



Scottish Police Federation North Area Committee

Minute of the quarterly meeting of the Scottish Police Federation North Area Committee, held on Monday 28 February and Tuesday 1 March 2022, at SPF meeting room, Dundee.

1. Members Present

Full Time Officials

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|----------------------|------------------|
| David Threadgold | Chair |
| Neil Macdonald | Secretary |
| Ross Polworth | Vice Chair |
| Caroline Macnaughton | Deputy Secretary |

| Constables | Sergeants | Inspecting Ranks |
|-----------------|-------------------|------------------|
| Shirley Moran | Fraser Robertson | Karen Harrison |
| Mark Douglass | Pat Nicoll | Allen Shaw |
| Allen Begg | Andy Bilton | Kevin Hird |
| Yvonne Sloan | Andy Sawers | Nick Clasper |
| Garry MacIennan | Alex Carle | |
| David Mackay | David MacAlpine | |
| Andy Horne | Simon Lewis-Dalby | |
| Ronnie Irvine | Gary Johnston | |
| Sandy Smart | | |

Apologies Received

Apologies were received from - James Rice, Alan Devine, Scott Macdonald and Graham Smith.

2. Opening of Meeting

The Chair opened the meeting and welcomed all members present. The Committee were encouraged to take an active part in the meeting and to contribute to discussion and debate.

3. Approval of Previous Minutes

The previous meeting Minute was formally approved, having been proposed and seconded by Fraser Robertson and Simon Lewis-Dalby.

4. Rank Specific Matters Arising

The Secretary advised of vacancies and procedure for newly elected FTOBs. Invitations to the JCC as Observers will follow. He also advised anyone else wishing to attend JCC as Observers to get in touch with the Secretary.

5. Matters Arising Action/Decision Log

There were no matters arising.

6. Guest Speaker Mr Iain Livingstone CC

Divisional representatives were afforded an opportunity to ask questions and discuss matters affecting the membership with the Chief Constable.

7. Elections for North FTOB Positions

The elections for upcoming vacancies in the Full Time Office Bearer roles were carried out in the following order;

Secretary – Candidates

Karen Harrison, D Division

Proposer – Andy Bilton

Secunder – Fraser Robertson

Caroline Macnaughton, Deputy Secretary

Proposer – Simon Lewis-Dalby

Secunder – Andy Sawers

Deputy Secretary – Candidate (sole candidate – no election required)

Andy Sawers, A Division
Proposer – Simon Lewis-Dalby
Secunder – Alex Carle

Vice Chair – Candidates

Allen Shaw, A Division
Proposer – Shirley Moran
Secunder – Allen Begg

Yvonne Sloan, N Division
Proposer – Kevin Hird
Secunder – Ronnie Irvine

The results of the elections are as follows;

Secretary – Caroline Macnaughton
Deputy Secretary – Andy Sawers
Vice Chair – Allen Shaw

8. Rank Separate Meetings

Rank Separate Committee meetings were held as required for the election of JCC members.

9. Standing Items

9.1 JCC Update

For the benefit of newly elected members, the Secretary provided an overview of the remit and structure of the JCC and Subject Committees, and summarised the most pertinent points for the NAC as follows: -

Legal Advice & Assistance

The Allard case is ongoing with discussions continuing for a Damages Claim. Anticipated that this may be resolved by the end of this year.

(***NOTE** – Allard is in respect of recall payments for CHIS handlers and has been ongoing since 2015).

The Holiday Pay case is still ongoing at an Employment Tribunal but has been sisted, pending the result of an analogous case with PSNI officers. Formula for extra pay was close to final negotiation but there is value in seeing what officers at PSNI get first.

(*NOTE – The SPF is the only trade union pursuing cases in Scotland – this follows the EAT ruling that workers are entitled to overtime payments as part of holiday pay. The SPF were on the cusp of settling with the PSoS but the case in NI – which is almost identical to that in Scotland – is ahead of SPF and has cleared legal hurdles, so we have delayed resolution pending outcome).

The WhatsApp case. The right to appeal to Supreme Court was refused, legal position and advice is awaited from QC, as a consequence the SPF could be liable for the defenders costs. Further right of appeal would be to Europe, the overall impact is the restriction of the private lives of Police officers. PSoS continue to use officers private mobile data in respect of ongoing conduct and criminal enquiries.

(*NOTE – this is a case of international significance and is being watched by Police Unions all over the world).

Police Negotiating Board

Pay Claim – 2022 – JCC Rank Committees held to discuss rank-specific proposals for the 2022 pay claim to put to the staff side representation for PNB. The Chair gave an update on pay negotiations and discussion took place around timescales. The Chair gave an outline of how the 3.4% figure was suggested and also spoke about ASE (Annualised Summary of Earnings) and reducing the working week. The Secretary advised the pay claim has been published and the Chair opened up discussions for any feedback.

Queen’s Jubilee public holiday remains outstanding; in service compensation claim remains at SPCF (Scottish Police Consultative Forum).

Extension of Maternity pay period to bring in line with England & Wales still outstanding.

The Secretary advised the Motion from previous NAC meeting regarding appropriate compensation for cancellation of AL is now with the PNB.

Pensions

The Secretary advised of the update provided by Calum Steele. Commutation cap indicated to lift on 1 April 2022, this has not yet been approved (refers to cap for those with over 25 years service and aged over 50, all ranks). Commutation underpin is going to be continued indefinitely to maintain better factors in respect of lump sum. Immediate Detriment – Forms require to be signed, the immediate detriment occurs after retirement – pressure on Government in respect of immediate detriment (relates to officers not retiring on their preferred pension option at retirement, as per the underpin). Suggested that the SPF form for this is published on website and included in retirement packs.

Chief Constable is now chairing a Pension Oversight Group to improve engagement between SPPA and PSoS. More retirements currently than predicted / anticipated, concerns around impact on resource levels, with recruiting issues and numbers of probationers.

Pensions due to increase by 3.1% (September).

The Secretary advised of complaints coming in from members about the poor service from SPPA and reiterated that we cannot give financial advice. Please advise members to use the complaints and disputes area of the SPPA website. The Secretary then went on to give examples of errors being made by SPPA. He then advised the Committee to advise members to give at least 6 weeks notice to PSoS of their intention to retire as the SPPA require 28 days notice for pensions to be paid on retirement.

Scottish Police Consultative Forum

No update since last JCC update.

Scottish Police Authority

The Committee was advised of three newly appointed ACC's – two from PSNI, one from NCA. They sought information from SPF. SPA engagement processes with SPF – John McLean sits on PNB, he is the only person there is a positive engagement with, the current engagement with the Chair of the Authority is non-existent, Martyn Evans has had no meetings with the SPF. SPF have been on People Committee, this is a trial element and if it works / is successful it may prove beneficial without compromising the position of a staff association. SPA officials (highly paid executives of SPA), may be given an opportunity to meet with JCC and take questions from members.

Scottish Police Budget & Finance

As per the update under PNB above. Government looking to have pay awards made in line with the Public Sector Pay Policy.

Scottish Parliament & Political Engagement

The Chair and Secretary are to attend the Scottish Conservative Party Conference in Aberdeen on 18 / 19 March 2022.

Joint Negotiating Consultative Committee

The Secretary advised that David Hamilton provided an update on JNCC meeting of 13 December 2021 which included discussion around the following:

External Consultants in Change Reports – PSoS using external Consultants for Change projects and reports. They produce hoards of documentation, that is rarely read and

costs the service millions of pounds. The Chief Constable has pledged to scrutinise where appropriate the use of consultants.

COP26 Claims – still outstanding and appears to be no appetite to resolve them. Debrief document provided by PSoS was discussed, provided by Supt Callaghan. Issue was not bad planning but poor administration and function of RDU / SCoPE to update officers. Transport and accommodation issues were identified – this was based on individual perception; provision of food and refreshments – should be replicated at other events. Discussion around COVID transmission and the outstanding claims of officers. Reps from A and D Divisions advised claims are now going through.

Focus on travel time – it is likely that there will remain claims outstanding in April 2022. If claims are approved by Line Managers the claims will be paid, BSU are giving new direction re this.

Working Practices Review Board – update from David Kennedy. This meets every two months and little decision-making comes out of it. Underneath this sits the Resource Deployment Group. At the RDG there is a SLWG to look at Rerostered Rest Days, to see how they can be used up / got rid of. Inspectors and above don't get paid for them and not getting to use them. Regulations state that RRDs MUST be re-rostered within 4 days of being created but this is not happening. No penalty for PSoS if they don't comply and the days sit in a bank. Currently 60,000 RRDs across Scotland sitting in banks. RDU staff not trained in regulations so going by what computer says. Increasing the number of staff in RDU not going to solve the problem – eg policing events, RDU for an LPA can't access resourcing within a specialist unit RDU – no overlap.

The Secretary advised a review of the role of the JNCC remains ongoing and was discussed at JCC. Looking to change the structure of the JCC Sub-Committees to streamline them with the JNCC Sub-Groups of Policy, People and Working Practices.

The Secretary spoke of the upcoming Policy Conference advising only 11 NAC Reps have confirmed attendance. He reiterated the need to register or advise of non attendance.

He also gave a brief update on Naloxone – still awaiting details / legal advice from lawyers.

Police Related Charities

The Secretary asked for suggestions of new charities who could benefit from the SPF to take to the Finance Standing Committee, Discussion took place and several charities were named – Myloma UK, Air Ambulance etc. The Chair asked for emails to be sent to him in the first instance with any information.

Update provided on PTC / St George's. Extension in Harrogate now complete and has a new Patron – Princess Royal. St George's is now renamed the Police Childrens Trust. Concern around the number of officers that don't contribute to this, when it is such a minimal monthly amount (£1.50) but provides immense benefits for children of affected officers.

Police Care UK – re-focusing itself due to confusion around its use as an alternative to EAP and Benevolent Fund. Fundraising continues to increase its reserves.

The Secretary advised the next National Police Memorial Day is in Belfast on 6 September 2022 and in 2023 it will be held in Dundee.

9.2 Subject Committees

- **Conduct**

The Committee has been sent a copy of the IOPC's Hotton Report into reports of alleged Police officer misconduct at Charing Cross Police Station. Discussion regarding the importance of having an awareness of the content of this document and the potential impact on Policing in Scotland.

Before beginning his update the Chair asked for any thoughts on the IOPC's Hotton Report. Lots of discussion took place regarding educating members on behaviour, banter etc and highlighting the content of the Report to senior officers to educate their staff. The Deputy Secretary advised all new recruits get an input at SPC with regard to conduct, mobile phone activity, WhatsApp groups etc. The Secretary stressed the point that there is no specific time set aside for Divisional Reps undertaking Federation duties, it is over and above their role with the Police Service of Scotland, managing both roles is for each individual.

The Chair, David Threadgold provided an update on Conduct matters.

There are currently nine ongoing conduct and 19 criminal cases across the North Area. We are at the point where, post COVID, I expect to see a large increase in the frequency of matters being dealt with at the courts, clearly this will increase frequency of misconduct proceedings.

There was discussion around Police Scotland's standards of professional behaviour and their relevance for misconduct assessments.

No meetings or hearings have taken place since the last NAC.

- **Equality and People**

The Deputy Secretary, Caroline Macnaughton provided an Equality update on the following issues.

Susan Beaton is the new lead for wellbeing with Damien Shannon; he is undertaking a full wellbeing review and progressing ideas and issues.

Ill Health Retirement

The ill-health retirement process continues to be kept under review with delays continuing for officers awaiting their appointments with the SMP. Major delays in obtaining any injury on duty awards following ill-health retirement. Reminder to Reps that if they are supporting an officer going through IHR process, they can appeal under Particular Case Status for maintenance on full pay if they are off work on prolonged sickness absence and due to have a pay reduction.

Equality and Discrimination

Ongoing cases with legal and grievance cases across the North Area. Now have settlement by PSoS on a case of pregnancy discrimination and in negotiations for disability discrimination. Continue to support officers going through Grievance Process – most recently, allegations of gender discrimination via promotion processes and two disability discrimination cases in relation to mental health diagnosis.

Online KIT day for the North Area being held on 23 March 2022 - 1300 – 1430 hours. Please ensure that any officers you are aware of that are pregnant, on maternity leave or going through IVF etc, are made aware of this and sent the link. The last time this was held the feedback was excellent – with input from HR on flexible working, maternity leave procedures and pay.

Sex, Equality and Mysogny – New Working Group chaired by DCC Graham.

Other People Issues

The Deputy Secretary recently attended a training course to be a Mental Health First Aider, which was excellent and is now looking into the possibility of Divisional Reps being afforded the chance to attend and is looking for interest from Reps in relation to how useful this would be for them dealing with officers in crisis on Division.

ACTION – Circulate poster.

- **Health and Safety**

The Vice Chair, Ross Polworth provided a Health & Safety update and highlighted the following subjects

COVID19

Guidance remains the same regarding distancing, wearing of IIR masks and the carriage of FFP3 masks for use in known or suspected COVID situations.

Violence

Assaults

Various meetings held to discuss this matter across the H&S workstream from local to national as well as Your Safety Matter Groups. Most are still focusing on analysis of data. Service is developing Wellbeing Awareness Packages for line managers to use in support conversations with those subject to assault / hate crime. The Chair shared his thoughts / frustrations on assaults – it's all about data with Your Safety Matters Group, nothing meaningful. Highlight issues with Line Managers. Discussion took place around the lack of support from PSoS to victims of assault. The Vice Chair expressed there's some good work ongoing in N Division.

AGS Equality, James Thomson gave his views and the Deputy Secretary advised EAP only provide 4-6 sessions and asked AGS Equality if there would be any chance of approaching EAP with a view to getting more sessions.

SCoPE reported assaults have increased to 61% compliance compared to 10% previously. This is due to many areas adopting the process that crime reports can not be closed until SCoPE reference has been added.

OST

More incidents are to be reviewed from an OST perspective to ensure timeous sharing of learning should issues be identified. Naloxone refresher is to be included in OST refresher training.

CJSD

Steps are being taken to reduce the time spent waiting with custodies which leads to hostile environments for officers.

Taser

112 STOs have been trained since September and it is anticipated that 800 would be available by March 2022. Unfortunately, this has been delayed due to COVID preventing training from taking place.

Between April and September there was 184 uses of Taser with 32 discharges. This was an increase of 30 uses compared to the same period last year.

Personal Protective Equipment

Body Armour Working Group

As previously reported, a survey was carried out in respect of the new armour. The response was generally positive regarding comfort and flexibility.

Formed armour is still being progressed. The trial of three officers, custom fitted with armour has yet to commence. It is expected to take approximately one year to complete.

Clothing & Equipment Working Group

Hearing Protection Trials – Testing completed by Herriot Watt on the Surefire EP4 Head-Sets. User trials were to commence over the Christmas period at big events and football matches. However, it is unknown if this had commenced.

Cycle Equipment SLWG – The kit list has now been agreed and procurement are now progressing with contracts. Framework will exist to purchase the same equipment across the country in the future.

Operational Equipment

There has been a number of incidents involving catastrophic failure of the engine within BMW vehicles in England. PSoS has provided reassurance that the traffic light system for use of the vehicles is being adhered to. However, there has been a significant increase in the Volvo fleet holding within Police Scotland. The Vice Chair stressed that all vehicle issues should be reported.

First Aid

Naloxone Steering Group

As previously reported, the test of change has concluded. There were 47 recorded uses. D Division recorded 22 and N Division recorded two. There have been no reported issues with Ambulance response times in the majority of cases. Areas did not identify any issues.

It was announced on 17 February 2022 that all officers are to be issued with Naloxone nasal spray.

First Aid

Individual and vehicle first aid kits are being revamped and will contain items that are more aligned to officer training. Kits will contain tourniquets, chest seal, compressed gauze and burns dressings. This will allow for a better response to significant injuries sustained by colleagues or the public.

New recruits kit list now includes a better-quality hard mask for CPR and a pair of tuff-cut shears.

Casualty Transport SLWG

A Positional Statement is awaited from the Scottish Ambulance Service on whether they would instruct a Police Unit to transport a casualty. Questions have been produced for Ethics Panel considerations.

This policy is aimed at transporting casualties where there is a physical risk to life and not for convenience with considerations covering associated liabilities and responsibilities placed on those who make the decision to move the casualty, or alternatively leave a casualty if the clinical advice is that the casualty does not need to be transported to A&E.

PIRC and COPFS roles in respect of officer scrutiny and protection will require further clarity.

Training

Ian Florence, Secretary, West Area and Ross Polworth, Vice Chair, North Area, successfully obtained a NEBOSH General Certificate in Occupational Health and Safety.

It is hoped further IOSH Managing Safely Courses can be arranged in the near future.

Gordon Forsyth AGSH, is currently developing Inspection Training for delivery to all Health and Safety Representatives. It is hoped this can be delivered at the next Health and Safety meeting.

9.3 Standing Committees

• Finance Standing Committee

The Chair gave an update from the Finance Standing Committee which included an update on the Aberdeen office and discussion around office availability in Inverness.

There has been a review of level of payment to spouse on death of serving officer – to increase from £3,500 to £5,000 (Rule 15 to be revised.)

• Legislation & Regulations

There has been no Legislation & Regulations meeting since the last NAC.

• Operational Duties

There has been no Operational Duties meeting since the last NAC.

10. Area Meetings Update / National Division Update

A Division

The Chair gave an update on A Division and reported that following the retirement of Chief Superintendent Macdonald, T/Chief Superintendent Kate Stephen has taken up the post in A Division and advised a meeting with Divisional Reps has been organised for 15 March 2022.

Latest meeting held on 15 February 2022. The Division is currently reviewing the Risk Assessments for all buildings and offices. During recent developments it was established that Risk Assessments were not in place or required to be updated.

Local H&S training is now available and will be delivered by Health and Safety Advisors or Moodle packages. These include Display Screen Assessor, Risk Assessor, Fire Safety Co-ordinator and Designated Safety Co-ordinator among others.

Reporting of accidents and assaults is improving. Reports are up 58.9%, reducing the gap between crime reporting and SCoPE reporting. This is better reporting not an increase in incidents overall. A reminder is to be made for all staff to submit SCoPE reports for accidents.

Staff are also to be reminded of the need to follow COVID guidance. Officers still being seen not wearing masks when dealing with the public or in vehicles.

Road Signs – It was identified that there is an issue with ordering replacement signs. Any examples of a lack of signs is requested to be fed back to be addressed. All vehicles on patrol should be properly equipped.

D Division

The Deputy Secretary provided an update on D Division matters, some of which included the following: -

Held meeting with Divisional Commander, Phil Davison, on 3 February 2022. Issues discussed include:-

1. Court citations for floating trials and lengthy assize. This is now tasked to Supt Nicola Shepherd to progress and I have supplied her with a briefing paper covering the specific examples raised with me by officers in D Division and the impact on their leave periods.
2. New Shift models for the Uniform Inspectors in D Division and also the Dundee City Centre Policing Team. These are due to be implemented on 14 April 2022 and should see a move back to closer supervision and support for Constable and Sergeant ranks.

3. Absence levels and modified duties. The recent change of duties for back office functions and transfer of some SCD posts to frontline. Potential changes for CID structure in the Division to provide further support at local policing level.

Further meeting with Phil for all Divisional Reps has been arranged for Friday 1 April 2022 at 1000 – 1200 hours.

Last meeting held 31 January 2022. YSM Group to be set up in line with other areas. SPF has asked to be represented and involvement is to be sought from local representatives.

SCoPE reporting of incidents is one, if not, the best in Police Scotland. Although the Division has had 450 incidents in the last year, a 25% increase, it is the second lowest in comparison to incidents attended.

There appears to be an increase in incidents involving dogs. Officers are to be reminded that OSU and dog handlers can assist especially out of hours where the local authority dog wardens are not available.

N Division

The Secretary gave an update on N Division which included regular attendance at meetings with the ACC, Divisional Command Team, Peoples Board and National Peoples Board, which ensures good working relationships are maintained. He also spoke about remote and rural issues – lack of officers. Increase income – make pensionable to attract officers to rural posts. The Vice Chair advised of future management changes.

The last meeting was held on 7 February 2022. Like in other areas, specific Risk Assessments are being developed by the Division where generic ones are not appropriate.

Fire Safety Moodle completion is excellent with 638 completed.

COVID inspections carried out in Aviemore, Dingwall, Inverness, HQ with no major issues discovered.

N Division has seen an increase of 18.9% in reporting. Again, it's reporting on SCoPE as opposed to an increase in incidents. Still a bit of work to go in ensuring SCoPE reports match criminal recording.

North Area

The last North Health and Safety meeting was held on 4 February 2022. In addition to the local issues previously highlighted it appears that there is challenges in all areas with an aging fleet. Areas reported vehicles with high mileage and awaiting replacements. Officers to be reminded of need to report faults and carry out vehicle inspections.

There was then a request from the Chair for the Committee to develop a case for Duty Officer roles. Much discussion took place with the Chair asking for emails regarding this to be sent to himself.

11. New Business

James Thomson, AGS (Equality) attended and gave a presentation to the Committee on his role.

The Secretary advised there is no New Business to bring to the Committee's attention.

12. AOCB / Correspondence

Attendance - The Committee were reminded that attendance at the 4 NAC meetings per year, is vitally important to ensure the success of the NAC. Any apologies must be notified in advance of the meeting.

Vacancies – a list of current vacancies is to be compiled.

The Secretary advised of the imminent retirement of Divisional Rep Sandy Smart and thanked Sandy for all his work and wished him all the best on behalf of the Committee.

The Chair also advised the Committee of the upcoming retirement of the Secretary, Neil Macdonald and thanked him for all his hard work as a part-time and full-time Office Bearer which was followed by a round of applause from the Committee.

13. Time and Date of Next Meeting / Closure of Meeting

The Chair advised that the next Meeting of the North Area Committee is to be held on 30 and 31 May 2022.

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.

David Threadgold
Chair

Neil Macdonald
Secretary