



SCOTTISH POLICE FEDERATION West Area Committee

Ref: GM/PC/LW

**Minutes of the Third quarterly meeting of the West Area Committee held
in the West Area Federation Office, Paisley on Thursday 3 September
2020 at 0930 hours by Video conference**

1. ATTENDANCE AND OPENING -

West Area Committee (WAC) Office Bearers & Staff

Paul Connelly – WAC Chair
Gary Mitchell – WAC Secretary
Ian Florence – WAC Deputy Secretary
Lorna Cunningham – WAC Deputy Secretary
Jenny Shanks – WAC Vice Chair
Lynne Welsh – SPF Staff
Philip Maguire – SPF Staff

West Area Committee

Attendance

Jennie MacFarlane
Adam Peppard
Chris Thomson
Iain Gray
David Hunter
Stewart Gailey
Richard North
Campbell Smith
Kenny Kean
Stuart Finnie
Craig Fraser
David Carmichael
Stephen Gray
Lynne Gray
Alistair Mackinnon
Emma-Louise Smith

Lee Hamilton
Pamela MacFarlane
Marketa Hola
Stuart Johnston
Gerry Welsh
Cath McNally
Linda Mathers
David Taylor
Dougie Chalmers
Jonathan Watters
Stuart Burns
Gordon Cummings
David Somerville

Apologies

Gary Diver
Craig Nicolson
Dougie McKinlay
Sarah Jackson
Elaine Sutherland
Michael McCaughey
Eddie Mather
David Osterberg
Claire Duffy
James Mutter

The WAC Chair opened the meeting and welcomed the members. He made special welcome to newly elected Representatives; Sgt Gerry Welsh, L Div, Sgt Claire Duffy, U Div and Sgt James Mutter, Q Div and informed members that Constable Stephen Gray, formerly K Division had now been elected as Constables representative for U Div.

As per the SPF Rules, the Standing Orders took effect as soon as the meeting opened and would remain in place throughout the meeting.

The Chair confirmed that agenda papers had been circulated in advance of the meeting along with pre read material. He requested that members did not record the meeting.

2. SEPARATE COMMITTEE MEETINGS

The separate committee meetings did not take place on this occasion due to the current pandemic and format of the meeting.

3. MINUTES OF PREVIOUS MEETING AND ACTIONS

The minute of the meeting of 4 June had been circulated to the committee in advance of the meeting and an amendment was made as follows; Campbell Smith and Dougie Chalmers added to list of attendees. After amendment, the minutes were approved as a true record of the meeting.

The Actions from the previous meeting had been addressed and the members were updated.

1. Pensions

One member raised the matter of pensions under the CARE scheme and highlighted a 50/50 pension scheme.

WAC Chair had requested more details be forwarded to enable him to check if this is part of the police pension scheme.

Update - This matter is to be updated under Pensions, later in the meeting.

CLOSED

2. Custody / CJSD

WAC Deputy Secretary (Health & Safety) to speak to CJSD regarding officers still waiting lengthy times with prisoners needing processed during handover periods.

Update - This has been raised at the meetings and will be looked into, CJSD do monitor waiting times. The matter is ongoing.

ONGOING

3. Competent Business – Memo from ACC

Concern regarding a recent memo from ACC MacDonald – 'Taking the knee initiative' regarding anti-racist protests and instructions therein for officers.

WAC Secretary to write to the SPF General Secretary in regards to concerns and the position of the SPF in this regard.

Update - Correspondence sent to SPF General Secretary 4 June 2020.

COMPLETE

4. **LEGAL ADVICE AND ASSISTANCE**

The Secretary reported that 16 files have been submitted to SPF Legal since the last WAC Meeting

Criminal Legal Defence x 4
Employment Dispute x 2
Injury on duty x 7
Property Protection x 1
Uninsured loss recovery x 1
Misconduct x 1

This does not include any sent to SPF Legal direct.

5. **DIVISIONAL REPORTS**

Area 8 – Argyll and West Dunbartonshire

Issues arising due to no civilian staff available at the offices after 1800 hours. Additional work and time spent due to conveying prisoners from Campbeltown to Oban.

The main problems appear to lie within LB Division due to low custody and resourcing levels.

Many areas within the division are exceptionally busy due to tourism and there is no additional support available due to COvid.

The WAC Chair will raise issues at the next L Division policy group meeting.

Area 9 - Ayrshire

There has been no recent meetings with the Divisional Commander.

The main issues are in regards to the Pilot for PCSO custody suite, there does not appear to be any proper risk assessment carried out, however the pilot is still ongoing.

Ayr Police Office is being closed more often during the week and examples of the impact of this were discussed briefly.

Area 10 – Dumfries & Galloway

Issues at Stranraer Custody.

Taser - It is hoped that Taser hubs will be progressed soon.

At present there is only one Sergeant at VA Division and one at VG Division, which is mainly due to absences being up as a result of Covid and people having to isolate.

The volume of work at the start of each shift is increased along with the length of appointments, raising stress levels.

The WAC Chair advised that there is a new structure in place which allows West Area Office Bearers to attend meetings and raise local issues.

Area 11 - Lanarkshire

Thanks were expressed to Paul McWhinnie who has very recently resigned from his post as Federation Representative and to Neil Mackay who recently retired. A welcome was extended to Jim Mutter, newly appointed Representative for Lanarkshire.

Since the last WAC a number of issues have been raised with the commander and Senior Management team.

1. Issues with Custody Division – The length of time to process a prisoner and issue with the size, or lack of interview rooms at Motherwell police office which are not fit for purpose as they do not adhere to current social distancing guidelines).
2. Officers who have passed interviews for roles within the division and been placed on the SNV list. Then when the role comes up they are overlooked for the job.
3. The 6pm nightshift starts being suspended for now and a trial where everyone on the same shift starts at 9/10pm. It appears that all relevant Inspectors were asked their opinions and all of them opted to not have the 6pm start.
4. Shift numbers are being reduced to supply officers to new Acquisitive and Drugs teams in the Division.
5. Concerns over the shifts Constables' being allocated enquiries that should go to specialised units. (Protracted enquiries) DASA and high value Frauds were given as examples.
6. Will Lanark Police office re-open as a custody suite? A definitive answer could not be provided but the feeling was no.
7. Operation Quest was discussed briefly (Option for most the Division to be moving to the Maxim Park at Eurocentral). This is still not finalised but quickly becoming the favoured option.
8. Concerns were made in regards to officers attending incidents (firearms, knife or offensive weapons) neighbouring Taser trained officers. They are placed at exceptional risk and their attendance should be reviewed.

Area 12 – Renfrew & Inverclyde

Custody still continue to present issues operationally. The new Custody allocator that officers have to call when they have an apprehension to determine what office

they have to go to does not seem to be working very well and again officers are being sent to whatever office does not have a queue, having to travel longer distances with prisoners. This often presents issues further down the line if the prisoner is put on constant observations. An example being K div having to cover observations at 3 different offices, it also means additional abstractions if the prisoners have to be conveyed home from these offices.

The sheer number of Constant observations continues to be an issue with a continuing disparity between East, North and West Commands.

Another issue which has just come to light in the last week or so which mainly effects those "trained" and expected to backfill as relief custody Sergeants, is that CJSD is now asking for backfill from division again.

During the last 6 months there has been very few if any requests and concern has been raised as the role of Custody Sergeant has become more and more specialised and again Sergeants and Constables are being asked to cover this role without adequate training or experience.

A meeting was held with the divisional Commander on 27th July 2020, main issues discussed were-

1/ Taser Cover- in the division and the need for a Hub in Greenock. The Commander updated that orders for equipment have been placed and the taser infrastructure is expected to be delivered by the end of August. It is hoped that installation will commence September/October 2020.

2/ Lack of Advertising for Jobs- this has been an ongoing issue in the division for several years and has been raised with previous Commanders, it is especially an issue for the Sergeants rank with people being appointed to jobs that have not been advertised meaning there is limited opportunities for lateral development.

3/ There has been positive feedback from officers in relation to CPN services at Leverndale resulting in reduced waiting times and a better service all round. Senior management team are keen for this to continue and will feed this back to the NHS.

4/- Issues with local De Brief documents and the protracted time spent updating them were also raised however local area Commanders are reluctant to change the process, this will be progressed by approaching the Area Commanders directly to see if the system can be streamlined.

5/-Issues were discussed about the courts blanket citing officers unnecessarily and not sending out countermands in time or at all. This has always been an issue but seems to have gotten even worse with the courts trying to start trial back up with the easing of lockdown. This has been fed back via PF liaison with examples provided

6/-The state of the Kitchen facilities at Paisley was also raised locally, the facility is totally inadequate for the number of officers who need to use it, it is too small and badly equipped. The Divisional Commander is keen to help address this and

is has tasked the local area Commander to find a solution. Officers can use the facilities in other parts of the building.

Area 13 & Area 16 – Greater Glasgow North & South

The latest meeting with Command Team using Microsoft Teams took place on 18 August 2020.

This was the last meeting for Chief Supt Hendren before she retires. She was not in a position to confirm her replacement.

CID shift pattern was discussed and there was an update that some of the initial teething problems have been ironed out and officers are adjusting to the frequent turnaround from lates and nights. There has still not been a review of this shift pattern since its implementation. Request an update about this from SPF.

TASER - more officers are to be trained and a new hub at Drumchapel has been approved.

Double Annual Leave Periods - Division not in a position to assess the impact of this until 16th September which would be 5 weeks from the first period.

Supervisory Cover Response - Division are looking to try to minimise the movement of sergeants across the Division to cover shifts. This is in its early stages and there is to be wider consultation.

City Centre Policing Plan - this is being reviewed and in light of different licensing, habits of people as a result of COVID and some issues with city centre hotels a different plan has been put in place for Friday and Saturday.

Missing Persons - Representatives raised concerns about the guidance on relation to the use of MIRSAP trained officers for High Risk and longer term missing persons and the practicalities of trying to do this. This is going to be looked at by the Division.

Prisoner Observation - There are still significant numbers of prisoners being placed on constant obs. There was clarification sought about whether custody was still in a position to take on this task. We have been advised that where possible, they will do this task. In reality this proves difficult often due to staffing levels.

Commmittees

North

Health and Safety - Elaine Sutherland

Equality - Sarah Jackson (Marketa Hola reserve)

Conduct - Chris Thomson (Davie Somerville reserve)

South

Health and Safety - Dougie McKinlay
Equality - Jennie Macfarlane (Dougie McKinlay reserve)
Conduct - Jennie Macfarlane

There was brief discussion in regards to the possibility of Saracen Police Office re-opening. This would require a degree of work to bring the building up to the required spec.

Area 14 – Operation Support Division

Issues surrounding flexible work plans. The Deputy Secretary (Health & Safety) will feed this in at the next meeting.

One member asked if there was any update on the progress of the SPF overtime document. The WAC Secretary advised that this is ongoing but all the information has to be pulled together to formulate a final version.

Area 15 – Specialist Crime

There had been a productive meeting with local MSP and it is hoped that regular meetings can take place going forward.

There are ongoing issues with the promotion process, resulting in an unfair outcome for many officers. Information and examples to be fed in to Merrylee House.

6. DEEP DIVE

There have been no meetings.

7. LOCAL POLICING COMMANDERS (LPC) AND PEOPLE AND OPERATIONS DELIVERY GROUP (PODG) NATIONAL MEETING

Local Policing Commanders West

The LPC meetings took place via video conference on 23 June and 22 July. The WAC Chair and WAC Secretary attended. ACC Johnston chaired the meeting; the attendees include the commanders of each territorial division.

The LPC has met twice by video conference since the last WAC. The WAC Chair and WAC Secretary dialled in to the meeting on 23 June. The WAC Chair dialled in to the meeting on the 22 July.

The topics discussed included the Strategic Workforce Plan and CAM. There are serious misgivings about them with CAM only delivering a fraction of the promised benefits and increasing work elsewhere. Concern is that the Strategic Workforce

Plan will lead to the loss of officers in Local Policing based on reductions in demand that have not been delivered by CAM and other projects. The wisdom of implementing changes when events and court demand are at artificially low levels was also raised. CAM is still supported in principle.

Most territorial divisions in the West are below their authorised establishment, which leads to increased use of overtime for which the divisions are criticised.

The promotion processes were also discussed and a presentation was given at the June meeting. Criticisms were levelled that the new processes (particularly at higher ranks) still reward good interview technique more than operational experience.

In regards to Estates, a new approach is being taken to managing the PSoS estate in the West. SPF fulltime officials have been invited to join groups at local and national level. Oban, Greenock and Ayr will be the priority sites. Estates management and local commanders are looking to prioritise spending at those sites until they can be replaced or refurbished. This may mean delays in work being carried out at other sites but the intention would be to be open about this and publicise decision making.

Discussion took place regarding aftercare of officers who have been injured on duty. ACC Johnson attempts to contact injured officers who he is notified of and asked if there was anything that could be improved.

The feedback given to him on behalf of members is that at recent high profile incidents the level of support given by PSoS and cooperation with the SPF has been excellent. However the majority of injuries are sustained at incidents that aren't as high profile with cops picking up chronic injuries and not receiving the same level of support.

People & Operations Delivery Group – (PODG)

The last meeting of the POD-G was held by on 20 August 2020 by video conference and was chaired by ACC Steve Johnston

Actions

Action 7.19 - Compensation Entitlements – On Call – ACC Steve Johnston provided an update in relation to the initial action which had focussed on the compensation arrangements for Superintendent ranks in relation to 'on call'. He recognised that this was a complicated issue, which extends to the use of rest day banks (which is recognised as not something contained within Regulations) and that the Service continues to link with staff associations to resolve. It is hoped that the new Workforce Agreement (WFA) for Superintendents would resolve future issues but not the historic element. The implications of what this eventually is settled on will impact on Inspecting ranks.

SPF highlighted the need for officers to have rest days (WTD) and the references within Regulation, working on a rest day requires to be recognised and a re-rostered rest day applied. This was a rostering issue that affects all ranks of PI and above in relation to 'on call' particularly when this occurs on a rest day and

that arrangements often fail to meet the Regulatory requirements; the issue is that the poor working practice has been allowed to develop and a lack of regard in relation to rest day working.

The WAC Chair highlighted the importance of Inspectors/Chief Inspectors recording working time and when they have on-call contact. In particular, where retirement comes to a point where rest days cannot be used and they are lost, there is no financial mechanism to recompense only the day back where a rest day has been given. They are currently working on an implementation plan to reduce rest day banks and that this was their focus rather than demand analysis and current working practices. The action remains open.

Action 10.19 Absence – Half Pay/No Pay – SPF highlighted that the Action focuses on critical illness which was not the initial intention of the Action, the Action was around the changes to the approach re half pay/no pay – it was suggested that the presumption should be on pay retention and PSOS providing the rationale in relation to pay reduction. It was part of wellbeing and showing support to officers rather than the current appeal process, it was an opportunity for managers and the Service to show their support for officers or articulate their reasons for not doing so. There are on-going discussions with SPF Chair & Nicky Page in relation to this.

Agenda Updates:

Euro 21

ACC Bernie Higgins provided an overview and update on Euro 21 and COP 26. He highlighted the challenges in relation to the current qualifiers planned for September and October and the risk that Serbia and Croatia being in the same group could present to policing. The last of the three group matches would occur in Glasgow on 30 June 2021.

The forthcoming match with Israel could be a test event for fans and managing social distance. The league of nations match planned in September is still planned as a closed doors game. SFA keen to enable fan attendance.

Public Order

Operation Talla - Mr Speirs had provided an update to the group that the public order requirements of the operation had impacted on other areas of business.

A substantial increase in trained public order officers is required, potentially 2000 nationally, and an increase in supervisory places is also required to be built-in to facilitate sufficient cover for BMU's to be supported.

Successions planning was covered as there are currently a cadre of retired officers assisting with public order, the SPF position is that serving officers should be trained up to fill any potential gaps. With a return of public order trainers to their roles, training for public order courses will overlap with refreshers and Method of entry training, PSNI training is being diaried for spring 2021.

COP 26

COP 26 – 1 - 21st November 2021 – recent meetings had been held involving key players including UK Government. There is a desire from Government to make this a bigger event than previously planned in terms of content. The current hospital arrangement at the SECC for Covid-19 will be scaled down at the end of the year and this will be a 10-12 week decommission period.

Current staffing projections, mutual aid and logistics were discussed. Tactical plans and planning structures are being reviewed and stood up, and a 2-day workshop is planned for October re delivery.

PI Susan McGinley will be creating strategy for welfare and wellbeing during COP 26 and ensuring its delivery.

Criminal Justice Services Division (CJSD)

CS Barry Blair (CJSD) provided an update on the review and governance arrangements for CJSD. Court Service reports on delays in trials were discussed and the national jurisdiction which enabled Virtual Custody Appearances.

Resourcing

CS Milton (Resourcing) provided an update. Annual Leave periods for 2021 should be published imminently; Leave was restricted in November due to COP 26. Impact of Covid-19 was to be considered holistically in the leave allocation, resource advisors would be linking in with Divisional management teams.

Rest Day Disruption – The impact on PSU officers had been identified and an uplift in PSU resources had been recommenced.

PSU Command Rota – There is a need for on call/on duty process – discussions planned with staff associations. ACC Bernie Higgins commented that cognisance would be required due to cross over with other specialists.

Association of Scottish Police Superintendents (ASPS) – WFA will deal with On Call/On Duty. It is not clear how SPF members will benefit from this as its likely they will be affected.

Event Command Competence – Supt Jimmy Jones is working on this. A survey is being circulated to qualified staff re deployments and experience.

Business Area Updates

DCS Sloan informed those present of a planned review of intelligence functions within the Force and was awaiting the terms of reference.

CS Roddy Irvine updated on the Force intention to create an organisational learning function; Public Enquiry – team to deal with expected large number of FOI requests. This was being led by Supt Gillian Docherty and would be based at Perth and Dalmarnock.

There was an update on the progression of the Hate Crime Bill consultation. PSoS intend to establish a steering group involving (ASPS) and Scottish Police Federation (SPF).

Nicky Page (HR) provided an update on Test & Protect, working arrangements re Covid-19 and other HR issues. Officer recruitment was reduced to 120 for the next 2 intakes; 8% of the courses were BME and had been targeted to meet needs in rural areas.

My Career Pilot being launched (appraisal system). On Boarding programme for Executive members has been implemented (2 weeks).

There was a wider discussion on the current structure for this meeting and its effectiveness, the initial intention was to provide a conduit for staff associations (SPF & ASPS) to try and resolve issues involving National Divisions.

SPF gave a view that the extension to police staff and unions opens up discussion around different issues, arising from differences between Regulations and Contracts of Employment. Whilst areas of ongoing business have their own meeting structure, this meeting is not providing the opportunities to resolve issues and is getting lost due to the lack of understanding of the meeting purpose, which was a last effort to resolve issues prior to them being raised at JNCC.

The date of the next meeting is 24 September 2020

8. **CONDUCT**

The Deputy Secretary (Conduct) reported on the meeting that took place on 14 July 2020 by video conference.

Criminal Cases

Legal applications were discussed, all but one application were for criminal cases, 2 had been concluded after interview and the remaining were all being considered by CAAPD.

Conduct Cases

Conduct proceedings and investigations are now back in full swing. All hearings and meetings, which were postponed due to COVID, have now been rescheduled. It was noted that the West area has the largest case load and largest number of hearings and meetings requiring to be heard. It was noted that there are more conduct cases in the West than in the North and East areas combined. All suspensions remained in force.

Complaints against Police (CAP)

As was the case last quarter, CAP are up again but the number of allegations in these CAP's had actually gone down, so, more complainers but complaining about fewer matters.

Performance/PIP

There was nothing new to report for performance. Three PIP's were held since last meeting.

PIRC

Reports published since last meeting were discussed. Of the reports published, there had been no criticism of any member included in them.

Training is currently on hold.

Dame Elish Angiolini Review is due to be published September/October.

The WAC Deputy Secretary reported that the criminal case figures were higher than normal, however it is anticipated that this will reduce once the courts are back to normal as many cases were postponed due to covid.

There has been one hearing since the last WAC and the outcome was a written warning.

The WAC Deputy Secretary updated members on the scheduled misconduct meetings and hearings for the remainder of September and October/November 2020.

Any Representative sending in updates for criminal or conduct matters should ensure that the appropriate conduct form is submitted. Anyone requiring a form can contact Lynne at the West Area Office. The completed forms should then be sent to conduct.west@spf.org.uk

Despite a request for updates for all facing criminal proceedings at the start of July, the updates have yet to be received. It is expected that many of the criminal figures will change once it is received.

The date of the next meeting is 29 September 2020.

The WAC Chair thanked the Deputy Secretary in recognition of the volume of work involved in preparing for the hearings and the excellent outcome of recent hearings.

9. **EQUALITY**

The WAC Vice Chair provided an update on the meeting that took place on 15 July 2020 by video conference.

SPF Conference 2021

Contact was made with an organisation - Working Families - they have been involved with a number of Forces in England in relation to flexible working. An offer has been made to participate with the offer of other contributors from that

organisation. The detail of the Equality input will be progressed now there is confirmation of external involvement.

Ill Health Retirement/Redeployment.

There have been a series of challenges faced by our members passing through this process, through delays in the process and the loss of the Selected Medical Practitioner. Thanks to the good work of Assistant to the General Secretary, Nigel Bathgate, and in collaboration with the Force, all members in this position remained on full pay.

Employment Tribunal Decision of note

Valentine v Department of Work and Pensions ET 2018-

This case from last year shows that the equality legislation provides protection from discrimination from the first day of employment, for people on both permanent and temporary contracts.

Police Treatment Centres (PTC)

The PTC is due to reopen on 7 September 2020, all who have had ongoing treatment have been contacted. For those with mental health issues, they will be required to be reassessed to ensure the programme is still relevant to them.

Any new applications must be made to the PTC direct and NOT via the SPF as was previously the case; the PTC holds all the relevant subscription details, and the SPF will have no role in the administration of the process.

COVID issues

Smarter Working Group – PSOS have compiled a Toolkit document under the heading 'Smarter Working.' The AGSE responded to this document which was shared with the Equality Leads for feedback prior to submission.

This has been developed by the Force to understand and explore how both Police Staff and our members have adapted to new and different working patterns and environments as a result of COVID-19; "to inform a future smarter, flexible and agile working model."

Some of the areas that will be examined in more detail are colleague experience, attitudes and adaptation to different and unfamiliar working practices; challenges faced by colleagues during this period, emerging concerns and issues, including colleague wellbeing. Also, differences between communities (based on personal responsibilities and demographics), locations and roles; benefits and limitations of different options for scoping the art of the possible, and how colleagues want the organisation to change and develop as a result of their experiences.

It is important that we capture any best practice regarding 'smarter working' and allow us to feed into this Short Life Working Group with accurate and informed detail.

Shielding Guidance -there are still some concerns the guidance is not fully understood by some first- and second-line managers and as we ease into some normality the absolute importance of risk assessments.

It is important that officers, who are concerned about whether they should be at work, seek out relevant guidance, if there are further issues this must be highlighted to any SPF Representative. Any Line Manager with concerns should speak to their respective Human Resource Advisor.

The WAC Vice Chair advised that 228 officers are still currently working from home.

Long Term Illness/Injury

An agreement has been reached with the regard to the sharing of information with SPF of those who are long term sick or injured. The onus still firmly remains with line management to make the SPF aware of those individuals that require additional support.

Equality, Diversity and Inclusion Employment Group

No meeting held since February 2020, next meeting is set for 7 October, 2020, subjects will be circulated for any comment or observations.

PNB (s) Equality Working Group

There has been no meeting of the PNB Equality Working Group since our last Equality Subject Committee meeting and since Covid-19.

Staff Side and Official Side have engaged in e-mail correspondence, but no matters have been progressed to completion.

The next Equality Subject Committee will meet on 30 September 2020.

10 **HEALTH AND SAFETY**

The Deputy Secretary (Health & Safety) provided an update on the meeting that took place on 16 July by video conference.

The update covered some of the Health and safety issues currently being discussed. The update below was provided at the JCC Health and Safety meeting at Dundee. The agenda was now broken down into the topics below.

Violence

The assault pledge was launched on 6 August 2020; this outlines SPA/PSOS commitment to reducing the impact of violence and improving the safety of

officers and staff. The Lord advocate and Cabinet Secretary for Justice support the pledge.

A paper was presented on the analysis that had been done on reported police assaults. There has been a gradual increase of 8% over 5 years for Police Assaults, despite there being a decrease overall in violent crime. (Data received from the NPCC and ONS). The area highlighted was that approximately 20% of assaults happen in police premises or vehicles.

Updates were provided for STO deployment. The data shows clear benefit of taser deployment to minimising officer injury and indeed offender injury at incidents. There are 526 STOs currently which is under 3% of establishment. This is very low compared to other UK forces. Training of new STOs will recommence once non-essential training can be accommodated safely. The deployment of STOs was under active consideration by the Executive.

Following high profile incidents in the west area involving knife injuries to officers LTD had received numerous queries regarding the shields carried in some vehicles. Shields which were part of the vehicle kit in Legacy Strathclyde and Central areas are now generally out of warranty and have not been confidence tested. The shields were not to be replaced when warranty expired and to stop being carried in vehicles and rather stored at police offices following a decision made by ACC Higgins in 2016. Issues were raised and discussed regarding their integrity given the manner in which they are generally stored in vehicles, the lack of training in their use, lack of confidence testing, weight limits of vehicles and that the shields are certified only for blunt instrument attacks and not bladed weapons. A short life working group (SLWG) has been set up to look into this issue.

PPE

The first phase of the new body armour is in the process of being distributed. This phase includes all sets of current body armour where the warranty is due to expire imminently. This is about 1500 sets in total. Further phases of distribution will allow Divisions to prioritise officers who may have health issues and would benefit physically from the lighter body armour.

The provision of footwear to officers has been signed off by the Senior Leadership Board and the contract has been awarded to Altberg. Processes for sizing are being developed with the company and are almost complete. This has been made more difficult at this time due to the inability to use sizing sets as there is the potential for the spread of COVID-19. The first phase of distribution involves over 11000 officers in frontline operational roles or others in roles which mean they are likely to be deployed. They should all be supplied the end of March 2021.

Operational Equipment

The new breath testing equipment trainers have received their training, but the full roll out of cascade training is on hold. It is hoped that this will restart soon.

The servicing issue for life vests is still being looked at. It was also highlighted that the life vest crutch strap needs to be secured to prevent the life vest from coming off during immersion.

The higher spec throwlines have been ordered, but have been held up due to global supply chain. It is hoped that they will be delivered by August 2020.

New road signs were finally delivered and supplied, it was noted that they would easily fall over when a vehicle passed by. As such they were recalled. It transpired that from the prototype the manufacturer had changed part of the design in relation to the joints for splaying the legs of the signs. This is an issue for the manufacturer to resolve.

Work is being carried out on the Cycle kit list to identify suitable kit lists for regular and occasional users. Whatever kit is identified it will be down to divisions to purchase from the lists for their own officers.

First Aid

Meetings underway looking at the potential for a pilot involving intranasal Naloxone. A "Test of change" document has been proposed. The SPF's position against any introduction of Naloxone in any form was presented. The Scottish Drug Forum stated that the measure of success should not be the reduction in drugs death, it should be weighted towards the number of successful administrations of Naloxone to those having overdoses. The Lord Advocate had issued a non-prosecution order so that non-health related bodies could distribute Naloxone to those they considered at risk of overdose. Risk assessments have to still be developed that must also consider the risks presented by the Coronavirus and implications that may have for PPE. Discussions are still ongoing.

Administration & Governance

Full time Office bearers have been carrying out welfare checks at offices along with other staff associations and unison. The findings from these visits has been fed back into the relevant meetings. This included visiting three premises where the HSE had received anonymous reports of concerns. All the concerns raised to the HSE were investigated.

Health questionnaires are being sent to officers who have been in attendance where they have potentially been exposed to COVID-19. Given that we have no idea what the long term consequences of the disease are it was considered important to gather as much information from officers as possible at this time should it be required.

Training

It is hoped that further training can be carried out before the end of the year.

AOCB

Talla – Return to work. Each division has been supplied with a generic risk assessment; each office/business area is required to complete their own risk assessment.

Accident investigations

There is currently eight ongoing accident investigations in the West area, with four investigations having been completed since the last meeting.

Inspections

Inspections had been delayed however are starting to resume again.

WAC - other Business

Level 4 obs – The next national meeting with CJSD is due to take place after the WAC, as such there is no further update at this time.

Waiting time for processing prisoners – This has been raised and will be looked into.

The review of prisoner observations is still being carried out by CJSD.

11. JOINT CENTRAL COMMITTEE

The WAC Chair provided an update on the meeting that took place on 18 August.

Operational Duties Standing Committee

It is intended to look into Deep Dive exercises, which may still be possible despite travel restrictions.

The main ongoing issue is promotion and an update on the process for Sergeant to Inspector was provided in relation to the number of applications considered and the number of potential vacancies. Variable across divisions and some divisions have approved far more officers than they have had spaces. It was noted that only 140 officers per year were promoted to Inspector over last 3 years.

Discussion took place regarding the potential of recording interviews – Should the recording part of the process at Chief Inspector role be expanded out to all parts of the process and at all ranks?

The SPF Chair said that these were all things that he identified in advance of this process; however, PSOS chose not to take SPF concerns on.

Legal Advice and Assistance

Allard case ongoing in early stages of court proceedings, PSOS have been asked to give figures for settlement. The Chief Constable has said he had hoped it would be settled by September, but this is unlikely.

Holiday Pay case sisted at this time, advice from QC is that TOIL cannot be included in this as it was to do with physical cash. There is no equality issue in this regard. Initial settlement was for 20% of the original claim but looking for more in light of an ongoing case in Northern Ireland, which is heading for the Supreme Court.

WhatsApp- lost Judicial Review, however this is such a fundamental case that it could end up in the Supreme Court if the appeal is lost. WhatsApp case severely restricts the privacy of police officers and the current judgement effectively means that Police officers have no right to a private life.

Pension Claims for injury to feelings – the portal is closed but possible to add others to claim, efforts being made to ensure that officers on maternity off sick etc. can be added. Over 5000 claims have been submitted, though some are duplicates. There is no guarantee of success and any settlement may be lower than the initial estimate.

Sheku Bayoh – awaiting date for public enquiry, we are currently gathering expert witnesses.

Covid 19- still waiting on final legal opinion re requirement to wear masks (FFP3)

Covid 19 Quarantine - Officers cannot be compelled to take TOIL, other options such as Annual Leave in order to quarantine upon return from abroad are not as clear cut.

Pensions

UK Police Pensions Consultative Forums

Opt- out in England and Wales (E&W), some areas have opt-outs at around 9% - figures are not as bad in Scotland. Some opt-outs might be officers working on post retirement. Actuaries are looking at the financial viability if opt-out rates increase across the country. A meeting is due to take place in Scotland this week, which will look at the same issue.

Cost Cap Mechanism is re-evaluated every 4 years and was paused as a result of McCloud and Sargeant, at time that benefits were due to increase substantially. Staff Associations say that this is wrong and we will not be able to calculate loss to members.

FBU rejected a joint funding of judicial review.

Nearly 50 staff associations are interested parties.

Rejoiners- A Government pledge to increase officers in England and Wales (E&W) has led to people re-joining. This will have tax implications. Forces have had to pay their tax bill as they were not given the correct advice.

Honoraria - E&W suggestion brought forward that officers would have the option of taking increased salary on promotion in a non-pensionable way. Federations across UK are not interested.

Covid issues - The question was raised as to what would happen if there was inability to get married to secure survivor benefits.

McCloud and Sargeant – The consultation was published last month and runs for 12 weeks, formal consultation closes on 12 October but ideally the information is required sooner.

This contains details of proposed remedy and importantly proposals to life cost cap pause. Government effectively propose that the costs of remedy will fall on members of scheme to fund, either through reduced benefits, increased contributions or both. The formal consultation runs to 70 plus pages but narrows down to approximately 20 questions. This consultation is for all public pensions.

Fire and police schemes are very small in public sector terms. They have some unique features, double accrual and early retirement ages. Survivor benefits, tax issues and other things not resolved.

Members were reminded that the challenge is to the transitional protections not to the implementation of the 2015 schemes. It is not possible to reopen the arguments of 2010-12.

Staff associations are adopting a joint process, as there has been no dissent across the ranks and home countries. The JCC endorsed this approach.

Consideration is being given to people who left the scheme as a result of the changes, to rejoin and recoup their position provided that they make up the shortfall in contributions that they missed.

Scottish Police Pension Board

There are concerns regarding the capacity of SPPA to cope with changes and impact of McCloud and Sargeant.

Annual benefit statements are due to be issued. It was noted that only 40 people have registered for the SPPA members self-service portal.

The SPF Chair has been advised that he is being removed from the Pension Board, essentially, the Government and SPPA can make this decision. The Pension manager from PSoS is also due to be removed, both have had terms extended to next year.

PNB

There have been no meetings of PNB however the Technical Working Group has met several times.

Pay scale anomalies- An approach was made at the last meeting to resolve this, no officer will lose out.

Bereavement Leave- agreement made to resolve this, we await a formal circular being published.

Covid-19

Potential issues regarding officers who suffer disability or die, as a result of contracting Covid-19 was discussed at PNB. This was specific to officers who contract on duty. In England Chief Constables have stated that officers who contract Covid within 28 days of operational duty will be treated as if they

contracted it on duty. There does not appear to be such commitment from PSoS. It is hoped that this can be resolved without having to wait for a specific case.

Handbook

There are a few minor issues which need to be resolved including; Allard, leave, recalls, vehicle allowances. Some of the issues are under consideration. It is hoped that it can be updated as soon as agreement is reached rather than waiting for circulars to be published.

COP26

Special arrangements – the official side have been asked to make suggestions.

There has been no progress on college and overseas allowances.

A pay claim has been submitted but it is unlikely that there will be any progress until Autumn until Scottish Government has set budget. Broad details of the claim were shared with the JCC, however this will be subject of negotiation and counter proposals by the official side.

The PNB Equality Working Group has met but there is substantial disagreement as to how PNB addresses equality issues. The Official side do not appear to understand that their role is independent of PSoS, and the SPA.

PSoS Reform

Re the Carleton University research carried out by Linda Duxbury's team, Covid 19 would skew the results. The SPF Chair and SPF General Secretary have had discussion with the team in regards to amending role of study, to include the effect of Covid.

PSoS is unlikely to co-operate. The JCC position is to proceed with or without co-operation.

Scottish Police Consultative Forum

There have been no recent meetings. The next one is scheduled for 15 September. The SPF Chair wishes to discuss Covid.

The SPF Deputy General Secretary, raised PSoS interference in the Ill-health retirement process, it appears the process is not independent and is being run by PSoS on behalf of SPA, who appear to be trying to compel officers who are not fit to continue to remain in service.

It is unlikely there will be resolution anytime soon for replacement for the diploma. Issue due to go back to SPCF.

Scottish Police Authority (SPA)

The next meeting of the partnership forum takes place on Friday 21 August 2020. The SPF General Secretary has written to SPA regarding actions/decisions taken by PSoS.

The SPF General Secretary continually raises issues of rural policing, offices closed, posts and numbers centralised. The SPA appear to concentrate on finance.

Scottish Police Budget and Finance

The year started with £50million but overspend has been worsened by Covid. Two significant areas that PSoS and SPA are looking at-

Estates remodelling process
Project Quest Q Division

Service needs to revisit estates plan especially in light of Covid. Current plans are dependent on moving people to larger and more crowded offices.

Project Eagle- Jackton, Fettes and SPC.

The following was discussed –

Strategic Workforce Plan – Commanders are looking to see what is required in their areas.

Perceived gains from crash, cam and mobile working need to be challenged.

Scottish Parliament and Political Engagement-

Covid has led to a reduced number and amount of engagement.

Covid Regulations

We are now into multiple versions of this legislation. SPF have meetings fortnightly with Scottish Government on regulations. Meetings take place after Scottish Government has already made their decision therefore there is no ability to influence legislation in advance.

Discussion regarding the legality of fixed penalties.

Joint Negotiating Consultative Committee

Mass mobilisation – This could create problems with mass mobilisation and shifts associated with it.

Telematics

This has been signed off, having been authorised to do so by JCC subject to legal advice.

Part-time officers and pensionable pay.

This has not been resolved as of yet. Part time officers can record working hours on SCOPE rather than plain time overtime, however it will not resolve outstanding issues from the past.

Working Practices Review Board

The OBL short life-working group is still ongoing, OBL's must be set according to need, not the amount of officers that are available.

Finance Standing Committee

The committee met on 6 August 2020 and discussed the following ;

Investments.

A new expenditure policy was approved based on the advice of the accountants.
Coffee machines – A switch has been made to another company and is anticipated that this will be up and running in a couple of months.
SPF Accommodation – Paisley Building requiring roof work.

Legislation and Regulations

Dame Elish Angiolini review is due to be published September/October 2020.

COP26

Still trying to get bespoke workforce agreement (WFA) for the period of Operation Urram

CJSD

Many projects ongoing.

12. **CONSULTATIONS**

The WAC Secretary reported on SOPs issued for consultation since the last meeting.

23/06/2020 Competency & Values Framework

24/06/2020 Information Governance SOP

14/07/2020 Promotion

Shift Consultations

Closed:

L Div - Reactive CID - 17/07/2020 - For

G Div - PPU Pro Active - 21/08/2020 – Against

SCD West - Rape Investigation Unit - 28/08/2020 – For

Live

G Div - Greater Glasgow community policing - Closing Date 12/09/2020

13. **MOTIONS**

There were no motions.

14. **CORRESPONDENCE**

The WAC Secretary advised the members of two items of correspondence –

11.06.2020 Letter of resignation/retirement from David Wilson, Inspector, K Division.

24.08.2020 Letter of resignation from Paul McWhinnie, Constable, Q Division.

The Secretary had replied to both David and Paul thanking them for their contribution to the WAC and wishing them well.

15. **COMPETENT BUSINESS**

1) Questions received in advance of meeting.

Due to the format of the meeting on this occasion, matters were raised in advance and discussed by way of a Q&A.

Promotions SOP

Q. A member has raised an issue with the new Promotions SOP. It would appear that time spent in a temporary rank is now no longer taken into account for determining eligibility for further promotion. By way of example, a comparison was made of two officers, both of whom passed their Inspectors panel at the same time. One is subsequently promoted into a substantive rank and the other is temporarily promoted on the same day, but not made substantive until a year later. The first officer would then be eligible for promotion to Chief Inspector a year before the second officer, despite both having spent the same amount of time in the Inspector rank.

A. There are statutory limitations on what action the SPF can take on behalf of an individual member in relation to promotion.

<https://www.legislation.gov.uk/ukpga/1996/16/part/III>

However the SPF does engage with PSoS in an effort to improve the Promotion processes.

The West office bearers have received a number of queries and potential grievances regarding the recent Sergeant to Inspector process and asked that members forward any concerns. Any elements of discrimination should be forwarded to the WAC Vice Chair to be raised with Equality.

One member raised issues with the marking process. This was briefly discussed with examples given from several divisions.

ACTION – WAC Chair to find out further details regarding lack of transparency with sift and details of marking scheme.

Pensions

Q. The Pension Challenge Admin team have submitted a very comprehensive report in response to the Pensions Consultation, detailing how the Government's proposed remedy of extending protection to April 2022 does not end the discrimination towards police officers. This has been made available to the Police Federation of England and Wales (PFEW) and the SPF. Can members have an assurance that the SPF will consider this response when formulating its own and our stance will be full protection for all members for the remainder of their service, unless they otherwise choose to transfer to the CARE scheme.

A. HM Treasury have launched a consultation on Public Sector Pension Reform in the wake of the McCloud and Sargeant judgement at the Court of Appeal. The full-time office bearers are collating the SPF's formal response to this consultation which poses 24 questions. The current FTOB are drawn from across the ranks and have a breadth of age and service leading to them having a number of different levels of pension entitlement. They have met to work through the responses to each of the 24 questions.

B. The consultation is not about re-opening any challenge to the overall design of the 2015 CARE pension.

The administrators of the Pension Challenge have submitted their own response to the consultation. This is obviously separate from that of the SPF.

The WAC Chair encouraged members who had not already read the consultation to do so and formulate a response. This would allow discussion on the consultation and any thoughts regarding the responses to the 24 questions.

2. Committee Vacancies

The following vacancies were identified

Conduct – G Div (South), L Div, Q Div, (member and reserve), SCD

Equality – L Div, Q Div,

Health & Safety – U Div, L Div, Q Div, G Div (South)

3. SPF Bravery Awards

WAC Deputy Secretary, Ian Florence advised the members that a meeting to discuss the format of the awards was scheduled for the following week. He referred to his recent correspondence in relation to the awards and asked members to forward their comments to him as soon as possible.

16. **CLOSE OF MEETING**

The WAC Chair thanked the members for their participation and advised members that consideration may be given to holding separate committee meetings at the

next quarterly meeting if required. An invitation will also be extended to the Assistant Chief Constable to attend. The next meeting of the WAC will take place on 3 December 2020.

Paul Connelly
Chair

Gary Mitchell
Secretary