



Scottish Police Federation

PO Box 27163, Glasgow, G3 9EZ

Joint Central Committee Minutes

Minutes of the Joint Central Committee meeting held on 20/21st June 2023 at the Macdonald Inchyra Hotel & Spa, Grange Road, Polmont, Falkirk, FK2 0YB.

1. Attendance and Opening

SPF Office Bearers:

| | |
|------------------|--------------------------|
| David Kennedy | General Secretary |
| David Threadgold | Chair |
| Lorna Cunningham | Deputy General Secretary |
| Brian Jones | Vice Chair |

North Committee

David Mackay
Caroline Macnaughton
Pat Nicoll
Allen Shaw
Andy Sawers

East Committee

James McLaren
Ben Pacholek
David Reid
Graham Ross
Neill Whiteside
Ricky Wood

West Committee

Ian Florence
Iain Gray
Chris Hynds
Adam Peppard
Chris Thomson
Gavin Tuohy

Assistants to the General Secretary

Gordon Forsyth AGS (Health & Safety)
Lynne Gray AGS (Conduct)
Emma-louise Smith AGS (People & Equality)

Also in attendance

| | |
|------------------|--------------------------------|
| Lee Dickson | Observer (EAC) |
| James Gowling | Observer (EAC) |
| Lyn Redwood | Observer (EAC) |
| Blair Rennie | Observer (EAC) |
| Doug Keil | Business Manager |
| Cara Riley | North Area Administrator |
| David Ross | Policy & Co-ordination Officer |
| Lesley Stevenson | Business Administrator |

The Chair opened the meeting by welcoming everyone and invited all to take an active part. He gave thanks to the East Area Committee for hosting the meeting and to Cara Riley for organising the events.

He further welcomed Pat Nicoll who was attending his first meeting as a substantive member since replacing Nick Clasper.

Apologies were received from Yvonne Sloan with no replacement John Turley, David Taylor and Norman Towler who were replaced by Ben Pacholek, Gavin Tuohy and Neill Whiteside respectively. Chris Hynds attended replacing Alistair Wright who was now a substantive member on the Committee replacing Jennie Macfarlane.

There were no separate meetings required.

2 Minute of Previous Meeting

The draft Minute of the previous meeting was circulated on Teams. It was proposed and seconded and thereafter adopted as a true record.

3 Legal Advice and Assistance

| SINCE THE LAST JCC MEETING - 15th April 2023 - 9th June 2023 | | | | | | | | | |
|--|------------|----------|-----------|----------|---------------------------------|------------------|----------|-----------|----------|
| Legal Cases On Duty | | | | | Legal Cases Off Duty | | | | |
| Type of case | North | East | West | | Type of case | North | East | West | |
| INTERVIEWS | | | | | INTERVIEWS | 2 | 1 | 1 | |
| REJECTED | 1 | 0 | 3 | | REJECTED | 0 | 0 | 1 | |
| CICA | | | | | CICA | | | | |
| Civil Legal Defence | | | 1 | | Civil Legal Defence | | | | |
| Contract Dispute | | | | | Contract Dispute | | | | |
| Criminal Legal Defence | | 2 | | | Criminal Legal Defence | 6 | 2 | 7 | |
| Employment Dispute (EX OFFICER) | | | | | Employment Dispute (EX OFFICER) | | | | |
| Employment Dispute serving officer | 4 | 1 | | 1 | 1 | | | | |
| FAI | | 2 | | | FAI | | | | |
| Judicial Review | | | | | Judicial Review | | | | |
| Misconduct | 1 | | | | Misconduct | 1 | | | |
| Other | | | | | Other | | | | |
| Personal Injury | 1 | 2 | 9 | 2 | Personal Injury | 1 | 1 | 1 | |
| Property Protection | | | | | Property Protection | | | 3 | 1 |
| RTA | | | | | RTA | | 1 | | |
| Total | 6 | 6 | 11 | | Total | 8 | 4 | 11 | |
| Total Cases since last JCC | 46 | | | | LEGAL FEES RECLAIMED | £0.00 | | | |
| Total Cases Open in ACT | 642 | | | | | | | | |
| Total Cases Closed since last JCC | 30 | | | | CLAIMS SETTLED | £45727.17 | | | |
| Total Cases Settled since last JCC | 4 | | | | | | | | |
| Total Cases Rejected since last JCC | 5 | | | | | | | | |
| Total Legal Calls Taken since Last JCC | 35 | | | | | | | | |
| Total Calls converted to Applications | 2 | | | | | | | | |
| | | | | | | | | | |

The Deputy General Secretary told the Committee that SPF solicitors had now been asked to provide information relative to members contacting them directly for general legal enquiries.

Allard & Others v Devon and Cornwall

The Deputy General Secretary reported that a settlement was expected imminently. Calculations had been received from PSoS and were being scrutinised by SPF solicitors and others.

Holiday Pay Claim

It was reported that this issue had been resolved and members were receiving payments. This item could be removed from the Agenda.

SB Public Inquiry

It was reported that the Inquiry was ongoing, and material was being collected for a special meeting on training to be held in November 2023.

Whatsapp

It was agreed that this item could be removed from the Agenda as no further legal or other action was possible.

Judicial Reviews

Judicial Review currently being undertaken on with cause requirement, potential for further JR on recruitment vetting.

Requests for Legal Opinion

The Deputy General Secretary said she would write to ACC Alan Speirs regarding recruitment vetting. It was understood that the service was to obtain a legal opinion on this subject.

Appeals

There were no appeals.

Legal Claims and Administration Committee (LCAC)

The Committee was advised that a meeting of the LCAC was held on 14th June 2023. Amongst the matters discussed were expenditure, Allard, and a case management system. It was agreed that this matter should be taken to the FSC meeting which was later that day.

SPF Age Discrimination Pension Claims – Thompsons Solicitors

The General Secretary said that on 30 May 2023 he had issued JCC Circular 14 of 2023 on this subject. He explained that the SPF, supported by the Association of Scottish Police Superintendents, had engaged Thompsons Solicitors in 2020 to launch a compensation claim against the Government, on behalf of subscribing members who were victims of discrimination due to the introduction of the 2015 CARE scheme.

In JCC Circular 14 of 2023 he advised that members had only been given a three week period ending on 16 June 2020 in which to make a claim and that 'new' claims would not be accepted thereafter. He had now reviewed the situation and agreed with our solicitors that a further opportunity should be created for eligible officers to submit 'new' claims. Clearly, there was no need for officers who had already submitted a claim to do so again. Officers who had already submitted a claim would have received an email from Thompsons solicitors in the last two weeks.

The criteria for making a claim remained as it was in 2020, namely, in May/June 2020:

- An officer had to be a subscribing SPF member, or an ASPS member funded by ASPS.
- An officer had to have been in the service prior to 1 April 2012 and in a police pension scheme at that time.
- An officer had to be someone who did not receive the full protection in respect of not having to move into the 2015 scheme.
- An officer had to be someone who had not already lodged a claim with another solicitor.

A form seeking relevant information was linked to the circular.

It was vital to understand that this was the last opportunity to submit a claim. The form had to be submitted by Monday 10 July 2023.

He could not give an indication of the prospects of success nor of timescales at this stage.

Age Discrimination Cases – Other Solicitors

The General Secretary explained the history regarding the age discrimination claims, the decisions made by the JCC and the rules governing the legal advice and assistance scheme.

James Gowling asked whether those that had signed up to the challenge would have their legal fees paid back. The General Secretary explained the findings of the judgement on the PFEW and the Employment Tribunal which was currently sisted.

He further explained that the decision not to fund any claims had previously been made by the JCC and that a court date relative to the claims against the SPF was awaited.

He said it was understood that the issue would cause angst to members however the legal advice and assistance scheme would not survive financially if applications for legal advice and assistance were not approved prior to any lawyers appointed.

4. Police Negotiating Board (PNB)

The General Secretary reported that the Official Side would respond to the Staff Side Pay Claim at a meeting of the PNB on 22nd June 2023. He said that he would remind the Official Side that the claim for a pay uplift of 8.5%, a pay levels check and a link to a pay index was fair, reasonable and not a starter for negotiation. The Committee discussed possible outcomes and a strategy for the way forward.

5 Pensions

The General Secretary reported on the Scottish Scheme Advisory Board and the Vice Chair reported on the Scottish Police Pensions Board. The Committee discussed the 50 years of age and 25 years' service provision and the legal advice which was that this was not age discriminatory. Work was ongoing in relation to the pensions remedy provisions which were due to be implemented on 1st October 2023. The General Secretary said that the SPF would be looking to see what could be done legally regarding the Pension Trap.

6 Scottish Police Consultative Forum (SPCF)

The General Secretary reported that the last meeting of the SPCF was held on 5th June 2023. The main items on the agenda were the PNB Strategy Working Group, PNB, Justice and Health Interface Updates and the Annual Fair Work Assessment which was being proposed by the SPA. The make up of the SPCF and its historic roots were also discussed at some length.

7 Scottish Police Authority (SPA)

The last meeting of the SPA was held on 25th of May 2023.

The SPF Policy and Co-ordinations Officer reported on a meeting of the Resources Committee and said that finances were in a dire state with an underspend on police officers and a massive overspend on overtime. He said there was an overspend on staff costs. He said there was a 3.7% reduction on the overtime budget this year, and underspend on the estate and a projected overspend on the transformation budget from £7.9m to £8.1m.

The AGS (P&E) reported that a paper had been uploaded to Teams and gave a brief update on a meeting of the People Committee which had met on 31st May 2023. She reported on the Wellbeing Governance Board, the Equality and Diversity Team and the Policing Together Strategic Oversight Board. She also reported on the Sex Equality and Tackling Misogyny Workshop, the CJSD Diversity, Equality & Wellbeing Group and the PLDP Process. She said that SPF now had sufficient representatives trained to provide a cadre of support.

8 Scottish Police Budget & Finance

Updates were given from Area Secretaries relative to the action from the last meeting which was to engage with ACCs in reference to the dire financial situation and to make SPF views known.

The Committee discussed instances of officers being pressurised to take TOIL rather than payment for overtime and legitimate claims being denied. The General Secretary had written to the Chief Constable about this and had received a helpful response. This had been circulated along with JCC Circular 18/2023.

9 Scottish Parliament & Political Engagement

The General Secretary and Chair had met with Angela Constance MSP, Cabinet Secretary for Justice and members of the Committee were to meet local councillors later in the day. Amongst the items discussed were pay and conditions and equipment.

10 Joint Negotiating Consultative Committee (JNCC)

The General Secretary reported on the meeting held on 1st June 2023 and said that the Committee discussed the Misogyny Report, increased costs for new builds, a 17% real terms reduction on the capital budget, body worn cameras, the Working Practices Review Board, shift patterns, vetting and the low emissions zones. The Committee also discussed post incident procedures and a number of problems relative to them including one instance where there was a delay of over four hours in engaging the SPF. The Chair reported that there had been some progress on body worn video but issues remained including the storage of data. The Chair asked members to submit any issues they would like raised at the next meeting.

11 Finance Standing Committee (FSC)

The FSC had met on 14th June 2023. The Minute had been circulated on Teams and noted.

The Voluntary Fund accounts and the Members Benefit Trust (MBT) accounts had been approved by the FSC and uploaded to Teams. The JCC approved both sets of accounts. It was noted that the investments were performing reasonably well in consideration of the financial climate.

The Committee discussed the fact that a reduced membership meant less income and noted that there had been two expensive legal cases settled in the year. Despite this, it was agreed that no increase in member subscriptions would be applied for the 7th year running.

The FSC agreed to investigate further the purchase of a Case Management System and to support an academic study into deaths of police officers.

It also discussed how the MBT could be used to benefit members.

12 People & Operations Sub-committee

There had been no meetings.

It was reported that a PODG meeting had been held on 17th May 2023 chaired by ACC Steve Johnson. The areas were asked to identify concerns and report back to the Vice Chair in order that the issues could be taken to the Group.

The AGS (P&E) had circulated a paper on EDI, SPC culture, beards, parental leave, retirements/IHR, DSAs on Teams which was noted. She also updated the Committee on case statistics.

The AGS (Conduct) gave an update on suspended officers. She said that there had been no Dame Elish Strategic Oversight Group meeting since the last JCC. The next one was scheduled for 13th July 2023. She said continuous screening and vetting of new recruits and serving members had been discussed. She said meetings had been scheduled with PSD, PIRC and CAAPD.

The Vice Chair said that SPC was considering delaying officers taking the oath to 12 weeks to allow for the completion of vetting. SPF had raised concerns about this including legal and pensions issues and argued that Day 1 was preferred.

13 Policy, Procedure & Regulation Sub-committee

There had been no meetings.

It was reported that a Bill on conduct was being considered which could have implications for retired officers and costs incurred by the SPF. SPF would normally give evidence to the Scottish Parliament on the Bill.

14 Working Practices Sub-committee

There had been no meetings.

The Deputy General Secretary reported that work was almost complete on the new Workforce Agreement. Discussions on matters including definition of working time, night workers, weekly rest and part time workers would be concluded at the next meeting at the end of the month.

15 Health & Safety Forum

The AGS (H&S) reported that a paper had been uploaded to Teams and gave a brief update. He said that the last meeting of the H&S Forum was held on 1st June 2023 and the Minute would be circulated when available.

The RPE Policy consultation would be discussed later in the agenda.

16 SPF Training

The Vice Chair reported that with the exception of FTOB training, all other training was up to date. He was to enquire about post incident procedure training through PSoS.

17 JCC Circulars

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

- 10/2023 Scottish Police Federation Regulations, Rules & Standing Orders –

- Information
- 11/2023 Pay Q&A May 2023 – Information
- 12/2023 Overtime & Rest Day Compensation – Information
- 13/2023 Scottish Police Pension Schemes' Consultation on implementing 2015 Remedy
- 14/2023 Age Discrimination Pension Claims – Information
- 15/2023 Letter from General Secretary to PSoS Chief Constable relative to his Claims of Institutionalised Discrimination – Information
- 16/2023 The Scottish COVID-19 Inquiry Leaflet – Information
- 17/2023 Clean Shaven Policy – Information
- 18/2023 Pay Overtime Compensation Update – Information

18 Police Service of Scotland Reform

The Chair had reported on body worn video at item 10 on the Agenda.

19 SOP Consultations

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

- 31.05.23 Cybercrime First Responder Guide v1.09
- 25.05.23 Formatting Standards for the Police Scotland Service Delivery Record Set National Guidance
- 15.05.23 Career Break Procedure V4.00 – Amendment (Pending)
- 12.05.23 Respiratory Protective Equipment SOP and EqHRIA v0.11
- 04.05.23 Scottish Police Pension Schemes' Consultation on implementing 2015 Remedy
- 10.05.23 Firearms Licensing SOP v6.09
- 04.05.23 Fatal Accident Inquiries - Officer and Staff Attendance National Guidance Version 0.11
- 01.05.23 Respiratory Protective Equipment
- Orig 23.03.23 (but via Egress) Policing football Ultras], Version [3.00
- 24.04.23 Flexi-time (Officers) Procedure v0.03
- 21.04.23 Sex Offender Notification Requirements SOP V5.05
- 19.04.23 Criminal Use of Firearms Investigation NG v0.10

20 EuroCOP/ICPRA

The General Secretary reported on a EuroCOP meeting in Belfast and members agreed that it was interesting and worthwhile.

The General secretary confirmed his appointment onto the Executive Committee and stated that the next meeting of ICPRA would be held in 2024 in Portugal.

21 Police Related Charities

PTC & Police Children's Charity (PCC)

Ricky Wood gave an update and said that numbers of members in 2022 had dropped but had increased in 2023 only due to four new forces signing up. He gave a full explanation of how the PTC was managed. He said that the cost of membership had remained the same since 2016 but that an increase was being considered from January 2025 as was the possibility of extending membership to police civilian staff. It had also been discussed that retired officers should be able to access the centre for two weeks rather than one if the full amount of paid. Further discussion on this issue would take place.

The Management Committee also discussed the increased use of the centre for mental health and wellbeing reasons.

He also gave an update on the Finance and HR meeting held on 20th April 2023 and Trustees meeting on 4th May 2023.

Police Care UK

The Chair reported that he was now a Trustee of the Police Care UK.

SPMT

The Chair reported that he was now a Trustee of the SPMT and the event would be held at the SPC.

NPMD

The Chair reported that the NPMD and the Police Roll of Honour Trust had now merged to become the Police Remembrance Trust. The event would be held in Scotland in 2024.

22 SPF Annual Awards

The SPF Awards ceremony would be held in Edinburgh in November 2023. The Committee was advised that there had been 148 nominations to date. The nomination process had now closed. The Committee discussed the process in relation to the compilation of the videos. This would be further discussed.

It was agreed that Christine Fulton would be invited to the ceremony.

23 SPF Communications

Following a motion being approved at the last meeting, a SLWG had been created to review all aspects of SPF Communications. A meeting had been held in Dundee on 22nd May 2023 and a brief update was given by the AGS(H&S). A further meeting was to be held the following week and a summary of findings was to be presented to the Committee at the JCC meeting in August 2023.

Iain Gray said that the existing website was difficult to navigate and suggested that there could be a link with the app. Members discussed the issue generally and would await the report from the SLWG at the next meeting.

Members discussed the 1919 Magazine and its value and noted that communications had been held with the Team to review its content. This issue would be reviewed, and the General Secretary would give an update to the Committee at the next meeting.

24 SPF Meeting Structure

A paper had been uploaded to Teams and was discussed. The structure below was agreed.

| NEW COMMITTEE STRUCTURE | | | | | |
|---|--|------------------------------|--|---------------------------------------|----------------------|
| Committees & Sub Committees | Business | Chair & Sec (s) | Members - Note: all JCC officers may attend any meeting | Frequency | Administrator |
| Joint Central Committee | All SPF business | JCC Chair | All JCC | 6 per annum, 4 normal, 2 short agenda | Lesley |
| Finance Standing Committee | All Finance matters | JCC Chair | JCC officers, AGSs & Area Chairs | 4 per annum | Lesley |
| Legal Standing Committee | All Legal matters | Deputy General Secretary | Area Secs | As required - minimum 4 | Lorraine |
| Trustees | All Trust matters | JCC Chair | JCC officers | As required | Kirsteen |
| Conduct & Equality Standing Committee | Conduct and Equality | DGS/AGSC/AGS(P&E) | Two FTOBs per Area & Area reps co-opted as required | 4 per annum | Cara |
| Efficiency Standing Committee | Legislation, regulation & operational duties | Vice Chair/DGS | Two FTOBs per Area & Area reps co-opted as required | 4 per annum | Megan |
| Health, Safety & Welfare Standing Committee | Health & Safety and Welfare | Vice Chair/AGS(H&S)/AGS(P&E) | Two FTOBs per Area & Area reps co-opted as required | 4 per annum | Megan |

It was also agreed that each area should have a Conduct Committee, Equality Committee Health, Safety & Welfare Committee. These Committees should meet on Teams 4 times per annum.

Discussion was also had re the future representative elections and the format in which they will take.

25 Correspondence

The General Secretary informed the committee re all correspondence, and it was noted that a letter from new Chief Constable Jo Farrell had been received. It was agreed that the new chief would be invited to a future JCC meeting.

26 Any Other Competent Business

There were no items.

27 Closure

The Chair thanked everyone for their attendance and inputs at the meeting. The next meeting would be held at the SPF Meeting and Training Facility, Unit 29, City Quay, Camperdown Street, Dundee, DD1 3JA on 22/23rd August 2023.

A vote of thanks was given to the Chair.

David Threadgold
Chair

David Kennedy
General Secretary