



Scottish Police Federation North Area Committee

Minutes of the 1st quarterly meeting of the Scottish Police Federation – North Area Committee held on Monday 2 and Tuesday 3 March 2020, at the SPF Conference Centre, Dundee.

1. Members Present

Full Time Officials

Gordon Forsyth	Chair
Neil MacDonald	Secretary
Davie Threadgold	Vice Chair
James Thomson	Deputy Secretary

Observers

Paul Connelly	Chair West
Grant McDowell	Secretary East

Above acted as scrutineers for the election of Vice Chair

Constables	Sergeants	Inspecting Ranks
Mike Purdie Andrew Horne Mark Douglass Ross Polworth Linsey Burns David MacKay(Day1) Shirley Moran Sandy Smart Gary Johnston Lesley Fraser	Simon Lewis-Dalby Martyn Turner Pat Nicol Caroline MacNaughton Alan Devine Fraser Robertson	Scott Macdonald Nick Clasper Emma Bowman Marc Lorente MeganHeathershaw (Day1)

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. He extended a warm welcome to Lesley Fraser attending her first meeting following her election to the North Area Committee.

The Chair also welcomed Grant McDowall and Paul Connelly who agreed to act as scrutineers for the election.

3. Apologies for Absence

Apologies were received from:

Bruce Crawford	AL
Graham Smith	Operational Duty
David MacKay	Day 2 (Baby)
David MacAlpine	AL
Megan Heathershaw	Operational duty (Day 2)
James Rice	Sick

4. Approval of Previous Minutes

The Minutes of the previous meeting had been circulated in advance of the meeting and were formally approved, having been proposed and seconded by Martyn Turner and Nick Clasper.

5. Full Time Office Bearers Elections

Elections were held for the positions of NAC Chair and subsequently the Vice Chair.

NAC Chair

Vice Chair David Threadgold was the sole candidate for the Chairs' role and was therefore successful.

Election for Vice Chair

Three nominations were received:

	<u>Proposer</u>	<u>Secunder</u>
Caroline MacNaughton	Marc Lorente	Simon Lewis-Dalby
Ross Polworth	Dave MacKay	Nick Clasper
Fraser Robertson	Andrew Horne	Mark Douglass

All three candidates addressed the Committee prior to election and following due process, Ross Polworth was successfully appointed Vice Chair.

6. Rank Committee Meetings

Separate Rank Committee meetings were held as per the individual Agendas.

7. Group Workshops

The Committee took part in a workshop in relation to the role of a Federation Representative.

Both groups produced many similar issues in terms of the role of a Federation Representative and the challenges faced. Some of the issues discussed included the following:-

Communications from Woodside Place and the length of time it can take for responses to filter back; time allowed to carry out the role effectively; volume of work; geography in terms of the difficulties encountered covering vast areas and lastly the impact on personal life and travel.

The most noteworthy issue raised was in respect of two way communication; specifically in terms of dissemination of relevant information to part-time representatives from full time officials and back, and also in respect of requests for critical information and reports.

- The Secretary requested that this issue was taken as a TASK to have local area Committees decide on how best to address these issues when they next meet.

One other notable area highlighted was the reduction of federation representative numbers, specifically in more rural areas where there is a necessity to have a representative based permanently. The Secretary advised that where there is a requirement for additional personnel, this would need to be raised via separates, backed up by valid reasons.

Communication disseminated via Woodside, particularly in relation to pensions, was deemed to be complicated to understand, and members felt information was much easier to understand when it was in clearer more laymans terms.

Those present were advised that the Federation were looking to appoint a Communications expert who would deal with Media Strategy and dissemination of information via the Website and which would hopefully eradicate some of the main difficulties experienced.

8. Matters Arising Action/Decision Log

The Secretary took the Committee through the Action / Decision Log and the updates were provided to the Committee.

9. Standing Items

9.1 JCC Update

The Joint Central Committee (JCC) is the statutory embodiment of the Scottish Police Federation (SPF). The role of the JCC is to discuss and co-ordinate SPF policies and come to decisions that have the approval of the majority of the JCC and which are then supported publicly by the JCC as a whole. It should then make sure that the decisions of the JCC are actually carried out. The Secretary provided an update.

The Minutes will be circulated when they are received.

The Agenda comprised the usual items.

Points of Note:

- **AGS (Health & Safety)** – Following the election of Brian Jones to Vice Chair, a JCC Circular seeking election of a new AGS was circulated previously. There was only one candidate, Gordon Forsyth and following due process, Gordon was successfully elected to the position.
- **Legal Update** - 385 Live Cases, 68 closed since last meeting, unknown quantity rejected or claims settled, £689,211 paid to members; £27,500 in the North.
- **Allard (On Call Recognition)** – Legal period for adjustments is over, the pleas in law have been submitted.
- There is an issue around legacy arrangements being suggested as local agreements – this shows the danger of local agreements and the future impacts.
- **Holiday Pay** - Alexander Agnew V PSNI – this continues to be assessed and settlement offer of £625k. The settlement figure was based on Fulton V Bear (Scotland). The Fulton claim was broken by a 3 month limit, with the backdating of holiday pay being difficult. This was for 2 years from when the claims were lodged and 2 years from then. It extended back to 1998 dependent on service, and presented a position around 1/5th of the time worked. The Agnew case was 2/11/18 and held the 3 month rule was incorrect and contrary to European Law. This enabled it to extend prior to 1998 and the beginning of Service, whichever is the earlier. This case has been referred to the Supreme Court which would make it UK binding.

Senior Counsel Opinion is the 3 month rule, and is open to challenge however there is no guarantee to enable this. There could be impacts of Brexit. The Agnew case would require information prior to 2008 (overtime worked, annual leave, allowances).

It is intended to review the case and seek increased settlement in relevance to the Agnew case and the vulnerability of the 3 month rule. This does carry risks, not least that it may impact the current offer; they will be frozen, and the 3 month rule could be upheld. Counsel opinion on TOIL, on the formula for Working Time requires to be considered and is being reviewed in terms of working time claims.

The Secretary also advised that in respect of Retired Officers, money has been refunded and that they can also make direct contact without progressing matters via a Federation representative.

- **WhatsApp** – Case was adjourned in February and has now been set for July.
- **Sheku Bayoh Update** - Enquiry parameters have been set and a Chair appointed. A meeting has been held with PBW law and the Deputy Secretary around the enquiry. The focus on race playing a part on the incident and discussion around the assessors, the public enquiry and diversity were discussed. Discussion around a panel or a panel with assessors, Lord Brackendale being the Chair, will be the author of the report; the report could be diluted by use of assessors. PSOS and Chair favours assessors, this was not agreeable by the SPF – Recommendations and suggestions regarding who could be suitable, were sought from the JCC.

A letter has been sent to the Cabinet Secretary, particularly in relation to an overview of discussion and the role of race in the incident and diversity. The narrative being presented by those connected with the victim, is based on race which currently has no foundation. The impact of drugs that the victim had in his system is more relevant. The SPF investigations show that race played no part and the narrative is being driven by others.

- **Police Negotiating Board (PNB)** – This was established by an Act of Parliament in 1980 to negotiate the pay and conditions of Scottish Police officers and is exclusive to Scotland as there is now no PNB elsewhere in the UK. This is set up from the **Staff Side** who are the Scottish Police Federation (4 members), ASPS (Association of Scottish Superintendents) (1 member) and the Scottish Chief Police Officers Staff Association (1 member) and the **Official Side** which consists of The Scottish Government (1 member), the SPA (Scottish Police Authority) (3 members) and Chief Constable (2 members).

Met on 4 February 2020. Places of Duty agreed – PNB Number awaited, travelling time is classed as a fixed period of 45 minutes.

SPLIT/KIT days has been agreed.

DONM – 23 June and 8 October 2020.

- **A Technical Working Group (TWG)** continues to meet – This is to discuss College Allowances. A Guide to Negotiable Conditions of Service continues to be progressed (Police Officers Guide) – its 90% finished and hoped that this will be published early in the new financial year. The main consideration is to take it slowly and get it right. This guide is designed to hopefully meet the members desire to better understand allowances.

- **Temp/Acting Ranks** – This continues to be discussed and there is an inequity and there is no pension recognition, this was presented in a recent case with Firefighters which should be mirrored in our arrangements, this is important when CARE is considered. This would also assist with the new promotion design presented by the Service.
- **Overseas Allowance** – This continues to be discussed and an option has been presented for discussion by the Official Side.
- **Flex Work Guidance** – we are on version 4 – this continues to progress slowly, Official Side often forget this is a PNB rather than PSOS document. Process and guidance will be circulated in due course.
- **Bereaved Parent Leave** – OS exploring options which should exceed the statutory requirement.
- **COP 26** – Universal support to seek additional recognition – this was raised at PNB and was recognised by OS in respect of the burden imposed on our membership. The tactic enabled recognition of worthy of additional element, their failure to commit to additional recognition will result in further coverage.

How do we enable recognition – There is a potential for additional annual leave (provides protection and requires to be time bound) – impact of financial benefit – ability to achieve (how can we deliver this?).

How do we quantify this – 1 off financial payment, additional annual leave?

When the Commonwealth Games took place in Australia in 2018 – Queensland Police Union secured additional leave – 3 days – this reflected the demand that will not compare with COP 26.

After discussions it was agreed that the SPF would request an additional 5 days leave for all officers impacted by COP 26. It was felt that this could be taken **anytime** between now and retirement.

- **PAY DEAL 2021** – What are we looking for, how are we going to achieve it – issue of settlements, what was approved between last pay deal and then – will we be seeking single or multi-year deal, budget and financial backgrounds are fiscally challenging, how can this be secured – Bear in mind 3% approved for the Public Sector in 2020-21 budget.

Should we consider adopting a previous approach in terms of methodology – where the median of Public Sector pay deal or better – Bear in mind the current pay deal takes place 1 month prior to the Scottish Government Elections.

- Would we benefit better from a loaded pay deal, similar to that adopted in 2018 rather than instalment of uplift; we have to take into account the uncertainty of the impact of Brexit – impact on inflation and the economy – will it improve or implode (depends on perspective) – what will be lost to cover the costs of Brexit.

As an organisation Police Scotland 87.5% of revenue budget reflects pay; ordinarily in business this would amount to some 35% of available finances –
Therefore does the Government look at Pay, police numbers or additional investment? There are also Barnett Formula consequences to be considered. We need to consider when asking the following
why do you need more?

It is felt that we will require to highlight,
increased demand,
change of working practices –
mobile technology,
intrusion into personal lives, impact on family life, danger and risks –
assaults, investigation of crime, cyber (child protection).

NAC reps to forward views on pay negotiations to Sec.

- **Scottish Police Consultative Forum (SPCF)** – Next Meeting 21 February 2020, not bolted on to PNB – there are plans for detailed discussion on events policing, football and sectarianism. An update will be provided at the next NAC.

Pensions –

The General Secretary provided an update, advising there is a momentum around examining the potential remedies for McLeod & Sergeant and the Scheme Advisory Board (SAB) for pensions.

This matter is ongoing and the updates as per JCC/SPPA Circulars.

The Scheme Advisory Board met on 29th January 2020, where the difficulties between auto-enrolment and police pensions (auto enrolment does not cover ill health unless medical cert) were discussed.

The UK Pensions Consultative Forum met on 13th January 2020. Amongst discussions were Annual allowance flexibilities – allow high earners to proportion part of the salary for pension benefits, this is done for GP's and this is being explored to mitigate the annual allowance tax. We have to remember that Police don't have option as they can be compelled to work additional hours, unlike Dr's or hospital consultations.
Updates on amendments to 87/06 schemes, the retention and re-joining provisions for pension (scheme sanction charge (doesn't apply in Scotland)).

2020 Valuation –

Exercise taken across all Public Sector schemes, unique to each scheme in the UK (Scotland has their own), following the last valuation we were on cusp of securing benefits 1.46 and 1.53 for our members, it introduced increase of costs on employers. HM Treasury paused the benefits to members but increased the costs on employers, Government actuaries detailed that had they not pressed pause there was an expectation

that in 2024 there would be an adverse impact on members (increased contributions or reduced benefits). The decision not to pass on benefits is being challenged legally.

Scottish Advisory Board have been discussing the legal basis that allowed the Government not to pass on the benefits. This has been replicated within Fire Brigade as in police and this is being endorsed by all UK police staff associations. There has been correspondence with the Home Office, an offer to share costs of FBU for judicial review was declined, police named as interested party in this case.

Whilst we have uncertainty on the pensions from McLeod Sergeant it doesn't allow financial decision to be made.

By not going with Fire Brigade it may provide benefits as it opens the opportunity for separate legal challenge.

The UK Pension Fund – held a meeting on 11th February, re potential remedy. To date nothing has been decided.

Scottish Pension Board – The Vice Chair provided an update around last meeting; annual allowance (growth of pension in a year) breaches – need to have better way of identifying those incurring that charge – there was positive feedback around the breach letter. Significant increase caused by pay rise (413 officers breached – 244 were Federated ranks) – 32 had to pay a tax charge, others were able to smooth over the past few years.

SPPA have made errors in the calculations for some, issues have been identified in the system and this is being reviewed. There are tax implications around timing and failure to pay.

SPPA staff turnover – this has created disruption due to posts – they are applying a Regulation to the Scheme Advisory Board – those who are holding them to account are being dismissed for challenging the SPPA. Next meeting - 19th February 2020.

PRACTITIONER GROUP – Met in November – annual allowance scheme breaches across Care and 87 scheme, SPPA should be capturing this but aren't – The SPF are keen to have these identified at the same time as annual allowance to allow tax reporting deadlines to be achieved.

ET for final remedy continues, police staff associations are interested parties in this case, the ET judge needs all information. It is unlikely they will provide a granular settlement and it will be across schemes. We have to be aware that some members would have been better off in the new scheme (impact of divorce, impact of high earners etc.)

The General Secretary, through the JCC, has to ensure that the right deal is achieved. This is extremely technical and challenging to get right.

Will I need to make more contributions – **Yes**

Will I need to pay tax – **Yes – likely to be met from Scheme**

Will SPF being provided by independent tax and pension advice – **No, prevented by law from doing so**

Scottish Police Authority

As you will all be aware the Chair of the SPA, Susan Deacon resigned her post the day after our last NAC meeting.

The Vice Chair provided an update on the SPA Meeting held on 17th January 2020, where the interim chair of the SPA, David Crichton, appears to be keen to do things differently, including publishing papers in advance.

At the meeting discussions took place around finance, meeting demands including events and current policing landscape. The Chief Constable highlighted he was currently unable to reduce numbers.

It is felt that the resignation of the SPA chair has been a watershed moment. The SPA board seem keen to adapt and improve, with a new Chief Executive already being appointed, Lynn Brown, and potential for a new Chair.

The Interim Chair is keen to maintain dialogue, but it requires to be more productive than it was in the past. Next meeting scheduled for 25th February 2020.

Scottish Police Budget and Financing

The General Secretary has made a submission to the Justice Committee, post the published budget made by Scottish Government. This will be published by Government in due course.

The initial budget allocated £37 million for revenue, £40 million for capital funding – this was felt by the SPF to be totally inadequate.

The SPF view on sustainability of police service, lack of capital funding – ¼ of police estate in poor condition, 1/3 over 70 years – findings of neglect due to finance.

It is felt that £30 million is needed to pre-reform condition, half of fleet operating beyond replacement criteria. Police Scotland are currently unable to maintain pretence of meeting technical challenges.

Section 4(3) of Police & Fire Reform Act 2012, needs Scotland Government Authority to borrow money. There is no explicit example of the SPA seeking permission to borrow. In March 2017, the SPA sought guidance on matching the grant in aid budget to the budget. Currently SPA running on deficit; borrowing is just being extended.

The SPF are looking to seek Parliament legislation to ensure adequate funding for policing – overt underfunding for the single service. Aggregate **£1.1 billion** of savings, this equates to **£85 million** each year – Scotland Government removed **£190 million** from

budget previously. It is felt that the currently budget provision is totally inadequate and unable to meet the costs of current police numbers. Local Authorities are reducing their funding of policing by **£13 million** – this is reducing over time as budgets are squeezed. **£37 million** doesn't enable police numbers to be maintained.

Capital Allocation – **£40 million**. Conservative estimates for estates is around **£300 million**, above this some **£85 million** is required each year to meet expected changes in fleet, estate and IT.

Further increases to SPA deficit are being orchestrated by Government underfunding, the current allocation allows treading water at best. It also reduces service and interferes with ability to deliver policing to communities of Scotland. PSOS appear to have changed their tone around finance.

There is a potential for the initial budget figure to see uplift, around **£50 million**, which should meet running costs and maintain police numbers.

There is a need for Parliament to be informed and aware that SPA are borrowing money, the reasons why Scottish Government are approving this or not is currently lost by Parliament due to lack of scrutiny.

Scottish Parliament/Political Engagement

Age of Criminal Responsibility – continues to be debated as a consequence of SPF involvement. An update to parliament identified the need for further police powers which will impact of unintended consequences of legislation gaps.

Gender Recognition Reform (S) Bill – Government consultation on a polarised debate. This has not been sent to JC; it is an open consultation. There is reference to potential criminal acts and will be circulated for comment (190 page document).

The Vice Chair gave an update on pyrotechnics and impact on officers. A working group has recognised this as a problem which is growing

Joint National Consultative Committee (JNCC)

The JNCC is concerned with matters within the authority of the Chief Constable. The JNCC will discuss operational delivery of HR policies and these will include agreements reached through PNB and SPCF meetings (which between them define the Conditions of Service of officers within the Service). As such Scottish Ministers and the SPA have no representation at JNCC meetings (but may be invited at the Chief Constable's discretion) which are held solely between the Chief Constable's Representatives and Staff Associations. On operational matters, the decision of the Chief Constable is final however, should a matter remain unresolved due to a difference of view as to the meaning of a regulation or determination or, the application of policy / guidance promulgated by the PNB / SPCF, it is entirely appropriate for the matter to be referred back to PNB / SPCF for clarification.

The JNCC met on 5th December 2019, some of the topics discussed were:-

Part Time & Pension – SCOPE recording of overtime at single time – there is an impact of PT officers not being credited for additional hours worked.

Pay on Promotion – there continues to be challenges around pay on promotion.

Telematics– PODG – Update

IVPD – police officers only to be identified by PSI number; they can be removed if officers desire.

Acting V Temporary – This debate continues without resolution; potentially new promotion pathway.

Single Pay Date – Disaster around move to single pay date and the impact of increased taxation suffered by members.

There has been no meeting of SOP review group; P&D Policy Sub Group – This is around a desire by PSOS to impact on those unable to attend work due to inclement weather where there is a desire to fine staff, however this is not applicable for police officers.

PSoS Reform (was 2026 update)

The Vice Chairman updated the JCC on the reported progress of Digital Policing. It will continue to be rolled out soon to all areas of the country.

A report was also provided on Telematics. Discussion followed regarding the positives and negatives of it's use and the difficulties that may be encountered for Court purposes.

An update was also given by the Vice Chair in relation to the Carlton University survey, carried out in 2019. The service will analyse any difference felt in D, G and P Divisions as D Division have had mobile data, G Division have had mobile data and CAM, and P Division have had nothing additional.

The service have all the relevant data and are also looking at a survey carried out by Durham University. However, it is unclear of what they are hoping to achieve.

A report was also provided in relation to CAM. It was reported that certain areas of the West felt that although the call volume had decreased that officers still were carrying a high proportion of Crime files. This is due the fact that officers are still requiring to follow up and in cases obtain statements, they feel that the expected feel good factor of decreasing workload has not been fulfilled

The matter on Naloxone was also discussed. There appears to be an appetite on behalf of PSOS to have it implemented so officers will routinely carry out Naloxone whilst on duty and within Police vehicles.

Police Charities

The PTC at St Andrews is about to commence work in March in relation to the proposed extension for a new wing. This will benefit patients at both centres as it will free up additional time at Castlebrae.

The St Georges Children's charity is running well. Can I remind the Committee to inform officers that the cost to them is 35p per week and in the event of a death of an officer or their spouse/partner or officer's ill health retiral then the charity will look after any children until they finish full time education. There have been several successful applications for families in the north in the last quarter.

The Chair reported that at present Police Care UK, where she sits as a trustee are offering funding (up to £1500) for officers to attend away weekends etc. for example if a particular team has dealt with a sensitive matter. Bear that in mind if you think any team could qualify.

The Scottish Police Memorial Day is to be held on 2nd September 2020.

The National Police Memorial Day will be held in Lincoln on the 27th September 2020.

The Committee were reminded that nominations for the 2020 Bravery Awards are sought. Any recipients should be sent in for the attention of the North Area Chairman.

ICPRA/Eurocop

The General Secretary proposed changes to the structure of EuroCop including the costs being graduated to accommodate the less affluent countries.

The General Secretary advised the organisation for the ICPRA General Council meeting in Scotland in June next year and Eurocop in Edinburgh in November, are progressing.

9.2 Subject Committees

The minutes of all national Subject Committees were circulated.

CONDUCT

North Area Conduct Meeting

The conduct committee meeting was held in Dundee on the 14th January 2020. The minutes have been circulated.

On the 10th February 2020, Senior Managers from PSD along with representatives from ASPS and the SPF met in Dundee. The meeting was to discuss procedural issues and look at streamlining the process for the subjects. Issues around unbiased reporting, time taken for PSD to conclude cases, (they state 91 days is average) and contact with subjects were also discussed.

Lengthy discussion around performance versus conduct and LR advises approximately 70% of the cases she is sighted on are returned to the divisions to be dealt with as performance.

Further discussion ensued around the requirement for 1st and 2nd line managers to have greater/any awareness of Performance Regulations, if there is to be any change in the culture within Police Scotland.

EQUALITY

- JCC Equality Committee met on 28th January 2019, at Dundee, the minutes of which have been circulated.

This meeting was attended by Gary Johnston, who provided the North update.

One key point from this meeting was the information provided by Jane Monkhouse (Equality Advisor) which relates to officers progressing through IVF.

The point was raised that there appeared to be a real lack of understanding around this process from line managers, even though there is some guidance. However, the key point for the Federation and the Force is that it needs to be made clear that officers should be deemed to be pregnant as soon as the eggs are planted, and line managers should immediately refer to the Pregnancy and Maternity SOP.

However, one of the biggest difficulties facing us is that disclosure will generally not be made and it really falls to the supervisors to ensure the respective protection and support is offered to officers at the time.

- Update on Case Law Circulated.

Newport v MPS. Although an officer may have a defined disability it does not preclude them from formal process like performance if the circumstances merit.

The second case, **Potter v Merseyside Police**, is about the retention of full pay. This features regularly with absent officers who have or consider they have a disability and for that reason alone should be retained on full period during long absences.

White v PSoS - An ARV officer claimed that he had been discriminated against because the Force perceived him (erroneously) to be disabled with a mental health condition. The

Tribunal found that the Force had not perceived him to have a mental health condition, but were concerned that he might have a mental health condition and referred him to Occupational Health for assessment.

The Tribunal found that the review process for ARV officers was robust and it was reasonable in the circumstances to refer him back to Occupational Health.

The following case, **Joynes v The Chief Constable of Gloucestershire Constabulary**, some relevance to the police service. Although the case was unsuccessful the unfolding of events are not uncommon in terms of the progression where initial actions lead to unsatisfactory outcomes.

- Equality, Diversity and Inclusion Employment Group update, met on 14th February 2020, at the SPC.

The purpose of the meeting is to work in partnership (remove the Silos) and discuss and promote the mainstreaming of Equality, Diversity and Inclusion, within the workforce and set priorities within the People Strategy and Framework for Strategic Workforce Planning.

The main thrust from the SPF was that the Force ensures it has correct data and is able to demonstrate that efforts are being made to meet the challenges faced.

It was highlighted by the SPF that it would be impossible to collate the correct figures for the likes of Flexible and Agile working as first line managers still do not know enough about this process. Too many times first line managers have provided the wrong advice and blocked applications before they even start. None of this is recorded and as the data is not available then no issue is identified.

It was also highlighted that due to the high numbers of inexperienced supervisors and the lack of training given to them on the people side of business, this issue will not go away.

- Modified duties

Work is continuing with this through David Hamilton, Equality Lead Nigel Bathgate and the three Equality Area leads in partnership with P and D.

Last year we attended a workshop and provided a challenging response to the proposals being put forward by the Force; clear issues were identified.

A subsequent meeting took place in February where a process map for officers classed as 'modified' was produced, subsequent recommendations were submitted.

It should also be noted that ALL modified officers will be contacted soon as Service are looking to carry out a **SCOPE & Modified Duties data cleanse** to ensure it has accurate

information in relation to it's officer numbers and divisional strength. This includes data in relation to any officers who require reasonable adjustments, all to ensure the information stored is accurate and reflects the officer's current status. We have been assured this will not affect any modified officer's current deployment nor their reasonable adjustments.

HEALTH & SAFETY

The H&S update was circulated with the meeting documents.

Coronavirus – There are weekly Gold Meetings being held at a force and Scottish government level. A risk assessment has been produced by Police Scotland. Numerous discussions regarding the level of respiratory protection required, but it has been settled on FFP3 rather than a surgical mask as was initially suggested by Public Health England. Eyes are vulnerable for cross transfer of the virus and suitable eye protection is being considered.

9.3 Standing Committees

FINANCE STANDING COMMITTEE

The last meeting took place on Tuesday 21 January 2020, at the SPF Training Centre, Dundee. The minutes of this meeting were circulated within JCC Circular 6/2020.

A budget will be introduced to benchmark expenditure going forward.

Accommodation – Options being considered for both the Inverness and Aberdeen offices.

Investments – still performing reasonably well, although were depressed in November/December due to the usual uncertainty surrounding the election.

LEGISLATION & REGULATIONS

This is a JCC Board made up entirely of SPF who look at all Legislation and matters surrounding PSoS. The Committee meet four times annually.

The last meeting took place on Tuesday 21 January 2020, at Dundee, and were circulated in JCC circular 6/2020. The following were discussed:-

- **Review of Complaints Handling, Investigations & Misconduct**

The Deputy General Secretary gave an update on the Review and said it was still ongoing. He and the AGSC had attended a meeting of the Scottish Police Consultative Forum the previous day where some of the early recommendations from the review were discussed.

It was noted that the Review was expected to be published in June, however there were concerns regarding the inclusion of a “barring” list for police officers. He stated that the SPF is against the proposal for such a list.

- **Age of Criminal Responsibility Act 2019**

It was reported that there were still significant concerns with this legislation particularly in relation to police powers. The PSoS had asked ACC Duncan Sloan to lead on this and the SPF has sought a “seat at the table.”

- **Transport (Scotland) Bill – Car Park Levy**

It was noted that the Bill had now become law. The power now rested with Local Authorities to decide on its introduction and the General Secretary reminded the meeting it was vital local SPF officials kept up to date on Council finance proposals as the new financial year approached.

OPERATIONAL DUTIES

This is a JCC Board made up entirely of SPF who look at all operational duties surrounding PSoS. The Committee meet four times annually.

The last meeting took place on Tuesday 21 January 2020, at Dundee, and the minutes were circulated in JCC circular 6/2020. The following were discussed:-

- **Leadership, Training and development Division and Special Constabulary**

Discussions ensued in relation to the requirement for a further diploma to be run to fill a gap prior to the new system starting. The PDC is starting in April.

It was reported that 300 probationers would be trained in April with another 300 in July. The Committee expressed disappointment that the PDA’s would not feature in the training and that in some cases tutor constables themselves would not have completed their probation.

- **Special Constabulary**

The Vice Chair reported that the service was keen to utilise Special Constables in roles other than traditional functions. No consultation with SPF had taken place and this was opposed by members of the committee. Further engagement will take place.

- **Public Order Monitoring Group**

The Chair reported on discussions on pyrotechnics and the challenge created by a lack of legislation on search powers. He commented that new tactics deployed by some protest groups (particularly environmental protestors) were increasingly problematic

from a policing perspective, as they exhausted police resources. Concern was expressed about probationers being canvassed regarding public order training.

The Vice Chair reported on a TTEWG meeting in London where G7 and Mutual Aid had been discussed along with PPE, COP26 and new equipment to assist with the dispersal of crowds. He also reported on the CBRN threat assessment.

- **Consideration of JCC and Consultations**

The General Secretary said that that HMICS Scrutiny Plan 2020-21 had been published. In general there was little in the plan that was of concern but the SPF has requested that the activities of the Inspectorate should be undertaken with due cognisance of the COP26 demands.

COP26

Update in PODG

Events and Rostering

The Vice Chairman said that PSoS was not anticipating any public order issue related to Brexit on the 31st January. However, this did not mean that planning for the potential of a 'no deal' at the end of the transition period would stop. The Deputy General Secretary said that there may be considerations for the Port unit at Stranraer.

Paul Connelly and Andy Malcolm had attended a meeting of the Working Practices Review Board on 9th January 2020, where amongst the items discussed were mass mobilisation, access to uniform and PPE, shift patterns, negative toil and a new force memo advising anyone who moved to a plain clothes role to retain their uniform. The issue with negative toil was simply down to the SCOPE system paying for hours, where the officer had elected to receive time off out with the 3 month period. A consequence of this was that officers were then told they needed to clear any toil "debt" before being eligible for overtime as payment. The General Secretary reminded the members that the decision as to whether to work overtime for payment or toil was purely for the member and a "debtor clause" was unlawful.

Force Armed Policing Monitoring Group

Members discussed the transfer of risk from superintending to federated ranks and the potential liabilities this created for the voluntary fund. The risk for superintendents are "underwritten" by legal funding from the Police Authority. The Deputy General Secretary said he would be taking this matter further and he would update at the next meeting and report to the JNCC in March.

The meeting also discussed fitness testing and differing standards for males and females. It was agreed that fitness testing should be role specific.

C3

Andy Malcolm reported that he had attended a meeting on 23rd December 2019. No significant issues had been raised but amongst the items discussed were the 2-2-2 shift system in the East and the North and temporary ranks.

Brian Jones raised the command structures for AFOs and STOs and said that ITFCs would require further training. He also said that the reducing numbers of authorisations from STOs had also been discussed. He said the number of STOs was roughly half of agreed establishment and that there was a desire to increase this number as a matter of urgency. There would also be an increase in the number of hubs from 30 to 60.

Deep Dive Exercises

The Committee agreed that regardless of work pressures it was important to ensure momentum on the PPU deep dive continued. The considerable impact of the dive in C, and in L Divisions more than reinforced their importance. It was noted that issues identified in the deep dives continued to be discussed in command meetings in these areas.

Competent Business

The Committee expressed great sadness at recent instances of officers taking their own lives. The Vice Chair had been in touch with the force regarding appropriate communications and it was agreed that this was an extremely difficult and sensitive issue. It was also agreed that it was extremely difficult to establish precise causes in cases such as these, however, it was acknowledged that as work played such a significant part in everyone's lives that a connection could never be discounted. The Committee agreed that SPF should give this matter serious attention in an attempt to ensure that everything possible was or would be done for members.

The next meeting is scheduled for the 21st April 2020.

10. PODG

REMOTE POSTINGS – Consultation ongoing – SPF Enquiry – Being deferred to Nicky Page and David Hamilton to discuss and conclude, link to strategic workforce plan, postings and recruitment.

IVPD – Recording of Officers Details – As per Action Log Update – process in place and use of PSI to identify officers, this has been closed.

Acting ranks - ACC MacDonald highlighted the desire to extend the provision of Acting from the 4 Legacy Areas to the rest of the Force. Confirmed that this was a JNCC position and matter for CC who had previously confined the use of Acting to territorial areas who use to use Acting (E, J, P and N). He highlighted the benefits in relation to development.

It was confirmed that there was no link to the diploma or promotion process therefore the benefits or gains were unclear. Confirmed that use of Acting was monitored by BSU to ensure the 56 day was not breached. There was an acceptance that this had to be tightened up due to breaches of the 56 day period. NP agreed that the Regulatory position should be followed and that 56 days should not be breached. Officers should know in advance whether they are Acting or Temporary and if Temporary should meet the criteria as detailed in the PSOS Promotion Regulations 2013. SPF highlighted that issues had been greater since Rank Review and reduced numbers for diploma driven by financial pressures.

There was also discussion around the proposed changes created by Leadership Pathway which may remove the need for the use of Acting.

ACTING – Desire to extend to entire Force. This needs to be a Force position and goes against previous CC instructions. Further discussion to be held by SLB clearly and position of ACC MacDonald who is keen to use in Custody. Watching brief required for proposals which should be JNCC matter rather than PODG. Arrangements confirmed and that Regulations will be adhered to.

TRAINING COURSES – As per the action log. There is a desire to amend start time of training courses. Confirmed that this will be detailed in joining instructions and travel arrangements/considerations will be part of the course administration and planning.

SICK PAY – Nicky Page provided an update and view on the Regulatory provision. ACC's highlighted their desire to promote wellbeing and it would be logical in certain cases to inform an officer their case had been reviewed and there would be no pay reduction rather than the current process of informing the officer and their pay status being appealed as per PNB 05/01 guidance. Local managers should have the ability to update HR and Senior Managers on individuals and why pay should be retained. Thoughts were echoed by SPF and the potential improvements to officer welfare by doing so. This will be discussed further between Nicky Page and David Hamilton. It was highlighted there appeared no need to change Regulations but potential amendments to it's application in the service as the current process is viewed as punitive and bureaucratic.

Presentation given on Mail Marshall (Email monitoring and filter system). PSD now using this and proactive monitoring of emails being sent to and from pnn email addresses. They discussed breaches that had occurred of information security, all which had been recovered. They are seeking to develop system of education whereby officers are emailing inappropriately (use for 2nd business, items being delivered to work). They will initially refer guidance to officer and their FLM, and if the breach continues the officer will be referred to the Divisional Superintendent. Communications around this are being developed.

SPF welcomed the desire to stop officers working in their own time and on their own computer. Highlighted that we hope this is extended to mobile devices as information will still be on PNN but accessed at home. Challenges regarding emailing promotion or other application forms; will the Service be able to cope as officers are undertaking work

at home because they feel they have to? They also highlighted that use of WebMarshall will be extended to internet use and monitoring. Suggestion from ACC Johnson of a 'fair use' policy which reflected current society and acceptable use.

COP 26 – Pat Callaghan (Superintendent, Head of Project Team) provided an overview of COP 26 and emphasised that welfare was one of the eleven strategic priorities identified by ACC Higgins. Wellbeing Lead was CI Stevie Hazlet. They were focussing on significant learning from CWG and other large scale deployments including G7 in Wales. COP 26 confirmed as the largest mass mobilisation of police officers ever in the UK; discussion regarding shifts and resourcing continues, with there being an emphasis on welfare provision and consideration needs to extend to everyone not just those on the Operation. Planning identified challenges around accommodation for police officers. They have 8,000 hotel rooms secured and that NPOC had been approached regarding resource commitments.

This is a significant Climate Conference which occurs every 5 years, with the last one being in Paris (Paris Accord). Planning now also dealing with pre-delegation meetings and Conferences which are being organised for week prior to primary Conference.

Naloxone – ACC Ritchie to prepare proposals re implementation following CC direction at SLB.

11. Area Meetings Update

N – Neil Macdonald, Secretary gave update. The Secretary meets with the Divisional Commander monthly or as and when required. He also attends the Peoples Board which also meets every month.

The Mental Health Project officer has now taken up her post. Kirsteen Macdonald has settled in her role and is currently working on the 'See Me at Work' campaign across the division. She also has a training day planned for supervisors which will be mandatory and be recorded as part of officer's personal development.

N Division is the only employer in the country with such a post at present and I am looking forward to contributing to her ongoing work on behalf of the SPF.

The recent round of promotions from Sergeant to Inspector has left the division with only one temporary Inspector in post. This post is subject to change following the change of base post.

A – Gordon Forsyth, Chair, provided an update. The FTOs meet with Chief Superintendent Thomson every quarter.

The Sergeant and Inspector Forum continues to highlight and address divisional issues.

A Division are to pilot a mentoring scheme for newly promoted sergeants. It will also expose them to the requirements of other departments such as the Concern Hib and PPU.

A Division are currently 46 under establishment. 30 Probationers starting SPC at end of March. 43 Temp Sergeants although recent process will see that number drop significantly.

The Vice Chair and I have been having meetings with Northeast MSPs in relation to the budget. We have been putting a local perspective on it and asking them what they potentially thought 75-100 fewer officers in A division would mean to the safety of the public and officers.

D – James Thomson, Deputy Secretary provided an update.

D Division

- Deputy Secretary - update for FTOB regular meetings with CS Andrew Todd 18 February 2020 and his Command Team, including Peoples Board.

There continues to be regular meetings and many issues are discussed.

- Deputy Secretary - update for the Bi-monthly D Division Resourcing Review Management Group and Divisional Resourcing Consultation.

There has not been a meeting this year and a written request has been submitted to have it reinstated or at least an update for the Division on progress.

There is a consultation currently out-with Dundee and Perth and Kinross, which details some potential flexibility within the rigid shift pattern. There is no change planned just flexibility being offered to officers who may benefit.

- Deputy Secretary – update provided of the main issues across the Division and issues raised with North HR Business Partner

Continued issues with the failure of the Force to disclose information around those who are long term absent.

Points have also been raised about the treatment of modified officers and also those going through the IHR Redeployment process.

- Update on Operation Joy, Radio 1's Big Weekend 22 – 24 May 2019

The Deputy Secretary attends the meetings and raises relevant points. A document which highlights a 'lessons learned approach' has been forwarded to the group. This contains details of issues faced in the past, for example, transport of officers and kit, hours worked, refreshments, front loading of information and so on.

- Political Engagement

The Deputy Secretary has met with various MSPs including Shona Robison and Jenny Marra, Dundee, Murdo Fraser, John Swinney and Liz Smith, Perth and Kinross.

Highlighted to them has been the lack of funding for the Police Service of Scotland, Estates, Police Numbers, Mental Health of Officers and the constant work being done for other agencies.

Stations Visits in Dundee by MSP's are planned for March 2020.

- Promotion Process

Issues remain regarding the promotion process, in that officers who reach the pool for promotion stage, remain disadvantaged due to the limited opportunities which arise.

TASK: Issue to be raised at the JCC

12. New Business

There was no new business to highlight.

13. AOCB / Correspondence

Five items of correspondence from members.

Gordon Milne and Martyn Turner intimated their resignation from the NAC due to pending retirement from the service.

The NAC thanked them for their contributions over a number of years and wished them both a long and healthy retirement.

Fionnuala McPhail, Neil Cameron and Emma Bowman intimated their resignation from the NAC due to increased operational work demands, which is impacting on their ability to spend the required amount of time to meet the needs of members.

The NAC thanked them for their contributions and their time on the NAC.

The Secretary advised that there were now 8 vacancies for Federation representatives with the NAC which would now be advertised as per normal process.

14. Time and Date of Next Meeting / Closure of Meeting

The Chair advised the next Meeting of the North Area Committee would be held on Monday 1 and Tuesday 2 June 2020, at the SPF Office, Dundee, commencing at 1300 hours, on Day 1, and 0900 hours, on Day 2.

The Chair thanked the Committee for their active and constructive participation and closed the Meeting.

He was thanked by the meeting in the customary manner.

Gordon Forsyth
Chair

Neil Macdonald
Secretary