



Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

JCC Circular 47 of 2019

Ref: CS/DJK/LS

25 October 2019

Attachments: JCC Minutes August 2019

Dear Colleague

JCC Minutes August 2019 - Information

I refer to the above and attach herewith the Minutes from the JCC meeting on August 20th/21st 2019 which will be considered for approval by the JCC at its meeting on 5th November 2019.

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 meeting of the Joint Central Committee held on Tuesday 20th and Wednesday 21st August 2019 at the SPF Training and Meeting Facility, Unit 29, City Quay, Camperdown Street, Dundee, DD1 3JA

1. Attendance And Opening

SPF Office Bearers:

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

North Committee:

Nick Clasper
Gordon Forsyth
Neil Macdonald
Gordon Milne (Day 1 only)
Ross Polworth
David Threadgold (Day 1 only)
Caroline Macnaughton (Day 2 only)

East Committee:

Stephen Clark
Steven Herd
Heather Macdonald
Andy Malcolm
Grant McDowall
Graham Ross

West Committee:

Paul Connolly
Catherine McNally
Gary Mitchell
John Munn
Adam Peppard (Day 1 only)
Jenny Shanks

Assistants to the General Secretary (AGS)

Amanda Givan (Conduct)
Nigel Bathgate (Equality)
Brian Jones (H&S)

Also in attendance

Doug Keil	Business Manager
David Ross	Policy & Co-ordination Officer
Lesley Stevenson	Business Administrator
Sarah Vesty	Journalist and Communications Adviser

Observers

Ricky Wood	EAC
Ian Florence	WAC
Stuart Cowan	BTP
John Paul O'Kane	BTP

Apologies were received from David Threadgold, Gordon Milne, and Adam Peppard on Day 2. David was replaced by Caroline Macnaughton.

The Chair opened the meeting, welcomed everyone and thanked them for their attendance. She gave a special welcome to Stuart Cowan and John Paul O'Kane (BTP) who were attending the meeting as Observers.

Standing Orders were adopted for the duration of the meeting.

2 Minute of Previous Meeting

The Minute of the previous meeting was circulated with JCC Circular 20 of 2019 and was accepted as a true record.

3 Election of Chair (elect) of the JCC

David Hamilton, Brian Jones and Andy Malcolm had intimated their intention to stand for election for this post. They were proposed and seconded in line with Rules and were given an opportunity to address the JCC for a period not exceeding five minutes. Following the presentations, ballots were held and David Hamilton was elected. The Chair 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 meeting 74 new applications were approved for consideration of legal advice and assistance.

These comprised 41 in the West; 15 on duty and 26 off duty, 24 in the East; 17 off duty and 7 on duty and 9 in the North; 1 on duty and 8 off duty.

These included 24 criminal legal defence cases; 1 civil legal defence case; 11 RTAs; 13 personal injury cases; 2 CICA cases; 8 employment dispute cases (officers); 5 employment disputes (ex-officer); 2 property protection cases; 2 contract disputes; and 6 miscellaneous cases. A further 2 cases were rejected.

The Committee noted that there were currently 349 live cases and 45 cases had been closed since the last meeting. The Committee also noted that settlements in excess of £2Million had been won for members by SPF solicitors since the last meeting.

Judicial Review

The Deputy General Secretary updated the Committee on a Judicial Review of significant importance to the membership. He gave details of the ongoing case and costs incurred to date and also estimates of costs should the case proceed further. The Committee agreed that this important issue should be pursued.

Allard & Others v Devon and Cornwall

The Deputy General Secretary reported that after consulting with Queens Counsel, legal proceedings were raised. Court proceedings had been raised within the Court of Session

and had been intimated to the Scottish Police Authority and PSoS. Thanks were given to all officers involved for their cooperation in completing Assignations.

He reported that a meeting was held on 1 August 2019 with PSoS who had indicated a willingness to negotiate and ensure officers were properly remunerated. He had had sight of their methodology which was an encouraging step to achieving an acceptable resolution. It was hopeful that a collaborative approach could be achieved however a specification had been served and he awaited a commissioner being appointed.

Holiday Pay Claim

It was reported at the last JCC meeting that a settlement would be agreed however due to an appeal from officers in PSNI, the settlement was stopped. A decision from the Supreme Court was now awaited.

SPF Panel of Solicitors

The Committee endorsed the current panel of solicitors;

BTO Solicitors	Craig Wood Solicitors	Digby Brown
DWJ Law	George Mathers & Co	Lawson Coull & Duncan
Levy & McRae	PBW Law	RS Vaughan & Co
Slater & Gordon	Thompsons	

5 Police Negotiating Board (PNB)

The General Secretary reported on the meetings of the PNB Technical Working Group which were held on 29 May and 10 July 2019. Work is ongoing in respect of a number of issues, all at a very early stage.

A Working Group was to be established to consider overseas allowances. The issue relative to the matter of rest days during annual leave had been remedied. Members of both sides of the PNB TWG have started work drafting a handbook detailing police officer terms and conditions.

The PNB TWG was scheduled to meet on 28 August 2019.

He reported on the PNB EWG which met on 16 May 2019 and discussed Keeping in Touch Days and Equal Pay Data Analysis.

A full PNB meeting took place on 11 June 2019 where places of duty and mileage entitlements, travelling time, legislative progress for PNB in Scotland, KIT days and updates to Regulations and Determinations were discussed.

It was reported that the next full PNB meeting was to be held on 10 September 2019.

6 Pensions

The General Secretary reported that the Scheme Advisory Board met on 26 June 2019. He reminded the Committee that commutation multipliers in Scotland were different from those applied in E&W. He advised that this was because of differing life expectancies and in 2012 it had been agreed with the then Cabinet Secretary for Justice, Kenny MacAskill, that officers in Scotland should receive the better of the two arrangements for a period of 10 years from 1 April 2012. He said there had been a negligible cost factor to this arrangement.

Amongst other items discussed were McCloud & Sargeant Litigation; Valuation & Cost Cap Pause; Joiners and Participation Rates; Legislative Updates (amendments); Terms of reference for the SAB and the UKPPCF.

The General Secretary also reported and answered questions on the meeting of the UK Police Pensions Consultative Forum (UKPPCF) (this used to be PNB Committee 'E' and latterly the Police Pensions Working Party of PNB) that took place on the 1st July, where the following items were discussed; Scheme Sanction Charge (where tax is payable where a lump sum is generated where the multiplier exceeds 20); GAD Data Assumptions; Annual Allowance (AA) Tax charges and support; McCloud & Sargeant Remedy; Scheme Pays; Pension Regulator Survey; HMRC Issues; Valuation & Cost Cap Pause; AA Temporary Promotion and the Commutation Cap of 2.25 times salary for those who retire aged 50 or over but with less than 30 years' service .

The Vice Chairman reported on a meeting of the Pensions Board Service Improvement Group and said that in relation to Annual Allowance it had been difficult to obtain accurate information but the SPPA website was now providing good advice on this subject. He also said that a Pension Regulator survey had advised on cyber-attack vulnerability and said that this was a significant issue for pension boards. The Group also discussed a members' services portal which was being trialled but was not yet 100% complete.

The General Secretary advised that in relation to the judges and firefighters cases a Treasury Statement to the House of Commons on 17 July 2019, made it clear that a whole sector industrial remedy would be sought to ensure that whatever solution to the issue was agreed would apply to everybody. He said commentary from experts suggested the Government would need 18 months to 2 years to work out the precise implications for the 6.5m public sector workers likely to be affected.

The General Secretary, and Vice Chairman reported and answered questions on the meetings of the Police Pension Practitioner Group that took place on the 14 August where the following was discussed; Data Sharing; Annual Allowance (impact on service) and the SLA between SPA and SPPA.

7 Scottish Police Consultative Forum (SPCF)

The General Secretary said that the last meeting of the SPCF was held on 11 June 2018 where the future role of the SPCF was discussed. He said that he had met the Independent Chair the previous day who was keen to ensure that the SPCF is operating

to its full potential. The next meeting is scheduled for 10 September 2019 but it was expected that meetings would be held in the interim.

8 Scottish Police Authority (SPA)

The General Secretary said that the next meeting of the SPA was to be held the following day (21st August) and no one from SPF was able to attend.

He reported that following his recent appearance at the Justice Subcommittee he had written to the SPA Chair regarding his concerns about the role and performance of the SPA.

The Committee considered and discussed; Framework for Strategic Workforce Planning; Draft Estates Strategy; Ill Health Retirements & Injury Awards and the Legal Action & Appeals Committee.

Members discussed the additional £110m (approximation) which would come to Scotland through Barnett consequentials, as a result of the Prime Minister's announcement to recruit an additional 20,000 additional officers in E&W. Members expressed a strong view that this money should be spent on the police budget. Members approved a campaign to increase police funding in Scotland.

9 Scottish Police Budget & Finance

The General Secretary reported and answered questions on issues that were considered likely to impact on the current and future police budget; the Justice Committee call for evidence for its Pre-budget scrutiny of draft budget 2020/21, and the anticipated activities of the Justice and Justice Sub-Committee on Policing in respect of the 2020/21 budget.

The General Secretary said that the SPF had historically been excluded from detailed budget discussions within PSoS but had recently been accepted as an observers. Whilst this was welcomed the Committee considered that scrutiny on spend after budget allocation was less useful than the ability to inform budget allocation decisions. The Committee expressed serious concern that any budget shortage would impact negatively on officer numbers.

10 Scottish Parliament & Political Engagement

The General Secretary reported that he had given oral evidence at the Scottish Parliament Justice Sub Committee on 30 May 2019 on funding and budget. He said that the Age of Criminal Responsibility Bill had now been passed but had not yet been enacted. He said there was a significant problem relative to police interventions with children under 12 and this issue was to be further considered.

It was noted that political parties had commenced work on their manifestos which indicated their belief an election was probable in the near future. The Committee approved the FSC recommendation that the SPF is represented at the political party conferences.

11 Joint Negotiating Consultative Committee (JNCC)

The General Secretary reported and answered questions on the meeting of the JNCC that took place on the 14th June, where Dog Handler Allowances; Allard; Recruitment Requirements and H&S Training were discussed.

He also reported and answered questions on the substantive discussion points on Working Practices Review Group; People & Operations Delivery Group; SOP and Policy Sub-Group; P&D Policies and Procedures Sub-Group; L Division Deep Dive; HMICS inspection of Police Scotland's Resourcing of Events; Framework for Strategic Workforce Planning 2019-26 and the Car Parking Levy.

12 Finance Standing Committee (FSC)

The Finance Standing Committee met on 30 July 2019 and the Minute was circulated with JCC Circular 37 of 2019.

The draft Voluntary Fund Accounts, draft Trust Accounts and draft Grant Accounts had been distributed prior to the meeting and were approved by the Committee.

The Committee approved the FSC recommendation that there should be no change to the Voluntary Fund subscriptions.

An amended SPF Expenditure Policy had been circulated and was approved by the Committee.

An amended SPF Investment Policy had been circulated and was approved by the Committee.

The next meeting is scheduled for 8 October 2019.

13 Legislation and Regulation Standing Committee

The Legislation and Regulation Standing Committee met on 30 July 2019 and the Minute was circulated with JCC Circular 37 of 2019.

The next meeting was scheduled for 8 October 2019.

14 Operational Duties Standing Committee

The Operational Duties Standing Committee met on 30 July 2019 and the Minute was circulated with JCC Circular 37 of 2019.

The Vice Chair gave a detailed update on the proposals for changes to the promotion processes which would be considered in a workshop to be held on 4 September 2019.

The Committee discussed the planning for the UK's exit from the European Union and the planning for operations falling under the Royal Standard umbrella.

The Committee discussed the Scottish Government's Review of the Strategic Police

Priorities and agreed with the suggestions made by the General Secretary.

The next meeting is scheduled for 8 October 2019.

15 Conduct Committee

The Conduct Committee met on 6 August 2019 and the Minute of that meeting was circulated with JCC Circular 40 of 2019.

The AGSC reported that the Force would now hold post incident procedures (PIP) for any death or serious injury in police contact. Since this commenced in June, there had been two occasions where PIP was held. Neither ran without incident but had been useful in tweaking a new process for the organisation. It was noted that this process was routine for firearms officers but not for conventional officers.

She further reported that the Review of Complaints handling, Investigations and Misconduct was published in June 2019. The Report made 30 recommendations which require to be considered and discussed. A Working Group was being established and would report back at the next meeting.

It was reported that Michelle Macleod had become the Police Investigations Review Commissioner on 17 August 2019 and the AGSC would seek a meeting with her in the near future.

The Committee noted that since the last meeting, all areas had a significant increase in representatives being trained in the 2014 Conduct Regulations. Performance Regulation training was now being considered.

The next meeting is scheduled for 29 October 2019.

16 Equality Committee

The Equality Committee met on 31 July 2019 and the Minute was circulated with JCC Circular 40 of 2019.

The AGSE reported that the Agile & Flexible Working Group had not met for around a year causing frustration to all concerned.

The AGSE asked that Equality forms relative to legal cases were sent to him.

The next meeting is scheduled for 22 October 2019.

17 Health and Safety Committee (H&S)

The H&S Committee met on 7 August 2019 and the Minute was circulated with JCC Circular 40 of 2019. The AGSH had circulated a paper prior to the meeting which was noted.

Amongst the matters raised were UK H&S Meetings & Interdependencies; Clinical Governance, Health & Wellbeing; Estate, Fleet, & Driver Training; Uniform, PPE, & Officer Safety; H&S Administration & Governance and Investigations and Inspections.

The Committee considered and discussed changes to driver training and re-assessment; body armour replacement project & the issue of footwear and the emergency services network.

The next meeting is scheduled for 21 October 2019.

18 SPF Training

The Vice Chair told the Committee that since the last meeting there had been seven Full time office bearers trained and hopefully more Chairs/Secretaries would be trained the following month.

19 JCC Circular

The following JCC Circulars had been issued since the last meeting:

- 12/2019 Conduct, Equality, & H&S Committee Minutes April/May 2019
- 13/2019 Welfare & Wellbeing Survey
- 14/2019 HMICS Inspection of the Resourcing of Events Report
- 15/2019 Election of Chair (elect) of the Scottish Police Federation
- 16/2019 Firefighter and Judges Pensions
- 17/2019 Firefighter and Judges Pensions
- 18/2019 Changes to the Police Pension Schemes etc.
- 19/2019 Finance, Leg & Reg, & Op Duties Committee Minutes April 2019
- 20/2019 JCC Minutes May 2019
- 21/2019 Police Complaints Review – Preliminary Report
- 22/2019 Firefighters & Judges Pension – Written Ministerial Statement
- 23/2019 Independent Review of Football Policing in Scotland
- 24/2019 Disability Discrimination
- 25/2019 Sex Discrimination
- 26/2019 Race Discrimination
- 27/2019 Sex Discrimination not upheld
- 28/2019 Sex, Disability, Reasonable Adjustments etc. Discrimination dismissed
- 29/2009 Strategic Police Priorities for Scotland
- 30/2019 Police Pension Scheme 1987 - Changes to Survivors Benefits
- 31/2019 Scottish Biometrics Commissioner Bill
- 32/2019 Pre-budget scrutiny of draft budget 2020/21
- 33/2019 Disability Discrimination not upheld
- 34/2019 ICPRC Council 2018 – Interim Note of Proceedings
- 35/2019 Meeting Dates 2019 – 2021
- 36/2019 ICPRC Newsletter 2019/1
- 37/2019 Finance, Legislation & Regulation, & Operational Duties Standing Committee Minutes July / Aug 2019

20 Police Service of Scotland Reform

Professor Linda Duxbury from Carleton University in Canada attended the meeting and presented the findings from the Welfare and Wellbeing Research to the Committee. The Committee will consider the content and how it should be used.

The Vice Chair reported to the Committee that he had attended bi-monthly engagement sessions with PSoS on 5 June and 16 August 2019 where amongst the matters discussed were the target operating model, CAM project, telematics and digital policing. The Committee discussed the training for the new PDAs and concern was raised about how this was being implemented in G Division. The Vice Chair will raise this issue with the Project Team and the Chair asked that the West Area Committee discuss it with Chief Superintendent Hazel Hendren.

21 SOP Consultation

The following SOP Consultations had been issued since the last meeting:

29 May	Policing Football Ultras (Draft 0.02)
29 May	Flags, Banners, and Emblems at Football (Draft 0.02)
30 May	Management & Deployment of Probationary Sergeants
03 June	Business Interest & Secondary Employment (BISE) Procedure
04 June	Disruption Procedure (Draft 0.01) & EqHRIA
24 June	Domestic Abuse Policy / SOP / Toolkit & EqHRIA
24 June	Transitioning at Work Procedure (proposed v4.00)
19 July	Draft Capability Procedure (Attendance & Performance) for Authority/ Police Staff
19 July	Football Strategy (v5.02)

The Committee will note the SOPs that were not issued for consultation since the last meeting.

14 May	NOCAP Investigation Toolkit
14 May	Armed Policing Operations SOP (Draft v4.02)
14 May	Ill-Health Retirement (Staff) Procedure (Draft 1.00)
27 May	Armed Policing Operations SOP (Draft v4.02)
28 May	Severe Weather Plan
29 May	Pay Protection (Draft version 2.02)
29 May	Armed Police Training SOP (Version 3.02)
07 June	Responding to and Investigating Reports from Online Child Sexual Abuse Activist Groups Guidance Document (Draft 4.02)
07 June	New Offender Management Toolkit
02 July	Annual Leave (Staff) Procedure update

The General Secretary sought the Committee's support that in future, all SOPs would be considered by the L&R Standing Committee. This was agreed.

22 EuroCOP/ICPRA

The General Secretary reported that the EuroCOP Congress was to be held in Edinburgh

in November 2020. ICPR Council will be held in Glasgow in June 2020.

23 Police Related Charities

Police Treatment Centre (PTC) & St George's Trust

The AGSE reported that 3540 patients had been treated at the Centre which was an 8% increase. 129 officers participated in the Wellbeing Programme. The Valuation Project funded by SPF was underway and data was being collected.

Scottish Police Federation Bravery Awards

Nominations were being received and a judging panel meeting was to be held on 6 September 2019 to consider them.

Police Care UK

The last meeting was held on 13 August 2019. It was reported that N Division had been granted £125k for a Wellbeing Programme.

It was noted that Scotland were performing best relative to Police Care Champions and grant applications had increased by 127% in the last year.

The Confidential Care Line had been extended, Peer Support is to be rolled out across forces nationally and 7 sessions of Suicide Awareness/Prevention Training had been carried out to date with a further 3 to be held in the near future.

The Chair reported that a bond for the Big Half marathon which is held in London in March had been secured and anyone wishing to take part should contact her or Paul Connelly.

National Police Memorial Day (NPMD)

It was reported that the Civic Reception was to be held at the City Chambers, Glasgow on 28 September 2019 hosted by the Chief Constable and Lord Provost.

The Service is to be held on Sunday 29 September 2019 at the Royal Concert Hall, Glasgow and plans were well underway. The SPF Pipe Band and Police Choir will attend and will wear the SPF tartan. The Chair asked that anyone planning to attend wears the SPF tie or pashmina if possible.

Scottish Police Memorial Trust

The service is scheduled to take place on 4 September 2019 at the SPC. Secret Service Agent Nole Remagen and those who lost their lives in the Chinook helicopter crash will be added this year. Representatives from PFNI, SANI, RUC/St George's Cross and the families will also attend. The SPF will lay a wreath as normal.

24 Motions

Two motions had been submitted; one from the North Area and one from the West. The NAC motion had been rejected by the Chair as it did not comply with SPF Rule 12.10 and sought to establish that which was already current SPF Policy. The WAC motion was rejected as it was ambiguous and did not comply with SPF Rules 12.9 and 12.10.

This was noted by the Committee.

25 Correspondence

The General Secretary told the Committee that a file containing all relevant correspondence received by him was available to be seen.

He said that a letter was received from the Prison Officers Association with an invitation to their Annual Conference on 31/31 October 2019. After discussion, it was agreed that Stephen Clark and Amanda Givan would attend on behalf of the SPF.

26 Competent Business

The Chair told the Committee that following the election for Chair the previous day, a vacancy had now arisen for the position of Vice Chair. Nominations for this position would close on 7 October 2019 and an election would be held at the JCC meeting on 5 November 2019.

27 Closure

The Chair thanked everyone for their attendance and inputs at the meeting and advised that the next meeting would be held on 20/21 August 2019 in the SPF Training and Meeting Facility, Unit 29, City Quay, Camperdown Street, Dundee, DD1 3JA.

She told the Committee that this was Steven Herd's last JCC meeting before retiring from the police service. She gave thanks to Stevie for his time and work carried out over the years and wished him a long, healthy retirement and best wishes for the future.

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