



Scottish Police Federation
5 Woodside Place Glasgow G3 7QF

Joint Central Committee
Health & Safety Subject Committee

Ref: CS/GF/LS

MINUTES

16th July 2020

1. Attendance and Opening of Meeting

North Area Committee	Simon Lewis-Dalby
North Area Committee	Ross Polworth
East Area Committee	Heather Macdonald
East Area Committee	Mark Murphy
East Area Committee	Andy Toombs
East Area Committee	Ricky Wood
West Area Committee	Dougie Chalmers
West Area Committee	Gordon Cumming
West Area Committee	Ian Florence
West Area Committee	Kenny Kean
West Area Committee	Dougie McKinlay
West Area Committee	Chloe Rice
West Area Committee	Campbell Smith
West Area Committee	Elaine Sutherland
Chair	Brian Jones
Assistant to the General Secretary (H&S) AGSH	Gordon Forsyth
Business Manager	Doug Keil
Business Administrator	Lesley Stevenson

The Chair opened the meeting and thanked everyone for their attendance.

Apologies were received from Jamie Carruth, David Hunter, Graeme McLaren and Mike Purdie.

2. Minutes of the Previous Meeting

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.

The Minute of the previous meeting had been circulated with JCC Circular 19 of 2020 and was approved.

At the previous meeting, Kenny Kean asked if the SPF had access to the new PSoS app for recording incidents. The Chair said they had not, and Kenny agreed to send the link to him in order that he could circulate it. The link was awaited.

Ricky Wood raised that matter of officers being asked to carry out foot patrols at the Edinburgh Royal Infirmary. This matter was now resolved.

The AGSH gave an update on the situation with COVID-19 and said that in response to concerns from officers and staff at the SPC, checks were carried out and it was found that social distancing within the teaching environment was not being complied with. A number of issues were raised with the LTD management team and a programme of works was introduced which addressed the issues. This included maximising the number of students to 187 at any one time.

Following this, joint spot checks with PSoS H&S advisors and union representatives were carried out at over 40 police offices. This was primarily to assess whether social distancing and cleaning regimes were being maintained. The majority of the visits were very positive and only a few premises were in need of significant improvement.

He said that issues were raised with PSoS in relation to the protection being afforded to officers carrying out breath tests. The issue rose primarily with risk breath testing people who were asymptomatic both at the road side and the evidential samples at custody centres. The SPF position was based on the opinions of the expert panel who advised that there was still a foreseeable and significant risk carrying out breath tests in these scenarios, and that a higher level of PPE (FFP3) should be worn for all breath tests. This was to provide some reassurance for protection for members.

The SPF concern was that the force had failed to make a full assessment or consider the hierarchy of risk control and considered the following to be safer alternatives; Use of section 4 of the Road Traffic Act rather than section 5 which negates the requirement for a road side breath test; an approach made to the Lord Advocate for temporary legislative changes that would not require the road side breath test to proceed to sourcing an evidential sample in cases where officers had reasonable cause to suspect that the driver had been drinking; the use of urine or blood tests for evidential samples and the utilisation of FFP3 masks and goggles as a minimum during all breath tests if other safer alternatives were not available.

He said that despite raising concerns on numerous occasions through a variety of forums, SPF views were ignored in favour of advice provided by Health Protection Scotland (HPS), by unknown authors based on scenarios from a non-police setting. This resulted in an unprecedented act of serving the Force with an Improvement Notice. Thereafter there was a meeting with DCCs Taylor and Graham where again SPF views were not considered necessary for implementation. This resulted in another unprecedented step of submitting a concern directly to the HSE. They responded directly to DCC Taylor and not SPF and the position taken by them was to essentially support the position taken by the force which in effect left the decision to individual officers to decide the level of PPE they wore. The HSE were content that PSoS were taking all the appropriate measures.

A further letter was sent to the DCC Designate in relation to the application of the Control of Substances Hazardous to Health Regulations (COSHH). The response suggested that COSHH does not apply to community based infections, which was also echoed by the opinion of an HSE Inspector however was contrary to the advice SPF received but this could only be tested in Court.

It was reported that during the pandemic, PSoS had relied upon HPS advice to assess the control measures to the risks faced although not in relation to respiratory protection. HPS position was that fluid-resistant surgical masks (Type IIR) were adequate protection and that FFP3 masks and protective suits were not necessary. This was contrary to a study carried out by the HSE Health & Safety Laboratories in response to a previous Influenza pandemic that firmly identified that FFP3 masks were required to satisfactorily protect individuals from virus contained in airborne particles. It was made clear in a meeting that HPS did not want officers to be using FFP3 masks.

PSoS submitted a list of questions to HPS, similar in nature to those considered by the panel of experts brought together by the SPF. HPS eventually provided an SBAR (Situation, Background, Assessment, Recommendations). This assessment was not based on any expertise in a policing scenario and based on scenarios from a clinical medical setting. The authors of this report have never been identified so their qualifications and expertise could not be reviewed.

RIDDOR reporting was discussed on numerous occasions as the guidance issued by the HSE was being interpreted in different ways. Despite the pandemic, there were very few situations that were actually reportable under RIDDOR. Following discussion at the NPCC H&S meeting, the meeting Chair wrote to the Chief Executive of the HSE asking for further guidance.

The guidance on the HSE website had been based on a variety of workplace scenarios. These scenarios were expanded to include that a police or prison officer being spat or coughed on by an individual where it was not confirmed that they had COVID-19 was specifically NOT reportable under RIDDOR. A joint press release was distributed with the Prison Officers Association expressing SPF concerns at the clear lack of understanding of officers' roles being shown by the HSE.

It was noted that Health questionnaires were being sent to officers who had potentially been exposed to COVID-19. It was considered important to obtain as much information as soon as possible due to the lack of knowledge of long term consequences.

The AGSH said that the HSE had received a further three anonymous reports of concerns. These were in relation to the ACR at Bilston, the SPC and then the ACR at Govan. All of these premises had been subject to joint visits and none had raised any significant concern. Joint follow up visits were carried out and the complaints were unfounded.

Dougie McKinlay said that the members wanted a comprehensive explanation of the SPF actions and the responses it received from PSoS and HSE. He said it was difficult to report back to members on the basis of a verbal update which was often considerable, technical and complex. The Chair assured Dougie that the Minute would be fully explanatory.

The meeting was particularly concerned over the apparent lack of support from the HSE. The fact that it had responded to a communication from the SPF by writing back to PSoS

was viewed as being entirely inappropriate and the Chair and the AGSH agreed to examine whether a formal complaint should be raised.

3 Violence

Assaults analysis

The AGSH reported that a Paper had been presented at the Your Safety Matters Group relative to analysis that had been carried out on reported police assaults. It was noted that there had been a gradual increase of 8% over five years of police assaults, despite a decrease in overall violent crime. This reflected data received from the NPCC and the Office of National Statistics. He said that it was highlighted that 20% of assaults happened in police premises or vehicles. Approximately 75% of offenders were found to be under the influence of alcohol, drugs or both at the time of assaults. 43% of offenders indicated that they were suffering from mental health issues. It was noted that it was difficult for the Analysis & Performance Unit (APU) to link up all of the data due to the recording systems.

It was identified that there was a lack of qualitative data and a need to analyse officers experiences to obtain the data. It was noted that the Use of Force/Accident Form were massively underused. It was thought that this research would assist in the future development of OST.

It was reported that following the incident in Glasgow City Centre involving knife injuries to officers, LTD had received numerous queries regarding shields being carried in some police vehicles. Shields which were part of the vehicle kits in legacy Strathclyde and Central areas were now generally out of warranty and had not been confidence tested. They were not to be replaced when warranty expired and were to stop being carried in vehicles and stored at police offices instead. This was following a decision made by ACC Higgins in 2016. Issues were raised regarding the lack of training, lack of confidence testing, weight limits of vehicles and shields certified only for blunt instrument attacks and not bladed weapons.

LTD had already identified a "Buckler" shield that was designed to give some protection to bladed weapon attacks. A number had been purchased for trial at OST refresher, but due to the suspension of training no meaningful trial had taken place.

Assault Pledge

The Force Assault Pledge had been agreed by the Executive and would be formally launched by the Chief and the Cabinet Secretary for Justice.

Taser

The Committee discussed data provided by Chief Superintendent Louise Skelton regarding specially trained officers (STOs) deployment. The data showed clear benefit of taser deployment to minimising officer injury and also offender injury at incidents. It was noted that there were 526 STOs currently which was under 3% of the establishment. This was very low compared to other UK forces. Training of new STOs would recommence once non-essential training could be accommodated safely. DCC Taylor advised that the deployment of Taser was being actively considered by the Executive.

4 Personal Protective Equipment (PPE)

Body Armour

It was reported that the first phase of the new body armour was in the process of being distributed. This included all sets of body armour where warranty was due to expire imminently which was around 1500 in total. Further phases of distribution would allow divisions to prioritise officers who may have health issues and would benefit physically from lighter body armour.

Footwear

It was noted that the provision of footwear had been signed off by the Senior Leadership Board and the contract had been awarded to Altberg. The first phase of distribution involved over 11,000 officers in frontline operational roles or others in roles which meant they were likely to be deployed. This should be completed by the end of March 2021.

Clothing

ACC Angela McLaren was working on a long term solution regarding gender neutral headwear.

Access to a procurement framework for tunics had been secured. A policy is to be developed to identify who should be provided with them.

Work was ongoing relative to equipment carriers. It was noted that the Executive would have to decide whether the future carrier would be high-vis or black. It was noted that a long-sleeved hi-vis version for roads policing officers was discussed. The issue being that there apparently was no product on the market that complied with Class 3 hi-vis, required for working on fast roads (over 50mph).

The Committee noted that relative to waterproof jackets, the process was ongoing to extend the current contract as a stop gap. It was suggested that there was an opportunity to look for a jacket that met all needs as opposed to needing to have different jackets for different areas of the country and having sufficient docking stations on the jacket to carry all of the OST and other equipment. The meeting Chair asked members to report any issues concerning uniforms to the AGSH in order that they can raise them at the appropriate meetings.

Further work was being carried out to identify suitable cycle kit lists for regular and occasional users.

5 Operational Equipment

It was reported that the new breath testing equipment trainers had received training but the full roll out of cascade training was on hold.

It was noted that the servicing issue relative to life vests was still being considered. It was also highlighted that the life vest crutch strap needed to be secured to prevent the life vest from detaching during immersion.

Throw Lines

It was noted that the higher specification of throw lines had been ordered however this had been held up due to the global supply chain. It was hoped they would be delivered by August 2020.

Road Signs

Road signs compliant with British Standards had been ordered.

Portable Blue Lights

Budgetary constraints meant that the full complement of blue lights for the top of traffic cones could not be purchased in the last financial year. The remainder should be delivered by autumn this year.

Fleet

The recall work in relation to BMW engines following a fatal accident in Cumbria had been completed on all affected vehicles in PSoS fleet.

6 First Aid

Naloxone

The Committee discussed the recently launched pilot involving intranasal naloxone. A 'test of change' document had been proposed by Dr Stevenson (the Force Clinical Advisor). The SPF position against any introduction of any form of naloxone was presented again. The current issue with COVID-19 presented greater risks.

Training

It was reported that plans for a two day OST/first aid training was being put to the Scottish Leadership Board. It was hoped that when OST recommenced, it would be that standard rather than a return to the old refresher.

7 Wellbeing

There had been no meetings.

It was reported that PSoS wanted to carry out another wellbeing survey and the Chief Constable had approved funding for this.

8 Administration & Governance

It was noted that there were 14 ongoing accident investigations. Since the last meeting six investigations had been completed. This included social distancing issues at the SPC and injuries sustained during OST.

Inspections were currently on hold due to the pandemic however they should still be being carried out by the Appointed Safety Co-ordinators at each police building. Inspections would recommence when safe to do so.

Welfare checks continued to be carried out by the full time officials at various police stations and any obvious H&S issues would be highlighted to the senior management in the relevant divisions.

9 Training

The AGSH reported that training would recommence when it was safe to do so and anyone who had not completed the IOSH Managing Safely Course would be given the opportunity.

10 Area Updates

North

Ross gave a brief update and said the focus lately in the North area had been Op Talla. He also said that the reporting of near-misses was good and ballistic bags would be provided to N Division in the near future.

East

Heather gave an update and said that a number of Joint H&S checks had been carried out at the start of lockdown and a number of welfare checks across all divisions in the East. The common theme was relative to complacency and the recording or lack of cleaning regimes.

Four SPF H&S investigations were in process.

She raised an issue relative to firearms object markers on storm for legal firearms license holders and said it was ongoing as an officer safety issue.

In reference to roads policing she said that legislation regarding refresher training for all police drivers was being implemented and would have a huge impact on the force. She said it would impact significantly if they did not comply with officers unable to utilise blues and twos or exceed speed limit.

She also said that legislation implemented relating to the removal of all screens/monitors within police vehicles would mean all vehicles would require to have such equipment removed, such as mobile ANPR.

She raised concerns regarding the Motor Insurance Bureau penalizing officers when declaring accidents they were involved in on duty.

She reported that due to concerns raised by staff regarding the virtual court process in St Leonards, a joint visit with SPF/Unison and a H&S Advisor was arranged for later that week

She said that Ian Florence had attended a CJSD meeting where it had become apparent that no representation in relation to the virtual court process by SPF or Unison was resulting in some issues. It was hoped they would be invited to future meetings of a working group to look at this process.

West

Ian Florence said that there were currently 9 accident/investigations ongoing in the West Area.

He had attended a recent SCD meeting at Gartcosh relative to officers getting back to work. No risk assessments had been put in place. He said spot checks would need to be carried out.

11 Competent Business

No items were raised.

12 Closure

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

Date of next meeting: 1st October 2020