



Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

Joint Central Committee Minutes

Minutes of the meeting of the Joint Central Committee held on Tuesday 11th and Wednesday 12th February at the SPF Training and Meeting Facility, Unit 29, City Quay, Camperdown Street, Dundee, DD1 3JA

1. Attendance And Opening

SPF Office Bearers:

Calum Steele	General Secretary / Treasurer
David Kennedy	Deputy General Secretary
Andrea MacDonald	Chair
David Hamilton	Vice Chair

North Committee:

Nick Clasper
Gordon Forsyth
Neil Macdonald
Scott MacDonald
Ross Polworth
David Threadgold

East Committee:

Stephen Clark
Ricky Wood
Heather Macdonald (Day 1 only)
Andy Malcolm
Grant McDowall
David Reid

West Committee:

Paul Connelly
Ian Florence (Day 2 only)
Catherine McNally
Gary Mitchell (Day 1 only)
John Munn
Adam Peppard
Jenny Shanks

Assistants to the General Secretary (AGS)

Amanda Givan (Conduct)
Nigel Bathgate (Equality)
Brian Jones (H&S)

Also in attendance

Doug Keil	Business Manager
David Ross	Policy & Co-ordination Officer
Lesley Stevenson	Business Administrator
Sarah Vesty	Journalist and Communications Adviser

Observers

John Hay (Day 1 only)

Apologies were received from Graham Ross who was replaced by David Reid and Gary Mitchell who was replaced by Ian Florence on Day 2.

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

Standing Orders were adopted for the duration of the meeting.

2 Minute of Previous Meeting

The Minute of the previous meeting was circulated with JCC Circular 1 of 2020 was accepted as a true record.

2.1 Election of Assistant to the General Secretary (H&S)

Brian Jones was recently elected as Vice Chair (elect) of the SPF and therefore a replacement for his role was required. Gordon Forsyth, the only applicant, was proposed, seconded and elected to the post. Gordon thanked the Committee for the support.

3 Legal Advice and Assistance

The Deputy General Secretary informed the Committee that since the last meeting 75 new applications were approved for consideration of legal advice and assistance.

These comprised 39 in the West; 14 on duty and 25 off duty, 15 in the East; seven on duty and eight off duty and 21 in the North; eight on duty and 13 off duty.

These included 25 criminal legal defence cases; seven RTAs; 27 personal injury cases; four employment dispute cases (officers); one employment dispute (ex-officer); six contract disputes, two misconduct cases and nine miscellaneous cases. Two cases had been rejected since the last meeting.

The Committee noted that there were currently 385 live cases and 68 cases had been closed since the last meeting.

Allard & Others v Devon and Cornwall

The Deputy General Secretary reported that SPF legal pleas had been submitted. It had been considered that an agreement had been reached but this had now been reopened to consider further developments.

Holiday Pay Claim

The Deputy General Secretary gave an update and explained that a number of legal issues were being examined in various jurisdictions and that a ruling from the Supreme Court was awaited. Questions relating to TOIL and the inspecting ranks were being considered.

WhatsApp

The Deputy General Secretary reported that the case had been adjourned and was now set for July 2020.

4 Police Negotiating Board (PNB)

The General Secretary reported that the last meeting of the PNB took place on 4th February 2020. He advised that the formal agreement detailing casual and temporary places of duty had been noted and that a PNB Circular to this effect would be issued shortly.

A report was also given on keeping in touch (KIT) and shared parental leave – in touch (SPLIT) days and it was noted that the AGSE had carried out work on the wording of the formal PNB agreement, which would be issued shortly.

It was reported that PNB meetings for 2020 would be held on 13th June and 8th October.

The Committee noted the progress on the following matters; college allowances, guide to negotiable conditions of service (Handbook), temporary/acting ranks and promotion and overseas allowances.

The Deputy General Secretary reported and answered questions on the PNB Equality Working Group meetings which were held on 27th November 2019 and 29th January 2020. The Committee noted that the next scheduled meeting of the PNB EWG was 4th March 2020.

The Committee discussed the massive operational considerations for COP26 and the impact on police officers. It was agreed that this would justify specific additional remuneration and it discussed the form this should take.

The General Secretary raised the question of the 2021 pay claim and members discussed the relevant issues in preparation. The Committee endorsed the use of a media campaign if deemed necessary.

5 Pensions

The General Secretary reported on the Scheme Advisory Board (SAB) which met on 29th January 2020 where the following issues were discussed; participation rates, auto enrolment, ill health benefits and the McCloud & Sargeant remedy.

The General Secretary reported and answered questions on the meeting of the UK Police Pensions Consultative Forum (UKPPCF) which took place on the 13th January 2020 in conjunction with the SAB (E&W). The following items were discussed; annual allowance flexibilities, yearly pay uplift (E&W), commutation cap, defining the working week for Superintendents' – effects on pensions, and updates on legacy scheme amendments, retention and re-joiners, scheme sanction charge and the 2020 valuation.

The relevance and applicability of the various issues to Scottish members was noted by the Committee.

The Vice Chair reported that the Pension Board met on the 13th November 2019 where amongst other matters the following was discussed; communications, annual allowance breaches and the SPPA staff turnover.

The Vice Chair reported and answered questions on the meetings of the Police Pension Practitioner Group which took place on 22nd November 2019 where the following was discussed; annual allowance communications and combined scheme breaches.

The General Secretary reported and answered questions on the new circulars issued by the SPPA since the last meeting of the JCC on SPPA 2019/07 (amended) – Pension Scheme Reform – Employment Tribunal and SPPA 2020/01 – Overpayment of Guaranteed Minimum Pension.

The General Secretary reported and answered questions on the ongoing issues and considerations for the UK Police Staff Associations in the matter of the McCloud & Sargeant cases (the Judges and Firefighters rulings). A paper addressing working proposals on the unjustified age discrimination in transitional arrangements to the 2015 pension schemes had been issued in January 2020 by HM Treasury. The paper was highly technical and merely explained options that were being considered as opposed to firm proposals. The General Secretary summarised the content and said that the various police pension bodies and groups would be examining it in detail before making a response.

6 Scottish Police Consultative Forum (SPCF)

The General Secretary reported that the next meeting of the SPCF was scheduled to be held on the 21st February 2020 where amongst the matters discussed would be events policing, football and sectarianism.

7 Scottish Police Authority (SPA)

The Vice Chair reported on the general activities of the SPA meeting which was held on 17th January 2020. He said that a new interim Chair, David Crichton had been appointed. He also said that Lynne Brown had been appointed the Interim Chief Executive.

The Vice Chair reported on the Partnership Forum meeting which was held on the 12th November 2019 where the main items of discussion were; police budget and numbers, strategic objectives, demand and productivity.

8 Scottish Police Budget & Finance

The General Secretary reported and answered questions on issues that were considered likely to impact on the current and future police budget. He said that £37m had been added to the revenue budget and that the capital budget stood at a little over £40m. He read to the Committee the submission he had made to the Justice Committee. Members expressed disappointment at the budgetary position and considered that the huge operational requirements this year would present the most significant of challenges.

The Committee noted that the budget had yet to pass and further sustained lobbying on this was required. The Committee agreed that if deemed necessary a high profile media campaign should be pursued, and approved expenditure in this regard.

9 Scottish Parliament & Political Engagement

The General Secretary reported and answered questions on the Justice Subcommittee – Facial Recognition; Equalities & Human Rights Committee – Age of Criminal Responsibilities; Gender Recognition Reform (Scotland) Bill.

The General Secretary reported and answered questions on the potential forthcoming legislative programme and the activities of the Justice and Justice Subcommittees.

The Vice Chair reported on the activities of the Scottish Government working group on pyrotechnics and the power of search and also on the age of criminal responsibility and associated police powers.

The Vice Chair also explained that members who met MSPs were required to send information by email to Kirsteen Brown (Executive Administrator) who would submit details to a parliamentary lobbying register. The details should include the name of the MSP; the constituency represented, any ministerial title, the full address of the location of the meeting, the detail of the agenda. i.e. the purpose of the meeting, any request made and the objective of the SPF.

10 Joint Negotiating Consultative Committee (JNCC)

The General Secretary reported and answered questions on the meeting of the JNCC that took place on the 5th December 2019 where updates were provided on the following; part-time officers and pensionable pay, absence of long term absence data, dog handlers allowance, pay on promotion and telematics.

The Vice Chair and Deputy General Secretary reported and answered questions on the substantive discussion points as follows; Working Practices Review Group, People & Operations Delivery Group, SOP and Policy Sub-Group and P&D Policies and Procedures Sub-Group.

11 Finance Standing Committee (FSC)

The Finance Standing Committee met on 21st January 2020 and the Minute was circulated with JCC Circular 6 of 2020. Amongst the matters discussed were SPF Voluntary Fund Account, Trust Account and Investments. The General Secretary reported that in relation to the SPF offices in Aberdeen and Inverness there were rent and ownership issues to be resolved and that alternative accommodation options were being examined.

There was nothing to report relative to Member Services and a new policy on Expenses & Expenditure Requests was being developed.

Jenny Shanks addressed the Committee on the Senior Women in Policing Conference (SWiP) which was to be held in Glasgow between 9th and 11th September 2020. The FSC had rejected a request for direct funding but had proposed financially supporting a number of federated ranks to attend the conference. Jenny asked the JCC to reconsider this decision and after a full debate it was decided to support the FSC's decision.

12 Legislation and Regulation Standing Committee

The Legislation and Regulation Standing Committee met on 21st January 2020 and the Minute was circulated with JCC Circular 6 of 2020.

The General Secretary reported and answered questions on the meeting of the L&R Standing Committee that took place on the 21st January 2020, where the following was discussed; Review of Complaints Handling, Investigations & Misconduct, Age of Criminal Responsibility Bill and SOPs under Consideration.

The Transport (Scotland) Bill – Car Park Levy had been passed and was now a matter for local authorities. It was noted that the service could not pass these charges onto officers.

The Committee noted the update.

13 Operational Duties Standing Committee

The Operational Duties Standing Committee met on 21st January 2020 and the Minute was circulated with JCC Circular 6 of 2020.

The General Secretary reported and answered questions on the meeting of the Operational Duties Standing Committee that took place on the 21st January 2020, where the following was discussed; Leadership, Training & Development; The Special Constabulary; Public Order Monitoring Group and CBRN; Consideration of JCC Consultations and PSoS Consultations; COP26; Events & Rostering; Custody and Criminal Justice; Force Armed Policing Monitoring Group; C3 and Deep Dive Exercises.

The Committee noted the update.

14 Conduct Committee

The Conduct Committee met on 14th January 2020 and the Minute of that meeting was circulated with JCC Circular 5 of 2020.

The AGSC had nothing additional to report.

The Deputy General Secretary reported on the training of the Force Ethics Panel that met on the 15th/16th January 2020. He said the panel was to be used by PSoS for ethical issues affecting PSoS but wouldn't be used for individual cases.

The Committee noted the update.

15 Equality Committee

The Equality Committee met on 28th January 2020 and the Minute was circulated with JCC Circular 5 of 2020. The AGSE reported that the service was to data cleanse its records to examine accuracy of numbers and capabilities of modified officers.

It was reported that there had been no meetings of the PNB (S) Equality Working Group since the last meeting. It was noted that the next meeting of the PSoS Equality, Diversity

& Inclusion Employment Group was scheduled for later that week. The last meeting of the Agile & Flexible Working Group was held on 4th November 2020.

The Committee noted the update

16 Health and Safety Committee (H&S)

The H&S Committee met on 15th January 2020 and the Minute was circulated with JCC Circular 5 of 2020.

The AGSH reported and answered questions on the meeting of the SPF Health and Safety Committee that took place on the 15th January 2020, where the following was discussed; Violence, PPE, Operational Equipment, First Aid, Wellbeing, Administration & Government and Training.

The Vice Chair said that PSoS had first considered the use of Naloxone injections but had taken that subject off the table. It was now looking at a nasal spray and the risks and liabilities for officers. He said that there had been a Senior Leadership Board meeting where he had given an update on the SPF's objections to the police use of Naloxone. The Chief Constable had delayed his decision but had eventually agreed to a three month pilot.

Members of the Committee were unanimous in their opposition to police use of Naloxone and asked the General Secretary to communicate to the Chief Constable their serious concerns in the strongest terms. The Committee also agreed the General Secretary should issue a JCC Circular on this matter to all members as a matter of urgency.

17 SPF Training

The Vice Chair said two basic courses had been held since the last meeting and that almost all new representatives had been trained. Consideration was now being given to future training needs.

18 JCC Circular

The following JCC Circulars had been issued since the last meeting:

- 51/2019 Equality and H&S SC Minutes October 2019 – Information
- 52/2019 Police Pension Update
- 53/2020 Conduct SC Minutes October 2019 – Information
- 54/2019 Consultation on HMICS Scrutiny Plan 2020-21 – Consultation
- 55/2019 SPPA 7/2019 Police Pensions (ET) update – Information
- 56/2019 Election of AGSH (elect) of the SPF – Information
- 01/2020 JCC Minutes November 2019 – Information
- 02/2020 ET – Information
- 03/2020 Human Trafficking SOP V5.00 – Consultation
- 04/2020 JCC Agenda Papers February 2020 – Information
- 05/2020 Conduct, Equality and H&S SC Minutes January 2020 – Information
- 06/2020 FSC, L&R and Operational Duties Minutes January 2020 – Information

19 Police Service of Scotland Reform

The Chair and the AGSH had attended a bi-monthly meetings with PSoS where “*data lakes*” and “*information warehouses*” were the main items discussed.

The Vice Chair reported that he had proposed removing Telematics as a reform programme but the service were intent on proceeding, albeit with very limited functionality. The AGS (Health & Safety) reported that Telematics overcomes vehicle engine management systems and therefore the vehicles warranties are compromised and this had been brought to the attention of the service. He said that new risk assessments were being carried out in relation to mobile data and spare batteries were being added to existing kits.

The Vice Chair reported that a lot of analysis was being undertaken on the Carleton University Study and a summary report was being prepared.

20 SOP Consultation

The Committee noted the SOPs that were issued for consultation since the last meeting.

- 18 November HMICS Scrutiny Plan 2020-21
- 18 November Allowances & Expenses (Officers) v11.00
- 18 November Investigation of Physical & Sexual Abuse Involving Deceased Suspects/Associated EqHRIA
- 27 January Bomb Threats
- 30 January Human Trafficking SOP V5.00

The Committee noted the SOPS that were not issued for consultation since the last meeting.

- 7 November Armed Policing Training SOP v3.09
- 10 December Test Purchase of Alcohol
- 16 January Governance of Police Scotland Record Set

21 EuroCOP/ICPRA

The General Secretary said that ICPRA would meet in June 2020 in Edinburgh and that arrangements for the event were on schedule.

NOTE – Since the meeting the Global Covid19 Pandemic has resulted in the event being postponed to June 2021.

He reported that the next meeting of EuroCOP was scheduled for the 11th and 12th March in Porto and amongst some of the items to be discussed were proposals he was developing to deliver some structural changes to the organisation. He said that the EuroCOP congress was taking place in Edinburgh in November 2020.

22 Police Related Charities

Police Treatment Centre (PTC)

The AGSE gave an update on the progression of the extension and said building works were due to begin in April 2020. Support from Police Care UK and Libor was welcomed and all relevant funds had been transferred.

St George's Trust

The AGSE reported that there had been eight applications to the fund and six families from Scotland had benefitted from the charity. Following work by Area Representatives there had been an increase in applications to the Trust.

Police Care UK

The Chair provided an update on the work being done by the charity, in particular the 1 in 4 grants with N Division recently being successful in a grant bid.

She also advised regarding the availability of funding for team building days when groups of officers had been subjected to significant trauma eg the assaults in Greenock. She urged members to ensure that Commanders were aware of this.

Scottish Police Memorial Trust

It was reported that the next meeting was to be held on 9th March 2020 and the service was scheduled to be held at the SPC on 2nd September 2020.

National Police Memorial Day (NPMD)

The Chair reported that the next service was being held in Lincoln on 27th September 2020.

SPF Bravery Awards

The Chair reported that a de-brief had been held recently and that the feedback had been positive. It was noted that the application process had changed and would now run throughout the year. Police Mutual would continue to sponsor the event.

23 Correspondence

The General Secretary told the Committee that no correspondence of any great significance had been received by him.

He reported that Gordon Milne and Grant McDowall would be retiring from the service in the near future. Thanks were given to both for their work and time dedicated to the Federation and best wishes were given to both for the future.

24 Competent Business

The General Secretary reported that Sarah Vesty had recently resigned from her post with the SPF. Thanks and best wishes were given to Sarah for the future.

The Committee discussed Sarah's replacement and it was noted that she was preparing a report to assist with this process. Timescales for her replacement was discussed and it was noted that meetings would be held in the near future and the matter would be discussed at the next JCC meeting in May.

The General Secretary also reported that the Chair, Andrea MacDonald was due to retire from the Police Service and the SPF in April 2020. He said that Andrea had made a remarkable contribution to the work of the SPF and for the welfare and efficiency of police officers in Scotland.

He said that her work on police related charities, the SPF Bravery Awards and recent 100th Anniversary celebrations was especially appreciated. The Committee expressed its thanks in the usual fashion.

25 Closure

The Chair thanked everyone for their attendance and inputs at the meeting and advised that the next meeting would be held on 12/13th May 2020 in the SPF Training and Meeting Facility, Unit 29, City Quay, Camperdown Street, Dundee, DD1 3JA.

She closed the meeting by wishing everyone a safe journey home. A vote of thanks was given to the Chair.

Andrea MacDonald
Chair

Calum Steele
General Secretary