



Ref: CS/NB/LS

## Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

### Joint Central Committee Equality Subject Committee

## MINUTES

30 September 2020

### 1. Attendance and Opening of Meeting

North Area Committee  
North Area Committee  
North Area Committee

David McKay  
Shirley Moran  
Andy Sawers

East Area Committee  
East Area Committee  
East Area Committee  
East Area Committee  
East Area Committee  
East Area Committee

Austin Barrett  
John Burgoyne  
Jim Friery  
Darren Gallagher  
Andy Malcolm  
Chris Richardson  
Graham Ross

West Area Committee  
West Area Committee  
West Area Committee  
West Area Committee  
West Area Committee  
West Area Committee

Dougie Chalmers  
Sarah Jackson  
Jennie MacFarlane  
David Osterberg  
Adam Peppard  
Jenny Shanks

Deputy General Secretary  
AGSE  
Business Administrator

David Kennedy (meeting Chair)  
Nigel Bathgate  
Lesley Stevenson

Equality Advisor

Jayne Monkhouse

Due to the COVID-19 situation the meeting was done by Video Conferencing. The Chair opened the meeting by welcoming everyone and invited all to take an active part.

Apologies were received from James Thomson, Alistair MacKinnon, Linda Mathers and Norman Towler. Linda was replaced by Dougie Chalmers and Norman was replaced by Chris Richardson.

### 2. Minute of Previous Meeting

The Minute of the previous meeting held on 15<sup>th</sup> July had been circulated with JCC Circular 34 of

2020 and was approved.

### **3. PNB(S) Equality Working Group**

The AGSE reported that there had been no meetings of this Group since the last Equality Subject Committee meeting.

Staff Side and Official Side had engaged in email correspondence, but no matters had been progressed to completion. A full SS meeting would be taking place the following days.

He reported that anomalies raised relative to the Police Officers Handbook by the Official Side would be progressed through the PNB EWG when it reconvened. The EWG would be seeking to have the meetings reconvened as soon as possible.

The AGSE reported that he had contacted Ruth Hawkworth for further information in order that he could correctly respond to John McLean from SPA.

### **4. Equality, Diversity & Inclusion Employment Group**

The AGSE reported that there had been no meetings of this Group since the last Equality Subject Committee meeting. The next meeting was due to be held on 7<sup>th</sup> October 2020 and as yet, no papers had been received.

He further reported that the EWG had been involved in a SLWG relative to Smarter working, agile working, homeworking and flexible working. They had also been part of a SLWG relative to PNB recruitment. The Scottish Trade Union Congress had approached 150 workplaces including the police looking to investigate why the figures are so low.

### **5. Area Updates**

#### **5.1 North**

It was reported that there were 11 ongoing pay appeals, nine of which were retained, and two cases were awaiting a decision. Nine were going through the IHR process. There were currently six grievances, nine officers injured on duty, two 2 conduct/criminal cases. Legal cases were all recently settled, and two potentials were sitting.

There had been some work carried out by the North representatives on the Committee. Andy Sawers was lead on this and was supported by Dave McKay and Shirley Moran. Members in A, D and N divisions had been contacted.

#### **Absence Figures**

It was reported that James Thomson had been working on the absence figures for the North area and SCD. A process had been developed for consideration regarding how it could be managed across the Force.

There were a considerable number of officers suffering from stress and anxiety etc. and a high proportion of those off sick had been off for more than one month. Between 60-65% of those who had been off for more than 28 days have had no contact from SPF according to the database.

This would be challenging as there would be potential for them to return, modified, home working, grievances, ET etc. that was being missed. He acknowledged that this was the Forces' responsibility.

## **Pregnancy and Maternity**

Work had had been carried out by Andy Sawers and David McKay to ascertain if the process in the North with regard to the officer's care, welfare and inclusion had been appropriate. Andy provided an update and said that officers were continuing to be cited for court on days off and annual leave despite providing the dates months in advance. This was having a detrimental effect on home life. They were also having to arrange child care and were subsequently out of pocket as a result. He questioned whether there was an issue with Procurator Fiscal computer system that does not recognise these dates whether it was not even being viewed. He said he thought this needed to be addressed nationwide with the COPFS.

He said that Line managers were still not fully understanding the TRiM assessment process. There had been examples where officers were engaging with line managers post incident and clearly asking for some assistance but being refused TRiM as it did not fit the criteria and not being signposted to other available options. There had also been STORM incidents with no TRiM updates added either so could this suggest that it was being missed. He suggested that local representatives ensured that guidance was given out to supervisors.

He reported that Welfare officers applying for new roles were being asked to study the 11 Behaviour Competencies and find evidence to fit each one, however during the interview, were only being asked a few. Studying for this had to be done at home on most occasions and potentially had a detrimental effect on home life. Some staff were not able to find that time at home and this leaves them potentially not able to study for an interview. He suggested that time during work should be provided.

He reported that there was evidence of poor handling of the COVID situation, with officers having to self-isolate on several different occasions and racking up high Bradford scores. Clearly the SCOPE system was not being used correctly for this. It was his understanding that there was a drop-down menu specifically for COVID and this should not affect a Bradford Score.

There were issues relating to the Bradford Score. An officer who was 20 weeks pregnant and had a miscarriage was marked off absent and was noted as illness as opposed to special leave. She then returned to work during her time off and was marked back on duty and then off absent again. On return to full duties her Bradford score was unnecessarily high. It was his opinion that this should have been special leave and marked as such until officers were ready to go back to work. He was currently challenging this and it was awaiting a response from SCD. An Equality Form had been submitted.

## **Grievances**

It was reported that there were currently six live Grievances in the North area, some of which were related to the Sergeant to Inspector Promotion process, treatment of staff and pressure at work. A grievance against a senior manager was ongoing.

## **Disability**

There was an assumption of ill health in the future due to training and HR and their lack of engagement with line management and the SPF compounded by delays within the OH process.

The IHR processes was still causing some angst amongst the members with the lack of understanding in the process. This caused many officers to seek clarity and ask questions when this was not being provided by line management.

SPOPC SCD had attended a meeting with ACC McLaren and ACC Heaton and was deemed to be constructive, highlighting the need for SPF SPOC for the National Divisions and the need for constructive dialog which would result in early intervention.

## **Line Managers**

The lack of knowledge and ability to decide what to do by some was a challenge. Most of the guidance wasn't helpful, as had been seen in the most recent Pregnancy and Maternity tool kit which was yet to be released. It was thought that too many assumptions were being made by line managers.

## **Reps**

It was reported that he continued to communicate regularly with the North and equality representatives providing guidance on Employment Tribunals and potential trends, hopefully allowing them some basic knowledge to deal with issues at source as there were generally no issues reported.

## **5.2 East**

Graham Ross reported that there were 8 ongoing grievances in the East area, two had begun since the last meeting. There were no particular trends and it was expected that both would be ongoing for some time.

He reported there were two equality and eight CICA cases and 21 officers currently in the IH process. 16 of these had been retained on full pay, four on half pay and one on zero pay. Nine other officers had been retained on full pay however they were not in the IH process.

## **5.3 West**

Jenny Shanks gave an update and said that the PSoS continued to share the force's absence data with the SPF, and she was working with the two other Equality Leads and the AGSE to ensure processes were introduced to manage that data, and also where that responsibility lay.

Absences in the West greatly outnumbered absences in the North and East, but nationally, there appeared to be a significant number off sick with mental health issues, and any emerging trends would aim to be identified.

There were 18 live grievances within the West area, of which she was providing support to nine of those members. The most recent three grievances involved allegations of disability discrimination. Others involved workplace bullying, inappropriate language and behaviours by

supervisors, and two were being assessed by PSD for conduct/criminality matters. Two grievances had been resolved since the last meeting.

She reported that she had contacted a territorial Divisional Commander regarding issues surrounding flexible working, and this matter had been satisfactorily resolved. She had not been made aware of any current issues surrounding flexible working within any area in the West. This was considered to be attributed to the COVID pandemic, where line managers had been supportive of any kind of flexible working across the ranks to ensure continuity of business.

She was hopeful that the backlog of those awaiting early ill health retirement would finally be addressed due to the recent appointment of a new Selected Medical Practitioner. There had been other undue delays in the ill health retirement process during lockdown and these had caused members considerable anxiety, particularly those whose mental health was already suffering.

She reported that she had recently attended the SWDF virtual annual conference where around 140 attendees listened to a variety of online speaker presentations and participated in interactive workshops in three different virtual rooms, all on Zoom. She thought it worked very well and was a platform which could be used in many other events as lockdown restrictions may continue for the foreseeable future.

The Committee discussed a variety of other issues and the meeting Chair asked that in relation to the Bradford Score matter, any examples should be sent to him if received.

## **6. Consultations**

A paper had been circulated with the Agenda and was noted.

The AGSE reported that there had been a number of consultations issued since the last meeting to which he had responded. They had been of a policy or operational nature issued by PSoS.

He reported that there had been no specific consultations since the last meeting, but he anticipated that the Equality and Diversity Mainstreaming Report which covered the period of 2017-2021 would be circulated in the near future for its publication in April 2021. The PSoS were required to produce this document.

## **7. Tribunal etc. Rulings & Legal Assistance**

It was noted that ET updates, provided by Jayne Monkhouse had been circulated with JCC Circular 58 of 2020.

The meeting Chair reported that the force seemed unwilling to raise mediation however he expected three would start in the near future. He did not foresee any problems.

The Committee discussed the Pension Challenge Claim and said an update would be given at the JCC the following month.

## **8. Conference 2021**

The AGSE had supplied the Chair with a draft letter for the attention of Working Families who

was one of the identified presenters at Conference.

Jayne Monkhouse had also put together a draft Flexible Working Guidance document and it had been proposed that it would be launched at Conference 2021 to delegates. The AGSE would circulate it to the ESC in the near future for any additional input.

The logistics of distribution and format would be progressed in due course.

The meeting Chair informed the Committee that Conference 2021 was still being planned however due to the current situation, a decision had not been finalised.

## **9. Training**

The AGSE reported that a discussion at the last meeting took place and whether there would be an alternative to resuming once the Equality Subject Committee could meet face-to-face.

The AGSE has discussed this with Jayne Monkhouse and she felt on-line training lacked the necessary interaction to enhance learning. The AGSE was aware that a trial SPF training day was proposed to be held in Dundee in November and the AGSE would seek an opinion following that training to deliver similar small group training sessions in the new year.

As a result of the COVID there was no training at the end of the meeting.

## **10. Competent Business**

The AGSE advised that due to his retiral, there would be an election held at the JCC meeting in November for his successor.

Jennie McFarlane said that there had been an action in the previous Minute relative to the police systems being used to forward emails which ultimately could lead to Data Protection breaches. It had been agreed that the AGSE would write to the PSoS regarding this. It was noted that this had yet to be done however would be done imminently.

## **11. Closure**

The Chair told the Committee it was expected that the meetings would be carried out by VC for the foreseeable future,

Date of next meeting: Proposed date of 13<sup>th</sup> January 2021

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