



Scottish Police Federation **East Area Committee**

Minutes of the Second Quarterly Meeting of the East Area Committee of the Scottish Police Federation held on Wednesday 7 June 2023 within the Houston House Hotel, Uphall Livingston, EH54 6JS

1. OPENING OF THE MEETING

The Chair opened the meeting by welcoming all those in attendance to this, the Second Quarterly Meeting of the East Area Committee for 2023.

The Chair informed the attendees of the Fire Procedures in the event of an emergency thereafter, reminding those present that every member would have the opportunity to express their views and that **all** points or issues **must** be directed through the Chair allowing everyone who wished to speak the opportunity to do so.

The Chair then went on to say that it was with deep regret and sadness he had to advise that since the last quarterly meeting there had been three Deaths in Service. Condolences had, on behalf of the East Area Committee, been passed onto the family and friends of Aiden Joyce who passed away on 7 March 2023, Sean Wright who passed away on 20 April 2023 and Cyprian Kromiszewski who passed away on 18 May 2023. The Committee were then upstanding to observe a minutes silence as a mark of respect.

Standing Orders were adopted and the meeting was declared open.

2. ATTENDANCE

Inspector Mark Wilson	C - Forth Valley
Sergeant Billy McFarland	C - Forth Valley
Sergeant Christopher Scott	C - Forth Valley
Sergeant Anne Begley	C - Forth Valley
Constable Lyn Redwood	C - Forth Valley
Constable Gavin Grant	C - Forth Valley
Inspector Mark Sherman	E - Division
Inspector Neill Whiteside	E - Division
Inspector Norman Towler	E - Division
Sergeant Willie Rennie	E - Division
Sergeant Lee Dickson	E - Division
Sergeant Heather MacIntyre	E - Division
Constable Euan Sinclair	E - Division
Constable David Davison	E - Division
Inspector David Hughes	J - The Lothian's & Scottish Borders
Inspector Ross Drummond	J - The Lothian's & Scottish Borders
Sergeant Michael Harte	J - The Lothian's & Scottish Borders
Sergeant James Gowling	J - The Lothian's & Scottish Borders
Constable Gareth Watt	J - The Lothian's & Scottish Borders
Constable Eric Dickson	J - The Lothian's & Scottish Borders
Inspector Craig Stephen	P - Fife
Inspector James McLaren	P - Fife
Sergeant Craig Menzies	P - Fife
Sergeant Graeme Mathers	P - Fife
Constable Anthony Clark	P - Fife
Constable Ben Pacholek	P - Fife
Constable Norman Kinloch	P - Fife
Graham Ross	Secretary
John Turley	Chair
Ricky Wood	Vice-Chair
Davie Reid	Deputy Secretary
Deborah Kennedy	SPF Staff

3. APOLOGIES

Apologies were received from Liam Harman, Martin Vickerman, Christopher Richardson, Stevie Neilson, Darren Gallagher, Blair Rennie, Craig Moran, Pat Devaney and Michael Williamson.

4. MINUTES OF THE PREVIOUS MEETING

The minutes of the preceding meeting held on Wednesday 1 March 2023 had previously been disseminated to the Committee via TEAMS. The minutes were agreed and thereafter recorded as a true reflection of the meeting.

5. MATTERS ARISING

(a) JOINT CENTRAL COMMITTEE (JCC) - UPDATE

Those present were updated accordingly when the Secretary provided an update following the Joint Central Committee Meeting that was held in Crief on 18 and 19 April 2023. The key points worthy of note from the JCC had been circulated via TEAMS to the Committee who acknowledged their receipt and understanding.

Chief Constables Address to SPA – The Secretary gave an update on the events surrounding the Chief Constables address to the SPA (Scottish Police Authority) in which he stated that PSoS was institutionally racist and the consequences of his statement. The Secretary had previously sought the views of the members via the Representatives and thanked those present for the feedback sent to him in respect of the response from the membership. He had received some very powerful and disturbing examples in relation to what the members had, and continue to face including accounts of “Off Duty” issues some officers have had with family, friends and neighbours along with comments made in school playgrounds to their children.

The feedback had been sent to the National Chair, David Threadgold and issues were raised at the JNCC. A meeting will be held on 8 June 2023 with the other Staff Associations where a framework will be discussed to try and address perceived issues.

Support is being given to the officers involved in the Sheku Bayoh Inquiry who feel very let down by the Chief Constables comments. For him to make these comments at a time when Lord Bracadale is determining whether Race played a part in Mr Bayoh’s death is quite incredible and prejudicial, sparking outrage from those officers and their families who have had 8 years of continuous stress.

Discussions ensued and it was felt that the procedures currently in place are the problem, not the staff! The Chief Constable is responsible for these procedures and it is the senior ranks who sign policies off however, it is the officers on the ground who are suffering the backlash. Many felt that this has happened on Chief Constable Livingstone’s watch and PSoS may struggle to recover from this. No cognises has been taken as to how his statement would affect not only the officers but their families.

In relation to the misogyny and discrimination part of the statement, no one appears to care about this, this has become all about racism with the press only interested in two words, *Institutional Racism*. The committee felt this was extremely unfair for those who may have suffered misogyny, discrimination or, who have disabilities as they have been somewhat overlooked.

Assistant to the General Secretary (AGS) Conduct - Following David Threadgold's recent appointment as SPF National Chair, a process was undertaken to elect a replacement for him as the National Conduct Lead. Lynne Gray (West Area) takes up the role with immediate effect.

COVID Inquiry - The SPF are now formally part of the Public Inquiry into the handling of the pandemic being led by Sheila McColl KC. Preparatory work has been undertaken with evidence already forwarded to the Inquiry from the SPF.

Allard & Others v Devon and Cornwall - This case is ongoing and entering the final phase. Resolution is expected by the end of the year.

Holiday Pay Claim - Further progress has been made and claims submitted by our members are set to be resolved imminently.

Sheku Bayoh Public Inquiry - The inquiry is ongoing. We continue to support our members providing assistance both legally and in respect of welfare matters. The impact of the Chief Constables address to the Scottish Police Authority has understandably had a further impact on these officers which are being managed by both the SPF and also by the divisions who have had to try and effectively pick up the pieces in the aftermath of this and, by its consequence, the further media scrutiny. The challenges these officers face is constant and they very much need our support.

Police Negotiating Board (PNB) - The Secretary informed that negotiations had begun. The claim is for 8.5% to bring us in line with our public sector colleagues such as the NHS, teachers and the Fire Service. Discussions are taking place in respect of the elements not settled in last year's claim. The Scottish Government have stated publicly that Police Officers **should not be disadvantaged** due to not having the same industrial rights and therefore an average percentage is a fair reflection of that. Receipt of the claim has been acknowledged however, no formal response regarding an offer has been received. It may end up at ACAS.

A Pay Index had been in place prior to 2005 and PSoS have been arguing for some time for one to be re-introduced. This would prevent the scenario we now face with pay deals taking several months to be established and would benefit both parties helping the Service better make use of their budget.

A lengthy discussion ensued when Heather McIntyre asked if it would be possible for front line officers to be paid an additional payment. Some of those present thought this would be too divisive and especially unfair to

those working in offices who cannot work night shifts due to disabilities etc. The Deputy Secretary will take this to the next JCC to discuss how best to progress.

Pensions - Officers wishing to re-join the Pension Scheme now no longer require to undergo a medical assessment. This is particularly important due to the falling numbers of officers nationally which obviously impacts the money coming in on a monthly basis. It is hoped this will make the scheme more attractive and consequently more sustainable.

Pension Remedy - An update was provided by the Secretary. This was in relation to the McCloud/Sargeant case which was brought about by the Judges and Firefighters who won a legal case at the Court of Appeal in relation to discrimination against them in respect of the tapering side of their pensions.

Part of the remedy required officers impacted by the changes to be given the choice between their 87' Scheme and CARE benefits at the point of retirement. This was not accomplished in time for some and this detriment is subject to an ongoing legal claim with financial redress being sought. It is hoped to have a system in place for retiring officers in October 2023. There remain issues in respect of those retiring before October when they will have the retrospective offer made to them. Due to the generous changes to commutation factors, there may be a swathe of officers holding off until October to retire. The SPF have warned the Service of this possibility.

An ongoing Pensions Consultation is currently taking place. A circulation was forwarded to local reps asking them to detail misgivings and raising issues in respect of this. The Secretary urged those present to take the time to complete this and to encourage the membership to do so also.

Those in attendance were reminded that the **SPF CANNOT provide advice in relation to pension matters** and, if contacted, to advise members to seek Professional Advice or, contact the SPPA.

Scottish Police Consultative Forum - In relation to the Police Leadership Development Programme, an evaluation paper is now with ministers. Provisions are now in place for those with diploma/exams.

The Chief Constable had previously announced that Court Officers were to be taken out of the courts however, there has been a softening of this decision due to legal obligations and many of these posts having been funded. Policing of court buildings will continue, albeit possibly on a reduced scale.

The Service have officially reduced staff numbers to 16,600. Posts have

been reduced by removing unfilled roles to help attain this number. In the East the following is a breakdown of numbers lost/cut:

"C" Division	15
"E" Division	31
"J" Division	14
"P" Division	19

In addition the following posts were lost nationally:

C3	27
SCD	132
OSD	93

Not only have police numbers dropped but although unconfirmed, there are a possible 200 Police Staff roles which may also be lost! What functions are the PSoS going to stop fulfilling! In addition to every day policing this will have a detrimental impact on our members seeking to be developed or transferred. Our members are expected to do the same or more, with less and this is just not sustainable. Concerns have been documented to SMT's in the East as well as the ACC and, will be raised with elected representatives. **We need to protect officer numbers!**

Police Together Programme - PSoS have been told numerous times this type of training is not fit for purpose as it simply does not work and the Training Department are very much aware of this. This appears to simply be a tick the box exercise so that PSoS can say officers have been trained however, it is not going to solve any real training problems and has the potential of being a disaster due to limits of online training and volume required.

It is important that officers report back to their local representatives in order that we can keep an eye on those struggling with the training especially if they finish the course and feel they have not understood or taken in the content of the course. Not all officers can learn this way especially those with dyslexia and they must let PSoS know if the training does not work for them.

There is a vast difference between receiving training in person and remotely. SPF want to protect our members therefore, David Threadgold, National Chair, will be taking this forward.

Scottish Police Budget and Finance - At the last East Committee Meeting ideas were sought in respect of possible savings PSoS could make. These have now been catalogued and forwarded to our Trustees for progression.

JNCC - A meeting of JNCC took place on 21st February 2023 where much of the focus was on the “*On Call review*”. The Service seemed unaware as to the full impact of this, concentrating on the Chief Superintendent and Superintendent ranks. On call payments for **all ranks are now pensionable**.

People and Operations Sub-Committee - A further £1.5m has been spent on consultancy fees the benefit of this spend is questionable! Probationer intake numbers were likely to fall with only 3 intakes confirmed for the rest of the year.

III Health Retirement - In terms of timescales things are back on track with cases that would previously have taken up to 2 years now being turned around in 5 months. As a result, PSoS are seeking to end the “Particular Case” status which was being afforded to officers in the IHR process.

Policing Together/ Mandatory Leadership Program - Training for this is beset with issues even before it is due to be rolled out. The infrastructure is not yet in place and what the Service are suggesting is unachievable at best with those tasked with delivering this being quite frank in saying as much.

SPF Committees - The effectiveness of the sub-committees which were set up to replace the old Conduct and Equality Sub-Committees were discussed. These committees are being reviewed with a return to the previous set up being likely.

Finance Standing Committee - The Committee met on 18th April 2023 and the following points were detailed:

Due to officer numbers falling the Voluntary Fund will likely, in the short term, run at a deficit. High profile legal cases have cost the fund £700k and the need to review the expenditure policy has been identified. There has been no rise in contributions for 7 years and there is a determination not to make an increase however, financial pressure may require one in the coming year or two.

Members Benefit Trust - This fund receives money via our management fees from SPF Insurance Companies. The purpose of this fund is to improve conditions for our members and suggestions were sought from those present as to how some of the monies could best be used to most benefit our members.

Health and Safety - The Secretary and Vice Chair gave an update on the topical subject of ‘beards’. The belief is that the Service will not go ahead with the proposed guidelines following the consultation period. Confidential Legal advice has been sought.

SPF Communications - The North Area Committee presented a Motion seeking to have SPF Comms brought up to date in the form of an SPF App which could be downloaded by members. The SPF have seen huge

benefits of having the PNB Handbook online and it is felt that a modern App would assist in modernising what we do. After an amendment was presented by the West Area, the Motion was voted through. A Short Life

Working Group was set up including local representatives with John Turley chairing the first meeting. All members can sign up for this and it is hoped that everything on the website and more will be added to the App making it easier to navigate than the current website ensuring that members do not miss out on anything.

Pension Challenge - The SPF are aware of the movements in England and Wales regarding the “Hurt Feelings” challenge. The case in Scotland has been sisted pending the furtherance of the claims down south. In the last week circulars have come out in respect of this as have emails from solicitors to individuals seeking additional information. At the time of writing further guidance is being prepared to inform our members of the actions now required.

6. AREA LEAD UPDATES (Conduct, Equality & Health & Safety)

EQUALITY- The Chair provided a brief update:

Currently in East we have:

CASE TYPE	NUMBER
Equality	1
Grievance	6
Ill Health	45
Ill Health Retirement Process	8
Unsatisfactory Performance	3

- **Health Retirement** - Support continues for officers within the IHR process. The five new SMP's (Selected Medical Practitioners) have made a difference. What previously took 18 months is now only taking approximately 4 or 5 months to complete. The process is becoming stricter and will look into an officers medical background. It is medically based and nothing to do with what pension or package an officer would receive.
- **Ill Health** - We continue to support officers who are long term absent. Unfortunately, officers with Ill-Health issues do not appear to be reducing probably due to the pressure and strain put on officers.

HEALTH & SAFETY - The Vice Chair updated those present in respect of matters highlighting key aspects and concerns at both local and national level which had previously been disseminated to the Committee via Teams:

- **COVID** - Now accepted as part of the pattern of other general illnesses.
- **Chief Constable's Comments** - The fallout from this will last for years. Shortly thereafter, it was reported that officers had been shouted at, called racists and been spat on! Due to the discontent on the streets, this could progress to increased physical assaults.
- **Reinforced Autoclaved Aerated Concrete (RAAC)** - A cheaper, light weighted concrete used in the 1950's to 1980's has been found within the garage, productions department, dog section and top floor of Fettes. Due to cost of replacing this concrete, it is unlikely these areas will be reopened. The lifespan of this concrete is approximately 30 years and as a result, all have been closed.
- **Assaults** - Road Policing have raised concerns in relation to being single crewed on a regular basis. Numbers are reducing with the concern this will become the norm for officers. Members were reminded to put in Near Misses. Assaults remain steady with a large proportion of assaults taking place within custody or during transport. One reason is lack of control and although a blanket use of force policy is illegal, it is advised that custodies are held at all times. East tend to overuse handcuffing to front which can be a tool for de-escalation, whereby the West handcuff everyone to the rear.
- **OST** - All officers should have been trained by the end of June 2023 however, this has now been extended to the end of September 2023! OST have been asked to look at various ways to try and prevent assaults within vehicles along with advising to use more handcuffing to the rear.
- **STO's** - Still being deployed to knife calls! This should not happen.
- **Fleet** - Officers are ignoring warning lights on vehicles to keep cars running. This should be raised and Near Misses completed.

Older police vehicles and no go areas within Edinburgh had been discussed. Police vehicles are exempt however, personal vehicles are not which causes issues for officers in at least one station within Edinburgh.

- **Body Armour** is due to be looked at shortly. Body armour for female officers cannot be form fitted without reducing the level of protection. England & Wales use chain linked body armour which can be fitted

however, does not offer the same level of protection and is less safe than ours.

CONDUCT - Preceding the meeting the Deputy Secretary provided a brief update on TEAMS. Topics of interest included:

In relation to Conduct issues in the East, the most up to date figures are as follows:

CASE TYPE	NUMBER
Criminal Cases – On Duty	21 (Decrease of 5)
Criminal Cases – Off Duty	28 (Increase of 4)
Conduct Cases – On Duty	2 (Decrease of 2)
Conduct Cases – Off Duty	4 (No change)
Suspended Officers	13 (Increase of 3) 1 Resignation since last meeting

The Service have changed the way they are dealing with certain types of behaviour with an apparently tactical use of suspensions and restrictions and the number of suspended officers in the East is reflective of what is occurring in the North and West Areas.

It would appear the service has a blanket policy on either restricting/suspending officers with little or no cognisance taken in relation to the individual circumstances of each allegation, leaving an increasingly large number of officers on 'close supervision' and 'non-public facing' restrictions. Restrictions are, according to the Service, put in place for the officers welfare to protect them and the organization. Depending on restrictions and where the officer is posted, many officers go off sick, leaving our already stretched front line to cope with staff absences.

After the Chief Constable publicly stated he thought PSoS was institutionally racist, sexist and misogynistic, Police Scotland are vowing to crack down on 'canteen culture' and offensive banter. The current process is slow on average taking around 10 months from start to finish and any upsurge in officers going through the process will only increase time scales further. Officers and their families suffer an immeasurable amount of stress during this process. It is damaging for the officers health and, detrimental for those who are left to pick up the slack both at home and in the workplace.

The Deputy Secretary reported that a new AGS for Conduct had been appointed due to David Threadgold taking up his post as Chair of SPF. Lynne Gray has a wealth of experience in this field due to being the Conduct Lead within the West Area.

7. DIVISIONAL SEPARATES

The Committee broke into separates to discuss matters particular to their divisions, discuss ongoing issues, roles and responsibilities.

8. DIVISIONAL UPDATES – “C”, “E”, “J” & “P”

“C” Division - Billy McFarland, Gavin Grant and Lyn Redwood attended a meeting on 1 June 2023 with Chief Superintendent Barry Blair, Superintendent Drew Sinclair and Detective Superintendent Kenny McAndrew. The following items being worthy of note:

RDU contacting officers on days off at home with notification to work on rest days causing unnecessary rest day disruption; Sergeants being given jobs without interview and posts not being advertised with previous training and experience not being considered when moves within the division are decided; staff rotation for welfare and development purposes especially for officers/supervisors in areas of high demand and most risk; lack of development/training/opportunities within the division leading to poor morale; review of 2-2-2 shift pattern; poor resources/staffing levels, which are impacting on officers welfare and wellbeing. Other topics discussed had been OBL's; OP Elms; C3/RT and little or no accountability in failure of C3 procedures causing divisional resources unnecessary additional work, requirement of additional TASERS and Holsters. And finally, the Chief Constables statement regarding Institutional Discrimination was discussed.

“E” Division - A meeting took place on 18 May 2023 those in attendance being EAC Representatives Heather MacIntyre, Neill Whiteside, David Davison and Davie Hughes along with Chief Superintendent Sean Scott and Superintendent Mark Rennie. The following items being worthy of note:

Annual Leave blocks and officers being unable to utilise colleagues unused or part of blocks; parking at Edinburgh Royal Infirmary; the submitting of near miss forms in relation to officers not getting a refreshment break on shift and C3 having their shifts linked with the teams which should have ensured the operators were aware of who had or had not had a break however, this has not assisted with the problem; parking at city centre stations with concerns being raised regarding the increase in parking restrictions for officers along with the increase in costs; beards; vehicle equipment and the lack of new first aid kits which include chest seals and tourniquets; poor crime reports with lack of information; C3 acknowledging the resolution team is not working and Diary Car mistakes which should be reviewed by local supervisors and brought to the attention of C3 teams who are taking bookings.

Further topics discussed had been welfare issues due to building works/power surge within South Queensferry and Corstorphine police stations; Inspectors and above flexi time; 2-2-2 shift and court or cancelled days (officers need to

challenge if they are not getting their cancelled Rest Days in their next block of Rest Days off); Rate 3 x 1 hour for Rest Day contact by RDU's.

“J” Division - Topics being discussed within the divisional meetings worthy of note are as follows:

Payment of Rest Day Disruption Allowance delays; problems with the drains at Livingston; Locker capacity within stations especially Musselburgh being at a premium; Issue's with DI/DCI working hours due to pressure of morning TACG process and time of meetings; Reduction in the workforce and what will have to be reduced to cope; Officers having rest day cancelled with 20 days' notice on the Public Holiday on 08th May for the 27th May; Computers within Musselburgh Police Station being extremely slow (IT inform Musselburgh has the oldest computers in PSoS) and officers taking PDA devices home to undertake work.

“P” Division - There had been issues with officers being cited for court hereby RDU had been looking at citations and citing officers to start later in the day.

9. **NEW BUSINESS**

No new business received.

10. **ANY OTHER COMPETENT BUSINESS (AOCB)**

Rep Mobile Phones - Local Reps were reminded that they are only expected to have their phones turned on at the beginning and off at the end of their shifts making them more contactable by the members. They agreed that having the PNB App on their phone is very useful.

Rep Enquiries - Those present were reminded to send any enquiries they answered on behalf of a member **with the question** to the East Admin email address in order that all enquiries can be logged on the officers file.

Conference - Overall it would appear that the 2023 Conference was a success. Only a few minor changes that could be made and these will be taken to the Trustees to discuss.

Mark Wilson informed that officers were receiving notifications during Annual Leave, Public Holidays or Rest Days to perform duty. No consideration has been taken about the officers welfare. Circumstances when it is appropriate to disturb officers rest days and in the PNB Handbook section 1.4 it states - ***no officer should be contacted off duty unless it is in relation to an urgent***

matter that cannot wait until the officer is next on duty. The concern is that the Service are struggling to resource events and are more often than not contacting officers on leave/public holidays to try and get over overtime claims. The question was asked if officers are contacted are they entitled to compensation? The meaning of Recall was discussed. If an officer is contacted and asked to do work when phoned, to go to a station or, work when not at a station then that is a recall. If officers know that if it is the standard number or withheld then it is up to an officer if they wish to answer or not.

The Chair informed the committee that due to his impending retirement in August this would be Mark Shermans last meeting. The Chair thanked Mark on behalf of the committee and the members for his contributions over the years, wishing him well for a very long and healthy retirement. The committee showed their appreciation in the time-honoured fashion.

11. CORRESPONDENCE RECEIVED

None received.

12. DATE OF NEXT MEETING

The next meeting of the East Area Committee is to be held at 1000 hours on **Wednesday 30 August 2023** within the McDonald Houston House Hotel, Uphall, EH52 6JS.

13. CLOSURE OF MEETING

The Chair thanked everyone for attending and for their valued input into proceedings, thereafter, wishing everyone a safe onward journey home prior to formally closing the meeting. Secretary then asked for a show of appreciation for the orderly running of the meeting.

GRAHAM ROSS
SECRETARY

JOHN TURLEY
CHAIR