



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 14th and Wednesday 15th May 2019 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
Gordon Milne (Day 1 only)
Ross Polworth
David Threadgold

East Committee:

Stephen Clark
Steven Herd
Heather Macdonald
Andy Malcolm
Grant McDowall
Graham Ross

West Committee:

Gary Brown
Stuart Corbett
Gary Mitchell
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

James Thomson	North
Lorna Hogarth	West
Mike McEwan	BTP

Apologies were received from Paul Connelly and Catherine McNally from the West Committee. They were replaced by Stuart Corbett and Gary Brown respectively. Apologies were also received from Gordon Milne on Day 2.

The Chair opened the meeting, welcomed everyone and thanked them for their attendance. She gave a special welcome to Mike McEwan, BTP who was attending the meeting as an Observer and to Sarah Vesty who was attending her first meeting. The General Secretary reminded the Committee that Sarah had been employed as a Journalist and Communications Adviser and would assist in reporting on relevant issues across policing. He advised Sarah had twice won the Young Journalist of the Year award and encouraged everyone to assist her in any way they could.

2 Minute of Previous Meeting

The Minute of the previous meeting was circulated with JCC Circular 1 of 2019 and following a minor amendment relative to an appeal from a member in the East Area, was accepted as a true record.

3 Legal Advice and Assistance

The Deputy General Secretary informed the Committee that since the last meeting 84 new applications were approved for consideration of legal advice and assistance. These comprised; 24 criminal legal defence cases; 5 civil legal defence cases; 5 misconduct cases; 4 RTAs; 19 personal injury cases; 2 CICA cases; 10 employment dispute cases (officers); 1 employment dispute (ex-officer); 4 property protection cases; 1 Judicial Review; 5 contract disputes; and 4 miscellaneous cases. A further 9 cases were rejected.

Allard & Others v Devon and Cornwall

The Deputy General Secretary gave an update on the current position and said that the matter was progressing to court. 185 officers had signed up for the challenge to Police Scotland.

Holiday Pay Claim

The Deputy General Secretary advised that a meeting was to be held the following week where it was expected that a settlement would be agreed. It was noted that some officers had refused the settlement and would be required to fund any further action they wished to take. A formula in relation to future overtime claims had been agreed and a settlement was expected the following week.

It was noted that the Police Service of Northern Ireland case continued and was subject to an appeal and would be watched by the JCC. As there was no indication of timeframe for a decision, the JCC agreed that settlement of the SPF claim should be progressed.

The Deputy General Secretary had received a letter from an officer relative to representation by a solicitor which had been refused. The case was discussed and the Committee agreed that the appeal should be rejected.

4 Police Negotiating Board (PNB)

The General Secretary reported that there had been no formal meetings of the PNB since the last JCC. The next meeting had been scheduled for 11 June 2019.

A meeting of the Technical Working Group had been held on 22 April 2019 where amongst the matters discussed were;

- The application of the college allowance
- Overseas working, and
- The length of the constables' pay scales.

It was noted that in relation to college allowances, no formal proposals were tabled but consideration of a day rate for those undertaking such duties on a periodic basis, and the removal of the allowance altogether for those not required to stay was discussed.

Work was required relative to officers working overseas and the legal position for members required to be clarified.

No formal proposals were tabled in relation to pay scales however the Committee discussed the gender pay gap and were mindful of the differences between Scotland and England. It was noted that there was no desire to remove value from the scales.

5 Pensions

The General Secretary reported that there had been no meetings of the UK Police Pensions Consultative Forum since the last JCC.

He reported that the Government was awaiting a decision in respect of its application to appeal in the cases of the Judicial and Firefighter pensions. There was no indication as to when this would be heard.

The Vice Chair updated on the Service Improvement Group meeting he had attended the previous week and said that annual allowance, annual benefit statements, the Audit Scotland report, guaranteed minimum pensions and the MacLeod Case had been discussed.

They further discussed the SPPA self-service portal and said that they were looking for people to test it and an invitation letter would be circulated to members in the near future.

6 Scottish Police Consultative Forum (SPCF)

The General Secretary reported that there had been no meetings of the SPCF since the last JCC. The next meeting had been scheduled for 11 June 2019. The General Secretary asked the Committee if they were content with the view that the functions of the Police Advisory Board for Scotland (PABS) should be pursued into whatever the SPCF becomes in future. The Committee agreed.

7 Scottish Police Authority (SPA)

The last meeting of the SPA full Board was held on 28 March 2019. The next meeting was to be held the following week and the papers had yet to be published. The Committee noted

that Sarah Vesty would attend meetings of the SPA and would be well placed to report on its proceedings.

8 Scottish Police Budget & Finance

The General Secretary reported that there was little positive news to report in respect of the budget. The capital position was not good. The challenges this presented were laid out in the starkest of terms in the recent Deep Dive in L Division. This had led to exceptional media coverage across all platforms and led to a specific debate on capital funding for the police in the Scottish Parliament. This debate resulted in cross party condemnation of the funding for the police.

The Committee noted that the Scottish Parliament Justice Sub Committee had called for evidence on the budget for policing and that the General Secretary was to appear before the Committee in Parliament on 30 May 2019.

9 Joint Negotiating Consultative Committee (JNCC)

The JNCC met on the 14 March 2019. The meeting was chaired by DCC Taylor who stood in for the Chief Constable at short notice.

The meeting noted that outstanding from the previous JNCC was the issue of dog handler's allowances, including addressing the use of personal vehicles to convey police dogs to and from work. It was hoped that some progress would be made prior to the next meeting on 14 June 2019. The remedying of the pay on promotion anomalies continued to be an issue and it was understood that a large number of officers were due back payments. It was hoped that the PSoS would resolve this in the very near future.

The following items were worthy of note

- Common Pay Date
- Recruitment processes & Probationer training

The meeting considered a paper to move the pay date of officers in the old Tayside and Central forces to align with monthly pay on the 28th of each month. The police staff associations sought the provision of interest free loans for officers that would be impacted and this was agreed. The SPF pressed the service to ensure it communications on this were progressed asap, as issues that cast doubt on income could be problematic if not handled sensitively.

The SPF Vice Chairman highlighted some of the issues coming from Occupational Health in terms of recruitment adjustments, for example a potential recruit who would have to be permanently accompanied. Other issues relating to the approach to BMI and dyslexia were also highlighted. The Chair of the JNCC undertook to examine these issues out with the ambit of the JNCC.

A number of other force meetings report through the JNCC including;

Working Practices Review Group (WPRG) – The Deputy General Secretary highlighted that this meeting was being undermined by frequent and short notice cancellations. It was also encountering confusion when issues like events demands were not brought to the WPRG for consideration. The JNCC agree this should be addressed.

The Deputy General Secretary raised the issue of non-compliance with the workforce agreement. He advised that a meeting to discuss this was scheduled for the 21 May 2019 and one member from each area were to attend.

People and Operations Delivery Group (PODG) – the JNCC noted updates on the following;

- Football review
- CID shift patterns (and compliance with the WFA)
- Recording of officer details in the iVPD

The Vice Chair reported that the PODG was one of the most productive groups in the meeting cycle. The meeting was attended by ACCs, the three SPF Area Secretaries and himself. Amongst the items currently on the agenda for progression are;

- Remote and Island postings
- Probationer postings
- Approaches to half and nil pay
- Attendance management
- Tasers (use and access)

Neil Macdonald and James Thomson both reported issues with access to and the use of Taser in their policing areas. The main issue appeared to be a reluctance to deploy Specially Trained Officers (STOs) or a reluctance to deploy ARVs even though they had access to Taser. The Committee agreed that there were policy issues on the subject of Taser and examples of difficulty should be collated. The JCC agreed the General Secretary should raise these matters with the Chief Constable.

A member of the JCC referred to an ongoing case and a continuous professional development event at the SPC where a member of PIRC staff had referred to the SPF in derogatory terms. The Committee considered this entirely unacceptable and agreed the General Secretary should raise this with the PIRC.

Amongst the other items the SPF raised at the JNCC were;

- Car Park Levy
- Engagement with SPF on Budgetary Considerations
- Organisational Learning from Employment Tribunals etc.
- Health & Safety failures as a performance issue

Finally the SPF suggested a permanent Logistics unit / team be established within the PSOS to bring procurement, fleet, uniform, etc. all under one umbrella. Such a unit could prove to be invaluable for a multiplicity of reasons, not least the policing of events. The DCC advised this was worthy of consideration.

10 Police Service of Scotland (PSoS) Reform

The Vice Chairman reported from the recent bi-monthly engagement session he attended where PSoS provides updates on the key developments in the ongoing reform programme.

At that meeting, attendees were told PSOS capital availability for spending per square foot of estate was significantly lower than elsewhere in the UK (less than ¼ of the average). The

meeting was updated that 90% of projects are reported to be at a standstill because of budget cuts.

The Vice Chairman highlighted that the charging of mobile devices had raised the question of officers doing so at home. This was strongly opposed and PSoS is to make arrangements for "in locker" charging.

There were also concerns about CAM and the centralisation of resources. The Chair reported that she had met Mr John Hawkins on 13 May 2019 about these issues. Members also discussed custody centres and remote supervision and said that no risk assessments were in place.

The Committee expressed concern that some Chief Inspectors, especially those awaiting promotion were being utilised as Tactical Firearms Commanders. The Committee thought there was a particular problem relative to insurance for these officers. The Chair advised that these concerns had been previously highlighted and the meeting agreed the General Secretary should raise the issue with the Chief Constable.

The Committee was updated on and discussed the second tranche of research into Wellbeing which was to take place in D, P, L and J Divisions.

11 Finance Standing Committee (FSC)

The Finance Standing Committee met on 23 April 2019 and the Minute would be circulated in the near future.

The Committee noted the movements in the Voluntary Fund income and discussed the implications of the proposed reductions to establishment laid out in the SPA financial plans.

The Committee discussed the current facilities management contract and agreed a review was appropriate as the contract had been running for sufficient time to justify this. The Trustees were considering the question of whether much of the peripheral costs could be avoided if the SPF took direct control of some issues.

The Committee noted the recruitment of an additional member of staff.

The Committee was updated on the deliberations of the Trustees and FSC on the question of a pay increase for SPF staff. The meeting noted a 3% increase would be applied from 1 April 2019.

The Committee endorsed the recommendation from the FSC that the SPF would no longer support ancillary costs associated with charitable endeavors.

Gary Mitchell asked if there were any promotional products available to hand out to officers. He felt that there was a missed opportunity to promote the SPF with "giveaways" during the Deep Dives. The Committee agreed that a replenishment of corporate branding and gifts should be progressed in early course.

12 Legislation and Regulation Standing Committee

The Legislation and Regulation Standing Committee met on 23 April 2019 and the Minute would be circulated in the near future. The only substantive item under active consideration was the review of police misconduct and this would be reported on later in the meeting.

13 Operational Duties Standing Committee

The Operational Duties Standing Committee met on 23 April 2019 and the Minute would be circulated in the near future.

The Vice Chair reported that a proposal to make Personal Development Conversations (PDCs) mandatory had been rejected and an entirely new approach would be considered for 2020.

The Committee discussed the debate about the current two year gap between promotions; the Sergeants pathway as a replacement to the diploma; issues with temporary ranks; patrons for probationary courses; issues re duty time being allocated for detective officers' courses and remote studying. It was noted that the General Secretary was to raise the concerns with the Chair of the SPCF prior to the next JNCC meeting.

The Committee noted that no central government money was being made available for the replacement of CBRN carriers. The General Secretary advised that whilst this was disappointing it wasn't surprising given that the PSoS has utilised the vehicles for far more than they were originally funded for.

The Committee noted that the PSoS had recently agreed that Post Incident Management (PIM) processes were to be extended to all death in custody incidents.

14 Conduct Committee

The Conduct Committee met on 30 April 2019 and the Minute was circulated with JCC Circular 12 of 2019 and noted.

The Committee discussed the Misconduct Review being led by Dame Eilish Angiolini and it was noted that an interim report was expected to be published by the end of May.

The AGS (Conduct) also updated the Committee on the meeting she, the Deputy General Secretary, and the three conduct leads held with Dame Eilish. The Committee was content that the meeting appeared to cover all relevant considerations.

The AGS (Conduct) also advised the Committee that there continued to be a problem with non-attendance of representatives at meetings. She reminded the Committee that all Areas require to be represented and asked that this obligation was reinforced with elected representatives.

The Committee noted that training dates had been arranged in the near future to cover the 2014 Conduct Regulations.

The AGS (Conduct) reported that a process had been agreed with PSD which would hopefully clarify an issue with the disclosure of statements during the misconduct meeting/hearing stage. It had been problematic and was heading towards a costly and lengthy judicial review. A Memorandum of Understanding (MoU) had been agreed and was expected to be signed off

in the next few days. The meeting noted that it was hoped this MoU would prevent the issue arising again, as had been the experience every time there is a change in personnel within PSD.

The AGS (Conduct) reported that the Professional Standards Department (PSD) would now be undertaking all misconduct investigations. This is irrespective of their assessment on severity. This is intended to resolve issues within Divisions and result in enquiries being concluded quicker.

She also reported that PSoS had advised that there had been 20 misconduct investigations held in 2018 and it was their view they had the capacity to service this new approach. Existing Divisional investigations will continue and only new cases would be investigated by PSD

15 Equality Committee

The Equality Committee met on 24 April 2019 and the unapproved Minute was circulated with JCC Circular 12 of 2019.

It was reported that the AGS (Equality) was to write to the Force relative to concerns over flexible working. The next meeting of the PNB Equality Group was scheduled for 16 May 2019 and it was noted that a draft guidance document had been circulated to both Staff Side and Official Side and would be discussed at that meeting.

16 Health and Safety Committee (H&S)

The Health & Safety Committee met on 1 May 2019 and the unapproved Minute was circulated with JCC Circular 12 of 2019 and was noted.

The AGS (H & S) advised that a written report had been circulated prior to the meeting. This was noted.

The Committee also noted that the Custody SLWG would meet the following day and concerns remained regarding driver training, and custody training.

The AGS (H & S) said that Force Executive had been trained in respect of H&S since the last meeting which was funded by SPF to prevent issues around lack of understanding.

17 Police Related Charities

Police Treatment Centre (PTC) & St George's Trust

The AGS (Equality) reported that planning permission had been granted for the extension to the Centre at Harrogate. The AGM was scheduled for 20 June 2019.

Scottish Police Federation Bravery Awards

It was noted that nominations were being received and the closing date was set for 16 August 2019. A reminder would be sent out the following month and members were asked to circulate it widely within their Areas. The Judging Panel would meet on 6 September 2019 to decide on the winners. A meeting with event organisers would be held at the end of May to discuss arrangements.

Police Care UK

It was noted that the trauma resilience survey results had been released on 9 May 2019 and 17,000 responses had been received from across the UK. The new office had opened in Woking. Suicide Awareness and Preventions seminars would be held across the country; Glasgow on 15 July and Aberdeen on 17 July. A £20 refundable booking fee was required and registration could be carried out via the Police Care UK website.

National Police Memorial Day (NPMD)

Plans continue for the event which will be held on 29 September 2019 in Glasgow. A link for registration had been sent and everyone was encouraged to attend. The SPF Centenary Exhibition was to be set up and there was to be an article in the brochure recognising the SPF's 100th Anniversary. It was hoped that the SPF Pipe Band and Scottish Police and Community Choir would perform, all wearing the SPF tartan.

A donation to the NPMD was received from Levy & McRae after the input at the SPF Conference 2019.

Scottish Police Memorial Trust

The last Trustees meeting was held on 11 March 2019. The new memorial book was complete. It was reported that due to the exceptional turnout the previous year, the marquee was being extended and additional chairs had been ordered. The Chair said that the wording in the Charity deeds was to be amended to allow the Charity to acknowledge any police officer who was on duty in Scotland at the time of their death.

Discussions with Federal Law Enforcement Officers Association (FLEOA) had been held regarding recognising the death of the Secret Service Agent Nole Remagen who died during the Presidential visit last year. The Police Roll of Honour Trust would also be unveiling a plaque in his memory at Turnberry in July.

It was noted that discussions had been held with PSNI and PFNI relative to the SPF recognising the 10 RUC officers who died in the Chinook helicopter crash in 1994. Their families were delighted with the recognition.

The next Trustees meeting was scheduled for 3 June 2019 when arrangements would be discussed for the service scheduled to take place on 4 September 2019.

18 JCC Circulars Issued Since Last Meeting

A paper was circulated and noted.

19 Standard Operating Procedures (SOPs) Issued Since Last Meeting

A paper was circulated and noted. The Vice Chair reported that a new approach had been adopted in relation to SOPs focussing more on toolkits and guidance. The new style is more condensed and was welcomed.

20 EuroCOP/ICPRA

The General Secretary reported that the EuroCOP Spring Meeting was held in Madrid on 10/11 March 2019. The meeting held a detailed discussion on Terrorism with Ken Pennington (international expert and who previously addressed the SPF Centenary Conference). Mr Pennington opined that Brexit and the currently unresolved issue of the Border in Ireland provided opportunity for terrorist organisations to find renewed purpose.

The Committee noted that EuroCOP Congress 2020 will take place in Scotland.

In response to questions as to how Brexit would impact on the SPF membership of EuroCOP the General Secretary advised that Swiss and Norwegian police unions are longstanding members of EuroCOP despite not being members of the EU.

The Autumn Meeting will be held in October. In line with the previous JCC position to expand the knowledge of the JCC on the workings of EuroCOP, Neil Macdonald and David Threadgold had been identified to also attend this meeting.

21 Correspondence

The General Secretary identified, and made available to the Committee, a number of items of correspondence. In particular he said he had received a lot of letters of thanks in relation to the SPF Conference.

A letter was received from PFEW seeking SPF support for a rewards system for police bravery and was discussed by the Committee. It was agreed that further work would be required including consultation with the Awards Team at the Scottish Government.

A letter of thanks was received from Wilkie McCloskey following his retiral from the police service. The Committee expressed its very best wishes to Wilkie and wished him a long and happy retirement.

22 Competent Business

Conference Review

The General Secretary sought the views of Members on Conference. A member expressed the view that the communication of the motion could have been better managed (even allowing for the fact it was accepted at short notice). This was acknowledged. Some delegates felt that the Q&A could have allowed more time for questions from the floor but recognised that facilitator discretion was a relevant factor.

The Committee reported that delegates considered conference to be exceptionally valuable and a huge success. The format and content of Conference was considered appropriate for the needs of delegates. The Centenary event was regarded as exceptional and entirely appropriate for an event of this significance.

There were no proposals for major change.

SPF Kilts

It was noted that kilts made from SPF tartan were now available at a cost of £320 each. Anyone wishing to order one was asked to contact Susan Fraser at Woodside Place.

Age of Criminal Responsibility

The Vice Chair said that a Bill had been passed the previous week and that the SPF had been contacted by the team involved in delivery of it. It was reported that concerns over “the power of arrest” and the limitations on being able to take a child to a place of safety. The Bill defines a quasi power of arrest to take a child to a place of safety where there is “significant harm” or “immediate risk”. It was reported that the legislation would not be introduced until there was confidence that the powers issue had been resolved.

Workplace Parking Levy

The Committee discussed the proposal relative to the parking levy. The General Secretary had written to the Scottish Government seeking dispensation for the police but this had been rejected. The Committee discussed the matter and agreed the SPF should continue to press on this matter through whatever avenues presented themselves.

L Division Deep Dive

The Committee discussed the recent Deep Dive exercise and were advised that the full report would be produced in the near future. It was noted that the next deep dive would take place in October.

23 Closure

The Chair thanked everyone for their attendance and inputs at the meeting and advised that the next meeting would be held on 20/21 August 2019 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