



SCOTTISH POLICE FEDERATION West Area Committee

Ref: GM/PC/LW

**Minutes of the First quarterly meeting of the West Area Committee held in the
Glynhill Hotel on Thursday 27 February 2020 at 9.30 a.m.**

1. ATTENDANCE AND OPENING -

West Area Committee (WAC) Office Bearers & Staff

Paul Connelly – WAC Chair
Gary Mitchell – WAC Secretary
Ian Florence – WAC Deputy Secretary
Lorna Hogarth – WAC Deputy Secretary
Jenny Shanks – WAC Vice Chair
Lynne Welsh – SPF Staff

West Area Committee

Jennie Macfarlane
Stuart Johnston
Craig Fraser
Kenny Kean
David Hunter
Adam Peppard
Lynne Gray
Stephen Gray
Richard North
Eddie Mather
Fiona Tyers
Chris Thomson
David Carmichael
Cath McNally
Linda Mather
Jonathan Watters

Pamela McFarlane
David Wilson
Craig Nicolson
Stuart Finnie
Elaine Sutherland
Stuart Burns
Marketa Hola
Dougie Chalmers
David Osterberg
Jamie Carruth
John Munn
Alistair Mackinnon
Chloe Rice
Gemma Mazur
Neil Mackay
Emma-louise Smith
Dougie McKinlay
Iain Gray
Paul McWhinnie
Ross Black
David Somerville
Gary Diver
Michael McCaughey

Apologies were received from the following members;

Tommy O'Pray
Sarah Jackson
Lee Hamilton
Stewart Gailey
Stephen Murray
Mark Dines
Campbell Smith
Hugh Burns
Philip Maguire – staff

Guests/Observers

Grant McDowall – East Area Committee, SPF.

As per the SPF Rules, the Standing Orders took effect as soon as the meeting was opened and would remain in place throughout the meeting, including Separates unless specifically suspended for any reason.

The Chair opened the meeting and welcomed the members, inviting them to take an active part in the meeting. He made special welcome to Craig Nicolson, Inspectors Representative for V Division, Ross Black who had recently returned to the WAC as Inspectors Representative for U Division and congratulated David Taylor on his recent promotion to Inspector. The Chair then welcomed Grant McDowall East Area Committee Secretary who was attending the meeting as guest.

The WAC Chair advised members that the separate committee meetings would take place after the opening of the meeting and members would thereafter re-convene to continue with the full WAC Meeting. The Secretary from each Rank Committee will report to the WAC on the main issues discussed at their meeting.

The Chair confirmed that agenda papers had been circulated in advance of the meeting along with a copy of SPF Standing Orders for information.

2. SEPARATE COMMITTEE MEETINGS

The separate Committee meetings took place and a brief update on matters discussed was provided thereafter by a member of each of the Committees.

Constables Committee – Workforce agreement was discussed

Sergeants Committee – Matters of discussion included custody

Inspectors Committee – First Inspectors meeting that has been quorate in some time due to the number of current vacancies. Matters of discussion included the workflow of Chief Inspectors and Inspectors, public order training and Cop 26.

3. MINUTES OF PREVIOUS MEETING AND ACTIONS

The minute of the meeting of December 2019 & Constable and Sergeant Minutes were circulated on 24 February 2020 and were approved as a true record of the meeting.

The Chair reported on the progress of the Actions from the previous meeting (December 2019).

Actions

1. Exigencies of Duty

Officers of varying ranks determining when an exigency of duty. WAC Chair to take forward and report back with any update.

Update -

This was raised at the Local Policing Commanders Meeting (LPC). Consensus was that the Gold Commander for the event should have responsibility for this.

COMPLETE

2. Equality

WAC Vice Chair to pursue the matter of gender neutral hats and wider issue of a policy to be adopted in relation to gender neutral officers.

Update - All guidance and policy on the issue of hats and use was subject of an Equality Impact Assessment with no issues identified.

Policy for gender neutral officers to be covered under the Equality update by Vice Chair.

ONGOING

3. My Career presentation

Copy of presentation to be circulated to all WAC Reps.

Update – copy circulated by mail.

COMPLETE

4. Local Policing Commanders Meeting

Shift changes/rest days – causing disruption. WAC Chair to raise at next LPC meeting.

Update - Raised at LPC and matter is still ongoing. Also raised at Strategic work force planning.

ONGOING

5. Near Misses

WAC Representative to forward details of incident when officer was advised not to submit near miss and inferred that it may affect ARV application.

Update - Officer did not want to proceed or submit any further information.

COMPLETE

6. Operational Duties

Request for a copy of the 5-point plan to be circulated in respect of direct reporting.

Update - Circulated to all WAC Reps. 20/02/2020

(1) WAC Chair will continue to raise this matter at Events Planning Meeting. – further action raised.

(2) Feed back to SPF HQ to see if guidance/info can be circulated to WAC in respect of 5-point plan.

ONGOING

7. Health & Safety

Lack of staff in L Division – at one point nearest custody availability was 18 miles away. Information to be fed into MH

Update - Near misses have been noted at H&S Meeting. Looked at L Division Policy Group.

COMPLETE.

8. G Division PPU

Email sent from Area Representative regarding G Division officers on PPU exhausted with Shifts – Has this been received and a response sent.

Update - WAC Secretary to check and report back
This is part of Deep Dive exercise and Force are aware. This is not just a local issue.

COMPLETE

9. Structure of WAC Meeting

Discussion on issuing more pre read prior to the next WAC Meeting to allow for more time for discussion/questions.

Update - WAC Chair circulated to all reps 27/12/2019 raising matter and requesting feedback by 20/1/2020

COMPLETE

10. Negotiable terms and conditions

One area Representative asked if a copy of this can be made available to all Reps?

Update - WAC Secretary to take forward

Document is not finalised therefore cannot be circulated at this time.

ONGOING

11. Holiday Pay

One Representative asked if something can be published to reps re this?

WAC Secretary to take forward

Update to be provided during meeting.

COMPLETE

12. Local Policing Commanders (LPC)

Rest Day Disruption due to shift changes. WAC Chair to raise with Finance Officer and report back.

Update - Matter is ongoing.

ONGOING

4. **LEGAL ADVICE AND ASSISTANCE**

The Secretary reported that 19 files have been submitted to SPF Legal since the last WAC Meeting -

Criminal Legal Defence x 10

Employment Dispute x 3

Injury on duty x 3

Inheritance dispute x 1

Conduct x 1

RTA x 1

This does not include any that may have been sent to SPF Legal direct.

5. **DIVISIONAL REPORTS**

Each Division nominated a representative to submit a brief report on the issues raised in their division. The following divisional reports were received;

Area 8 – Argyll and West Dunbartonshire

Issues discussed included Near miss, lack of resources, Taser, custody and issues arising when applying for transfer. Mobile working was in process but experiencing limitations with 3G network.

Area 9 – Ayrshire

A meeting with the Divisional Commander was arranged for mid-March. Issues include lack of continuity with CAMS, Poor staffing in Cumnock Police Office, near misses, PDA roll out and shifts.

Area 10 – Dumfries & Galloway

Dumfries & Galloway experiencing similar issues to those already discussed. All Health & Safety inspections were complete in the Division. Issues raised included problems with absence management and issues with hand held devices. Suggestion put forward to install Wi-Fi in Police Stations which is being looked at. Discussions were in place regarding possible financial planning for officers in conjunction with Police Mutual Assurance Company (PMAS). New breathalyser training is being rolled out.

Area 11 - Lanarkshire

Proactive teams since CAM has been introduced. Issues with annual leave due to October being classed as red days, resulting in low morale in Officers. Experiencing resourcing issues with no apparent way forward.

Area 12 – Renfrew & Inverclyde

Issues include CAM and Custody with prisoners on constant observation. There has been positive feedback from Officers in respect of PDA's. More guidance is required in respect of duty change.

Areas 13 & 16 – Greater Glasgow North & South

The last Commanders Meeting took place on 03 January 2020, minutes of which have been sent to Merrylee House. The next meeting is due to take place on 05 March 2020.

Equality – Nothing divisional specific

Health and safety;

- Workload – Concern regarding significant workloads within PPU and CR queues on shifts, which seem to have been greater since CAM introduction – Ongoing assessment of CAM CRs impact.
- Prisoner observation refresh – Issues with officers being refreshed at observations – custody confirmed sits with divisional supervisors and not custody.

Conduct – Nothing divisional specific

Ops Duties;

- Events resourcing including excessive LPST variations – ongoing consultation with resource management/ops planning.
- Crime management updates – Excessive demand of supervisors to undertake numerous extra checks prior to finalising CRs (for upcoming HMICS report.) – Ongoing consultation with management and reps.
- Equipment and direct reports – matter sitting with SPF HQ and await update
- Probationers – Uneven split and some shifts burdened with excessive probationers – Management assessing to see if the matter can be mitigated.
- LPT Sgts – Being moved excessively for cover including custody division, lack of continuity and welfare provision – Division reviewing LPT cover
- Acting ranks – Some officers felt poorly prepared/trained – Division assessing what support can be put in place.
- Christmas resourcing – Division wanted to place red days throughout Christmas period – Meeting with reps and WAC Deputy Secretary, Ian Florence took place – this is under review as not consistent with welfare and with COP 26 deployment concurrently.

The biggest issue in the division is the events resourcing. This is placing significant pressure on LPT/LPST officers. LPST shifts being excessively varied and days cancelled with 90 days' notice and exigencies.

Area 14 – Operation Support Division

Conduct: No issues reported.

Health & Safety - A V division issue that has been progressed by WAC Deputy Secretary, Ian Florence brought to the attention of Pamela McFarlane via Roads Policing: Traffic officers either attending Tulliallan for a course or being asked to attend at the Complex in Glasgow for wide loads, are having to travel back on themselves, for instance Moffat (home address) to Dumfries (approximately 35min drive) to pick up a hire car, to then travel back in the direction they have just come from to attend the college. What would be an hour's drive, turns into around an 1hr and 35min drive and then the same when returning home. Driving past their house to return the hire car and the driving back home. Officers as you can imagine are just opting to take their own cars but are then unable to claim mileage. These officers are also attending at local offices to pick up their kit, which with the new direct reporting guidance shouldn't be unless they elect to do so. WAC Deputy Secretary, Ian Florence has just advised that he has been unable to make contact with the resource Insp there to make them aware of this guidance.

Equality: No issues reported.

Ops Duties: An issue raised with Pamela McFarlane regarding V division having adopted a process out with force national guidance for presumptive testing: CID having a local agreement that they will carry out all of the presumptive testing - therefore there are provisions put in place for each station in VA to submit all drug related productions to Dumfries and VG to Stranraer where they are presumptively tested by CID, basically it's a backwards local agreement. Chloe Rice V Div rep has followed this up by contacting the DCI for the division to see if we can review the local agreement to suit the national standard set by PS.

Nothing further at this time.

Area 15 – Specialist Crime

Issues with travel time for Officers who are being abstracted from other areas and given police vehicle to use for travel to and from temporary place of work. Officers do not appear to be getting paid for travel time. The WAC Chair asked that details be emailed to him at Merrylee House in order that this can be checked with PNB circulars to clarify.

Issues in custody regarding officers still waiting lengthy times with prisoners needing processed during handover periods. When shifts overlap, no processing taking place and officers often held on for several hours.

ACTION

Dep. Secretary to speak to CJSD regarding officers still waiting lengthy times with prisoners needing processed during handover periods. Report back at next WAC.

6. DEEP DIVE

The WAC Deputy Secretary Ian Florence reported that there has been no further meeting of the L div Deep dive since the last WAC, most of the outstanding matters will now be addressed at the Divisional H&S meeting. A further meeting is to be organised soon.

Police Estate - Outstanding work continues to be progressed by estates.
Officer Accommodation. Dunoon barracks have now been refurbished and also now have an HMI licence.

Custody Arrangements - Issues are noted regarding the custody facilities in the more rural areas and the problems with Geo Amey.

Postings - The SMT continue to monitor postings closely, they are looking at ways through the media they can attract officers to work in their rural areas. This sits on the agenda for the L division policy group.

A number of items have still to be resolved and updated before completion of the final Deep Dive Report.

The WAC Chair reported that at the last meeting of the Operational Duties committee which took place in Dundee on 21 January it was agreed that the SPF should carry out a further Deep Dive exercise in April.

7. LOCAL POLICING COMMANDERS MEETING/PEOPLE OPERATION DELIVERY GROUP

Local Policing Commanders West (LPC)

There have been two meetings of the LPC since the last WAC, one on 28 January 2020 at Kilmarnock Police Office and one yesterday 26 February 2020 at Govan Police Office.

The meeting on 28 January 2020 was chaired by ACC Johnston.

Meeting Opened by ACC Johnston

ACC commended the work of Divisional officers and SPF in the recent losses of officers and sought to have a wider discussion on the circumstances and force response. A substantial confidential conversation was had by all with a view to what is being done and what could be done to enhance welfare of officers and in particular mental health.

Action Log Updates

- Review why Brexit backfill officers are not all in post sitting with Graham Watson not present and no update provided.
- Policy regards constant observations of those in custody to be reviewed by ACC Johnston and is on going
- ACC seeking commanders to look at the matter of partnership funding within their divisions.

HMICS - An update was provided by Brian McNulty regards on-going HMICS work which includes inspections on Hate Crime, Training & Development & Wellbeing. HMICS is looking for LPC to feed in suggestions regards areas for inspection and a few suggestions were put forward at this time with more to be submitted direct. Brian McNulty also noted and agreed with desired actions raised in the opening meeting conversation regards welfare.

Promotion Process - The New Superintendent process was covered.

Professional Standards Department (PSD) – No representation

ICT- Roll out of national net program is going well and positive feedback is being received from users. CS Alan Murray raised the issue of body worn cameras with a desire in the room that this be pushed forward. Andrea Whiffen stated that some IT issues remain to be addressed but took note of the views. ACC confirmed support in particular roll out to remote rural areas for BWC and TASER.

Corporate Communications –A general update was provided. Divisional twitter and communication being well received.

RDU –Carol Thomson stated that Chief Superintendent McLaughlan is moving on and they await to see who will replace him. Body armour roll out initial phase will be complete around 14 February 2020. Concerns were highlighted in the West regards the cover and no pockets this will be looked at however this is the cover that was piloted and this issue had not been previously raised.

Public order volunteers are currently at 1120 against a 1400 requirement. Training for West officers will be at Jackton starting on 2nd March 50 per course with a planned 20 week program. It will be a 5 day course with no PSNI or MOE training. A further memo and push for the outstanding 290 officers will be circulated.

There were some issues in the West with the divisional process of carryover of annual leave where it could have been used, were raised and will be feedback through resource managers.

Work being looked at for the number of modified posts that are in place and a desire to assess if there are officers that may actually be deployable in a wider role.

Finance- Sujata Gaikwad reported that the budget settlement picture is still unknown. The Chief Constable is engaged in seeking improvements in current position.

Overtime for the coming year will continue at the previous flat rate.

A casual user mileage claims issue where officers have been paid at a higher rate was raised. SPF highlighted that any overpayment on this should not sit with the officers as all claims had been approved. The issue has been created as a result of a change on the drop down box on the claim form as it simply states national rate and not the actual pence cost, this issue has still not been resolved and the matter is on-going

People and Development - Elaine Williamson advised that the ACC has directed the people strategy group to refresh what is being looked at and identify a smaller amount of subjects to be taken on as priorities. This will be discussed at people strategy group for the West this will include wellbeing.

The next People Board will meet on 12 March 2020.

Absence stats are still higher than desired.

Welfare support advice re-issued

My Career programme options paper is with Jude Helliker.

SPF – Gary Mitchell, West Area Committee (WAC) Secretary raised matters on resource deployment levels and the burden carried by the same groups of people. He further highlighted the impacts of COP26, Euro 2020, TRSMT, Festive Period and sought to have LPC review early on how these impacts will effect officers leave and personal welfare.

Requested that all look at how their Divisions would cope with any reduction in numbers if that policy was brought into play, without carrying out a full review general agreement was they would have serious failures in providing a service.

Regarding various welfare matters that have been experienced in recent months, he thanked those that had supported the families, friends and colleagues of those officers we have lost.

CJSD- CS Garry McEwan updated the position on current Custody division both officer backfill and planned shift change for PCSO's to 12 hour shifts.

Case management hub will see the West area become part of the current East North structure, assurances were sought that those officers that are transferred to this structure would still be available for event deployment. The response was yes but how that will function was not clear.

Production facilities are being closed where single staff present or where location is not suitable any longer, issue over location and travel for officers remains unclear.

The conclusion of the team leader posts should see a substantial or full stop to Sgt backfilling.

Safer Communities- Superintendent Tim Ross - No verbal update was given other than referral to paper provided.

Area Commanders - General update, nothing of note

Any other competent business

CS Alan Murray raised issue how stop search is managed by the force and it is deterring officers from carrying it out, an over complicated process and fear of criticism is counterproductive. K div had a 1 in 5 success rate in some areas and this was still subject to criticism which he refused to pass onto officers. Wide discussion and agreement had and matter is being referred through ACC for examination.

People & Operations Delivery Group –(PODG)

The last meeting of the PODG took place on 17 February 2020 at SPC Tulliallan
The meeting was chaired by ACC Steve Johnson.

The Chair opened the meeting. He mentioned the loss of 4 officers in West and the support that was provided by Gary Mitchell and the SPF to support families and colleagues.

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

Update provided from Nicky Page which confirmed that recent changes in pension interpretation (Firefighters case) may change the calculation in relation to pension, Force position was that both provisions were required.

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 the Chief Constable who had previously confined the use of Acting to territorial areas who 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 acceptance that this had to be tightened up due to breaches of the 56 day period. It was 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.

Training Courses

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

An update and view on the Regulatory provision was provided. 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 is to be discussed further between Nicky Page and SPF Chair, David Hamilton. It was highlighted there appeared no need to change Regulations but potential amendments to its application in the service as the current process is viewed as punitive and bureaucratic.

Car Usage – Nicky Page provided an update on users – Essential and Casual – Essential being deemed as not exceeding 5,000 miles annually. Casual was a short term or ad-hoc user where usage was desirable; Np reminded that use of personal vehicle should be last resort and SOP specified DCC approval, in practice this had been devolved to Divisional Commander.

It was accepted there was a difference between Regulation and SOP; Divisional Commanders to continue to authorise Casual user in accordance with principles of relevant expenses SOP.

Presentation

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

SPF welcomed the desire to stop officers working in their own time and on their own computers and highlighted that we hope this is extended to mobile devices as information will still be on PNN but accessed at home. Challenges faced regarding emailing promotion or other application forms. They also highlighted that the 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 provided an overview of COP 26 and emphasised that welfare was one of the eleven strategic priorities identified by ACC Higgins. Wellbeing Lead, CI Stevie Hazlett stated that they were focussing on significant learning from CWG and other large scale deployments including G7 in Wales. COP 26 is confirmed as the largest mass mobilisation of police officers ever in the UK.

Discussion regarding shifts and resourcing continues. It was emphasised that 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 National Police Co-ordination Centre had been approached regarding resource commitments. This significant climate conference, usually occurs every 5 years, the last one taking place in Paris (Paris Accord). Planning is now also dealing with pre delegation meetings and conferences which are being organised for week prior to primary conference.

Assistant Chief Constables (ACC)

Naloxone – ACC Ritchie to prepare proposals re implementation following Chief Constable direction at Senior Leadership Board (SLB).

People & Development (P&D) – Strategic Workforce (SWF) Plan being progressed, further briefings to be delivered and update provided at next meeting, ongoing question around replacement HR systems due to funding constraints. SPF & Association of Scottish Police Superintendents (ASPS) highlighted impact of SWF plan being delivered in November at time of COP 26 and other significant change, can everything be delivered and at what personal cost.

SPF & Unison – No issues raised.

Tax implications for use of vehicles for business use – Nicky Page updating direct and ACC Hawkins sharing position.

Absence – There was a desire to move to presumption to retain rather than remove & appeal.

Acting – There is a desire to extend to the entire Force. This needs to be a Force position and goes against previous Chief Constables' instructions. A further discussion to be had by Senior Leadership Board (SLB) and position of ACC MacDonald who is keen to use in Custody – watching brief required for proposals which should be a Joint Negotiating Consultative Committee (JNCC) matter rather than People and operation delivery group (PODG). Arrangements were confirmed and that Regulations will be adhered to.

There were no questions.

8. **CONDUCT**

The WAC Deputy Secretary provided an update on the last meeting of the Conduct Committee which took place on 14 January 2020 in Dundee. A copy of the draft minute of the meeting was circulated with JCC Circular 5 of 2020.

Trends in criminal cases were discussed and, as per the last meeting, an increase in drink driving was noted. The possibility of job related stress was discussed as a factor in this type of case. It was also suggested that the SPF look to use the work of Professor Duxbury when representing officers where work related stress is confirmed as a contributory factor in their behaviour.

It has been noted that there have been a number of legal applications which have been submitted direct to Woodside Place, this has meant that the West Area office bearers are unsighted on these cases and therefore cannot provide any support personally or via divisional representatives. If Members are aware of any Officer sending applications direct to Woodside Place, they should advise the Officer to contact the West Area Office if they wish represented as the West will not be informed otherwise.

Several Officers have been in touch regarding being served with Regulation 9 notices for criminal allegations. Representatives who are contacted by Officers who have been served paperwork should ask for a copy of same and have it emailed in, preferably with the appropriate conduct form to conduct.west@spg.org.uk

Training is being planned for March/April 2020.

The Area Conduct Leads along with Assistant to General Secretary Conduct (AGSC), Amanda Givan and SPF Deputy General Secretary David Kennedy attended a development day yesterday along with ASPs and Professional Standards Department (PSD). This was an opportunity to identify best practice across the Service and ensure consistency in our approach to conduct cases. It was agreed that some of our current practices regarding disclosure of evidence gathered during investigations would change and that the Subject Officer and their representative would be given far more detail regarding what statements contain. It was also agreed that in fairness to subject officers, even if no response was provided at the initial investigation stage, if one was provided following the Regulation 13 report being compiled and it would materially affect the decision made by the ACC then PSD will revisit the decision with him in an effort to reduce the number of cases progressing to meetings and hearings. This is extremely welcome news and should benefit many of our members.

The WAC Deputy Secretary asked that local area representatives make their members aware of the situation regarding Mail Marshall and that it is already being monitored.

The next meeting of the Conduct Committee is scheduled for 7 April 2020.

9 **EQUALITY**

The WAC Vice Chair provided an update on the last Equality Subject Committee meeting which was held in Dundee on 28 January 2020. The minutes were circulated in draft form with JCC Circular 05 of 2020.

PNB(S) Equality Working Group

The last meeting was held on 27th November 2019 where it was noted that there had been little progress regarding the Gender Pay Audit. The figure produced by the Official Side was not credible in the opinion of the Staff Side. The Official Side have been requested to provide clarity in relation to their data analysis at their next meeting. Discussion continued in relation to the Flexible Working Guidance, which is currently on Version 4. It should be noted that this is a PNB, not a PSoS document and it is hoped that this will be available for circulation in March 2020.

Equality, Diversity & Inclusion Employment Group

There has been no meeting of this group since the last WAC. The terms of reference of this group have been agreed in accordance with the G Division Action Plan, and AGS Equality, Nigel Bathgate has supplied the group, in advance of the next meeting, the 'top 20 reasons' for flexible working plans being refused. These will be discussed at the next meeting.

WAC Vice Chair advised a noticeable increase in members with mental health issues seeking Federation advice and support. There was a discussion regarding various support services available to members, with a desire from the committee for the re-introduction of 'Welfare officers', independent of first line managers.

The question asked at the last WAC regarding the deployment of gender neutral and non-binary officers was also discussed. Non-binary officers are not legally protected by the Equality Act, which only recognises, male, female and those in transition, so deployments of these officers should be on a case by case basis, and it would be reasonable, and legal, for supervisors to ask them to nominate their gender. AGS Equality will write to the service on behalf of the committee and seek their position on this matter.

Members were advised of the latest Employment Tribunal outcome to come from Scotland in relation to an ARV officers claim of discrimination in regards to the Force perceiving him 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

Members were advised to contact the WAC Vice Chair of any equality issues or trends identified locally.

The next meeting of the Equality Committee is scheduled for 8 April 2020.

There were no questions.

10 **HEALTH AND SAFETY**

The WAC Deputy Secretary provided an update on the last meeting of the SPF Health and Safety Committee that took place on 15 January 2020 in Dundee. A copy of the draft minute of that meeting was circulated with JCC Circular 5 of 2020.

Violence

There is an ongoing short life working group chaired by Louise Skelton looking into how the force responds to violence towards the police. There has been a number of working groups held to speak to officers in Divisions and Departments.

At the Health and Safety Board on 04 December 2019, James Bertram highlighted a significant increase in the number of Assaults- He advised that there was a significant trend upwards in the proceeding 3 years

Injured due to Assault 64% increase in comparison to last year years' figures.

There was discussion around the use of Specifically trained officer (STO's). The roles of Initial tactical firearms commanders (ITFC's) and STO's had dropped from 520 to 246 and this is to be addressed, the number of hubs is hopefully to be increased from 30 to 60. There is a Short-life working group looking at the role and training of ITFC's.

Personal Protective Equipment (PPE)

Equipment Carriers/ Taser Holster- Inspector Jim Young advised the group that new Taser Holster had been identified which will be a multi positional facility to enable the ease of use by the operator. Paul Gunnion advised that a new carrier system for officers carrying Taser was required to incorporate the additional equipment.

Helmet Mounted – Peltors ear defenders- new ear defenders have been identified which can be mounted on the ARVs helmet, and move away from the under the helmet ear defenders which were extremely uncomfortable to the user.

Ripstop Trousers- It is becoming increasingly difficult to obtain rip-stop trousers and that alternative suppliers were being sought.

The Footwear Group met on 12 November 2019– three products have been identified for wearer trials. The Haix Boot, The Altberg and the Magnum patrol boot. It has already been agreed that cost will not be counted as a weighting value, and the best product should be purchased. Wearer trials commenced on 2 December and will conclude on 17 January. Fifteen pairs of boots from all three suppliers were supplied for trials.

At the Body Armour group, the following issues were then discussed.

The body armour will 28% lighter. The contract was awarded to Safari Land who will also dispose of all out of warrant body armour- with a small resale value. Following concerns raised at the wearer trails- the supplier has reconfigured the length of the armour panels to give greater areas of protection without impinging on comfort when driving. Roll out of the new armour has commenced and has been hit by a supplies issue which should now be resolved, officers were still asked to attend for sizing so armour could be ordered for them. SPF are aware of the issues with body armour covers and this will be highlighted at the appropriate meeting.

Operational Equipment

Throw lines – 11175 throw lines have been purchased and should now be available.

Breathalysers – 2000 new breathalysers have been purchased.

Blue lights/road signs – Should be fully available soon, looking at practical training to be given in their use.

Driver training – S19 of the Road Safety Act 2006 is due for enactment, this will make it mandatory to retrain officers in emergency response and advance driving techniques every 3 years and for general purpose every 5 years.

First Aid - Clinical Governance Group

First Aid training – the new hands on or face to face training is expected to be rolled out 2021- the delay is being blamed on COP26- SPF highlighted concerns regarding the delay.

Defibs – Still being discussed no decisions as yet.

Naloxone – Still serious concerns regarding the use of Naloxone in a nasal spray format. This can still be a dangerous substance to administer, concerns regarding culpability discussed.

Public Order Medic training - The number of those trained is only 40. Further training is required.

Wellbeing

The Psychological Assessment Pilot – This will now be rolled out across the Force via an online questionnaire- this has proved successful - a number of officers have been referred following analysis of results.

Administration & Governance

Health and Safety Administration at the health and safety board on 04 December 2019 - it was highlighted that the Riddor figures for the second quarter had risen by 12 in comparison to the previous year. There were no specific trends or patterns identified – however the number of assaults at point of arrest and within custody had increased with a further rise in slip trips and falls and instances of manual handling injuries.

Health Assurance Model as part of this model all Divisional Commanders must sign a compliance document stating that all areas of their business in their division complies with Health and Safety legislation- this is a game change- no longer plausible deniability.

Training

Training has now taken place in the West area for a number of reps on the The Institution of Occupational Safety and Health (IOSH) managing safely course through RRC.

Accident investigations

There are currently eight ongoing accident investigations in the West area and two accident investigations have been completed since the last West Area Committee meeting.

Inspections

CSJD health and safety inspections continue to be carried out at all primary centres.

The number of Inspections at divisions that the SPF are invited to continues to improve but there is still a large number that no invites have been received. This continues to be highlighted at all H&S meetings.

Following the input there was brief discussion regarding the issue of recent JCC Circular 09/2020 regarding Naloxone. One member asked if there was any room for debate or consulting members in regards to this and questions were raised in relation to any issues resulting from officers carrying/administering Naloxone. The WAC Deputy Secretary advised that members can feed back any specific issues where there are concerns or disagreement and this can be taken back for clarification.

The next meeting of the Health & Safety Committee is scheduled for 9 April 2020.

11 **JCC**

The WAC Chair reported on the JCC Meeting held on 11 & 12 February 2020.

Operational Duties

The JCC Operational Duties Committee met on 21 January the following are the main points of discussion which took place at that meeting and the subsequent full JCC.

National Vice-Chair gave an update re the recent Sergeant to Inspector process and merit lists/hard to fill posts.

In summary the SPF are restricted in law from challenging aspects of promotion. The SPF has at all meetings with the force, both before and since the recent process, pointed out the inconsistencies (no merit list on recent Inspector to Chief Inspector process) and the likelihood of damage to morale.

Mention was made of probationer recruitment being condensed into larger intakes (approximately 300) so that officers would be in place for COP26.

Updates were also received from the Public Order Monitoring Group and in relation to CBRN. Scottish Government are looking at pyrotechnic legislation both for a power of search and a specific offence.

The Public Order monitoring group (POMG) also looked at lessons learned from the disorder in Govan (RVPs and common approach paths) and Extinction Rebellion.

A discussion took place on the risks of Police Scotland expanding eligibility for Public Order training to probationers. Given the limited amount of time that they have in which they can be assessed in their core roles.

The Operational Duties committee also heard reports on Euro 2020.

The Deputy General Secretary updated the committee on a meeting of the Force's Working Practices Review Board which met on 9 January and was also attended by the WAC Chair.

West specific issues which were raised included direct reporting to events, the volume of events, associated planning meetings and officers attending court whilst on leave. This matter will also be discussed under competent business.

The committee received an update on Taser with the number of hubs being increased from 32 to 60 and a recruitment drive to replace the officers who are no longer STOs and bring the numbers back up.

During the meeting, contact was received from the Force Executive regarding welfare of officers given the number of recent deaths in service.

During the Operational Duties update at the full JCC meeting the General Secretary stated that he had been trying to set up a meeting with Gold Commander of Op Urram (COP26) regarding specific allowances and expenses. This meeting has still to take place. Specific examples from the West which already has a planning team in place will be forwarded to the General Secretary.

After the update, there was brief discussion regarding the Workforce Agreement (WFA) and the WAC Chair advised that either side can give 3 months' notice to withdraw. Current WFA will expire in 2023 and issues from all areas will be gathered prior to this. SPF will continue to raise any matters of concern.

Pensions

The WAC Chair advised the members of the recent JCC update from the General Secretary and Vice-Chair on pensions, the following are the main points.

Valuations

The design of the new public sector schemes (2015 CARE for Police officers) is such that they should be revalued each year. Recent work shows that the costs of the CARE scheme are less than was anticipated. This could lead to either; pension benefits remaining the same with member contributions reducing or contributions staying the same with benefits increasing.

A decision was made to increase benefits with the accrual rate increasing from approximately 1/55 to around 1/47. This was put on hold last year by the UK government with the reason given that they were assessing the impact of the McCloud & Sargeant case. The legality of this is being challenged by the Police Staff Associations.

McCloud and Sargeant - This process is continuing; it is likely that the Employment Tribunal will not go into specifics on potential remedies instead it will be up to the parties to work out.

The main options for remedies are for officers to make an immediate choice as to whether they remain on a scheme or move back or to defer this decision until retirement. There are huge technical issues to be resolved including differing contribution rates, tax charges, members who have left schemes but are still serving, survivor benefits, annual and lifetime tax allowances. This is all being worked through.

Pensions

After the update, there was brief discussion in regards to the pensions challenge and the WAC Chair advised that there has been no significant information regarding this as the case is still developing.

PNB

The WAC Chair advised the members of the General Secretary's update to JCC on recent meetings of the Police Negotiating Board.

A circular regarding travelling expenses is due to be published imminently. There is no new material in this instead it provides the underpinning for the changes to travelling expenses which have been on the Police Scotland intranet for some time.

The PNB Technical Working Group continues to work on College Allowances and the Guide to Negotiable Conditions.

The Staff Side (which includes the SPF) are also continuing to press for Overseas Allowances to be reviewed to bring them in line with the Overnight Allowances for UK deployments.

The General Secretary raised the point about the Staff Side asking for some form of recognition for the additional demands that will be placed on members by COP26.

Although the current pay deal still has over a year to run discussion took place regarding putting forward proposals. The merits of asking for single or multi-year deals were discussed. It was emphasised that there is no automatic right to a pay increase and with Public sector finances still under severe strain any increase will need to be fought for.

Following the update, one member asked if there was an information regarding an additional payment/bonus to officers in respect of the additional demands faced. The WAC Chair advised that this had been discussed and any payment would have to be evidence based.

One member asked if there is any documentation available advising officers of their entitlements for work during COP 2026. The WAC Chair advised that the document in question is the Guide for negotiable terms and conditions, however it has not yet been finalised. The aim is to have this complete prior to 2026.

One member suggested that any request for bonus should be put forward in advance of the events.

Legal

Allard – This is still ongoing.

Holiday Pay - This issue is split into 2 parts; some members are parties to a claim which is going through the courts just now whilst every officer who has claimed overtime in the last 2 years should have received additional payment in January's salary.

The case law in this is contradictory and the various cases have been heard in different parts of the country with the judgements not binding the other jurisdictions. It is likely that at least one of the Holiday Pay cases will end up in the Supreme Court and any judgement there would be binding in each UK jurisdiction.

The wider Holiday Pay settlement which was paid by PSoS recently was devised by them. The SPF is seeking legal advice to ensure that the settlement is correct.

Scottish Police Budget and Finance - The Scottish Government has published its budget proposals but these are still subject to parliamentary approval. The Government will need the support of another party in order to get them passed. We have still to see what the UK budget will be which could have an impact via the Barnett formula. The SPF have made submissions regarding our Police Scotland's finances and also held meetings and briefings with a number of MSPs.

Police Scotland Reform - The JCC was updated on the lack of risk assessment for the new mobile devices and proposals to issue wired keyboards to go with them.

Carleton University - A brief update was given on the ongoing work carried out by the Duxbury team.

12 **CONSULTATIONS**

The WAC Secretary updated the members on the following -

27/01/2020	Bomb threats suspicious packages - version 9.08 (SOP)
19/02/2020	Annual Leave & Public Holidays - version 1.00 (SOP)
20/02/2020	Gender Recognition Reform Scotland Bill (Consultation Scottish Government)
24/02/2020	Policing Football Guidance – version 0.04 and EqHRIA – Consultation

13. **MOTIONS**

There were no motions.

14. **CORRESPONDENCE**

The Secretary advised the members that the following correspondence had been received –

20.01.2020	Invitation from RPOA (Ayrshire Branch) to Annual Dinner
07.02.2020	Email - resignation from David Taylor, Sgts. Rep L Div.
14.02.2020	Letter to WAC from WAC Chair regarding re-structuring of WAC Meetings
26.02.2020	Email – resignation from John Munn, Sgts. Rep L Div.

15. **COMPETENT BUSINESS**

Late excusal for Court

Late excusal for Court during annual leave was discussed with members highlighting concern that there was no compensation. Members who have no annual leave booked will rarely be excused, impacting on childcare issues and costs. The WAC Chair stated that members should be paid overtime in this respect as per the Regulations.

The WAC Chair advised members that this matter had raised under Working Practices Review at the LPC Meeting on 26 February 2020. A point of contact has been identified and the WAC Chair will collate any examples and feed back in.

ACTION – WAC Chair raise issue at LPC Meeting.

One member asked about any potential gap in the monetary aspect of this. The WAC Chair will raise at JCC with a view to taking to PNB.

ACTION – WAC to raise at JCC.

Double annual leave period

The double annual leave period either side of COP26 and the implications on frontline resourcing was discussed. This matter has been raised at the Working Practices Review Board. Examples to be collated.

There will be restrictions on annual leave realistically from October – January and the matter should be addressed now before annual leave is approved. Management of everyone's annual leave should be considered and one member asked if consideration would be given to Officers carrying annual leave over to the following year?

The WAC Chair advised members that this matter was still being dealt with by Full time Officials at Woodside Place at this stage at local planning meetings, however the WAC will continue to escalate the matter and the Committee were in agreement with this.

Feedback – positive/negative aspects of CAM

In regards to a request from the SPF National Vice Chair on feedback from each area regarding positive/negative aspects of CAM, The WAC Chair had asked members to forward comments to Merrylee House by 19 March 2020.

Discussion followed with several members highlighting issues within their Divisions and reporting a negative experience in some instances – examples were provided including issues with diary cars, delay in calls depending on priority and limited time allocated to deal with calls. However, it was also noted that a high number of calls were being handled with many being resolved at source.

After discussion, members were asked to form Groups according to Division and send their response to the WAC Chair, copying in to Philip Maguire at Merrylee House.

Mental Health

The mental health of officers was discussed with issues being highlighted including insufficient support from Optima Health, who appear to fall short in their efforts to help officers who have been off with work related stress, return to work.

It was noted that counselling sessions through Optima are generally between 6-12, with 12 being the maximum. However, it can often take 3-4 sessions before any progress is made.

One member from V Division advised that funding had been secured through fleet allowing the mobile police office, which is underutilised, to be used as a wellbeing facility. Items such as kettle, tea, coffee and microwave will be supplied. The local supermarket is prepared to donate fruit for canteens and enquiries are being made with local NHS to provide health checks for officers. This is all seen as a positive move.

A member from Q division highlighted that an in house awareness group had been set up for officers' benefit, due to very little provision from Police Scotland.

The Police Care Charity was also discussed - A charity for serving and veteran police officers, and their families who have suffered any physical or psychological harm as a result of policing. This charity is independent of the police service and members can make contact to arrange a referral.

Many members acknowledged that breaches to the WFA, officers not getting regular time off, and constant shift working are all contributing to work related stress.

The WAC chair encouraged members to feed in any examples to Merrylee House.

16. **CLOSE AND DATE OF NEXT MEETING**

The Chair closed the meeting and wished the members a safe journey home. The next meeting of the WAC is scheduled for 4 June 2020.

Paul Connelly
Chair

Gary Mitchell
Secretary