



Scottish Police Federation

PO Box 27163, Glasgow, G3 9EZ

Joint Central Committee Minutes

Minutes of the meeting of the Joint Central Committee held on Monday 2nd November 2020 by Teams.

1. Attendance and Opening

SPF Office Bearers:

David Hamilton	Chair
David Kennedy	Deputy General Secretary
Brian Jones	Vice Chair

North Committee:

Neil MacDonald
Scott MacDonald
Ross Polworth
David Threadgold
James Thomson

East Committee:

Stephen Clark
Heather Macdonald
Andy Malcolm
Stevie Neilson
Graham Ross
Ricky Wood

West Committee:

Paul Connelly
Jennie McFarlane
Cath McNally
Gary Mitchell
Adam Peppard
Jenny Shanks

Assistants to the General Secretary (AGS)

Amanda Givan (Conduct)
Nigel Bathgate (Equality)
Gordon Forsyth (H&S)

Also in attendance

Ian Florence	West Area Committee Observer
Doug Keil	Business Manager
Lesley Stevenson	Business Administrator

Due to the COVID-19 situation, the meeting was conducted by Teams.

The Chair opened the meeting by welcoming everyone and invited all to take an active part in the meeting. He informed the Committee that the General Secretary would not be attending the meeting due to a family bereavement.

Apologies were received from Nick Clasper.

The Chair introduced Superintendent Laura McCluckie, Head of Leadership, Training and Development, to the Committee. Superintendent McCluckie addressed the Committee and answered a wide range of questions including the number of off duty hours required to complete the new promotion processes, the pilot scheme, the legal knowledge test, op outs and pressure on supervisors completing appraisals. The Chair thanked her for her input and said that SPF would contribute to future planning in these areas.

2 Minute of Previous Meeting

The Minute of the previous meeting was circulated with JCC Circular 62 of 2020. Cath McNally told the Committee that she had attended the previous meeting in August and not Hugh Burns as stated. The Minute was thereafter accepted as a true record.

2.1 Election of AGSC

Amanda Givan was proposed and seconded by David Threadgold and Andy Malcolm respectively. There being no further candidates, Amanda was duly elected.

2.2 Election of AGSE Elect

James Thomson was proposed and seconded by Paul Connelly and Andy Malcolm respectively. There being no further candidates, James was duly elected. James will take post following the retirement of Nigel Bathgate.

3 Legal Advice and Assistance

The Deputy General Secretary informed the Committee that since the last meeting 77 new applications were approved for consideration of legal advice and assistance.

These comprised 36 in the West; 14 on duty and 22 off duty, 19 in the East; 12 on duty and 7 off duty and 22 in the North; 15 on duty and 7 off duty.

These included 10 civil legal defence cases, 4 contract dispute cases, 19 criminal legal defence cases; 4 misconduct cases; 8 employment dispute (police officers) cases; 9 FAI case; 6 RTAs; 12 personal injury cases; 4 property protection cases and 1 miscellaneous case. One application had been rejected since the last meeting.

The Committee noted that there were currently 489 live files and 38 files had been closed since the last meeting.

Allard & Others v Devon and Cornwall

The Deputy General Secretary said that discussions were ongoing regarding the scope of the claim.

Holiday Pay Claim

The Deputy General Secretary said that negotiations with the force were ongoing in relation to the claims, which amounted to around 1600.

WhatsApp

The Deputy General Secretary said that the case was progressing through the courts and he anticipated that it might eventually reach the UK Supreme Court.

Sheku Bayoh

The Deputy General Secretary said that preparations for membership of the panels were ongoing.

Pension Claim

The Deputy General Secretary reported that SPF was representing 6500 officers in a 'hurt feelings' case relating to the implementation of the 2015 pension scheme.

He also said that around 900 officers from Scotland were claiming victimisation on the part of the SPF. These claims would be vigorously defended and further updates would be provided when appropriate. He said that any SPF representative contacted about these claims should contact him.

Judicial Review

There were two live case.

4 Police Negotiating Board (PNB)

The PNB meeting scheduled for 8th October 2020 had been replaced with a PNB TWG. That meeting had discussed the Police Officer Handbook, the Pay Claim, COVID19 related issues and COP26 related issues.

Police Officer Handbook

The Chair thanked the Handbook Working Group and said that the document was now available at www.spf.org.uk under Advice and Regulations. It was also accessible at www.pnb.scot.

Pay Claim

The Chair said that we were now in very challenging times and that the police budget was under significant pressure. However, he said it was vital that the police Pay Claim be responded to positively. He also said that the inspectors' overtime claim was being considered and that any evidence in support of that, particularly in relation to the pandemic, should be submitted to Woodside Place.

COVID-19

Consideration was being given to injury payments in this regard where the injury fell short of the conditions for an ill health retirement or injury payment.

COP26 – Special Arrangements

The Chair advised the Committee that special provisions for compensation were being considered at the PNB.

College Allowance

The Chair reported that this was a complex issue and discussions had extended into other central service deployments. This remained at the Technical Working Group.

Overseas Deployments

The Chair reported that given the pandemic, there had been no developments on this matter.

Equality Working Group (EWG)

The Deputy General Secretary reported that there had been no meetings of this group. He thanked the AGSE and Jayne Monkhouse for the work they had carried out in this regard, over the years.

5 Pensions

The Chair advised that the SPF had made its submission to HM Treasury and had been more widely circulated with JCC Circular 61 of 2020.

The General Secretary had attended a meeting of the UK Pensions Consultative Forum and would give a report at the next meeting. The Chair was aware that associations had exchanged submissions and there was general agreement across all major points.

The Chair updated that SPF was part of a legal challenge relative to the diminution of members' benefits in relation to the pausing of the cost cap mechanism.

The General Secretary would report on the Scottish Police Pension Advisory Board at the next meeting.

Paul Connelly said it would be helpful if a JCC Circular could be issued providing an update on all pension matters prior to the Area Committee meetings. The Chair said that he would discuss with the General Secretary but that beyond what was published on the website and the update he had just provided, there was nothing to add.

The Chair said there had been significant problems with the Scottish Public Pension Agency and the SPPB in relation to Annual Allowance, Lifetime Allowance and a data breach where some retired officers had received other retired officers' pension details. The Committee expressed the view that SPPA no longer had the confidence of the SPF. The Chair would communicate this at the appropriate forum.

6 Scottish Police Consultative Forum

The Chair reported that the next meeting would be held on 10th November 2020 and SPF had asked for the following items to be placed on the agenda.

Appraisal, Promotion, & Accelerated promotion

SPF would want to consider the pilot of the new system running in parallel with the Diploma.

In service injury compensation scheme

The proposal here was to consider a compensation payment where someone was injured but not retired on ill health.

Special constable uniform and equipment

There were concerns relative to inactive or retired special constables not returning items of uniform and equipment. It was also noted that there were no performance regulations for special constables which restricted the actions the Force could take.

Legal advice and assistance

Work had been ongoing for some time on an update to the 1978 SHHD Circular relating to legal advice and assistance from the police authority. It was noted that both superintending and chief officers had insurance cover paid for by the authority but that the federated ranks had no similar provision. It was reported that around 16 appeals, some over 10 years old, were still being considered where applications for legal advice and assistance had been refused to federated ranks.

Review of Misconduct Processes (depending on Elish Angiolini report)

It was reported that one of the main points being considered was a legal Chair for misconduct hearings. The Committee expressed the view that were this to be adopted, it would require legal representation for officers.

Change Projects Benefit Realisation

The Chair said this had started some time ago with the notion of capacity creation which considered that small periods of time saved by individual officers could be taken as savings in actual numbers of officers. The Committee was of the view that this was a simplistic accounting mechanism which did not work in reality.

7 Scottish Police Authority

The Chair reported that the authority had met on a number of occasions. A further meeting was to be held on 5th November 2020.

8 Scottish Police Budget & Finance

The Chair reported that there were extreme difficulties with budget and finance and the JCC continued to engage with the force on discussions about the future. He said it was important that JCC members collected examples of difficulties relating to a lack of finance and sent them to Woodside Place.

9 Scottish Parliament & Political Engagement

The Chair reported that the General Secretary had given written and oral evidence during October on Police Governance and Accountability Review and policing during the coronavirus pandemic. There would be further evidence giving sessions during November and December on the Hate Crime and Public Order (Scotland) Bill, Brexit and Policing and Police Complaints Handling.

10 Joint Negotiating Consultative Committee (JNCC)

The Chair, Vice Chair and Deputy General Secretary gave updates on the Working Practices Review Group, the People and Operations Delivery Group, SOP and Policy Sub Group and the P&D Policies and Procedures Group.

11 Finance Standing Committee (FSC)

It was reported that the last meeting of the FSC was held on 13th October 2020 and the Minutes had been circulated with JCC Circular 67/2020. The Chair presented the SPF Voluntary Fund account year ending April 2019 and summarised all entries. The accounts were approved. He also reported on the Trust Account, investments, SPF accommodation, member services, and expenses and expenditure requests. The Deputy General Secretary said he had concerns about the legal costs outstripping the income and that he would be examining this over the next few weeks.

The Chair said that the FSC had considered a request for sponsorship funding from the Glasgow Police Museum and had approved it in principle for due diligence to take place. The JCC supported this and the Chair said he would investigate further.

12 Legislation and Regulation Standing Committee

It was reported that the last meeting of the Legislation and Regulation Standing Committee was held on 13th October 2020 and the Minute had been circulated with JCC Circular 67/2020.

13 Operational Duties Standing Committee

It was reported that the last meeting of the Operational Duties Standing Committee was held on 13th October 2020 and the Minute had been circulated with JCC Circular 67/2020.

14 Conduct Committee

The last meeting of the Conduct Committee was held on 29th September and the Minute had been circulated with JCC Circular 67 of 2020. Members discussed the impact of

COVID19 and the Egress system.

15 Equality Committee

The last meeting of the Equality Committee was held on 30th September and the Minute had been circulated with JCC Circular 67 of 2020. There was nothing further to report.

16 Health and Safety Committee (H&S)

The last meeting of H&S Committee was held on 1st October 2020. The Minute had been circulated with JCC Circular 67 of 2020 and a further update was circulated with the agenda papers. Members discussed concerns regarding electric vehicles and naloxone.

17 SPF Training

It was noted that training had been scheduled for the following week however, due to the pandemic, it had been cancelled. The Vice Chair and the Policy and Co-ordination Officer would meet to discuss this further.

18 JCC Circular

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

- 42/2020 SPF Expenditure Policy – Information
- 43/2020 SPPA Police Pension Scheme Circular 2020/05 Annual Benefit Statements Information
- 44/2020 SPPA Scottish Firefighters’ & Police Pension Schemes – “Immediate Detriment” Cases – Information
- 45/2020 Firearms Licensing SOP/EqHRIA – Consultation
- 46/2020 Police Officer Handbook Consultation
- 47/2020 Information Security SOP v5.00/EqHRIA – Consultation
- 48/2020 Fraud & Economic Crime SOP/EqHRIA – Consultation
- 49/2020 Anti-social behaviour v8.00 – Consultation
- 50/2020 Forced Entry & Insecure Premises SOP v7.00 - Consultation
- 51/2020 Community Advisors National Guidance Doc v1.00 – Consultation
- 52/2020 Specially Trained Officers SOP v3.00 – Consultation
- 53/2020 EqHRIA National Guidance v1.00 – Consultation
- 54/2020 Notebooks National Guidance Doc v1.00/EqHRIA – Consultation
- 55/2020 Attendance at Incidents Involving Trams v4.00/EqHRIA – Consultation
- 56/2020 SPF Regulations, Rules & Standing Orders September 2020 – Information
- 57/2020 HMICS Thematic Inspection of Police Scotland Training & Development Phase 1 – Information
- 58/2020 Employment Tribunals – Information (not for general publication)
- 59/2020 Elections of Assistant to the General Secretary (Conduct) (AGSC) and Assistant to the General Secretary (Equality) of the Scottish Police Federation (SPF)
- 60/2020 HMICS Annual Report 2019-20 – Information
- 61/2020 Public service pension schemes: changes to the transitional arrangements to the 2015 schemes – Consultation
- 62/2020 JCC Minutes August 2020 – Information
- 63/2020 FSC, L&R and Operational Duties Minutes August 2020 – Information

- 64/2020 Regional Assistance Circular & Appeals – Legal Assistance Draft v0.5 Consultation
- 65/2020 JCC Agenda Papers November 2020 – Information
- 66/2020 PIRC Learning Point Issue 17 – Information
- 67/2020 FSC, L&R and Operational Duties Minutes & Conduct, Equality & H&S SC Minutes October 2020 – Information

19 Police Service of Scotland Reform

The Chair reported that he was to attend a meeting on the Change Programme the following day.

20 SOP Consultation

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

- 02.11.20 Speeding SOP v6.07
- 26.10.20 EP PS Guidance v01
- 19.10.20 Regional Assistance Circular & Appeals – Legal Assistance Draft v0.5 Consultation
- 19.10.20 MyCareer v3.0, Leadership Pathways v3.0, DPSSM v3.0, ALP v4.2
- 16.10.20 Homeworking Procedures v0.04
- 14.10.20 Home Detention Curfew & Restriction of Liberty Orders (Electronic Monitoring) v7.00
- 14.10.20 'Outing' of Registered Sex Offenders by Community Activist Groups National Guidance v2.00
- 08.10.20 Record Retention SOP v4.00
- 08.10.20 Proceeds of Crime Act Guidance v1.00
- 07.10.20 Substance Misuse SOP v3.00
- 06.10.20 Child Abduction SOP v4.03/EqHRIA
- 02.10.20 Victim & Witness Care National Guidance v0.06/ EqHRIA
- 22.09.20 Registration of Foreign Nationals National Guidance V0.03 for Consultation
- 11.09.20 Sex Offender Notification Requirements (SONR) SOP V4.03 for Consultation
- 10.09.20 Crime Recording Policy version 1.00/EqHRIA
- 08.09.20 Attendance at Incidents Involving Trams v4.00/EqHRIA
- 07.09.20 Notebooks National Guidance Doc v1.00/EqHRIA
- 04.09.20 Police Officer Handbook Consultation
- 03.09.20 EqHRIA National Guidance v1.00
- 03.09.20 Specially Trained Officers SOP v3.00
- 28.08.20 Community Advisors National Guidance Doc v1.00
- 27.08.20 Forced Entry & Insecure Premises v7.00
- 26.08.20 Anti-social Behaviour v8.00
- 21.08.20 PSoS Air Support Guidance Doc & EqHRIA
- 21.08.20 Fraud & Economic Crime SOP/EqHRIA
- 21.08.20 Information Security SOP v5.00/EqHRIA
- 19.08.20 Firearms Licensing SOP/EqHRIA
- 13.08.20 Child Abduction V3.00

21 EuroCOP/ICPRA

The Chair reported that EuroCOP was scheduled to meet in Edinburgh in November 2020, but this had been cancelled and would now take place by VC. He said that the General

Secretary was the only candidate for an election to the post of President of EuroCOP. It was reported that ICPRA was due to meet in Glasgow in June 2021.

22 Police Related Charities

PTC

The AGSE reported that the PTC reopened in September 2020 and was running at 50% capacity. The extension was progressing well and it was hoped that the psychological wellbeing services could be extended.

St George's Trust

The AGSE said that members should remember to register officers going on ill health retiral to the St George's Trust.

Scottish Police Memorial Trust (SPMT)

The Chair reported that the event held in September was very successful and that PSoS audio visual unit should be congratulated.

National Police Memorial Day (NPMD)

The Chair reported that the event held in September was a success and reminded the Committee that the SPF had agreed to focus its support on the SPMT.

Police Care UK

Paul Connelly reported that he had attended a course on visualisation for post traumatic incidents. He said it had been well run and extremely useful.

23 Correspondence

There were no items circulated.

24 Competent Business

Members discussed Conference 2021 and were unanimously of the view that it should be cancelled. This issue would be added to the next agenda.

The Committee discussed the relationship between the SPF and PSoS. Concerns were raised over how meetings were conducted and minuted. The Chair said that the relationships between the two were good although occasionally things were taken too personally, partly as a consequence of virtual meetings. In relation to meetings, he said it was vital that these were conducted properly with papers being circulated on time and accurate minutes recorded.

The Committee discussed the new force Wellbeing Survey and expressed concerns about survey fatigue and lack of outcomes.

25 Closure

The Chair thanked everyone for their attendance and inputs at the meeting and advised that the date of the next meeting would be circulated in due course.

He thanked the Committee for their interaction with Superintendent Laura McCluckie.

Nigel Bathgate, the AGSE was due to retire from the force and his position on the JCC. The Chair thanked him for his work over the years and wished him well for the future.

A vote of thanks was given to the Chair.

David Hamilton
Chair

David Kennedy
Deputy General Secretary