



Scottish Police Federation North Area Committee

Minute of the quarterly meeting of the Scottish Police Federation North Area Committee, held on Monday 5 and Tuesday 6 December 2022, at SPF meeting room, Dundee.

1. Attendance, Opening and Roll Call

Full Time Officials

Allen Shaw	Chair
Caroline Macnaughton	Secretary
Yvonne Sloan	Vice Chair
Andrew Sawers	Deputy Secretary

David Threadgold	AGS – Conduct (Day 1 only)
Gordon Forsyth	AGS – Health and Safety (Day 1 only)
Emma-Louise Smith	AGS – Equality (Day 1 only)

Constables	Sergeants	Inspecting Ranks
Andrew Horne	Alex Carle	Gillian Donald
Mark Douglass	Simon Lewis-Dalby	Lynne Kortland
Allen Begg	Julie Stephen	Pat Nicoll
Sorcha Burns	Fraser Robertson	Ryan MacDonald
Ronnie Irvine (Day 2 only)	Allana Lewek	Calum Smith
	Gary Johnston	
	David McAlpine	
	Paul Maclaren	
	Andy Bilton	

Apologies Received

Apologies were received from: Rhona Di Meola, Nick Clasper, Alasdair Macleod, Shirley Moran, Dale Evans, Dave MacKay. Dave Gibson and Ronnie Irvine will be attending Day 2 only.

2. Minute of Previous Meeting

The previous meeting Minute was formally approved, having been proposed and seconded by David McAlpine and Gillian Donald.

3. Training and Awareness on Post Incident Procedures – David Threadgold

The Chair opened the meeting and welcomed all members present. He advised today would mainly be a “Training Day” with presentations from David Threadgold, AGS Conduct and Gordon Forsyth, AGS Health and Safety. Also attending as an Observer today was Emma-Louise Smith, the new AGS Equality who gave a quick update on her new role.

The Chair introduced new members, Lynne Kortland and Ryan MacDonald and congratulated Pat Nicoll on his recent promotion to Inspector before introducing David Threadgold, AGS Conduct who gave a presentation on Post Incident Procedures.

4. Misconduct Training Refresher – David Threadgold

David Threadgold, AGS Conduct then gave an input on Misconduct Refresher Training.

The Chair then introduced Gordon Forsyth, AGS Health and Safety who gave a brief introduction before updating the Committee on his remit which initiated lots of discussion around driver training.

5. Separate (Rank) Committees

Before the Rank Separate Meetings took place, the Secretary gave an overview of the Separate Committees, advising of vacant positions.

6. Legal Advice and Assistance

The Secretary gave an update to the Meeting on the number and type of applications for legal advice and / or assistance made by members in the Area since the last meeting as follows; 6 on duty, 8 off duty – on duty consisted of 2 employment disputes, 2 criminal legal defence, one civil legal defence. Off duty 6 criminal legal defence cases and 2 personal injuries.

JCC Legal Advice and Assistance Updates

ALLARD (in respect of recall payments for CHIS handlers, been ongoing since 2015). At the moment £4.5 million settlement is on the table. There are 166 officers fitting the criteria for claims that the settlement would be divided between. Senior counsel has

been asked to come on board to provide advice. If there is no negotiated settlement then it will go to court.

HOLIDAY PAY – awaits the NI case update on 14 December 2022.

WHATS APP – Papers currently sitting with the European courts.

JUDICIAL REVIEWS – non live at the moment.

LEGAL OPINION – We now have a test case with review of the with-cause drug-testing, ie is it a legal order to provide a test and then use an inference if declining the request. The Chair gave a brief update with regard to this and conduct cases.

NEW LEGAL ADVICE AND ASSISTANCE GUIDANCE – New guidance has been circulated to JCC members for review.

7. Divisional Reports

Divisional Rep Gillian Donald gave an overview of issues within A Division. She advised that most members are unsure of what they are paying into via the Federation and asked if posters detailing benefits etc would be available for displaying in stations. Concerns had been raised by members around EAP eligibility, access to treatment etc. She also mentioned ongoing heating issues at Fraserburgh station. Fraser Robertson spoke about his role in the New Matters Steering Group encouraging members to highlight any issues. There had been discussion around OST inputs and inviting COPFS to update on citations. He has recently done some joint station visits with the Chair, in an effort to become more visible with members. There are ongoing 12 hour rostering issues and excusals to work football duties. Issues around mental health / crisis calls – services available are underused.

ACTION – Excusals for working football duties – Lynne Kortland

ACTION – AL blocks / cost / Unify feedback – Deputy Secretary

Divisional Rep Ronnie Irvine gave an overview of issues within D Division. There is a culture of fear for highlighting issues. He spoke of issues around Post Incident Procedures (welfare procedures) – TRIM – EAP, PF / Forfar Sheriff Court issues around standby. Discussion took place around same issues in other Divisions. Charging points for electric cars is becoming a problem as members are having to access charging points in public areas which raises the issue of security. The Vice Chair gave her views on H&S issues with charging points and advised this has been raised nationally. He then spoke about welfare issues with modified roles.

ACTION – Installation of extra charging points – Vice Chair

Divisional Rep David McAlpine gave an overview of issues within N Division. He spoke about the 2x2x2 shift pattern. Court issues / standby etc / excusals / the scheduling of too many trials for one day. The Secretary advised of a recent meeting regarding this and

gave an update. Discussion around same issues in A Division. The Vice Chair spoke about Court failings with members claiming overtime etc. The Chair advised all NAC Reps to advise members not to go on AL if cited for Court as this will be dealt with as Gross Misconduct. There are also ongoing issues with Naloxone training, staffing etc. The Vice Chair also spoke about remote issues with custody etc.

Divisional Rep Ryan MacDonald gave an overview of custody issues. He spoke about custodies consuming drugs whilst arrested and members not handcuffing due to fear of complaints of misuse of handcuffs.

ACTION – Take drug consumption / handcuffing issues to Phil Davison – Secretary

Divisional Rep Pat Nicoll gave an overview of OSD issues and trying to open more Hubs. Resourcing issues with around 40 vacancies. The Secretary spoke about transfers / postings panel, trying to be pro active / helping out Divisions / Mispers etc. The question was raised with regard to AFOs helping out with Legal Docs.

8. JCC Sub Committees

For the benefit of newly elected members, the Secretary provided an overview of the remit and structure of the JCC and formation of the new Sub Committees.

Policy, Procedure and Regulation

The Secretary advised the last meeting of the Sub Committee was on 19 October 2022. The matters discussed were:

- Conduct, Performance & Complaints – The Chair gave an update on Conduct matters / figures and advised of a huge rise in sexual assaults.
- Review of Complaints Handling, Investigations & Misconduct - PSoS looking at putting outcomes of misconduct hearings onto Intranet as per Dame Elish Angolini recommendations. This would provide no context to the allegations but if goes ahead, the SPF could consider publishing the full details of hearings, which would then show how complaints were reduced in severity etc. SPF could also publish details of Judicial Reviews and Grievances on the SPF website.
- Legal Assistance Circular and Appeals - New LAA advice, as discussed.
- Scottish Justice Sector's Budget 2023/24 – 2026/27 - On 15 December 2022 the Scottish Government will be putting their draft budget to Parliament. There will be a sitting of the Justice Committee at which the SPF will be permitted an hour to give evidence on the impact of the budget. The General Secretary has consulted on this in relation to what will be contained within that session and draft paper circulated to members of the Committee for consultation prior to it being submitted to the Justice Committee. Concerns discussed included the ringfencing of budgets; and the allocation of two thirds of total budget to

health – yet Police are increasingly moving into the health sphere; the cost of Licensing Agreements for IT use in the Police.

- Retained EU Law (Revocation and Reform) Bill - The review of this is likely to take 12 months. It covers legislation that was in place prior to joining the EU and legislation now no longer in use after leaving EU. Concern around this impacting Working Time Regulations.
- PSoS Legal Assistance Circular and Appeals – where the Force pay for legal support of officers eg FAI. Often SPF fund in advance and have to claim back fees.
- SPA review of cases where pension forfeiture may be an option – two particular cases are: the sharing of information with OCG; and officers using their powers to compromise a victim of domestic violence. Very high threshold to authorise pension forfeiture.

People and Operations

The Secretary advised the last meeting of the Sub Committee was on 24 October 2022. The matters discussed were:

- Leadership, Training and Development - OST now has 56% of the Force awaiting training. Section 19 RTA will come into force in March 2023 which governs the law allowing emergency services exemption to some road traffic regulations/orders when responding. “Protect the Protectors” law comes in in 2022. This relates to officers being appropriately trained to respond to emergency calls. If an officer is not trained in emergency response, or had a suitable refresher course, then they could be personally liable for any accident/damage/injury caused at RTC. Officers will therefore need to ensure that they do NOT respond on blues and twos if their training is out of date. Will have major impact on the Force response rates and the SPF have been talking about this for a number of years now with no suitable response from driver training school. REFRESHER = every 5 years. Protect the Protectors law will recognize skills of blue light response. Could be prosecuted if not covered by the legislation.
- Special Constabulary - Currently 450 Special Constables but Force hoping to increase this to 1000. There is no strategy to say what PSoS want Specials to do. Special Constables are leaving as they want to work within and support their own community but are just being deployed to events.
- My Career and PDLP - Those going for promotion through PDLP will have to move out of current role to gain relevant experience. Still discussions ongoing around which roles are suitable. Due to budgets and resourcing, looking to move to just one facilitator per assessment room, instead of two – going to open up likelihood of appeals and allegations.

- EDI - A number of SLWGs were set up to generate proposals for initiatives. However, there is no budget for proposals which are rejected at Strategic Leadership Board. At executive level appears to be no ownership of issues, just lots of talk. Need more support for first line managers in relation to issues such as Grievances and Flexible Work Patterns (FWP). Huge increase in FWPs -reiterate "needs not wants".

The Deputy Secretary then opened up a discussion on – "What is the viewpoint on sexism and misogyny within the Service?" to feedback to the Sub Committee from the North Area Committee. Lots of discussion around cultural change, not any worse just more public now, social media etc.

- Grievances and Employment Tribunals - If a case is likely to go to an ET, very important to show attempts at early intervention. Will be asked at an ET if the SPF have assisted or blocked any attempts at early intervention or supported this. Currently have five grievances in the North. On 17 October 2022, a letter was sent to DCC Fiona Taylor jointly from the SPF and staff unions. This informed the DCC that all were withdrawing from the workshops established to consult on the Grievance process as they saw that absolutely nothing had been achieved within that time. (Positive Workplace SLWG). SPF view was that the Service has a Draconian attitude towards the Grievance process and absolutely no learning is coming out of the Grievances.
- Ill Health – There are 950 officers off sick with 18 in the IHR process. We now have a monthly list of Long Term Absences from the Service – in the P drive shared folder. Direction from the General Secretary that all members on this list to be contacted to confirm that they have all required support in place – financial, physical and psychological etc. Direction is that local reps are to manage the contacts and this is to be fed into the LPA Commanders. Lots of discussion around half pay dates and who should advise members of such dates. Lots of discussion around half pay dates and who should advise members of such dates, GDPR issues etc. Suggestion that the pool of modified officers should all be considered for re-deployment into CJSD. Concern around potential discrimination of there being a "one hat fits all" approach for anyone with a modification or potential disability.

Working Practices

The Secretary advised the last meeting of the Sub Committee was on 24 October 2022. The matters discussed were:

- Custody and Criminal Justice - Caithness custody issues – Vice Chair gave update. The Criminal Justice Middle Office Review highlighted the fact that there are six Superintendents in CJSD.
- Events and Rostering - Any remaining outstanding Unicorn claims that are not being paid / disputed, to go through the Area Secretaries to the Working Practices Group and the Deputy General Secretary will escalate to the Unicorn Group.
- C3 - Major concerns around staffing levels and continued use of Exigency of Duty to being

up the OBLs

- Post Incident Procedures – The Secretary gave brief update.
- Remote and Rural concerns - There are a large number of probationers being deployed to rural areas where it is hard to recruit and retain officers. This is causing a vulnerability around the lack of experience and knowledge and lack of support. We have been tasked with obtaining figures around the percentages to take forward to show the risk to the organisation.

Health and Safety Forum

The Vice Chair advised the last meeting of the Sub Committee was held on 29 September 2022. The matters discussed were:

- Fire safety and prevention in estates (fire doors).
- Naloxone rollout (not enough product to supply due to war in Ukraine).
- Police Accommodation (major issues in Remote and Rural areas).
- Deep Dive considerations – vehicles vs Police accommodation.

The Vice Chair gave an update to the Committee following the previous queries regarding Emergency Response Training (ERT). Members must receive a full day's training (not 20 minutes). SPF will not support legal claims (as members will be breaking the law as not properly trained). There was then lots of discussion around ERT.

The Vice Chair advised of an increase in biting and spitting and encouraged all to use spit hoods. She also advised of issues with blood borne diseases in rural areas with delays in Optima taking bloods. She also spoke about heating controls within buildings and advised it's a national control with heating being controlled from Glasgow and asked for photos regarding members sitting with blankets, jackets etc due to being cold. She also advised ear pieces for Airwave terminals have been ordered and also spoke about England and Wales having female specific body armour and research is ongoing for possible sourcing of these.

ACTION – Photos of heating issues from all to be sent to Vice Chair -Vice Chair

9. JCC Updates

The Secretary gave an update advising there had been two meetings of the JCC since the last NAC, first held on 4 and 5 October 2022 and the second on 29 and 30 November 2022.

Finance Standing Committee

The JCC Finance Standing Committee took place on the 4 October 2022 and 29th November 2022.

Items discussed included:

- SPF accounts have migrated to a secure server.
- Wider investments of the SPF have taken a hit due to financial markets but still in a healthy position.
- There was an endorsement of lease negotiations for a proposed new office in Inverness.

PNB

PNB met on 14 October 2022. At the last meeting, there was agreement for a minimum payment for an Islands Allowance. However, the final figures were not agreed.

Update is that figures now agreed just await the official signoff. £2,200 top figure for most remote area and lowest figure will be £1,100, with sliding scale in-between. Hope to have first installment paid before Xmas and it won't be reduced for part-time officers.

The West Area Committee had raised a question in respect of negotiating an allowance or expense for officers who had changed shift / cancelled on a rest day at short notice who must then spend money on additional care. A discussion took place, it was found that this had previously been raised at PNB around 2007 to 2009. An agreement had been reached on a dependent's care allowance; this was at the discretion of the Chief Constable. It will be arranged to have details of this added to the PNB handbook. Interesting to see how much discretion is given when officers start applying for this.

Pensions

The pension policy to deal with the pension remedy is incredibly slow and there is not yet any legislative fix for the remedy, which is not expected to be in place before October 2023. The Pension Board met at the end of September. They are looking for approval to pay many in advance of the legislation for the Immediate Detriment cases. Explanations for the pension age discrimination is detailed on the HMRC website.

The Annual Pension Benefit statements were released early but contained mistakes. A Performance Improvement Group has now been set up to deal with some of the issues that continue around the administration of the pensions.

The pension calculator on the SPPA website is now operational but any queries around the pension looking for advice from the SPF should be directed via WSP.

JNCC

The JNCC met on 9 June 2022 items discussed included:

Cost of living – Questions were asked of the Force about what it can do to help reduce

the cost of living for members. This also included the impact of the proposed low emission zones in city centre areas, along with fuel bills.

Resourcing of events – Decision from Strategic Group that they will attempt to provide 25% from Specialist Divisions.

Particular Case Status – Discussion around half pay appeals whereby all cases should be afforded PCS (except where there are exceptional circumstances) without the need for appeals to HR.

SPF Training

A register has now been established to ascertain quick time, who has been trained and in what across the SPF. In the North Area, all Reps have now received their basic training, other than those elected in the last couple of months. Please ensure that if you are enlisted on the training courses supplied by the SPF, you complete your hotel and meal requirement forms from Cara – whether you require them or not, still needs to be completed.

Scottish Police Consultative Forum

There have been no meetings of the SPCF.

SPA

The SPF now attending the Peoples Committee, which have proven successful so far. Telematics has now been completely binned.

Scottish Parliament and Political Engagement

Mental Health Legislation – Discussions taking place to look at change in legislation to allow officers to have the same powers in a private place as they do in a public place.

Issues raised included mental health in the Police Service. Discussions around this have been positive. Some members / ex members attended the Justice Committee in September and provided evidence around the impact of policing on their mental health. The feedback from members was excellent – thought it very worthwhile and beneficial to be able to share their experiences. As a result of this, the Justice Committee has agreed to take forward a number of actions. This includes publishing a set of notes made around the interviews with the members that were involved with the sessions – these notes will be available to the media and for reference in parliament. They are requesting a review of the TRIM procedure, greater support and efficiency in the IHR process, protection of rest days, amongst other things.

Scottish Police Budget and Finance

Spending review – Scottish Government has produced its figures, it is Flat Cash for the next five years. This is the same as all Justice Departments. Work is ongoing to arrange a collective meeting with the other Justice representative bodies to discuss this matter.

Police Related Charities

Police Children's Charity – The rebranding and amnesty appeared to work with numbers joining up although it will be 12 months before we will see if real success. Had lost £800,000 in the value of investments but with current volatility of the market this was not a surprise and is expected to bounce back. Still a very strong position with £17,500,000 in accounts. Discussion around banding for awards regarding death benefit or retirement due to ill health. Decided now is not the time to make any changes as only just changed name.

PTC - The PTC is now running virtually as pre pandemic. Only real changes are mask wearing during physio sessions. Current waiting time for Physio is 2 – 3 weeks although with some dropouts you can get in virtually straight away. First PTSD trial using EMDR (Eye Movement Desensitisation and Reprocessing) was run in June. Outcome measures were good. The running of the course did not affect any other activity in the Centre. There will be a September and October Cohort. NI are looking for one being run for their staff. Currently apply through Police Care UK.

Police Care UK – Latest report suggests that £6m was lost from the charity due to an investment collapse. Thankfully the charity runs several portfolios.

SPF Bravery Awards

The SPF Bravery Awards took place on 24 November 2022 in Edinburgh – really enjoyable evening as always. The process for 2023 nominations is now open.

10. JCC Circulars and Consultations

The Chair advised there had been no new Circulars or Consultations issued since last meeting.

11. Motions

The Secretary advised there were no motions.

12. Correspondence

The Secretary advised of the upcoming retiral of Division Rep Alasdair Macleod.

13. AOCB

The Chair advised of £1,000 available for any charity / support. Members to contact the Chair with any suggestions.

14. Closure

The Chair advised that the next Meeting of the North Area Committee is to be held on 6 and 7 March 2023.

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.

Allen Shaw
Chair

Caroline Macnaughton
Secretary