



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 4th/5th October 2022.

1. Attendance and Opening

SPF Office Bearers:

David Hamilton	Chair
Calum Steele	General Secretary
David Kennedy	Deputy General Secretary
Brian Jones	Vice Chair

North Committee

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

East Committee

James Gowling
Heather Macintyre
Lyn Redwood
David Reid
Norman Towler
John Turley

West Committee

Lorna Cunningham
Ian Florence
Lynne Gray
Jennie Macfarlane
Richard North
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

Darren Gallagher attended the meeting as an observer.

The Chair opened the meeting by welcoming everyone 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 Ricky Wood, Graham Ross, Iain Gray and David Taylor and James McLaren.

2 Minute of Previous Meeting

The draft Minute of the previous meeting was circulated with JCC Circular 37 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			
Contract Dispute			
Criminal Legal Defence			
Employment Dispute (EX OFFICER)			
Employment Dispute (serving officer)	1	1	2
FAI			1
Judicial Review			
Misconduct		1	
Other	1		
Personal Injury			
Property Protection			
RTA		1	
TOTAL	2	3	3
Legal Cases Off Duty			
Type of case	North	East	West
CICA			
Civil Legal Defence			
Contract Dispute			1
Criminal Legal Defence	5	5	5
Employment Dispute (EX OFFICER)			
Employment Dispute (serving officer)			1
FAI			

Judicial Review			
Misconduct			
Other			
Pension			
Personal Injury			1
Property Protection		2	1
RTA			
TOTAL	5	7	9
LEGAL FEES RECLAIMED - £12,000			
CLAIMS SETTLED - £27,622.35			

Allard & Others v Devon and Cornwall

The Deputy General Secretary gave an update and said that a meeting had been held the previous day. The SPF's legal team was debating what would constitute a reasonable settlement, the question of interest, legal fees and the potential involvement of independent mediation. It was noted that a legal opinion was awaited relative to any tax issues that may arise.

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 an application to appeal to the European Court of Human Rights had been lodged and a decision was awaited.

Sheku Bayoh Public Inquiry

The General Secretary said that the Public Inquiry was ongoing and that evidential hearings would resume in November 2002.

Judicial Reviews

There were no judicial reviews ongoing.

Requests for Legal Opinion

As previously reported a legal opinion was awaited relative to any tax issues that may arise from the Allard case.

A legal opinion request had been received as to which agency had legitimacy in relation to investigation of injuries/deaths in police contact.

A legal opinion had been sought relative to 'with cause' drug testing. Advice had been sought and Counsel's opinion was awaited. This matter may result in Judicial Review.

Appeals

Yvonne Sloan made an appeal on behalf of an officer from her area. As the original assessment had been made by the SPF Chair, Brian Jones chaired this agenda item. The appeal was not supported by the JCC.

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 Committee was advised that a Business Management meeting had been held the previous day where the terms of the Guidance document had been discussed. It was noted that a revised version was circulated on Teams and was thereafter agreed by the Committee. The new Guidance document would be circulated as soon as possible.

4 Police Negotiating Board (PNB)

The General Secretary reported that the next meeting would be on 14th October 2022. The Committee discussed the future of police pay and the difficult financial environment that was likely to persist for some years. The General Secretary updated the Committee on improvements to Island Allowance and said that the PNB Handbook had been amended to include the updated allowances and improved conditions agreed in the 2022 pay deal.

5 Pensions

The General Secretary gave an update on the pension remedy and said it was unlikely that the matter would be fully resolved before October 2023. The work on the remedy was complex, and the Home Office appeared to lack essential information from Treasury to respond to all relevant technical questions posed.

The Chair and the Policy and Co-ordination Officer told the Committee that Annual Benefit Statements had been circulated early however some had been incorrect. They reported that the calculator for members in the 1987 Pension Scheme had been enhanced to cover the 2006 scheme too and was now available. They also advised that the SPPA had submitted a proposal relative to Immediate Detriment to Treasury however no response had been received.

The General Secretary reminded the Committee that the JCC had previously agreed to support a case involving an unmarried widow. However, there was an issue where members of 1987 Pension Scheme had been offered the opportunity to transfer to the 2006 Scheme where provision for unmarried widows existed. Where officers had not done so there were no prospects of success.

6 Scottish Police Consultative Forum (SPCF)

The General Secretary reported that there had been no meetings since the last JCC meeting. The next meeting was scheduled for the 16th November.

7 Scottish Police Authority (SPA)

The Chair reported on meetings he had attended of the SPA Board and its committees. A meeting of the People Committee was held on 31st August 2022, and it was clear that equality, diversity, and inclusion issues were pertinent. The Committee also discussed a method of operation, exit interviews, career progression, police staff, and health and safety.

There had been no bilateral meeting with the SPA since the last meeting.

8 Scottish Police Budget & Finance

The General Secretary referred the Committee to the information in the agenda paper and drew attention to the Scottish Parliament Pre-Budget Scrutiny consultation which was due to conclude on 21st October 2022. It had been added to the Policy, Procedure & Regulation Sub-Committee meeting agenda and would be discussed on the 19th October 2022.

He said that the Resource Spending Review (RSR) suggested that the overall public sector workforce should return to pre-pandemic size. He said we knew that almost 50% of the growth in the public sector over the course of the pandemic occurred in Health. However, it appeared that the expectation to shrink the total headcount was predicated on that burden falling on all other services (except health).

Clearly this would have a disproportionate impact on other services, and especially so on the police whose headcount did not increase at all over the course of the pandemic. The SPF estimated there was a real possibility police officer numbers could drop to around 15,500 by the end of the RSR period, which would be their lowest since 2003.

The Committee was asked to consider updating the independent analysis received by the Fraser of Allander Institute on the impact of the Spending Review and agreed that this would be beneficial.

The Committee was asked to consider a joint UK staff association position on the economic circumstances and their potential impact on policing. It was agreed that this would be beneficial.

9 Scottish Parliament & Political Engagement

The General Secretary reported that a submission had been made to the parliamentary consultation on the Bail and Release from Custody (Scotland) Bill. He advised that the new Policy, Procedure, and Regulation Sub-committee had proved invaluable in formulating this response, and it was clear this approach was highly effective.

The Chair said that mental health workshops, where 6 officers had related their experiences, had been held in private at the Scottish Parliament. Thanks were extended to Graham Ross, Adam Peppard and Caroline Macnaughton for their help in identifying the officers. The Committee noted MSPs and HMICS were impressed by the session and wrote to Police Scotland and the SPA on several matters.

The Chair said he would write to all members who put themselves forward offering his personal thanks.

10 Joint Negotiating Consultative Committee (JNCC)

The JNCC had not met since the last JCC meeting. The next scheduled meeting was to be later in the month where the cost-of-living challenges and remote/rural working would be raised.

The Committee noted that a further meeting of Chairs, Secretaries, and AGS's would be held before the JNCC to identify any further issues not making the progress they should in other meetings.

11 Operational Duties

Public Order Monitoring Group

The Committee was advised that the meeting discussed the number of public order officers there should be in the Police Service of Scotland (PSoS). ACC Williams had agreed that it would be sensible to forecast threat, risk, and workforce demographics.

Armed Policing Monitoring Group

The Committee was advised that there were currently no great issues of concern relating to armed policing but it was noted that being part of the CTSFO network meant that a large amount of money was required to maintain and procure armed policing equipment, but without the accompanying budget uplift.

Strategic Working Group

The Committee discussed tasers and was advised that Axon was exploring different options. The Committee also discussed the 5-year operating warranty and noted that the PSoS had given assurances that any use of taser older than 5 years would be limited to training.

The Committee discussed whether there were any barriers to women being Specially Trained Officers (STOs) (give the relatively low number of women STOs) but unanimously concluded that there were not. It was highlighted that any measurements should be taken from the response/community demographic, not Force demographic.

12 Finance Standing Committee (FSC)

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

He reported that the migration of the accounts to the cloud server was now complete and was now more secure. He said that the investments had hit a downturn because of global events but remained healthy overall. There were no exceptional areas of expenditure and nothing of any significance to report.

The General Secretary said that it had been discussed at the FSC meeting that the independent analysis previously received by the Fraser of Allander Institute on the impact of the Spending Review would need to be updated and a recommendation was put to the Committee. This was approved.

The Committee was advised that the FSC had agreed to recommend to the JCC a revised fee structure from the SPF Equality advisor. This was approved by the Committee.

The Committee was advised that some expenditure may be incurred to provide new SPF accommodation in Inverness.

13 People & Operations Sub-committee

The Committee was advised that the next meeting of the People & Operations Sub-committee would be held on 20th October 2022 where the following issues would be discussed, Leadership, Training and Development; Special Constabulary; MyCareer & ACDLP; Equality, Diversity & Inclusion; Grievances & Employment Tribunals and ill-health.

The Committee was advised that the date of the next meeting of the JNCC People and Operations Delivery Group (PODG) was 9th November 2022.

14 Policy, Procedure & Regulation Sub-committee

The Committee was advised that the next meeting of the Policy, Procedure & Regulation Sub-committee would be held on the 19th October where the following matters would be discussed; Conduct, Performance & Complaints; Review of Complaints Handling, Investigations & Misconduct; and Legal Assistance Circular & Appeals.

The Committee noted that these meetings will be held as and when required.

15 Working Practices Sub-committee

The Committee was advised that the next meeting of the Working Practices Sub-committee would be held on the 20th October 2022 where the following matters would be discussed, Custody & Criminal Justice; Events & Rostering; C3 and Post Incident Procedures.

There were no significant matters that needed to be escalated to the JNCC Working Practices Review Board.

The Chair gave thanks to the Committee for their help during Op Unicorn and amongst

others, discussed issues relating to transportation, accommodation, overtime compensation and kit. The Chair said that de-briefs would be held where concerns would be raised.

Members of the Committee reported problems relating to compensation claims and issues relating to double-lock, excessive rest day disruption, and Inspectors' working arrangements. These were discussed by the Committee. The Committee noted that an internal group had been established to deal with overtime inquiries, but any suggestion this extended to allowances was (at this time) untrue.

16 Health & Safety Forum

The Committee was informed that the last meeting was held on 29th September 2022. An update had been uploaded to the Teams channel.

Updates were given on fire safety issues, station inspections, body armour, and naloxone.

It was agreed that a deep dive would be held relative to police accommodation. The AGS (H&S) said that he would be going to Shetland the following week.

17 SPF Training

The Vice Chair reported that basic training courses for new representatives were to be held the following week and in three weeks' time.

18 JCC Circulars

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

- 33/2022 Police Pay 2022 – Agreement – Information
- 34/2022 JCC Minutes June 22 and Finance Standing Committee Minute June 22 Information
- 35/2022 SPF Expenditure Policy – Information
- 36/2022 Scottish Police Federation Regulations, Rules & Standing Orders Information
- 37/2022 JCC & FSC Minutes August 2022 – Information

19 Police Service of Scotland Reform

The General Secretary reported some confidential concerns arising from a lack of funding. It was hoped that these issues would be resolved in the near future. The Chair said there was little activity in relation to reform projects due to a lack of finance. The Committee expressed concern that the body worn video project could be delayed for financial reasons.

20 SOP Consultations

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

- 06.09.22 Allowance and Expenses v12 – further amendments and consultation

- 01.09.22 Duty Modifications Task Force - Line Manager Briefing
- 25.08.22 Officers/Staff Attendance at FAI - Custody Guidance Document
- 19.08.22 Breach of License NG v0.07

21 EuroCOP/ICPRA

The General Secretary reported that representatives had gone to Skopje the previous month and a report on the situation relating to military and public unions would be circulated in the near future. The Committee was advised that the Chair had been nominated to the Executive Committee of EuroCOP.

22 Police Related Charities

PTC & Police Children's Charity

There had been no meetings since the last JCC meeting.

Police Care UK

There had been no meetings since the last meeting.

Scottish Police Memorial Trust (SPMT)

The Chair reported that the memorial service had been held on 7th September 2022 at the SPC and had been a success. Thanks were given to all involved.

He said that there were issues relating to the foundations of the memorial wall which needed to be addressed. Meetings would be held to consider the options.

National Police Memorial Day (NPMD)

It was noted that the service had been held in Belfast on 25th September 2022 and had been a success. The event would be held in Cardiff in 2023 and Scotland in 2024. Consideration would need to be given to a suitable venue.

23 SPF Annual Awards

The event would be held in Edinburgh on 24th November 2022 and would be a black-tie event. Members were invited to submit nominations for the event in 2023.

24 Correspondence

It was reported that a letter of appreciation had been received from the Scottish Police Community Choir relative to the continued support given by SPF.

A letter from Community Safety Minister, Ash Regan MSP had been received relative to the use of consultants.

25 Competent Business

The General Secretary reminded the Committee of the dates for Conference 2023. He advised all representatives to ensure their duty rosters reflect this fact.

26 Closure

The General Secretary reminded members that the SPF Conference would be held on 27th to 29th March 2023.

The Chair thanked everyone for their attendance and inputs at the meeting. The next meeting would be held on 29th/30th November 2022.

A vote of thanks was given to the Chair.

David Hamilton
Chair

Calum Steele
General Secretary