



Scottish Police Federation

East Area Committee

Minutes of the Second Quarterly Meeting of the East Area Committee of the Scottish Police Federation held on Wednesday 1 June 2022 within the Houston House Hotel, Uphall, Livingston, EH52 6JS

1. OPENING OF THE MEETING

The Chair welcomed all those in attendance to this, the Second Quarterly Meeting of the East Area Committee for 2022.

Representatives were reminded by the Chair that their attendance at Committee Meetings was a duty and that approval had been given from the Chief Constable for their attendance. The Chair then stressed the importance of Representatives attending and contributing on behalf of members.

The Chair remarked upon the relatively low numbers in attendance at the meeting and commented that while it was unavoidable to an extent due to retirements and annual leave, there had been comment that some struggled to get away from their day jobs due to staffing issues.

While this is testament to the issues the Service is currently facing, it also indicates that it is more important than ever to attend these meetings to ensure that the views of those facing such demands are represented.

The Agenda and evacuation protocols were highlighted, Standing Orders were adopted, and the meeting was declared open.

GENERAL SECRETARY UPDATE

The Committee were then joined by the General Secretary, Calum Steele, who gave an update on the current pay negotiations with a lengthy input on the feedback he had received thereafter, he sought the views of the committee in respect of the parameters of any action the SPF should take. This instigated extensive discussion within the room with overwhelming support given to

the SPF taking as firm and robust action as is possible within the confines of the regulations. This approval would be taken to JCC for consideration.

2. ATTENDANCE

Inspector Martin Vickerman	C - Forth Valley
Sergeant Christopher Scott	C - Forth Valley
Constable Lyn Redwood	C - Forth Valley
Constable Gavin Grant	C - Forth Valley
Inspector Peter Jones	E - Edinburgh
Inspector Neill Whiteside	E - Edinburgh
Sergeant Heather Macintyre	E - Edinburgh
Sergeant Christopher Richardson	E - Edinburgh
Sergeant Willie Rennie	E - Edinburgh
Constable Stevie Neilson	E - Edinburgh
Constable David Davison	E - Edinburgh
Constable Richard Wood	E - Edinburgh
Constable Euan Sinclair	E - Edinburgh
Inspector Andrew Toombs	J - The Lothian's & Scottish Borders
Inspector David Hughes	J - The Lothian's & Scottish Borders
Sergeant Ross Drummond	J - The Lothian's & Scottish Borders
Constable Gareth Watt	J - The Lothian's & Scottish Borders
Constable Darren Gallagher	J - The Lothian's & Scottish Borders
Constable Eric Dickson	J - The Lothian's & Scottish Borders
Inspector James McLaren	P - Fife
Sergeant Craig Menzies	P - Fife
Sergeant David Hayes	P - Fife
Sergeant Graeme Mathers	P - Fife
Constable Ben Pacholek	P - Fife
Constable Kevin Taylor	P - Fife
Andrew Malcolm	Chair
Stephen Clark	Secretary
Graham Ross	Vice-Chair

3 **APOLOGIES**

Apologies were received from Heather Macdonald, Allan Lapsley, Michael Williamson, Anne Begley, James Gowling, Mark Sherman, David Reid, Liam Harman, Craig Fogg, Norman Towler and John Turley who was assisting members at the Sheku Bayoh Enquiry.

Since the last meeting Michelle Ritchie, Bryan Jones, Mark Murphy, and Ian Stephen had retired from the Service with David Hayes resigning from the committee. The Chair expressed his thanks on behalf of the committee for the effort and commitments each had shown during their tenure as EAC Representatives, wishing them well for the future.

The Chair next advised the committee that elections in each of the 4 areas would be taking place in the coming weeks for new representatives to be elected, hopefully in time for the next EAC Quarterly Meeting in August.

4 **MINUTES OF THE PREVIOUS MEETING**

Those present approved the minutes of the previous meeting held on Wednesday 2nd March 2022. The minutes had previously been circulated to the Committee via Teams.

5 **MATTERS ARISING**

(a) **JOINT CENTRAL COMMITTEE UPDATE**

The Secretary informed the committee that the last meeting of the Joint Central Committee (JCC) had taken place within the SPF Office in Dundee on 19 and 20 April 2022. The committee were updated as per the agenda papers. Points worthy of note included the following:

Legal Update:

Allard – Remains ongoing though requirement for this to reach a conclusion was emphasized. Sadly, two claimants had now passed away in the time it has taken to date.

Holiday Pay – Remains ongoing. Case cisted in Scotland pending result of Northern Ireland case.

WhatsApp – Counsel believes there is a strong enough case to continue to appeal to the European Courts with minimum cost to SPF. Unfortunately, this will not delay the misconduct process for the three remaining officers. Remains ongoing.

Sheku Bayoh Public Enquiry – The first Hearing commenced on 10 May 2022. SPF continue to provide support to those officers involved via Graham Ross, Stevie Clark, Davy Reid, and John Turley.

Naloxone – Legal advice has been sought on four key points namely:

- Can the Chief Constable require carriage of Naloxone?
- Legal issues arising from administering Naloxone
- Legal issues if officers refuse to carry and results in a DSI
- Remedies in respect of lack of consultation with SPF by Chief Constable

PNB (Police Negotiating Board)

The Secretary informed the committee the last PNB meeting had been held on 16 February 2022. The committee were updated as per the agenda papers and matters discussed as highlighted by the General Secretary.

PNB EWG (Equality Working Group) – Staff Side previously lodged the claim for increased provision in relation to Maternity to align policing in Scotland with the rest of the UK. Remains ongoing.

Inspecting Ranks Working Hours – Work remains ongoing.

PENSIONS

The Police Pensions (Amendment) (Scotland) Regulations 2022 and SPPA 2/2022 in relation to changes in the PPS 1987 from 1 April 2022, which enabled unrestricted commutation for those aged 50 years of age and who had completed 25 years police service. The Chair reported that as a consequence, 588 officers had submitted resignations and a conversation was had about the implications of this.

Worryingly 75% of ASPs members qualify to retire which would represent a significant number of leaders lost within the organisation. Recruitment continues at the rate of 300 per intake, therefore, should officers continue to retire, the shortfall may take time to replace over and above natural retirements.

The next Joint Central Committee Meeting will be held on 23 and 24 August 2022.

JNCC (Joint Negotiating Consultative Committee)

SPF have concerns regarding the lack of priority given to the JNCC as part of the Force's decision-making structure where they instead appear to rely more heavily on other committees. The JNCC is a regulatory forum and, this apparent decline in its relevance appears to demonstrate the lack

of cognisance by the Force towards the consultation process with SPF and other Staff Associations.

ASGS EQUALITY UPDATE

The committee were joined by the Assistant to the General Secretary (Equality), James Thomson, who discussed ongoing matters surrounding Optima; the role of Occupational Health; duty modifications and common issues encountered from the service; the continued struggle of members caught up in delays going through the Ill-Health process; Injury on Duty Claims and the same issues with delays as IHP. He also spoke in depth about equality issues giving examples of poor practice where the service seems not to understand processes. He also spoke about absences detailing the common problems the service seems to have in terms of supporting our members.

The committee discussed much of these points in detail and appeared to have benefitted from the short contribution, particularly around the Ill-Health process.

JCC Sub-Committees

Three new sub committees of the JCC are being formed and will replace the existing Conduct and Equality Committees. The Health and Safety Committee will remain as is required in regulation. Nominations will be sought in coming weeks for representatives to fill some of these roles.

b) STANDING COMMITTEE UPDATES

The Committee were updated on the pertinent elements as per the agenda papers.

c) SUBJECT COMMITTEE UPDATES

CONDUCT - The Vice-Chair gave an update on all conduct matters as per the circular shared on Teams. Conduct matters have really begun to crank up with a large number of cases now beyond the Regulation 11 stage and an influx of Regulation 15 packs. Thereafter Misconduct Meetings and Hearings are anticipated.

EQUALITY - The Chair updated the committee in relation to equality matters within the East Area, including the Ill-Health Retirement process which continues to be the subject of delays due to COVID. PSoS have appointed four new selected medical practitioners to address the

backlog however, there are still considerable delays for our members remaining within the process.

HEALTH & SAFETY - The Deputy Secretary was not present however, the committee were reminded of her circulation on Teams in respect of this on the agenda papers.

d) **DIVISIONAL UPDATES**

Divisional updates were given by representatives of each of the four divisions as per the documents shared on Teams and discussion was had centring on common themes which spread across all areas.

e) **MAJOR EVENTS**

SPF AWARDS - The Vice Chair reiterated the value of these awards and asked the committee to further spread the message within areas to ensure the fine work of our colleagues in the East is properly recognised.

6 **NEW BUSINESS**

No new business.

7 **ANY OTHER COMPETENT BUSINESS**

The Vice Chair reminded the committee that this would be the last EAC Meeting for the Chair Andy Malcolm, Secretary Stevie Clark and Deputy Secretary Heather Macdonald and spoke of their contributions to the committee over the years first as local representatives and then as full-time officials. They were thanked for their endeavours, hard work and wished well upon their impending retirement. The committee showed their appreciation in the time-honoured fashion

8 **DATES OF NEXT MEETING**

The next East Area Committee meeting will be held on Wednesday 31 August 2022.

9 **CLOSURE OF MEETING**

The Chair thanked everyone for attending and for their valued input into proceedings, thereafter wishing everyone a safe onward journey home prior to formally closing the meeting.

Graham Ross
Secretary

John Turley
Chair