



Scottish Police Federation

PO Box 27163, Glasgow, G3 9EZ

## **Joint Central Committee Minutes**

Minutes of the Joint Central Committee meeting held at the SPF Training and Meeting Facility, Unit 29, City Quay, Camperdown Street, Dundee, DD1 3JA on Monday 15<sup>th</sup> and Tuesday 16<sup>th</sup> November 2021.

### **1. Attendance and Opening**

#### SPF Office Bearers:

David Hamilton	Chair
Calum Steele (Day 1 VC)	General Secretary
David Kennedy	Deputy General Secretary
Brian Jones	Vice Chair

#### North Committee

Nick Clasper (Day 1 only)  
Neil Macdonald  
Caroline Macnaughton  
Ross Polworth  
David Threadgold

#### East Committee

Stevie Clark  
Heather Macdonald  
Andy Malcolm  
Stevie Neilson (Day 2 only)  
Graham Ross  
Ricky Wood (Day 2 only)

#### West Committee

Hugh Burns  
Lorna Cunningham  
Ian Florence  
Iain Gray  
Lynne Gray  
Emma-Louise Smith

#### Assistants to the General Secretary

Amanda Givan AGS(C)  
James Thomson AGS (People & Equality)  
Gordon Forsyth AGS (H)

#### Also in attendance

Doug Keil	Business Manager
David Ross	Policy & Coordination Officer
Lesley Stevenson	Business Administrator

The Chair opened the meeting by welcoming everyone and inviting all to take an active part in the meeting. He thanked the Committee for their forbearance during the last few months in regard to the change of arrangements during the COP26 period. He asked that the Committee continued to bear in mind the COVID restrictions when moving around in the building.

He informed the Committee that a Finance Standing Committee would be held at 3pm that day.

Apologies were received from Scott MacDonald who had no replacement. Further apologies were received from Ricky Wood, Stevie Neilson, Cath McNally and Jennie Macfarlane. Cath was replaced by Emma-Louise Smith and Lynne Gray replaced Jennie Macfarlane. John Turley attended the meeting on Day 1 to replace Ricky Wood and on Day 2 as an observer. Nick Clasper gave apologies on Day 2.

## 2 Minute of Previous Meeting

The Minute of the previous meeting was circulated with JCC Circular 33 of 2021, were proposed and seconded and thereafter approved.

## 3 Legal Advice and Assistance

The Deputy General Secretary gave the following report to the Committee:

<b>SINCE THE LAST JCC MEETING</b>			
<b>Legal Cases On Duty</b>			
<b>Type of case</b>	<b>North</b>	<b>East</b>	<b>West</b>
CICA			
Civil Legal Defence			
Contract Dispute			
Criminal Legal Defence		4	5
Employment Dispute (EX OFFICER)			
Employment Dispute (serving officer)	4	1	2
FAI	1		1
Judicial Review		1	
Misconduct			
Other		1	
Personal Injury	1	2	1
Property Protection			
RTA		2	3
<b>TOTAL</b>	<b>6</b>	<b>11</b>	<b>12</b>
<b>Legal Cases Off Duty</b>			
<b>Type of case</b>	<b>North</b>	<b>East</b>	<b>West</b>
CICA			
Civil Legal Defence	1	2	
Contract Dispute	2	1	3
Criminal Legal Defence	2	4	8
Employment Dispute (EX OFFICER)			

Employment Dispute (serving officer)			
FAI			
Judicial Review			
Misconduct			
Other			4
Personal Injury	1	2	3
Property Protection			4
RTA	1	3	2
TOTAL	7	12	24
<b>LEGAL FEES RECLAIMED - £0</b>			
<b>CLAIMS SETTLED - £80,689.45</b>			

### **Allard & Others v Devon and Cornwall**

It was reported that the Allard claim remained ongoing. A proposal for settlement had been made by PSoS and was being reviewed. The value of the claim had been provided and further clarity had been sought. The General Secretary asked if the SPF could do anything to progress the matter and the Deputy General Secretary said that the decision ultimately lay with Queens Counsel. He was hopeful that the issue would come to an end imminently. Our lawyers had been asked to try to progress the matter as soon as was possible.

### **Holiday Pay Claim**

It was reported that the Holiday Pay Claim was still ongoing and the outcome of the PFNI challenge was still awaited.

### **WhatsApp**

It was noted that the WhatsApp case was ongoing and a decision on the right to appeal was still awaited from the Supreme Court.

### **Sheku Bayoh Public Inquiry**

It was reported that a preliminary hearing would be held on 18<sup>th</sup> November 2021.

### **Judicial Reviews**

It was noted that there were no live applications for Judicial Review however there was one pending.

### **Leigh Day**

A preliminary date had been set for June 2022 and evidence was being gathered. Thanks were given to SPF staff involved in the process.

## **Legal Advice & Assistance**

It was noted that there had been one request for legal opinion relative to pensions.

### **4 Police Negotiating Board (PNB)**

The General Secretary reported that the last meeting of the PNB was held on 7<sup>th</sup> October 2021. He said that the conclusion of the 2021 pay claim had been circulated with JCC Circular 30 of 2021. He said that there was no point pretending the outcome was particularly generous but that every effort was exhausted to make the total package as attractive as possible. He opined that some of the features of the settlement would take some time to be realised. Members discussed pay claims elsewhere in the economy and noted that outcomes were similar.

Amongst the matters discussed was the Pay Claim for 2022 and how it should be constructed. A number of proposals were made for the consideration of the Staff Side members.

### **5 Pensions**

The General Secretary reported on the SPF responses to the consultations on the cost control mechanism and the use of the SCAPE discount rate submitted on the 19<sup>th</sup> August 2021.

He reported on the Scheme Advisory Board meeting which was held on 26<sup>th</sup> October 2021. He said that the UK PCCF, scheduled to take place the same day, was not held.

He further reported on the issues being examined for the legal challenge including areas of immediate detriment and the commutation cap. He asked the Committee to submit any examples on immediate detriment to him as soon as possible. He said that whilst the “legislative” remedy will apply from 1 April 2022, it was proposed that the actual “fiscal” remedy could take as long as to October 2023 to take effect. This was a matter of extreme concern and every avenue was being considered to rectify this.

He also reported on the Judicial Review in relation to ‘legitimate expectation’ being taken by the Superintendents in E&W and said that a phenomenal amount of work had been undertaken on this. He further commented that individual cases being pursued by sister organisations had been supported throughout.

Members considered that the pensions situation was extremely complicated and particularly difficult for members who were nearing retirement and considering their futures. Work was ongoing at UK and Scotland levels to try and achieve some clarity on a range of issues including commutation tables, the CARE Scheme, pension ages, short service reductions, SCAPE discount rate, guaranteed minimum pension, annual allowance statements, auto-enrolment, medical appeal boards and the GAD re-evaluation.

### **6 Scottish Police Consultative Forum (SPCF)**

The Committee noted that there had been no meeting of the SPCF since the last meeting.

## **Dame Elish Angiolini Review**

An update was given on the Dame Elish Angiolini Review and members were informed that meetings had been held with the Scottish Government raising the SPF views. Proposals were awaited.

## **In Service Compensation Scheme**

The Committee noted that no further meetings had been held on the in service compensation scheme.

## **Legal Advice & Assistance**

The Committee noted that progress was ongoing relative to this and further meetings would be held in relation to the rewording of the 1978 Scottish Executive Police Circular. It was noted that 96% of officers who were represented under these arrangements had been found not guilty.

## **7 Scottish Police Authority (SPA)**

The Chair gave a report on the meeting held on 29<sup>th</sup> September 2021 including the 5- year financial plan which was available on their website.

He reported on staffing costs, officer numbers and the impact of COVID.

He reported on the People Committee meeting which was held on 25<sup>th</sup> October 2021. He said that the SPF now had a seat on that Committee.

## **8 Scottish Police Budget & Finance**

The General Secretary reported on the analysis from the Chancellors Autumn Budget & Spending Review which was delivered on the 27<sup>th</sup> October 2021 and its potential impacts and consequences for Scotland.

He said that an extra £1.5 million budget had been provided for Justice and members asked for information to allow them to address local and national decision makers.

## **9 Scottish Parliament & Political Engagement**

The General Secretary gave a report on Political engagement including the meeting that he and the Chair had with the Convenor of the Criminal Justice Committee on the 28<sup>th</sup> October 2021.

He also reported on the SPF pre-budget evidence submitted to the Criminal Justice Committee on 4<sup>th</sup> October 2021. It was expected that the budget would be published on 9<sup>th</sup> December 2021.

The Chair reported that evidence relative to naloxone had been submitted to the Criminal Justice Committee and it was noted that the SPF focus was firmly on the protection of officers.

Discussions had been held with the Cabinet Secretary for Justice and the PSoS on Section 19 of the Road Safety Act and the implications for members.

The General Secretary said that a submission had been given on the pre-budget scrutiny and said it should be made available online.

## **10 Joint Negotiating Consultative Committee (JNCC)**

The Chair reported on the JNCC meeting that was held on 9<sup>th</sup> September 2021. Among the items discussed were the Role of the JNCC, Vaccination and Testing and Workload & Burnout.

The Vice Chair reported that a paper prepared by the SPF on driver training had not been accepted for the meeting. Training had not been provided and he gave an update on the challenges relative to driver training and the Protect the Protectors Bill. He said he had meetings with PSoS regarding the issue and had also written to the DCC Designate and the Chief Constable. A further meeting would be held on 13<sup>th</sup> December 2021.

## **11 Finance Standing Committee (FSC)**

The General Secretary reported that the Members Benefit Trust and Voluntary Fund were in a very healthy position with investments continuing to perform well.

An update was provided on the 1919 magazine and it was noted that Gemma Fraser had been nominated for an award at the Press Awards. Stewart Whyte, SPF lawyer, attended the FSC meeting to give advice on the governance and liability aspects of the magazine. He advised that the establishment of a Limited Company would be the best way to go forward with a board of Directors. The Trustees of the Member Benefit Trust should form the Board of Directors. These Trustees also happened to be the Trustees of the SPF and would cease to be members of the Board of Directors on resignation or retirement from the SPF.

A recommendation from the FSC to follow guidance from the lawyer to establish the Ltd Company was put to the JCC and was approved.

The Chair advised that a suitable property had been found in Aberdeen and the Business Manager had been asked to arrange purchase of the property.

The Committee agreed a proposal to lease the ground floor of Merrylee House, Paisley to Glasgow Children Hospital Charity at a peppercorn rent. As the Deputy General Secretary was a Trustee of the Charity, he declared an interest and it was agreed that the arrangements would be taken forward by the Business Manager who would ensure that a standard lease was arranged through the Federation solicitors.

The Committee discussed the forthcoming EuroCOP meeting in Edinburgh and the previously approved expenditure to host dinner on one evening.

## **12 Legislation and Regulation Standing Committee (L&R)**

Members noted that there had been no meeting of the L&R Committee since the last meeting due to the preparation for COP26.

Members discussed the Draft Budget Bill which was launched by the Home Office on 9<sup>th</sup> November 2021 and would close on 2<sup>nd</sup> January 2022.

The Committee discussed the Standing Committee structure and proposals for change would be considered in the future.

## **13 Operational Duties Standing Committee**

Members noted that there had been no meeting of the Operational Duties Standing Committee since the last meeting due to the preparation for COP26.

The Chair reported on the 'reflection log' relative to the MyCareer process, the PDLP which was running in tandem with the Diploma and the proposed changes to the process for promotion to sergeant.

The Committee discussed promotion issues in the North area and differing policies in promotion across the country and expressed dissatisfaction regarding the services reluctance to pay for transfers.

The Committee also discussed acting and temporary ranks, pensionability and communications relative to promotion processed.

In relation to Op Urram, members discussed problems relative to travelling, double-lock, accommodation, risk assessments and vetting. Many overtime claims were outstanding, and the Deputy General Secretary was in communication with the service on these.

In consideration of COP26, members felt that some elements had been well handled but others, particularly some aspects of planning, had been a shambles. It was the general view that planning had been done in silos with differing outcomes across the country in relation to meals, welfare arrangements, rostering, travel and accommodation, compensatory rest and guidance on overtime claims. It was agreed that the whole event would be debriefed at some point in the future.

## **14 Conduct Committee**

It was reported that the last meeting of the Conduct Committee was held on 28<sup>th</sup> September 2021 and the Minute was circulated with JCC Circular 31 of 2021.

The Conduct Secretary reported that conduct matters had predominantly been on hold due to COP26 but there was the potential for them to increase in 2022.

She reported that PSD had made significant progress on a number of recommendations from the Angiolini Review that they had responsibility for. Nine recommendations had been discharged by PSoS as no legislative change was required. The others would require further discussion and consultation in due course. An important change was that all on

duty criminal offences would be investigated by PIRC in the future. It was noted that the General Secretary had not been invited to give evidence to the Review.

She further reported that there had been a change in the management structure of PSD.

Misconduct Hearings were scheduled for 16<sup>th</sup> December 2021.

Members noted the date of the next meeting was scheduled for 11<sup>th</sup> January 2022.

## **15 Equality Committee**

It was reported that the last meeting of the Equality Committee was held on 29<sup>th</sup> September 2021 and the Minute was circulated with JCC Circular 32 of 2021.

The AGS (People & Equality) gave an update on the consultation on case status, pay decisions, the input of HR, timescales and the need to ensure that People Committees focused on these areas. He also reported on a SLWG on absence management and the Bradford factor and whether this was discriminatory against women.

Members noted the date of the next meeting was scheduled for 12<sup>th</sup> January 2022.

## **16 Health and Safety Committee (H&S)**

It was reported that the last meeting of the H&S Committee was held on 4<sup>th</sup> October 2021 and the Minute was circulated with JCC Circular 31 of 2021.

The AGSH had previously circulated a paper which contained updates on the following meetings; Op Talla, Your Safety Matters, H&S Board, Body Armour WG, Footwear SLWG, Clothing/Uniform WG, Naloxone Steering Group, Casualty Transport SLWG, NPCC Health, Safety and Welfare and Op Urram. This was noted by the Committee.

Members noted the date of the next meeting was scheduled for 13<sup>th</sup> January 2022.

## **17 JCC, Standing and Subcommittees**

The General Secretary reported that agreement had been secured that JCC meetings increase from four to six beginning in 2022. He also reported that the Standing Committee structure was to be altered and that further work on this would be undertaken by FTOBs prior to coming to the JCC seeking approval for any changes.

A paper had been circulated on a Motion relative to responsibilities & relationships which had been carried at the JCC meeting in May. The paper proposed further work on job descriptions and role requirements, the FTOB and Staff Policies document and training, induction and mentoring. The JCC approved the papers and considered the matter discharged.

## **18 SPF Training**

The Vice Chair provided a report and informed the Committee that training had been scheduled for November/December and January 2022. An Equality course was planned



for February 2022. It was noted that NEBOSH courses had been held.

## **19 JCC Circulars**

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

- 28/2021 PPE Survey Results 2021
- 29/2021 SS Pay & COP26 Update
- 30/2021 Police Pay Claim 2021
- 31/2021 Conduct & H&S Subject Committee Minutes
- 32/2021 Equality Subject Committee Minutes
- 33/2021 JCC Minutes August 2021
- 34/2021 SPF Rules, Regulations, Standing Orders November 2021

## **20 Police Service of Scotland Reform**

The Chair gave an update on ongoing Change projects with PSoS including the New C3 Contact Methods and The Cyber Projects. It was noted that the ACRA had been delayed indefinitely.

The Change Board had also discussed the uniform platform, command and control, messaging and call handling.

## **21 SOP Consultation**

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

- 18.11.21 Human Trafficking v7.04
- 15.11.21 Suspension from Duty NG v0.07
- 08.11.21 P&D Policy Consultation 'particular case' and the absence management processes
- 22.10.21 My Career Proof of Concept Evaluation Outcome Report
- 22.10.21 Anti-corruption Policy v2.03 and EqHRIA
- 12.10.21 Threat to Life SOP v4.05
- 28.09.21 The Role of the Scottish Criminal Justice Sector in Tackling the Misuse of Drugs
- 25.09.21 Records Management Policy v1.08
- 24.09.21 Publication of Bail Operational Toolkit NG v2.00
- 22.09.21 The Crime Investigation National Guidance Draft V0.21
- 10.09.21 Staff Associations Feedback - Role of 2nd Line Managers MyCareer
- 08.09.21 Sick pay protection update Sept 2021 - Cessation Of Covid-19 Sick Pay Protection
- 08.09.21 Model for Investigation and Audit 3 and 5 Allegations
- 03.09.21 MoU – SPS – Significant Staff Shortages of Prison Officers & Requests for Police Assistance by SPS
- 03.09.21 Unconscious Bias Awareness Package
- 12.08.21 Vehicle Pursuits SOP v5.07 & EqHRIA
- 11.08.21 Scottish Parliament Criminal Justice Committee - the impact of COVID on the main components of the justice sector, and how the justice sector can recover from the impact of COVID

## **22 EuroCOP/ICPRA**

The General Secretary gave a report and reminded everyone that the meeting of EuroCOP was to be held the following week in Edinburgh. He outlined the agenda and asked that any member of the Committee who wished to attend any of the sessions contact the Secretariat.

## **23 Police Related Charities**

### **PTC & St George's Trust**

Andy Malcolm reported that the PTC was operating well. He told the Committee that The St George's Trust would now be known as the Police Children's Trust.

### **Police Care UK**

The Chair gave an update and told the Committee that the charity had made considerable investments in wellbeing support and needed to focus on income streams to meet its future aspirations.

### **Scottish Police Memorial Trust (SPMT)**

The Chair informed the Committee that no event was held in 2021 but planning for 2022 had begun. He said that there were some issues at the SPC relative to the memorial and it was expected that the SPF would be asked to contribute. Work on the foundations had an estimated cost of £30k.

### **National Police Memorial Day (NPMD)**

The Chair attended the NPMD service which was held in Lincoln. The wife of PC Roy Buggins who died in service in September 2019 and DCC Fiona Taylor also attended. It was hoped the event would be held in Belfast in 2022 and Scotland, potentially Dundee in 2023.

## **24 Correspondence**

There was nothing to report.

## **25 Competent Business**

### **SPF Policy Conference**

The General Secretary reported that he had written to the Chief Constable to seek permission to hold a Conference in March 2022 due to the event in 2021 being cancelled. This had been agreed. It was agreed that discussion and thought should be given to subject matter for the Conference with input from SPF representatives also.

### **SPF Annual Awards Ceremony 2021**

The Committee noted that the Awards Ceremony was to be held the following week in Edinburgh. It was further noted that the focus was on policing as opposed to bravery as was in previous ceremonies.

## **26 Closure**

The Chair thanked everyone for their attendance and inputs at the meeting. The date of the next meeting was to be advised.

A vote of thanks was given to the Chair.

**David Hamilton**  
**Chair**

**Calum Steele**  
**General Secretary**