



## Scottish Police Federation North Area Committee

Minute of the quarterly meeting of the Scottish Police Federation North Area Committee, held on Monday 6<sup>th</sup> and Tuesday 7<sup>th</sup> December 2021, at the SPF Training and Meeting Facility, Unit 29, City Quay, Camperdown Street, Dundee.

### 1. Members Present

#### Full Time Officials

David Threadgold	Chair
Neil Macdonald	Secretary
Ross Polworth	Vice Chair
Caroline Macnaughton	Deputy Secretary

Constables	Sergeants	Inspecting Ranks
Shirley Moran	Fraser Robertson	Karen Harrison
Mark Douglas	Pat Nicoll	Allen Shaw
Colin Nicoll	Andy Bilton	Nick Clasper
Allen Begg	Andy Sawers	
Yvonne Sloan	Alex Carle	
Gary Maclennan	David MacAlpine	
David Mackay	Simon Lewis-Dalby	
Andy Horne	Gary Johnstone	
Ronnie Irvine		

Apologies - Alan Devine, Kevin Hird, Graham Smith, Scott Macdonald, Doug Green & Andy Horne.

### 2. Opening of Meeting

The Chair opened the meeting and welcomed all members present. The Committee were encouraged to take an active part in the meeting and to contribute to discussion and debate.

### 3. Approval of Previous Minutes

The previous Minute of the Meeting held on 6 September 2021, was formally approved, having been proposed and seconded by Shirley Moran and Fraser Robertson.

#### **4. David Ross, SPF Policy and Coordination Officer**

David Ross provided a presentation and update on the position of Police Pensions which was welcomed by the Committee. An Information document would be circulated to the Committee in due course.

#### **5. Matters Arising Action/Decision Log**

There were no outstanding Actions.

#### **6. Rank Specific Separates Meeting**

A North Area Committee Constables meeting was facilitated.

The undernoted representatives, who work in national divisions, provided individual inputs to the Committee behalf of their area of business. This was to raise awareness regarding good working practices and challenges faced. The Committee were thereafter afforded the opportunity to ask questions.

Pat Nicoll	-	Firearms Policing
Nick Clasper	-	CJSD – Policy / Custody Review
Yvonne Sloan	-	CJSD
Karen Harrison	-	C3
Fraser Robertson	-	SLWG – Op Urram (Overtime/Allowances)

#### **7. Standing Items**

##### **7.1 JCC Update**

For the benefit of newly elected members, the Secretary provided an overview of the remit and structure of the JCC and Subject Committees, and summarised the most pertinent points for the NAC as follows: -

##### **Legal Advice & Assistance**

The Allard case is ongoing with no update of significance.

(\*NOTE – Allard is in respect of recall payments for CHIS handlers and has been ongoing since 2015).

The Holiday Pay case is still ongoing at an Employment Tribunal but we await decision re PSNI officers.

(\*NOTE – The SPF is the only trade union pursuing cases in Scotland – this follows the EAT ruling that workers are entitled to overtime payments as part of holiday pay. The SPF were on the cusp of settling with the PSoS but the case in NI – which is almost identical to that in Scotland – is ahead of SPF and has cleared legal hurdles, so we have delayed resolution pending outcome).

The WhatsApp case is ongoing with no update of significance.

(\*NOTE – this is a case of international significance and is being watched by police unions all over the world).

### **Police Negotiating Board**

PAY CLAIM – 2021 – JCC discussed the pay outcome and change in focus that occurred as a consequence of other matters in the UK.

Discussion followed regarding payments for officers and staff and an explanation provided by the Secretary on this and the ongoing pay negotiations. The Committee were asked to submit responses before pay negotiations commence.

### **Pensions**

A detailed pensions presentation was given to the NAC by David Ross, SPF Policy Officer.

### **Scottish Police Consultative Forum**

The Deputy General Secretary updated on Angiolini Review – Meetings have been held with Scottish Government – this is still being progressed however the final paper and proposals are awaited. Initial meetings have been positive, the outcome is awaited in the final changes are following our input.

In Service Compensation – No further meetings have been held.

Legal Advice & Assistance – Progress ongoing – this remains subject of the 1978 Circular in relation to the access and funding of paying for legal representation for on duty matters.

### **Scottish Police Authority**

The Chair will report on the Scottish Police Authority Meeting of 29<sup>th</sup> September 2021 including the 5-year Financial 29<sup>th</sup> September – Data held on papers being presented to the Authority. One of the most significant reports was the [5 year financial plan \(capital strategy\)](#) presented to the meeting. The Chair highlighted the financial strategy, the focus is on the money, current budget is 1.25 billion (86% are staffing costs). Due to the structural rebasing of the deficit – this has prevented the need of PSoS to cut the numbers – focus was on saving money and desire to reduce the numbers. The 5-year plan now recognises that they cannot make the saving on numbers (remains on 17,234) – the plan contains assumptions on the revenue drop (event recovery, airport) as consequence of COVID – expectation for Scottish Government. Expectation that DESK and MCP, Criminal

Age of Responsibility and Drug Driving – expectation that all changes will be fully funded, real terms uplift to non-staffing costs. This is predicated on a number of factors, what is the likelihood of success – need for Government to fully fund changes. PEOPLE COMMITTEE – Met on 25<sup>th</sup> October – SPF present as an experiment – desire to influence SPA – there have been 3 meetings of this Committee. PEOPLE Committee discussed the Force Survey – highlight of SPF survey – shows in the minutes. The SPA were particularly unimpressed by the Force Survey (a single dimension of job satisfaction – what does this mean – the meaningfulness of the job). Durham Survey was around benchmarking – what was the benchmark – Force said there was a benchmark and did not wish to provide this.

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

UK Budget – 1.5 billion of Barnett Consequentials as consequence of budget changes – plateaus in future years. This is a cash windfall for Scottish Government however, little has been applied to Justice. Budgets allocated to Justice are minimal, SG budget is scheduled for end of November – PSoS and SPA budget presented – there are minimal asks from the Service and there is little room to maneuver by SPF and others. Justice is pretty far down the budget considerations. Potential need for further political engagement around budget considerations.

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

Challenge at the pre-budget stage is the lack of clarity on the budget position; CS and DH have met the Chair of the panel (former police officer) – she was keen to get an understanding of the equality issues that have been identified within PSoS.

There are some ancillary issues in relation to driver training (S19 exemption letter from Keith Brown to DFT); this was extended due to COVID-19 – requirement for regular and refresher training. Trustee's progressing the issue surrounding the Cabinet Secretary Letter.

Naloxone – Evidence and update provided to Justice Committee; perception around stance – focus is on protection of members rather than view of those that abuse drugs. Discussion followed regarding the use of Naloxone, in that although the trial in D Division had concluded, it continued to be carried

Budget Submission – this should be available in the pre-parliament scrutiny process.

### **Joint Negotiating Consultative Committee**

A review of the role of the JNCC is ongoing and would be reported on in due course.

Vaccination and testing across the public service was discussed. Issues were raised regarding the possible impact on staff when individuals exercise their right not to have the vaccine and how this is managed by supervisors. Concerns regarding the recording of members vaccination status on Scope was also raised.

Workload and Burnout – A discussion was held regarding pressures on local policing. This subject is under continuous review which had resulted in some changes e.g. FRUs being returned to Division. The Committee felt that additional officers could be released from non-front-facing roles to alleviate staffing difficulties, and that the focus should return to Policing rather than inter-agency working or departmental administrative functions. This would negate the need for cross-division relocation for temporary assistance.

### **Police Related Charities**

Chair update provided on PTC/St George's – change to widen membership and change of name from St George's – Police Children's Trust.

POLICE CARE – Update provided on Scottish Police Memorial Trust and the challenges in respect of the memorial (issues around slabs and water damage – likely to be increased cost).

NPMD – Service held in Lincoln, represented by DH, widow of Wiggins, DCC Taylor. 2022 – Belfast; 2023 – Scotland – Dundee.

## **7.2 Subject Committees**

- **Conduct**

David Threadgold provided the following update:-

With Cause Drugs Tests – If members contact the SPF for advice, having been 'required to provide a sample', the Committee were requested to ensure the advice provided is that they do not have to. This is not covered by Regulation and an operational order cannot be given.

This issue had arisen following an officer misquoting the SPF by advising that 'he wasn't to give it, so he was doing as he was told'. The Committee were reminded that our role is to ensure that officers know the providing of the sample is voluntary and to be aware of the associated risks if they agree. Responses are noted verbatim and it is easy for members to misinterpret advice.

The Chair reported 8 ongoing conduct cases and 24 ongoing criminal cases.

Increased scrutiny and absolute expectation of the conduct expected.

- **Equality and People**

Caroline Macnaughton provided the following Equality update:-

### **Ill Health Retirement**

The ill-health retirement process remains under review with delays continuing for officers awaiting their appointments with the SMP. There had however, been progress with at least one officer now fully retired and SMP appointments now being arranged.

It was noted that officers who have left the pension scheme, will not receive an enhanced pension if they opt for ill-health retirement. In addition, there is an auto-enrolment process by Police Scotland/SPA for officers that have come out of the pension scheme. This occurs every 3 years, however officers who are absent from work on ill-health but get auto-enrolled, should undergo a medical assessment to confirm they are fit enough for the SPPA to accept them back onto the scheme. This is the responsibility of Optima and had been overlooked in a recent case.

### **Equality and Discrimination**

There are a number of ongoing legal and grievance cases across the North area, for both disability, pregnancy and gender. With the assistance of local reps, some of these cases had been resolved by local mediation and negotiation with managers and supervisors. These cases involved pregnancy risk assessment and home-working, disability and reasonable adjustments, and mental health issues possibly linked to PTSD.

The support provided by SPF official, Andy Malcolm, for officer, Rhona Malone, at a recent Employment Tribunal around allegations of misogyny and oppressive behaviour, was praised by the Judge summing up the case. As a result of the findings of this case, a number of working groups had been established by Police Scotland to deal with Equality, Diversity and Inclusion, which now takes the total to approximately 50 SLWGs across the Force dealing with EDI.

### **Other People Issues**

COVID absences were now recorded as normal sickness absences and included self-isolation and pending PCR test results. Advice for managers is to monitor the impact on Attendance Management and Bradford Scores, ASM requirements etc, to ensure this did not cause potential discrimination.

Flexible Working remained on the agenda and issues that arose from officers involved in COP26 appear to have been resolved.

- **Health and Safety**

Ross Polworth provided the following Health & Safety update:-

### **COVID19**

Covid guidance remained the same. There had been an increase in officer absence due to the Omicron variant.

### **Health & Safety Board**

**RIDDORs** - Approximately 500 RIDDOR's had been submitted over the last year, with the majority relating to COVID. Non-COVID related incident reports were down compared to previous years.

**Network Rail** - New protocol and guidance was being produced to ensure correct caution or stop on the line is implemented.

**Electric Vehicles** - Practical Driver Training providing being rolled out.

### **Body Armour Working Group**

A survey was being produced for feedback from those issued with the new armour. The next phase would see the issuing of 5,500 sets of body armour, including 800 ballistic sets. Formed armour was being progressed with the manufacturer and a Trial was to commence with custom fitting of three officers with the armour.

### **Footwear**

4,100 pairs of boots had been delivered to the North and East areas. There was a proposal for non-front-line officers not to be supplied; instead sufficient stock would be ordered and stored for replacements and new starts.

### **Clothing & Equipment Working Group**

Armed Policing were looking to introduce flame retardant trousers.

Thermals - Paper supported and to progress purchase of thermal underlayers in next year's budget.

Pedal Cycles - Equipment list compiled and to be presented to the next meeting, with Risk assessment and EQHRIA required prior to completion. Thereafter, procurement would progress with contracts with suppliers.

First Aid - Current kits to be replaced with resus mask, tuff-cut scissors and compression bandage on standard kit list issued to probationers.

Road Signs - No solution to design issues. It is anticipated that the old stock style sign, with improved reflectivity, would require to be purchased in the interim, to maintain sufficient signs within vehicles.

### **Naloxone Steering Group**

There had been 22 uses in D Division recorded to date and 2 in N Division, with no issues with Ambulance response for the majority. Low response to the three staged surveys from the evaluation team, particularly in respect of the final survey. Evaluation results may not be available until February.

### **Casualty Transport SLWG**

A draft Casualty Transportation policy had been circulated and feedback provided highlighting areas of concern over liability and responsibilities of officers. The Scottish

Ambulance Service policy is that the only safe mode of transport is an Ambulance. A request had been made to legal services, the outcome of which may mean a policy is impossible to devise.

## **Training**

Driver training is still an area of concern, which includes new recruit training and the implementation of Section 19 RTA (requires drivers to undergo refresher training).

## **A Division**

The reporting process had changed to match D Division position with Crime files not closed until appropriate accident/near miss/use of force forms had been submitted. Taser hubs were to be established in Elgin and Aberdeen, with training for officers scheduled for the beginning of the next financial year. BWV cameras in use for years had contributed to low assault figures compared to other areas. Your Safety Matters work identified custody wait, complacency and inexperience as reasons for assaults on officers.

## **D Division**

Last meeting was held on 16 November 2021. Discussion centered around the high number of officer assaults in D Division compared to other areas. Acknowledgment from all present that this may be as a result of accurate reporting. As per A Division, Your Safety Matters focus on the same areas of concern.

## **N Division**

Your Safety Matters were focusing on the same issues as A and D Divisions. A Meeting had been held with PSD North to feedback concerns regarding probationer inputs at SPC. A Survey was being carried out with officers who had been assaulted, to identify support and recording issues or good practice. Custody impact statements are not confidential and as such would prevent their submission.

## **7.3 Standing Committees**

The Committee were informed that Standing Committees are currently under review by the JCC which itself would increase from 4 to 6 meetings yearly.

- **Finance Standing Committee**

A summary on the remit of the FSC in general terms and relative update from the FSC in respect of the North area was provided by the Chair.

- **Legislation & Regulations**

There had been no Legislation & Regulations meeting since the last NAC.

- **Operational Duties**

There had been no Operational Duties meeting since the last NAC.

## **8. Area Meetings Update**

**N Division** – An update on divisional matters was provided by Neil Macdonald, Area Secretary, and Ross Polworth, Vice Chair, which included regular attendance at meetings with the ACC, Divisional Command Team, Peoples Board and National Peoples Board, which ensures good working relationships are maintained.

**A Division** – David Threadgold, Chair, reported that the FTOBs meet with Chief Superintendent Macdonald when required. This work is now being reinstated post Op Urram. At the time of writing, we await confirmation of diary availability in early 2022.

**D Division** – Caroline Macnaughton, Deputy Secretary, provided an update on D Division matters, some of which included the following: -

A meeting was held at the SPF offices for all D Division reps and the new Divisional Commander, Phil Davison. A number of topics were covered, including Football and Event Resourcing; resourcing in rural areas; taser deployment and distribution. The Commander is keen for these meetings to be held quarterly to allow regular engagement between the SLT and the SPF. These will be diaried for the next year.

Further meetings are held regularly between Deputy Secretary and the Senior Leadership Team to raise specific issues around individual cases or matters as they arise.

During COP26, SPF were present at the daily divisional morning meeting to ensure co-ordination and information sharing between divisional officers based in Glasgow and those who remained at BAU. There continues to be liaison in relation to residual claims and ongoing matters.

## **9. New Business**

No new business was brought to the Committee's attention.

## **10. AOCB / Correspondence**

The Secretary briefed the Committee on AOCB and correspondence received.

- Award Ceremony – The Secretary provided an update on the SPF awards which took place on Thursday 25<sup>th</sup> November. Feedback was requested from the

Committee regarding the process to encourage participation and future nominations.

- Attendance - The Committee were reminded that attendance at the four NAC meetings per year is essential and is vitally important to ensure the success of the NAC. Any apologies must be notified in advance of the meeting.
- Resignations – Resignations were received from Lesley Fraser and Megan Heathershaw. The Secretary thanked both for their contributions to the Scottish Police Federation and wished them well in the future.
- Vacancies – It was reported that in addition to the resignations mentioned, there were already two vacancies within the North area, taking the total vacancies to 4, 3 x Inspectors (1 x A Div, 2 x D Div) and 1 x Constable (A Div). These vacancies would be advertised in early 2022 and any recommendations would be welcomed.
- Skills Register – The Chair reported that a number of Federation representatives had still not submitted a response to the Skills Questionnaire. The benefits of utilising the skills and experience contained within the NAC was reiterated and it was requested that representatives return this information as soon as possible.

#### **11. Time and Date of Next Meeting / Closure of Meeting**

The next Meeting of the North Area Committee will be held on 28 February and 1 March 2022.

The Chair thanked the Committee for their active and constructive participation and closed the Meeting. He was thanked by the meeting in the customary manner.

**David Threadgold**  
Chair

**Neil Macdonald**  
Secretary