



Scottish Police Federation North Area Committee

Minutes of the 4th quarterly meeting of the Scottish Police Federation – North Area Committee held on Monday 5th and Tuesday 6th December 2016 at the Atholl Palace Hotel, Pitlochry.

1. Members Present

Full Time Officials

David Hamilton	Chair
Steve Thomson	Secretary
John Crawford	Vice Chair
Neil MacDonald	Deputy Secretary
Peter Jones	Assistant to the General Secretary/Health and Safety (day 1 only)

Constables	Sergeants	Inspecting Ranks
Fraser Robertson (day 2)	Derek Baxter	Andrew Barclay
Mike Purdie	David Threadgold	Dave Forsyth
Mark Douglass	Gordon Forsyth	Gordon Milne
Gary Johnson	Kevin Hird	Caroline Scobbie
Sandy Smart (day 2)	James Thomson	Iain Smith
Shirley Moran	Grant Letham	
Linsey Burns	Karen Harrison	
Ross Polworth	Andrew Bilton	
	Martyn Turner	
	Julie Connor	

2. Opening of Meeting

The Chairman opened the meeting and welcomed all members present and he encouraged everyone present to take an active part in the meeting and to contribute to discussion and debate. Louise Deans, office administrator from Aberdeen was attending as a minute taker. Specific welcomes were made to the following new reps attending their first meeting following the recent election for the reps vacancies.

Mark Douglass
Ross Polworth
Kevin Hird and
Julie Connor

The Chairman highlighted that, Assistant Chief Constable Andy Cowie (ACC for the North) will be attending to provide an update in relation to the North Area. This would be at 3pm on day 1.

At the end of day 1 the Secretary and Chairman would provide a ½ hr update to newly elected representatives before their basic introduction training courses in January 2017.

3. Apologies for Absence

Apologies were received from;

Graham Smith
David Ogilvie
Gordon Deans
Davie Smith
Gary Brown
Neil Cameron
Angus Morrison

Excusals during meeting;

Sandy Smart – had to leave meeting late on day 1 and not present on day 2.

4. Approval of Previous Minutes

The Minutes of the previous Meeting which were circulated in advance of the Meeting were formally approved having been proposed and seconded by Martyn Turner and Gordon Milne.

5. Matters Arising

5.1 Action/Decision Log

The action and decision logs had been circulated in advance of the Meeting and the contents were noted by the Committee. There were no outstanding actions.

Special thanks was given to Caroline Scobbie for her assistance in the preparation of the most recent North Area Committee Newsletter.

Presentation

ACC Andy Cowie provided an update in relation to the North Area and matters effecting the area. He addressed the Committee for 30 minutes and then took questions from the Committee in regards to various issues. He responded to all questions and the Committee were of the view this was very helpful. Mr Cowie was thanked by the Committee in the usual manner.

6. Standing Items

6.1 JCC Update

The Secretary advised the Committee that the last meeting of the JCC was held on 1st and 2nd November 2016 at the Dunblane House Hotel, the minutes of which will be placed on the SPF website when ratified. The Secretary and Chairman variously updated the Committee.

The election of the new chair took place between Andrea MacDonald and David Hamilton. After a close vote Andrea MacDonald was elected as the new chair person of the Scottish Police Federation and will take up her new post at the end of December 2016. As Andrea MacDonald was the Vice Chair, this position will become vacant and a closing date for applicants is in place being 9th January 2017.

Legal Advice and Assistance

The Deputy General Secretary provided an update that a number of new cases for various matters had come in since the last meeting. Updates were provided in relation to Held in Reserve/ Allard/ and Holiday Pay.

Holiday Pay

A recent case Lock V British Gas had been heard in court and in this case it was agreed that overtime should be included with holiday pay. However, British Gas may appeal this decision. A number of Forces down South have made a payment, however to date PSoS are not currently engaging with the SPF in relation to this matter.

Held in Reserve

A judicial review is ongoing in relation to this matter. Discussions have been ongoing for some time regarding this and solicitors from both sides are engaged in relation to the matter. A date of 22nd December 2016 has been agreed to proceed to court. It is hoped that a decision will be made prior to the next JCC meeting in February 2017.

Allard

This is a case taken by officers from Devon and Cornwall against their Chief Constable. This primarily came from CHIS handlers who were not paid for taking calls in their own time. A meeting is scheduled to be held with PSoS and any update will be sent out via a JCC circular.

Two appeals in relation to matters whereby legal assistance had been declined were appealed. Neither was upheld.

Police Negotiating Board (PNB)

The PNB negotiates the terms and conditions for Scottish police officers. They are an advisory non departmental public body but only in Scotland. The board look to seek agreement between the official side, who are SPA, Chief Constable and Scottish Ministers and the staff side SPF, ASPS and Scottish Police Chief Officers Staff Association forming recommendations to be passed to the Scottish Ministers.

The last meeting took place on 28th September 2016 where a number of issues were discussed including annual leave into hours throughout the country and part time workers overtime on annual leave.

As mentioned previously the Scottish Police Federation had asked for a 2.5% pay rise. After lengthy discussions a 1% figure was agreed. It was the view of the Committee that this was not an easy negotiation and despite what others outwith the Committee may think this was very challenging.

A technical Working Group continues to meet in relation to exigency of duty, an introduction of an overnight allowance and compensation for working into a rest day. These are still ongoing.

Pensions

The SPPA have asked KPMG to appoint an independent governor to look at the arrangements of the SPPA. Calum Steele and David Hamilton have been invited to take part in these discussions.

A paper has been sent to the JNCC from the General Secretary asking as a result of approximately 8% opt out of the Pension Scheme from new recruits this would affect the valuation of the Scheme. Work is ongoing to address this. Police Scotland will interview officers who have left the Scheme to establish their reasons for doing so.

The annual benefit statements were submitted late and the quality of them has been described as appalling. When a number of officers contacted SPPA enquiring why there was no forecast projections, they were advised this had been on the instructions of the SPF. This was not the case and this has been raised with SPPA through the Pension Board.

Web access to allow officers to see their own pensions and update personal data is planned. The provision of a forecasting calculator has been highlighted as a priority.

SPPA communications lie at the heart of the problem and a Board Sub-Committee has been formed to advise on improvements.

In May 2017, Police Scotland will auto enrol anyone who has left the Pension Scheme back into it, meaning that if officers did not wish to continue they would require to opt out again. This is a legal requirement of the Scheme.

Scottish Police Consultative Forum (SPCF)

The SPCF runs in conjunction with PNB. The functions of the SPCF are not set out in legislation but Scottish Ministers have a statutory obligation to consult policing stakeholders before making any changes to the regulations governing a wide range of non-negotiable matters which affect police officers in Scotland and will look for these to be agreed through discussion at the SPCF before they are made.

The last meeting took place on 26th September in Edinburgh amongst discussions were Pathways to Policing and fitness testing.

Fitness Testing

Fitness testing was discussed at length and amongst possible proposals are the removal of the fitness test altogether. It was pointed out that the majority of females leaving the Force is due to failed fitness tests. If this continues a lowering of the standard may be considered.

Pathways to Policing

SPCF Chair Ian MacKay has directed further meetings to take place with all Staff Associations regarding Pathways to Policing. Gill Imrie, HMICS, voiced her concerns about the proposed recruitment change. Pathways are proposing 3 paths, normal route, Special Constable and degree route. Degrees considered would be in relation to Police related matters. ASPS, SPF and HMIC are opposed to graduates being offered preferred postings in the organisation. Pathways are proposing to cut back on course work at Tulliallan and are proposing Moodle packages, of which there are 28 in total. They are looking for a direct route in for Special Constables to negate the requirement to attend Tulliallan. HMIC are opposed to Officers not attending Tulliallan as they point out the bonding benefits of attending. Pathways appears to be changing what they are proposing at each meeting that takes place and there are presently more questions than answers to what is currently being proposed.

Scottish Police Authority (SPA)

The **Scottish Police Authority** (SPA) is a public body of the Scottish Government which holds Police Scotland, to account. Both bodies were established on 1st April 2013 with the inception of Police Scotland.

The next scheduled meeting will take place in early December 2016.

The CCU review, which was reported on at the last meeting has been passed to Durham Constabulary for investigation.

At the last meeting the precarious financial state of PSoS was discussed, as a result of this, meetings have increased greatly with the SPF meeting on a regular basis with ACC's and senior management.

The executive are now also holding monthly meetings with the Cabinet Secretary and senior Civil Servants.

Scottish Police Budget and Finance

The current financial year predictions predict a £27.1 million overspend in the budget. The organisation are still hoping that the VAT issue may be resolved, which would return a substantial total of the deficit.

David Ross is currently leading on this and PSoS are looking to implement 10 quick wins in an attempt to fill the financial deficit the Force currently have. This is expected to be in the region of £80m by 2020. A Savings Delivery Group led by DCC Livingston has been set up and they will meet every 14 days.

Savings Delivery

The Group recently met and some savings in contract consolidation have been identified. Further cuts eg in feeding police officers at training are being mooted but will be resisted.

Supervisory Ratios: David Ross, Andrea MacDonald and David Hamilton sit on this Strategic Group, which predicts savings of £1.2m saved by the end of this year and reducing approximately £1.6m annually. 35 Inspectors and 96 Sergeants posts are being reduced, which will allow the savings to be met. It is now part of the 10 Quick Wins Workstream.

Discussions are taking place in relation to extending TOIL retention periods from 3 to 6 months but this will require PNB agreement.

Resource Deployment for custody is being reviewed with one option being for resources to be passed to local teams to manage.

The UK Government Autumn statement was announced on 23rd November, which is the first announcement on the economy since Brexit. There are fears that the economy is in a precarious position. Any investment in capital expenditure in England and Wales will have Barnett Consequentials.

The Scottish Government announced a £2million investment into policing in Scotland and if any capital money is available it will require to show it can be used with immediate effect, with any investment possibly going into IT.

The SPF has been running a poster campaign asking officers to contact PoliceCuts@spf.org.uk with any experience of cuts affecting officers.

SPF officials have been at all the major political party conferences and the SNP conference Fringe event was particularly impactful when photographs of some of the Police estate were shown to delegates.

6.2 Subject Committees

The minutes of all national Subject Committees were circulated as JCC Circular 46/2016.

- **Conduct**

The Vice Chair provided the Committee with the following update:

Conduct On - 10
Conduct Off - 3
Criminal On - 22
Criminal Off - 17

There are 6 officers currently suspended in the North Area. This is the same figure as previously although our longest suspended officer has returned to work, a ridiculously lengthy suspension, in fact the officer has never worked as a member of Police Scotland. We have received assurances that the officer will be integrated back to work in a sensitive manner.

There have been 8 Misconduct Meetings/Hearings since the last meeting where the outcomes have ranged from no finding of Misconduct to a Final written warning.

North Area Conduct Meeting

The North Area Conduct Committee met on Tuesday 27th September 2016, the minutes of the meeting have been circulated to the Conduct Committee.

JCC Conduct Meeting

The Conduct Sub-Committee last met on the 27th September 2016 in Woodside Place, Glasgow. The new head of PSD Alan Spiers attended the meeting and provide an update to the meeting, the continuing frustrations with Complainers Against the Police Division in Crown Office were discussed with him and he assured the meeting that he would raise the issue.

Equality

The Deputy Secretary confirmed that the NAC Equality Sub Committee had met on 29th September 2016 at Inverness SPF Office, the draft minute of the meeting has been circulated.

Absence Review

The Deputy Secretary then gave a brief update that at present there were the following officers absent across the North Area;

A - 18 – possibly 1 in IHR process
D - 25
N - 18

Grievance

One officer being supported in A Division.

The Deputy Secretary then invited any questions.

Health & Safety

The Secretary advised that the NAC Health & Safety Sub Committee had last met on Monday 26th September 2016 at the Aberdeen SPF Office and the minutes have been circulated to the NAC. Of particular note was the use of VC. This has been used to good effect recently and there are obvious advantages of the best use of time as opposed to travelling distances involved.

North Area Health & Safety Meeting

The Secretary advised that the North Area meeting chaired by ACC Andy Cowie had met on one occasion since the last NAC meeting on Friday 28th October 2016. The meeting was a teleconference meeting which Peter Jones dialled into. The main issue to come from this meeting was that ACC Cowie after consultation with ACC Higgins decided that the matter of winter gear for snow gate duties will be passed to procurement and although unlikely to be in place for this year will be in place by next. In addition to this any Officers who are to be utilised for such duties will be issued with the RPU equipment list which includes the longer hiz viz jackets. This is an interim measure.

Vehicle checks were again raised by the SPF and that greater checks would be required and scrutiny around that bearing in mind the reduction in the budget for fleet.

JCC Health & Safety Meeting

The JCC H&S Subject last met on Tuesday 11th October 2016 at Woodside Place, Glasgow. The minutes will be placed on the SPF website when ratified under JCC Circular 56/2016.

The Committee agreed that the topic for H&S at next year's Conference would be mental health wellbeing. The Committee also agreed that in relation to custody that the position of wearing of PPE (baton, cuffs and pava spray) would be required.

Points of Note

The H&S Committee for Custody and OSD has been set up recently and although in its infancy this is a positive development. The minutes will be circulated in due course.

6.3 Standing Committees

The minutes also formed part of JCC Circular 56/2016 and will be placed on the SPF website when ratified.

- **Finance**

The Chairman confirmed that the Finance Standing Committee had last met on 12th October 2016 at Woodside Place, Glasgow and he updated on the discussions at that meeting. The main points of note were:

- Finance and Investments reviewed and performing well
- Woodside Place Extension recommended to be refitted
- Exploring new options re salary replacement in Group Insurance Scheme

- **Legislation & Regulations**

The Secretary advised the Committee that the legs and regs are not an agenda item for JCC and are only carried out as and when they are required. The purpose is to consider any changes in legislation and regulations which would impact on police officers. There has been no meeting of this Committee since 3rd August 2016.

- **Operational Duties**

The Operational Duties Committee met on Wednesday 12th October 2016 at Woodside Place, Glasgow. The minutes will be placed on the SPF website when ratified under JCC Circular 56/2016. The main issues raised were:

CBRN

SPF are a member of the UK Tactical Leads Board. David Hamilton leads on this topic. Main issues were around PPE changes and the roll out of a new response programme.

Post Incident Procedures

Issues were discussed in relation to what constitutes a PIP. The use of a firearm by police with someone being shot is currently the only occasion when they are used. It was felt that they should be used in the event in all deaths in police custody or following police contact, in particular with them seizing clothing and the time officers are waiting to have the property returned.

It was agreed that a paper would be sent to senior management for discussion at the next JNCC and SPCF meetings.

The General Secretary requested that examples of incidents whereby the PIRC take possession of officers clothing and footwear be reported to him and this was done.

Custody

There have been no recent Sub Group meetings due to annual leave.

The wearing of PPE in the custody suite was discussed as it was reported that most Sergeants, Constables and PCSO's do not wear it. Peter Jones, Health and Safety lead reminded the Committee that the Custody Sub Group agreed that handcuffs and a baton should be worn. There is no requirement to wear full body armour, however the current SOP provides clear guidelines in position to the Custody Board.

The West are running a continuous improvement group, which are going around all areas of the East, West and North looking to adopt best practice.

Force Armed Policing Monitoring Group

Discussions took place in relation to the storage of weapons currently stored at the Scottish Police College, so they can be released at short notice.

It was reported that ACC Higgins is concerned as the vehicle currently being used for ARV training is not suitable for purpose. They are currently using a Ford Focus Estate, when the vehicle the officers will use will in fact be a large 4 x 4 type vehicle.

It was further reported that the uplift in the number of firearms officers would be used to assist with local policing. Lengthy discussions took place surrounding public opinion of firearms officers being seen with firearms on the street.

As reported at the last meeting there had been a number of issues with some officers experiencing difficulties with body armour for close protection officers and whether they should be paid a plain clothes allowance to compensate for special clothing. This has now been resolved and all officers concerned will be supplied with new covers by the end of the month.

Inspecting Rank Steering Group

The Time for Justice 2015 information, which was the executive summary for the Scottish Police Inspectors Working Time and Wellbeing Survey (Time for Justice 2015) was distributed.

The recently completed Inspector survey was forwarded to the executive and a Scottish Government Working Group has been set up. Andrea MacDonald, David Hamilton and Andrew Malcolm sit on this Group, which is being progressed by ACC Williams. These meetings are scheduled to commence in November.

Competent Business

Tinker Taylor who made the last "It's what we do" films have been approached with a view to making a new production. Martin Bertram and Brian Jones, who are the respective Chairs of the West and East Area Committees were asked to assist the company.

6.4 Force/Area Meetings Update

LNCC/JNCC

LNCC

The Secretary advised the Committee that the LNCC usually meet every 3 months and is a window for the North area to take matters to the ACC in an attempt to have situations resolved locally. A decision was taken to change the current format of the LNCC so that it would meet as one large meeting for all area's as opposed to the current 3 separate meetings. This would meet prior to the JNCC.

The first Joint LNCC met in Stirling on Friday 4th November 2016 which the Secretary and Chair attended including ACC Andy Cowie. Several issues were discussed but relative to the North the following was raised.

- a) Windturbine OT compensation v Football OT compensation.

There is an inconsistency of approach with regard to officers being offered restday rates for Windfarm movements and officers having RDs rerostered for football matches.

There is also an issue with the practice of paying for RD OT with more than 15 days notice as it is outwith regulations. This matter has been raised at PNB but there is apparently no appetite from PSoS to have any changes to the regulations to legalise this practice. We are seeking a view from LP nationally on an inconsistent approach and on the regulatory breaches.

- b) SPF are seeking an update on the Custody review, querying whether it will cover relief Custody officers being placed in Custody Centres significant distances away from their homes and travelling in own time. Again a national view from across LP would be welcome

and

- c) Chairman raised the issue of inconsistent approaches to Sergeants pay and ask for a Force position to be articulated. Officers with the same service, promoted on the same day in different parts of the country get different amounts of pay due to varying legacy 'interpretations' to pay. It's not clear who has ownership of the problem but hopefully this can be resolved at ACC level so that at least we have a Force position.

These 3 matters were being taken forward and the next meeting is scheduled for 1st February 2017.

JNCC

Calum Steele and Brian Docherty attended the last JNCC on Monday 7th November 2016. This is the first meeting that has taken place for some considerable time.

Each DCC provided updates on the main things within their portfolios as follows;

1. PSD undertaking training on the 2014 regs.
2. The interdependencies between Local Policing, C3, and Custody are being examined
3. ACU (CCU) and PSD gateway being worked through especially in respect of internet / social media, with leaning at this time for this to be PSD based. Uplift in Firearms officers underway and expected to be concluded by Spring 2017.

SPF papers were submitted on the following;

1. Police pensions opt outs
2. PIRC and non-uniform seizures
3. Sharing of accident etc data
4. PIPs for serious incidents
5. SOPs
6. Payroll

Updates were received in relation to these matters and the next meeting is to be held on 14th February 2017.

LNCC 5C

No meetings have taken place since 13th July 2016. Again there appears to have been change from ACC Hawkins following the review carried out by Derek Kildane in regards to ACR closures in Aberdeen and Inverness. Scheduled timelines for Aberdeen ACR (March 2017) and Inverness (June 2017).

LNCC 3C

The 3C LNCC was due to meet on several dates in November the last being on Friday 25th November 2016. On all occasions they were cancelled at short notice.

Divisional Management Meetings

N – Vice Chair has continued to attend all Divisional meetings in N Division. The last meeting took place in Inverness on 15th November 2016. The issue of Winter Clothing continues to feature. There were no major issues of note discussed within the Division.

A – The Secretary meets with Chief Superintendent Thomson regularly and will also see him as and when required. The next meeting with him is on Friday 9th December 2016.

D – The Chair is grateful for the exceptional level of engagement from Chief Superintendent Paul Anderson. The Division is moving to a new operating model and progress is on track. Unfortunately this had some disruption to leave requests but a work around is being looked at. HMICS are to be inspecting D Division shortly and the SPF reps will be given a further input by Paul Anderson next week.

7. New Business

The Secretary provided a brief update in regards to the recent SPF Bravery Awards which took place on Thursday 2nd December 2016 in Edinburgh.

The Committee were notified of the respective Subject Committees which they now formed part of.

The Chair provided an update to the Committee that the 2017 Annual Conference would take place between 27th and 30th March 2017 at Trump Turnberry. A discussion was had by the Committee in relation to this and some Committee members raised their concerns and intention not to attend.

The Secretary advised of the dates for training for the untrained representatives on the Committee.

8. AOCB

None notified.

9. Correspondence

The Secretary advised that there were 3 items of correspondence:

Retiral of Derek Baxter. The Secretary thanked Derek for his many years of service and commitment to the SPF and he was thanked in the customary fashion.

Retiral of Frank McManus. The Chair read out Frank's letter of resignation and again in his absence he was thanked for his service and commitment to the SPF and was thanked in the customary fashion.

The Chair advised the Committee that he has notified the General Secretary of his intention to stand for the vacant Vice Chair position of the SPF. If there is an election for this post this will take place at the next JCC in February 2017. If he was to be successful this would leave the current Chair role with the North Area Committee vacant.

10. Time and Date of Next Meeting

The Chairman advised the next Meeting of the North Area Committee would be held on Monday 27th and Tuesday 28th February 2017 at the Dunkeld House Hotel, Dunkeld commencing at 1300 hours on Day 1 and 0900 hours on Day 2.

Dates of future meetings

5th and 6th June 2017
4th and 5th September 2017
4th and 5th December 2017

11. Closure of Meeting

The Chairman thanked the Committee for their active and constructive participation and closed the Meeting by wishing everyone present a safe journey home.

He was thanked by the Meeting in the customary manner.

David Hamilton
Chair

Steve Thomson
Secretary