



Scottish Police Federation

PO Box 27163, Glasgow, G3 9EZ

Joint Central Committee Minutes

Minutes of the Joint Central Committee meeting held at the Scottish Police Federation (SPF) Training and Meeting Facility, Unit 29, City Quay, Camperdown Street, Dundee, DD1 3JA on 29/30th November 2022.

1. Attendance and Opening

SPF Office Bearers:

Calum Steele	General Secretary
David Kennedy (Day 1 only)	Deputy General Secretary
Brian Jones	Vice Chair

North Committee

Nick Clasper
Allana Lewek (Day 1 only)
David Mackay
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
David Taylor
Chris Thomson

Assistants to the General Secretary

Gordon Forsyth AGS (H&S)
Emma-louise Smith AGS (People & Equality)
David Threadgold (Conduct)

Also in attendance

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

The Vice Chair opened the meeting by welcoming everyone and invited all to take an active part. He especially welcomed Emma-louise and David Taylor to their first meetings since becoming the AGS (People & Equality) and a substantive JCC member respectively.

Apologies were received from David Hamilton, Andy Sawers and Caroline Macnaughton. Allana Lewek attended the meeting on Day 1 only, replacing Andy Sawers. David Kennedy attended on Day 1 only.

The Vice Chair told the Committee that a Finance Standing Committee meeting would be held later in the day.

2 Minute of Previous Meeting

The draft Minute of the previous meeting was circulated with JCC Circular 38 of 2022. It was proposed and seconded and thereafter adopted as a true record.

3 Legal Advice and Assistance

SINCE THE LAST JCC MEETING			
Legal Cases On Duty			
Type of case	North	East	West
CICA			
Civil Legal Defence	1		
Contract Dispute			
Criminal Legal Defence	2	2	
Employment Dispute (EX OFFICER)			
Employment Dispute (serving officer)	1		1
FAI		1	
Judicial Review			
Misconduct			2
Other			1
Personal Injury		1	
Property Protection			
RTA			
TOTAL	4	4	4
Legal Cases Off Duty			
Type of case	North	East	West
CICA			
Civil Legal Defence			1
Contract Dispute			
Criminal Legal Defence	1	5	6
Employment Dispute (EX OFFICER)			
Employment Dispute (serving officer)			
FAI			
Judicial Review			
Misconduct			

Other		1	2
Pension			
Personal Injury	1		2
Property Protection			1
RTA			
TOTAL	2	6	12
LEGAL FEES RECLAIMED - £6,400			
CLAIMS SETTLED - £61,200			

Allard & Others v Devon and Cornwall

The Deputy General Secretary said that a meeting had been held earlier that day in an attempt to calculate the settlement. It was hoped that this would be concluded in the near future.

Holiday Pay Claim

It was reported that the holiday pay claim was ongoing but remained sisted until a decision was taken in respect of the analogous case in Northern Ireland. A decision was expected in December.

WhatsApp

It was reported that a decision was awaited from the ECHR.

Sheku Bayoh Public Inquiry

It was reported that the Public Inquiry had restarted again that week.

Judicial Reviews

There were no judicial reviews ongoing.

Requests for Legal Opinion

Two legal opinions had been received since the last meeting.

Appeals

There were no appeals.

Legal Claims and Administration Committee (LCAC)

The Committee was advised that there had been no meetings of the LCAC Committee since the last JCC meeting. The DGS gave an update on existing cases and said that 3 cases had been rejected since the last meeting and a total of 10 in 2022.

4 Police Negotiating Board (PNB)

The General Secretary reported that there had been no meetings of the PNB since the last meeting.

He further reported that a meeting of the PNB TWG had met on 13th October 2022 which had discussed technical issues in respect of Island Allowances and Inspector and Superintending pay agreement issues.

It was noted that in respect of Island Allowances, the rates had been agreed and the PNB Handbook would be updated to reflect that.

The Committee discussed the future of police pay and the current financial environment. The Committee reaffirmed its support for a pay index to reflect the average increases paid to other workers. It felt that this would compensate for the occupational restrictions to some extent and would assist to bring about a situation where police pay was fair and seen to be fair.

5 Pensions

The General Secretary reported on the status of the pension remedy and advised that it was a very technical process.

A meeting with lawyers had been held the previous day relative to ongoing legal cases and advised that a schematic would be circulated. A government consultation on tax was expected in the near future.

Ricky Wood asked if there was any outcome with Leigh Day cases and was advised that the FBU had sent a letter to their members but there had been no movement for Scottish cases.

The SPF Policy and Co-ordination officer raised a particular case in the North Area relative to a widow of an officer who died in service. The SPPA had not dealt with the case appropriately and a complaint had been made on her behalf. It was noted that all concerns would be raised by the Chair. He told the Committee that he was to attend a meeting of the Pensions Board the following day where it was expected that the pensions remedy would be discussed.

6 Scottish Police Consultative Forum (SPCF)

The General Secretary reported that the last meeting had been held on 16th November 2022 where temporary promotion qualifications and the future workplan for the SPCF had been discussed.

A paper had been introduced seeking a change in legislation relative to temporary/promotion. This was to be explored by the Scottish Government.

7 Scottish Police Authority (SPA)

It was reported that a meeting had been held the previous week.

The General Secretary told the Committee that he and the Deputy General Secretary had met with the Chair and others from the SPA the previous day and answered questions from the Committee.

A meeting of the Peoples Committee was held on 30th November 2022 and amongst others, the difficulties with Section 19, mental health, IHR and SMP issues, and the consistency of approach for the conduct of Chief Officers were discussed.

8 Scottish Police Budget & Finance

The General Secretary reported that the Chancellor's Autumn Statement had been delivered on 17th November 2022, and its potential implications for the devolved administrations and how it would affect the Scottish Government's Spending Review had been raised. Although the Autumn statement might result in more money coming to Scotland, it was not thought that this would be a huge amount. It was noted that the budget protection for the NHS would have serious implications for the rest of the public sector.

He said that funding for a campaign had been agreed by the FSC and this was to be explored.

9 Scottish Parliament & Political Engagement

Members reported on political engagement in their respective areas which could be relevant for the Scottish Parliament lobbying register. The register was kept by the Executive Administrator and members were asked to keep her up updated on any engagement.

The General Secretary reported on the importance of engagement with local councillor's and members of the UK Houses of Parliament for the SPF.

10 Joint Negotiating Consultative Committee (JNCC)

The General Secretary gave an update on a meeting held on 28th October 2022 where amongst other issues, the following matters were discussed; remote and rural, funding (projects) and Finance (service). SPF had raised energy bills and the fact that police accommodation was not always reaching letting standards. It had been suggested a large multi-lateral meeting to discuss these matters, but no progress had been made to date.

Members discussed various financial pressures affecting the membership including long commutes and it discussed whether a transfer forum would be a useful initiative.

He further advised the Committee of proposals regarding the JNCC Sub-committee structure as well as the wider engagement within the PSoS.

Reports relative to the JNCC Sub-committees would be updated later in the agenda.

11 Operational Duties

The Vice Chair reported that Section 19 of the Road Traffic Act had now been enacted and had huge implications for the force. From the following day, the Police Driving: (Prescribed Training) Regulations 2022 would come into force where only officers who had received national agreed training in emergency or standard response and refresher training within 5 years would be permitted to respond to emergency calls. The General Secretary had written a letter to the Chief Constable and awaited a reply.

It was noted that there were around 2500 officers awaiting the standard response driving course which was roughly 45% of emergency response officers.

Armed Policing Monitoring Group

Members discussed BWV, fireworks and events.

12 Finance Standing Committee (FSC)

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

He said that there were no exceptional areas of concern however there had been a drawdown to meet costs of two legal cases.

He said the investments, which had previously hit a downturn due to global events, had slightly increased. This was welcomed by the Committee.

A recommendation from the FSC relating to retirement gifts and dinners for retiring JCC and Area Committee members was approved by the Committee.

He said that administrative work would be carried out relative to the BARE Trusts and all beneficiaries would be contacted in due course.

13 People & Operations Sub-committee

The Committee was informed that the last meeting of the People & Operations Sub-committee was held on 24th October 2023 and the Notes of Proceedings had been uploaded to Teams.

The General Secretary told the Committee that the SPF had written a joint letter with Unison and Unite to PSoS informing them that they would be withdrawing from the grievance working group due to having lost confidence in it. This was noted by the Committee.

The Vice Chair told the Committee that 46% of operational officers had not been trained in OST and it was unlikely that this could happen due to a lack of numbers. 450 special constables were in operation but the number was significantly less than at the creation of PSoS. There were insurance issues relating to injuries for special constables which had been highlighted to PSoS.

The Vice Chair reported that the last PODG meeting had been cancelled. It had been highlighted to ACC Steve Johnson that there were nine outstanding actions from March 2022 which required to be addressed. A response was awaited.

The AGS (People & Equality) reported that a paper had been circulated on Teams and was noted.

She reported that since she began in the post, she had spent time reestablishing communications with peer groups both internal and external to the force. She had attended a three-day Equality Lead Officer seminar hosted by the PFEW with training delivered by Jane Monkhouse. The training noted and relevant inputs had been circulated for information.

She gave updates on occupational health, modified duties, EDI, the Equality Training/Toolkit, the grievance process and Diversity Staff Associations. She also said that the current case load within her portfolio was 136.

She said that the flexible working policy SOP had been circulated and had been rewritten to separate officers and staff. A response had been sent. It was hoped that it would be in operation by 21st November 2022.

The Vice Chair gave an update on the promotion process for sergeants and inspectors and said the moderation panel had sat on 18th November 2022 where some amendments had been made to results.

It was expected that the next PODG meeting would be held in February 2023.

14 Policy, Procedure & Regulation Sub-committee

The Committee was informed that the Policy, Procedure & Regulation Sub-committee met on 19th October 2022 and the Note of Proceedings had been circulated on Teams.

The General Secretary said that the response to the RSR Pre Budget Scrutiny 2023 had been sent.

He reported on the Retained EU Law (Revocation and Reform) Bill and said that some of the information contained in it would be applicable to officers. He said that he would be engaging with sister organisations to determine whether a unified approach could be taken.

Nick Clasper said that the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill was expected to be discussed again. It would have a significant impact on Scots Law and it was agreed that it would be put back on the agenda.

15 Working Practices Sub-committee

The Committee was informed that the Working Practices Sub-committee met on 24th October 2022 and the Note of Proceedings had been circulated on Teams.

Members discussed the lack of report checkers and the number of reports being returned by the Procurator Fiscal. It was agreed that the General Secretary would write to the Justice Committee regarding this matter.

Members also discussed double lock, mutual aid and PIP. Concerns were expressed relative to PIP not being carried out correctly.

16 Health & Safety Forum

The AGS (H&S) reported that a paper had been circulated on Teams and was noted.

He reported on an issue at the SPC where legionella had been discovered and advised that a gold meeting would be held later that day to discuss the matter.

He said that a report was being collated on police provided accommodation and would be shared when complete.

He said that the ESN project had been further delayed and was not expected to be completed until 2028.

Jennie Macfarlane raised an issue in relation to the mobile device and the clips on the uniform belt. The Vice Chair said he would raise this at the next meeting of the Clothing & Equipment Working Group.

17 SPF Training

The Vice Chair reported that 20 new representatives would be trained in January 2023 and training for the AGS's and FTOB would be arranged.

18 JCC Circulars

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

- 38/2022 JCC & FSC Minutes October 2022

19 Police Service of Scotland Reform

The Committee agreed that a multi organisational meeting was necessary to discuss the challenges facing policing.

It was noted that this matter could be raised at the next SPF conference. The Vice Chair said he would speak to the other Trustees.

20 SOP Consultations

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

- 091122 Flexible Working (further consultation) – Draft Police Officer only
- 041022 Flexible Working Consultation
- 230922 Scottish Justice Sector's Budget 2023/24 to 2026/27

21 EuroCOP/ICPRA

The General Secretary reported that the last meeting was held on 8-10 November 2022 where he had stood down as president due to his impending retirement. Jonne Rinne, Chair of the Finnish Police Trade Union had been elected. He told the Committee that the SPF Chair had been elected on to the Executive Committee. He advised that the membership of EuroCOP had grown and that a small increase to the subscriptions was expected in 2024.

The Vice Chair asked that the Committee's thanks to the General Secretary for his work on EuroCOP be recorded in the Minute.

ICPRA had not met since the last meeting.

22 Police Related Charities

PTC & Police Children's Charity

The Vice Chair reported a drop in numbers of attendees at the PTC but said it remained in a healthy financial position.

The Wellbeing Support programme was being well received which was welcomed by the Committee.

23 SPF Annual Awards

The Vice Chair asked the Committee for the views of the awards event which had been held the previous week. Members discussed their views and felt that there was a lack of coverage on social media, but overall, the event had been a success.

24 Correspondence

There were no items.

25 Competent Business

It was reported that the current SPF Chair would be standing for re-election at the JCC meeting in February 2023.

The Committee discussed the JCC Circular 21/2021 which had been previously issued in relation to naloxone. The Chair reported that the JCC had been advised that officers could be compelled to carry naloxone and the circular would be amended and reissued.

26 Closure

The Chair thanked everyone for their attendance and inputs at the meeting. The next meeting would be held on 7/8th February 2023.

A vote of thanks was given to the Vice Chair.

Brian Jones
Vice Chair

Calum Steele
General Secretary