



Scottish Police Federation

PO Box 27163, GLASGOW, G3 9EZ

JCC Circular 21 of 2022 (WEB)

Ref: CS/LS

29 June 2022

Attachment - Letter to Chief Constable

Dear Colleague

Police Pay 2022 – Withdrawal of good-will

I refer to the above and to JCC circular 20 of 2022 issued yesterday advising of action in response to our ongoing pay dispute. I would encourage you to re-read it and remind yourselves of its content.

I now attach for your information and attention a copy of correspondence I sent to the Chief Constable yesterday afternoon.

You will note that letter constitutes a formal notice of the withdrawal of police officer good-will with effect from 5pm on Friday 1st July, until further notice. Please note the content of that letter, and I encourage you and all colleagues to support each other in response to this further action.

Should you encounter any hostility in respect of your actions you should make these known to your local Federation office ASAP. It is vitally important that all of our members stand shoulder to shoulder in support of this action, for all of the reasons laid out in the aforementioned Circular. There will be no improvement in our pay situation if we don't. Any supervisor who finds themselves subject to pressure to seek to circumvent this approach should similarly not hesitate to contact their local Federation office where they will be fully supported.

You should note that this notification to the Chief Constable has been informed by advice from Counsel. You should also note that whilst this notice to the Chief Constable is clear and unambiguous, a police officer may be ordered to report for duty at any time not stipulated on their duty roster.

A police officer may not refuse a lawful order. For example, an officer may be ordered to report for duty before their rostered tour of duty is due to begin. Where this occurs, overtime is payable and should be claimed. If there is any ambiguity over any implied suggestion that you should report for duty early, or work late, you should clearly ask "is this an order?" Any supervisor issuing a lawful order will have no difficulty in confirming with a clear "yes" answer.

You should also note that if you are unlikely to complete your duty prior to the end of your rostered period of duty you should pay due regard to the proper investigation of crime and impact on victims. Where you consider there is any possibility these factors may be at play,

and will curtail your ability to conclude duty on time, you should report these to your supervisor as part of your seeking direction on your finish time.

The purpose of this action is categorically not to frustrate any investigation, or further aggravate any victim's experience. It is simply to demonstrate to our employers just how much discretionary effort, and free policing hours, they ordinarily take for granted.

I appreciate many of the actions laid out in the letter to the Chief Constable will feel alien to you. It is however essential that in order to persuade our "employers" to return to the negotiating table with a fair pay offer, that we use all lawful methods to demonstrate our anger and dissatisfaction with what is on offer. If there is no coordinated response by members to this derisory offer, our position in future years will be weaker and compromised.

I would also encourage those members who have not already done so, to adopt the VIOP phone number approach detailed in Circular 20 of 2022. Further technical "walk through" instructions on how this can be done, will be published on our website shortly. As stated in Circular 20 of 2022,

It is essential that should ask for your previous phone number to be deleted from any record held by the Police Service. You should ask the Police Service to confirm that is has done so, and you should make clear that if the Police Service does not do so, that you will consider raising action against it for this failure.

The contact email for this cannot be shared on a document that could find its way into the public domain. A similar document detailing that email is available through your representatives.

Once again, I remind you that this is not the sum total of the options of actions available to us as police officers. We have many more lawful options available to us to safeguard our health, safety, and wellbeing, and to seek to mitigate the worst effects of the cost of living crisis.

I will of course keep you updated if there are any developments following this notification to the Chief Constable.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Calum Steele', with a horizontal line extending from the end of the signature.

CALUM STEELE
General Secretary



SCOTTISH POLICE FEDERATION

Established by Act of Parliament

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Police Service of Scotland
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Ref: CS/LS

29 June 2022

Email: [REDACTED]

Dear Sir Iain

Police Pay 2022 – Formal withdrawal of good-will

As you may be aware the Joint Central Committee (JCC) of the Scottish Police Federation (SPF) unanimously endorsed a series of actions in response to the derisory pay offer made to our members on the 16th May.

I write to advise you that with effect from 1700 hours on Friday 1st July our members will be withdrawing all good-will in respect of policing. Further actions to safeguard our members health and safety, and to mitigate the effects of the cost of living crisis on them will follow over subsequent weeks.

As you are aware police officers do not have contracts of employment. We are prohibited by law from taking industrial action or withdrawing our labour. Our conditions of service are regulated via the Police Service of Scotland Regulations and associated determinations. They are also governed by the Workforce Agreement signed in May and June 2018.

These regulations and determinations are instructive in respect of police officer working hours (Regulation 14 and Annex 5). Specifically, they direct the obligation to publish a duty roster detailing the times at which a constable's scheduled daily periods of duty (rostered shifts for constables working variable shift or flexible working arrangements and for part-time constables) are to begin and end. These obligations are not discretionary.

The withdrawal of good-will will apply to all policing activity until further notice and will amount in the first instance to;

- Police officers will not commence their shifts early and will instead be present and ready to commence duty at the minute of the commencement of their rostered tour of duty.
- Unless expressly directed or authorised to the contrary, police officers will conclude their tours of duty at their rostered time. Any police officer who believes it is unlikely they will be able to complete their work, on any day, will seek direction from a supervisor in respect of any additional duty time the Service may require in order for them to do so. Every completed period of overtime will thereafter be claimed for payment.
- Police officers will not take any items of police personal protective equipment home with them at the end of their tours of duty, regardless of where they are expected to commence their next tour of duty. The obligation for the storage of PPE is laid out in the Personal Protective Equipment at Work Regulations 1992 (as amended) and regulation 8 places an obligation on the employer to ensure *appropriate accommodation is provided for that personal protective equipment when it is not being used.*
- Police officers will not take any ancillary items of police equipment, for example Airwave radios or Personal Data Appliances home with them at the end of their tour of duty. Police officers can ill afford to be adding to their domestic energy costs by charging items of police equipment at home.
- If a police officer is required to report for duty away from their usual place of duty, they will do so at the time stated on their duty roster.

I need to be clear that the formal withdrawal of good-will is not an action the JCC has endorsed lightly. It is nonetheless a manifestation of the strength of feeling of our members of the utter contempt this pay offer represents to them. It will not be lost on you that this is the most significant discontent in the police service since the 1970s, and the most overt demonstration of action by our members in over 100 years.

The SPF has consistently demonstrated a willingness to negotiate a fair pay settlement for our members and remain open to meaningful dialogue on fair pay proposals now.

Yours sincerely



CALUM STEELE
General Secretary