arrangements for Conference and said that preparations were well underway. Guest speakers had been invited, a presentation would be given on the 2026 Project and an input was to be arranged on the Office of Constable/discretion.

## **25 Correspondence**

The General Secretary said that he had received various items of routine correspondence as well as correspondence from:

- DCC John Gwynne relative to the Anti-Corruption Unit
- Jackie Muller formal notification of retiral on 13 March 2017
- Number of invitations to sister organisation conferences
- Number of invitations to charity events
- Letter of thanks from Graham Sloan relative to the retirement dinner
- Letter of thanks from Brian Docherty to all Office Bearers and Staff at Woodside Place relative to his retirement

The Chair wished Brian a long, happy and healthy retirement.

She also wished to place on record her thanks to Jackie Muller for her services to the SPF over the years and wished her a long, happy and healthy retirement.

## **26 Competent Business**

The Chair said that the closing date for the Group Insurance Scheme tendering process was 16 February. She would provide a full update at the next meeting.

The Deputy General Secretary said that a video presentation was being prepared in relation to the member services package which would be shown to recruits.

## **27 Closure**

The Chair thanked everyone for their attendance and inputs at the meeting and said that the next meeting would be held on 9/10 May in the Glynhill Hotel, Renfrew. A dinner would be held on the night of the 9<sup>th</sup> and the dress code was smart/casual.

She closed the meeting by wishing everyone a safe journey home. A vote of thanks was given to the Chair.

**Andrea MacDonald**  
**Chair**

**Calum Steele**  
**General Secretary**

## **CONSTABLES' CENTRAL COMMITTEE**

Minutes of the Constables' Central Committee meeting held in the Dunblane Hydro Hotel on Tuesday 7<sup>th</sup> February 2017

### **1 ROLL CALL**

Steve Thomson	-	Chair
Malcolm Macdonald	-	Secretary
Neil Macdonald	-	Dep Sec NAC
Martin Bertram	-	Chair WAC
Amanda Given	-	Dep Sec EAC
Grant McDowall	-	Sec EAC
Calum Steele	-	General Sec SPF
Peter Jones	-	Ass General Sec
David Kennedy	-	Dep General Sec

### **2 APOLOGIES**

Apologies were received from Jim Foy and Jackie Muller.

### **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 all those in attendance.

### **5 MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting had been circulated. No issues were raised and the minutes were approved.

### **6 MATTERS ARISING**

Malcolm Macdonald announced his resignation from the role of Secretary of the CCC due to personal circumstances. Nominations were sought for the role of Secretary and Neil Macdonald was proposed by Grant McDowall and seconded by Amanda Given. Neil was thereafter elected to this role. The Committee passed on its best regards to Malcolm for the time he held the position of Secretary and all the work he had carried out and also wished him all the very best of luck in dealing with his upcoming treatment.

Due to Jackie Muller's recent retirement from the service a vacancy for a Trustee for the Police Treatment Centre charity became vacant. Nominations were sought for this position and Grant McDowall was proposed by Neil Macdonald and seconded by Martin Bertram. Grant McDowall was thereafter elected for this role. The Committee recorded their gratitude to Jackie for the many years of service to

the SPF and in particular the Constables Central Committee and the PTC Charity. The Committee wished Jackie the very best in her retirement.

## **7 COMPETENT BUSINESS**

The matter of the CCC's attendance at Conference was discussed along with the subject to be presented.

Following a short discussion it was decided that the issue of Empowering/ Discretion was the topic to be examined. However it was thereafter agreed that this was a matter which was not rank specific therefor was to be forwarded to the JCC for their consideration as a subject for all ranks at conference.

## **8 CORRESPONDENCE**

There were no items.

## **9 DATE OF NEXT MEETING**

The next meeting of the CCC will be at Conference 28<sup>th</sup> – 30<sup>th</sup> March 2017

## **10 CLOSURE**

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

**Neil Macdonald**  
**Secretary**

**Steve Thomson**  
**Chair**

## **SERGEANTS' CENTRAL COMMITTEE**

Minutes of the Sergeants' Central Committee meeting held in the Dunblane Hydro Hotel on Tuesday 7<sup>th</sup> February 2017

### **1. ROLL CALL**

David Hamilton- North & Chair  
Karen Harrison- North  
Nigel Bathgate- East  
Brian Jones- East  
Paul Connelly- West  
John Munn- West

### **2. APOLOGIES**

All Committee members were present with no requirement for apologies.

### **3. ADOPTION OF STANDING ORDERS**

Standing orders were adopted for the duration of the meeting.

### **4. OPENING OF MEETING**

The meeting was opened by the Chair who welcomed all present and invited them to take an active part in the meeting.

### **5. MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting were discussed with Nigel Bathgate proposing them as an accurate record this was seconded by Brian Jones. The minutes were unanimously approved by the committee.

### **6. MATTERS ARISING**

Brian Jones provided an update re RP SIOs and the workload that they are carrying in relation to fatal RTCs. Historically the role of SIO was performed by Inspectors but due to cuts in their numbers this has been delegated to Sergeants. Some SIOs are managing multiple enquiries which contradicts advice in previously published ACPO Homicide Investigation guidance and contrasts with the manner in which Homicide investigation is managed by SCD. The Chair then provided an update re PS 10 quick wins project and expressed some of the frustrations he had experienced. Negativity and resistance to change were evident and this project appears to have run out of momentum. Discussion ensued re duplication between various projects. Brian Jones initiated a discussion regarding what could be done to highlight the levels of stress experienced by sergeants.

The Chair mentioned that initially that previously common ground had been identified between 10 quick wins and the SCC sergeants' survey. He suggested that the SCC could potentially produce a parallel 10 quick wins to present to the force. The Chair also updated the committee that ACC Mawson has agreed to attend Conference and speak with the sergeants. Discussion ensued re potential topics, themes and format for Conference. The Committee agreed to canvas opinion, from Sergeants reps in their respective areas, for topics and questions to put to ACC Mawson.

## **7. COMPETENT BUSINESS**

On 8<sup>th</sup> February after David Hamilton had been elected as national Vice-Chair the SCC was reconvened to elect a new Chair. John Munn was not present but the meeting was quorate. Brian Jones was proposed as a candidate by Nigel Bathgate and seconded by the Secretary, the Committee were unanimous in electing him as Chair of the SCC. Brian did point out that due to family commitments he would not be attending at Conference. David Hamilton agreed to work with the Committee and continue with the arrangements he was putting in place for Conference.

## **8. CORRESPONDENCE**

No correspondence had been received

## **9. DATE OF NEXT MEETING**

The next meeting is to be held in Renfrew on 9<sup>th</sup> May 2017.

## **10. CLOSURE**

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