



Scottish Police Federation

PO Box 27163, Glasgow, G3 9EZ

Joint Central Committee Minutes

Minutes of the Joint Central Committee meeting held at the SPF (Scottish Police Federation) Training and Meeting Facility, Unit 29, City Quay, Camperdown Street, Dundee, DD1 3JA on 23rd/24th August 2022.

1. Attendance and Opening

SPF Office Bearers:

David Hamilton	Chair
Calum Steele	General Secretary
Brian Jones	Vice Chair

North Committee

Nick Clasper
David Mackay
Caroline Macnaughton
Andy Sawers
Allen Shaw
Yvonne Sloan

East Committee

James McLaren
David Reid
Graham Ross
Norman Towler
John Turley
Ricky Wood

West Committee

Lorna Cunningham
Ian Florence
Iain Gray
Jennie Macfarlane
Emma-Louise Smith
Chris Thomson

Assistants to the General Secretary

Gordon Forsyth AGS (H&S)
James Thomson AGS (People & Equality)
David Threadgold (Conduct)

Also in attendance

Doug Keil	Business Manager
David Ross	Policy & Co-ordination Officer
Lesley Stevenson	Business Administrator

The Chair opened the meeting by welcoming everyone, particularly the new members on the Committee and invited all to take an active part.

He informed the Committee that a Finance Standing Committee meeting would be held at 4pm later in the day.

Apologies were received from David Kennedy, Deputy General Secretary.

2 Minute of Previous Meeting

The draft Minute of the previous meeting was circulated with JCC Circular 34 of 2022. It was proposed and seconded and thereafter adopted as a true record.

3 Election of Deputy General Secretary

At the last meeting David Kennedy, the incumbent Deputy General Secretary was elected as General Secretary (elect) and would take up the position in February 2023.

As a result of this, notification of an election to replace him had been issued with JCC Circular 29 of 2022. Lorna Cunningham, the incumbent Chair of the West Area Committee was the sole nominee for the post. Lorna was proposed and seconded by Ian Florence and Gordon Forsyth respectively and was duly elected to the post.

Lorna was congratulated on her election and thanked the Committee for its support.

4 Election of AGS (People & Equality)

The incumbent AGS (People & Equality), James Thomson is retiring from the police service (and his position on the JCC) on the 31st October 2022.

As a result of this, notification of an election to replace him had been issued with JCC Circular 29 of 2022. Emma-Louise Smith was the sole nominee for the post. Emma-Louise was proposed and seconded by Graham Ross and Caroline Macnaughton respectively and duly elected to the post.

Emma-Louise was congratulated on her election and thanked the Committee for its support.

5 Legal Advice and Assistance

The General Secretary reported that since the last meeting a total of 55 new cases had been opened by the SPF. Of this 55, more than half (56%) were for off-duty matters. This was broadly consistent with the pattern for the previous 12 months where 53% of the total number of legal cases were for off-duty matters.

Of the on-duty cases, the majority were in the North, with the majority in off-duty cases being in the West, again this was consistent with the pattern for the previous 12 months where the North accounted for a disproportionate number of on-duty legal cases.

The General Secretary reminded the Committee that off-duty matters also extended to spouses and partners of members.

Since the last meeting, almost £65,000 had been settled in favour of members (and spouses / partners), bringing the total for the preceding twelve months to over £760,000. Expenditure for the same period was over £1.6 Million.

The Committee noted the SPF currently has over 650 live legal files opened; over half of which were added in the preceding 12 months.

Allard & Others v Devon and Cornwall

The General Secretary gave an update and said that an offer had been received which was expected to be rejected. A further update would be given.

Holiday Pay Claim

The General Secretary reported that the holiday pay claim was ongoing but remained stisted until a decision was taken in respect of the analogous case in Northern Ireland.

WhatsApp

It was noted that an application to appeal to the European Court of Human Rights had been lodged and the Counsel was awaiting a result of that application.

Sheku Bayoh Public Inquiry

The General Secretary informed the Committee that the Public Inquiry was still ongoing and that the legal team for the SPF was broadly content thus far.

Judicial Reviews

There were no Judicial Reviews ongoing.

Requests for Legal Opinion

The General Secretary reported that ongoing opinion was sought from Counsel during the pay dispute.

LCAC

It was noted that there had been no meetings of the LCAC since the last JCC meeting.

6 Police Negotiating Board (PNB)

The General Secretary reported that the pay negotiation had concluded, and an agreement reached after a long and exhausting negotiation. He advised that there were some matters still to be finalised including inspectors' working hours and island expenses. He thanked the SS reps on the Committee for their support during the negotiations, as a united front was critical in achieving a successful outcome.

The General Secretary outlined the challenges for the future negotiating environment and sought the Committee's views on the continuation of the pay roadshows. He noted that he had continued with the advertised roadshows prior to the JCC, but numbers attending was small. The Committee agreed there was benefit in continuing, given the severe challenges ahead. The agreed they would encourage and promote attendance.

The Committee discussed future negotiations and recorded its appreciation to the General Secretary for his efforts in securing an agreement.

7 Pensions

The General Secretary gave a report on the Pensions Policy developments since the last meeting. He advised the police staff associations were frustrated by an apparent lack of transparency between the Home Office and the Treasury.

He also commented on concerns that pension remedy fixes risked being delayed by the legislative timetable. He said that the UK Staff Associations had concerns and were considering lobbying members of the House of Lords to get some political attention to the matter.

The Committee was asked to consider a proposal for a parliamentary lobbying event on pensions and agreed to support such an initiative.

The General Secretary reported on the review of the in house PSoS pensions capability and capacity and said there was agreement about the importance and relevance of this service.

The Chair gave a report on a Pensions Board meeting he attended and said that annual benefits statements had been issued to officers via the member services portal. The Pension Board remain concerned that only 8000 people had signed up to it. It was noted that the portal would also be used as the primary route of communications for officers.

Annual allowance statements had also been issued by letter with breaches and proposed remedies stated. He said this had been a surprise and was rushed. There were no supporting communications, and a considerable number were shown to contain errors.

Members discussed the CARE Scheme and potential legal challenges relative to the new Scheme discount rate.

8 Scottish Police Consultative Forum (SPCF)

The General Secretary said that there had been no meeting since the last JCC meeting.

The Vice Chair updated the Committee on proposals being developed by the PSoS in respect of promotion qualifications, with a view to these being endorsed at the SPCF. The Committee were not in favour of 'suitability interviews' in relation to promotions from constable to sergeant.

The Committee did however discuss the need for temporary sergeants to be qualified with exams or Diploma and unanimously agreed that with the appropriate safeguards, this was not a necessity. They further unanimously agreed that the legal distinction between acting and temporary duties was illogical and should be removed.

The Committee noted that all interested parties (except for the PSoS) had discussed the Dame Elish Angiolini Police complaints handling, investigations, and misconduct issues review, and had reached a high-level of agreement on almost all issues.

9 Scottish Police Authority (SPA)

The Chair reported that there had been several meetings with the SPA and its People Committee where matters including diversity associations and electronic data interchange had been discussed.

10 Scottish Police Budget & Finance

The Committee discussed the current bleak economic situation and agreed the SPF should look at coordinating an event with key stakeholders to highlight the stark realities of the Spending Review for the justice sector, in advance of the Scottish budget.

11 Scottish Parliament & Political Engagement

The Committee discussed the mental health workshops held in June and acknowledged the problems for many officers in the service. The Committee was advised that the Justice Committee had asked to have discussions with affected officers and 6 had come forward.

The Chair also reported that the 1919 magazine team was keen to highlight the issues identified.

12 Joint Negotiating Consultative Committee (JNCC)

The General Secretary reported that the JNCC had not met since the last meeting. The date of the next meeting was scheduled for the 28th October 2022.

13 Operational Duties

Public Order

The Chair reported that there were no significant issues of concern relative to public order except for special constables being deployed directly into such roles. It was agreed that there were no concerns with special constables having specialisms however proper training/knowledge was required.

Members discussed their concerns related to the lack of Performance Regulations for specials and the problems that could exist relative to that. Work had been commissioned to establish the correct number of specials in the service.

Armed Policing

There were no real concerns relative to armed policing, CBRN or the Armed Policing Monitoring Group.

The Committee discussed tasers and the use of PAVA, and the correlation between incidents where taser and PAVA were available at incidents. The AGS (H&S) advised that

there were 7 (seven) new STOs recruited in the last quarter with a further 330 in the pipeline by the end of the year.

The Chair said he would raise the issues expressed at the Strategic TASER Working Group.

14 Finance Standing Committee

The General Secretary reported on the FSC meeting held the previous day.

He reported that the accounts were being migrated from an internal SPF server to a secure off-site server. He reported that investments had reduced slightly due to global events but remained substantially healthy.

He also reported that the Trust would require to register for tax purposes, albeit this did not change its zero-tax status.

15 People & Operations Sub-Committee

The Committee was advised that the first meeting of the Sub-Committee was held on 4th August 2022. Amongst the matters discussed were Leadership, Training and Development; Special Constabulary; MyCareer & ACDLP; Equality, Diversity & Inclusion; Grievances & Employment Tribunals and Ill-Health.

The Vice Chair said that any issues raised at the meeting could be escalated to the JNCC.

He said that there were 305 new recruits in July 2022 with a further 300 expected in October 2022, however it was unclear whether the force had the finance available to do so.

It was reported that the number of special constables had dropped from 2000 at the beginning of PSoS to 450 currently.

The Committee also discussed ill health and other issues on the PODG agenda including flexible shift patterns, the Strategic Training Group, grievance workshops, Guardianship, Your Happiness Matters and PSD.

The next meeting was scheduled for 20th October 2022.

16 Policy, Procedure & Regulation Sub-Committee

The Committee was advised that the first meeting of the Sub-Committee was held on 28th July 2022. Amongst the matters discussed at that meeting were Conduct; Performance & Complaints; Review of Complaints Handling; Investigations & Misconduct; Legal Assistance Circular & Appeals; Improving Victims' Experiences of the Justice System – Consultation (050822) and the Bail and Release from Custody (Scotland) Bill – Consultation (080922).

The Committee agreed that the approach taken was useful, particularly for complex parliamentary consultations, and was advised that such meetings should be held as and

when required.

The next meeting was scheduled for 19th October 2022.

17 Working Practices Sub-Committee

The meeting was advised that the first meeting of the Committee was held on 4th August 2022. Amongst the matters discussed were Custody & Criminal Justice, Events & Rostering, C3 and Post Incident Procedures.

The Vice Chair said that PCSOs were routinely being used instead of officers in custody divisions. Concerns were expressed relative to assaults on officers and the lack of PPE being worn.

The next meeting was scheduled for 20th October 2022.

18 Health & Safety Forum

There were no meetings.

The AGS (H&S) had circulated a paper prior to the meeting that was noted. Amongst the matters discussed was the Emergency Services Network (ESN) airwave project and it was advised that despite the project expected to be completed by 2019, it was now likely to be 2026. The significant risk in the delay of the ESN was noted.

19 SPF Training

The Vice Chair advised that an FTOB course had been held the previous week with another one scheduled before the end of the year.

Two basic training courses were scheduled; one for 10/11th October 2022 and the other 25/26th October 2022.

20 JCC Circulars

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

- 18/2022 Police Pay 2022 – Information
- 19/2022 Police Pay 2022 – Information
- 20/2022 Police Pay 2022 – Information on Action
- 21/2022 Police Pay 2022 – Withdrawal of good-will
- 22/2022 PIRC: Revised Statutory Guidance June 2022 – Information
- 23/2022 Press Release: HMICS Annual Report 2021-22
- 24/2022 Police Pay 2022 – Information
- 25/2022 Police Pay 2022 – Update on Negotiations – Information
- 26/2022 Police Pay 2022 - Information
- 27/2022 Bail and Release from Custody (Scotland) Bill – Consultation
- 28/2022 Police Pay 2022 – Update on negotiations and action
- 29/2022 Election of Deputy General Secretary and Assistant General Secretary (Equality) – Information

- 30/2022 Police Pay – Revised and improved offer – Information
- 31/2022 Police Pay Roadshows – Information
- 32/2022 Police Pay 2022 – Update on Negotiations – Information

21 Police Service of Scotland Reform

The Chair reported that there was little to update regarding the Change Project other than significant concerns relative to resources and funding.

He said that mobile working continued and a replacement for BWV was being considered.

22 SOP Consultations

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

- 09.08.22 Smoking at work v3.01
- 01.08.22 Drugs Investigation NG v1.04
- 25.07.22 Draft Resourcing Policy V1.02 (to be published as V2.00)
- 20.07.22 Scottish Intelligence Database – Criminal History System (CHS) Status Field National Guidance v1.03 & EqHRIA
- 18.07.22 Sexual Crime Investigation SOP V5.06 and EqHRIA
- 13.07.22 Equality & Diversity Employment Monitoring V3.00
- 12.07.22 Armed Policing Operation SOP v6.06, AP Policy v3.04 & EqHRIA.
- 11.07.22 Divisional Guidance PPE Divisional Guidance PPE
- 06.07.22 CBRN Incidents SOP v3.04
- 05.07.22 Advice and Guidance Briefing Procedure Guidance, Version 2.04 - Standard Request
- 01.07.22 Bail and Release from Custody (Scotland) Bill
- 04.07.22 Drug Related Deaths – Investigatory Considerations national guidance v0.10
- 29.06.22 Serious Crime Prevention Orders, Trafficking Exploitation Prevention Orders and Trafficking Exploitation Risk Orders
- 17.06.22 Improving Victims experiences of the Justice System

The Vice Chair reported that issues related to the Egress system still existed and the matter had been raised with the JNCC.

23 EuroCOP/ICPRA

The General Secretary reported that there was nothing to report relative to ICPRA.

He said that there had been significant work carried out with Gwent University, re Trade Public Sector Trade Union Rights and a seminar was to be held in Macedonia at the end of September 2022 to present the findings.

The Chair asked that members continue to send photographs of police injuries to him as they would be used by EuroCOP for their publicity campaign.

24 Police Related Charities

PTC & Police Children's Charity

Ricky Wood gave a report on the last meeting held on 5th August 2022 and said that everything was operating well. Wellbeing weekends were back up and running.

Ricky further reported that the Police Children's Charity was in a good financial position and the General Secretary reminded the Committee that the JCC had previously agreed to give a donation to the PTC.

Police Care UK

The Chair reported that the charity was currently in a transition stage. He said that although it had been negatively affected by a loss in investments, it was still in a healthy financial position.

The Chair reported that a programme trialled in Holland had 100% success with getting people returned to work. PSoS had been asked to identify officers but were unable to put anyone forward. It was being done at the PTC but was not a PTC service.

Scottish Police Memorial Trust (SPMT)

It was noted that the event would be held on 7th September 2022 at the SPC, and all were encouraged to attend.

National Police Memorial Day (NPMD)

It was noted that the event was to be held in Belfast at the end of September and representatives from the SPF had been identified.

25 SPF Annual Awards

The General Secretary reported that finalists had been chosen and thanked the AGSs for their help with the judging process. He said that the event was to take place in Dynamic Earth on 24th November 2022. He congratulated Jennie Macfarlane on her nomination.

26 SPF Quadrennial Elections

The General Secretary updated the Committee on the rule changes required to accommodate the movement of the quadrennial election cycle to years outwith the biennial conference cycle.

The proposed rule changes would also establish an election cycle that elects half of the representatives for a four-year term, every two years.

He sought the Committee's approval of the following rule changes;

Additions are shown in red text. There are no deletions. 7.5.2 to 7.5.6 are simply renumbering of the existing rules 7.5.1 to 7.5.5

- 4.2.1 The first election for the purpose of this Rule shall take place in 2013. Thereafter elections will take place in 2015 and every fourth year thereafter **to 2023**. Such elections shall take place at the first meeting of the Area Committee following the four-yearly Area Committee elections
- 4.2.2 **From 2021 elections to the Joint Central Committee shall be for three years only. From 2024 Elections to the Joint Central Committee shall take place every two years, and shall take place at the at the first meeting of the Area Committee following the twice four-yearly Area Committee elections.**
- 7.5 The first election for the purpose of this Rule shall take place in 2015. Thereafter elections shall take place every fourth year **to 2023**.
- 7.5.1 **The Joint Central Committee may by unanimous decision agree to extend the period of election where this is necessary for the good and efficient representation of the members.**
- 7.5.2 Elections will take place in such month of the year as the Joint Central Committee shall determine.
- 7.5.3 The process for the election shall be determined by the Joint Central Committee.
- 7.5.4 An election to an Area Committee shall be by secret ballot.
- 7.5.5 A candidate in an election may only stand to represent their own rank and must have a nominator and seconder of that rank and from their electoral constituency.
- 7.5.6 At any such election each person qualified to take part shall be entitled to give the like number of votes as there are vacancies to be filled but shall not give more than one vote for any one candidate.
- 7.6.1 **The Joint Central Committee shall ensure that as far as is possible no more than 50% +1 of the representative electoral positions shall be subject to election at the same time.**

The Committee adopted the proposed rule changes and members agreed (under the new rule 7.5.1) to extend the current election period to 2024.

It was noted that an updated set of Rules would be circulated.

27 Correspondence

The General Secretary informed the Committee that he had written to SPF Chair Martyn Evans, the Cabinet Secretary for Justice and the Chief Constable regarding the use of money spent on consultants and had received a response.

28 Competent Business

There were no items.

29 Closure

The Chair thanked everyone for their attendance and inputs at the meeting. The next meeting would be held on 4th/5th October 2022.

A vote of thanks was given to the Chair.

David Hamilton
Chair

Calum Steele
General Secretary