



Scottish Police Federation

PO Box 27163, Glasgow, G3 9EZ

Joint Central Committee Minutes

Minutes of the Joint Central Committee meeting held at the Scottish Police Federation (SPF) Training and Meeting Facility, Unit 29, City Quay, Camperdown Street, Dundee, DD1 3JA on 28/29 November 2023.

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

Mark Douglass
Dale Evans
Caroline Macnaughton
Pat Nicoll
Andy Sawers
Allen Shaw

East Committee

James McLaren
David Reid
Graham Ross
Norman Towler
John Turley
Ricky Wood

West Committee

Ian Florence
Iain Gray
Adam Peppard
David Taylor
Chris Thomson
Alistair Wright

Assistants to the General Secretary

Gordon Forsyth AGS (Health & Safety)

Also in attendance

Doug Keil	Business Manager
Lesley Stevenson	Business Administrator

The Chair opened the meeting by welcoming everyone and invited all to take an active part.

Apologies were received from Lynne Gray (AGS Conduct), Emma-louise Smith (AGS P&E) and Yvonne Sloan.

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 - 3rd October 2023 n- 24th November 2023									
Legal Cases On Duty					Legal Cases Off Duty				
Type of case	North	East	West		Type of case	North	East	West	
INTERVIEWS					INTERVIEWS	1	3	3	
REJECTED	0	0	0		REJECTED	0	0	0	
CICA					CICA				
Civil Legal Defence		1			Civil Legal Defence	1			
Contract Dispute		3			Contract Dispute			3	
Criminal Legal Defence	1	3			Criminal Legal Defence	1	5	6	
Employment Dispute serving officer	1		3		Employment Dispute serving officer				
FAI					FAI				
Judicial Review					Judicial Review				
Misconduct					Misconduct				
Other	1				Other			2	
Personal Injury	1	3	3		Personal Injury			2	
Property Protection					Property Protection	1			
RTA					RTA			1	
<i>Total</i>	4	10	6		<i>Total</i>	3	5	14	

Total Cases since last JCC	42
Total Cases Open in ACT	432
Total Cases Closed since last JCC	16
Total Cases Settled since last JCC	6
Total Cases Rejected since last JCC	0

LEGAL FEES RECLAIMED	£4000.00
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Total General Advice Legal Calls Taken since Last JCC	30	CLAIMS SETTLED	£1,529,050.00
Total Interviews supported since Last JCC	7		
Total Calls converted to Applications	1		

The Deputy General Secretary reported that there had been a steady number of applications since the last meeting. There had been an increase in off duty cases for criminal legal defence, which was an extra 12 in the last couple of months. The total of on duty cases was 20 and off duty was 22.

42 cases had been opened since the last meeting giving a total of 432 open cases and 16 cases had been closed. Six cases had been settled.

The East Area Deputy Secretary asked what percentage of criminal on duty cases were supported by the SPA. The Deputy General Secretary said that if the service (on behalf of the SPA) believed that the officer acted in good faith from the outset, or if the member was found not guilty or no proceedings were taken, then the SPA would generally cover any fees. Generally, anyone found guilty would not be covered by the SPA and the SPF would cover the cost.

Allard

The Deputy General Secretary reported that the Allard case was in the final stages of calculating compensation levels. Financial terms had been agreed with the service. A meeting had been arranged for former disputed claimants.

Sheku Bayoh Public Inquiry

It was reported that the Public Inquiry was still ongoing. The General Secretary and Deputy General Secretary had met with solicitors and the service about representation. Government was expressing serious concerns about the cost of legal representation particularly in relation to Kings Counsel.

Judicial Reviews

It was noted that the Judicial Review being undertaken on 'with cause testing' was still ongoing.

Judicial Review had been sought regarding clarity on what would constitute such a serious allegation that could lead to the SPA seeking to implement forfeiture of pension from an officer. Documentation provided to the SPA regarding an ongoing case appeared to demonstrate that they had been provided with far more information about the officer, rather than purely the conviction they received. This is with Federation solicitor for review and opinion.

Restitution Fund

It was reported that the Chair had written back to the Scottish Government advising that the SPF would not be taking on the administrative responsibility for the fund.

Pension Trap

The Deputy General Secretary reported that legal advice had been sought and the issue was currently with solicitors for review and opinion.

An east area Inspector rep asked for an update on the Thompsons case and was advised that it was currently sisted. A case for retired officers was being run separately and was due to start in 2024.

Legal Opinions

The Deputy General Secretary reported that she had sought an opinion on the proposals for a housing policy from the service. The advice received back was that it was reasonable for the service to put something in place to cover it however, there was potentially next steps in place to explore exemptions that could be looked at for officers. SPF would be asking for further advice relative to this.

The AGS (H&S) asked about the Northern Ireland win in the Supreme Court in relation to holiday pay. The General Secretary said it had been settled.

Appeals

The West Area Chair put forward an appeal on behalf of an officer who had been refused legal support. The Deputy General Secretary explained the decision and the Committee gave its full support for the original decision with one abstention.

4 Police Negotiating Board Scotland (PNBS)

The Business Manager reported that the tendering process for the pay levels check and pay index had begun. Discussions with the Official Side would explore what the pay levels check would look like. It was noted that there was a lot of work still to be done.

The General Secretary reported that the PNBS Handbook Working Group had recently met and the Handbook was currently up to date. It was noted that a number of items remained on the PNBS Agenda. Graham Ross asked if the tender was for both a Pay Levels Check and Pay Index and was advised that the work would inform both matters. The Committee discussed timescales and were advised that whilst no firm timeframe was in place, SPF had secured expert advice and it was hoped that this would be helpful in bringing the process to a satisfactory conclusion.

The General Secretary reported that a PNBS Review was underway and was considering membership and processes.

He reported that items currently on the PNBS agenda included Operational Guidance relative to new Regulations and Constitution, pay levels check/pay index, recall to duty, duty time at the SPC, 35 mile threshold, court – annual leave/rest days, relevant travelling expenses/mileage expenses, detained on duty from nightshift, the length of the working week, family friendly leave, overseas allowances, island entitlements, public holidays on annual leave, annual leave compensation relative to half days and direct reporting.

Members discussed future pay issues and work ongoing in relation to a pay claim for 2024.

5 Pensions

The General Secretary reported on meetings of the UKPPCF & Police Pensions Scheme Advisory Board which had been held on 5th October 2023. The latter meeting had discussed death rates for GAD, and a potential rise in contributions.

The Vice Chair reported that the SPPB hadn't met since August 2023. The Deputy General Secretary had been elected as the new member on the Committee.

The Committee discussed active, deferred, retired members in the pension scheme and also police widows.

The Committee discussed the SPPA Remedy Working Group that he and the Deputy General Secretary had attended, and a simple information sheet was being planned.

6 Scottish Police Consultative Forum (SPCF)

The Committee was informed that the last meeting was held on 22nd November 2023 at St Andrews House. Amongst the matters discussed was officer/staff vetting, PNBS Guidance, attendance at court, correspondence to officers on ill health and half pay letters.

7 Scottish Police Authority (SPA)

The Chair and Deputy General Secretary had met with the SPA Chair where a meeting structure had been discussed for going forward. It was noted that the meeting schedules, agenda papers and Chief Constable reports were available on the SPA website. It was agreed that the meeting dates would be highlighted in future JCC Agenda Papers.

8 Joint Negotiating Consultative Committee (JNCC)

It was reported that there had been no meetings since the last JCC.

9 Finance Standing Committee (FSC)

The last FSC meeting had been held on 20th November 2023 and the Minute would be approved

at the next FSC meeting on 23rd January 2024.

The General Secretary gave an update and said that the reduction in officer numbers had a consequential drop in income to the Voluntary Fund. He also said that legal advice and assistance costs had increased but that a substantial reimbursement of legal costs from the force was expected. It was noted however, that it would not cover the deficit in the Fund.

The Committee discussed costs relative to the 1919 Magazine, SPF Annual Awards, Conferences and meetings and SPF property. It agreed to recommend the following to the JCC:

A recommendation was made from the FSC to the JCC as follows:

"In light of the facts that membership is falling, the Voluntary Fund subscription had not been increased since 2015 and the cost of legal advice and assistance had increased, the FSC recommends to the JCC that it examines expenditure, subscription income and member services."

The motion was discussed and approved.

10 Legal Standing Committee (LSC)

It was reported that there had been no meetings since the last JCC.

The Deputy General Secretary reported that the Memorandum of Understanding had been sent to solicitors 4 weeks prior and the majority had accepted the Terms. She said that fees from precognitions had been reduced. It was hoped it would be finalised the following week.

11 Conduct & Equality Standing Committee (C&E SC)

It was reported that there had been no meetings since the last JCC.

An update was given on behalf of the AGS (Conduct). It was noted that conduct hearings/meetings were scheduled until the end of April 2024. Members discussed the timescales for receiving packs and agreed that ten working days wasn't sufficient particularly for complex cases.

It was reported that there were 11 performance cases ongoing relative to probationers and that the AGS (Conduct) and AGS (P&E) had discussed training and asked that a quality check was completed, and performance packs were of an appropriate standard. Anyone with any feedback relative to this was advised to pass it to the AGS (Conduct).

It was further reported that discussions were being held with probationer governance relative to the quality of Regulation 9 packs for 2013 regulations. A meeting had been arranged with the AGS (Conduct) and the East Area Deputy Secretary to engage with probationer training and provide help for future packs.

The Committee was informed that there had recently been two post incident procedures in the West Area and one in the North. The AGS (Conduct) and Vice Chair were working on future training on PIP. The AGS (Conduct) was also scheduled to attend a PIP training course as an observer.

There had been no meetings with Dame Elish Angiolini as recent meetings had been cancelled.

There had been no staff association meetings due to cancellation.

It was reported that the AGS (Conduct) had met with representatives of both PIRC and CAAPD which would become a regular occurrence.

It was noted that CAAPD dealt with around 300 cases per year with around 20 cases reported to the Procurator Fiscal for progressing to trial.

It was reported that the AGS (Conduct) had met with PIRC since taking up her new role which would become a 3 monthly occurrence. They had discussed officer statements and whether officers were aware of their status and that they could help bring the investigation to a quicker conclusion.

It was noted that the AGS (Conduct) met with the conduct Superintendent (PSD) recently which she found to be productive. She had asked to be notified of any suspensions taking place in order that she was able to arrange Federation representation to assist with the matter. They discussed standards/processes of packs regarding adopting statements from criminal cases and the last minute serving of the pack.

The Committee was advised that a meeting with the Scottish Government relative to the new Conduct Bill was to be held on 11th December 2023.

The North Area Deputy Secretary gave an update on behalf of the AGS (P&E) informing the Committee of the number of current grievances, performance, equality, ill health, IHR and IOD cases. They discussed trends and noted that anxiety, work related stress and PTSD was becoming an increasing issue with many officers self-diagnosing themselves which could become an issue when at FMA/SMP assessment stage.

It was noted that there were extensive delays with the NHS making formal PTSD assessments and despite private assessments costing between £200-£400 this appeared to be a good use of money.

The AGS (P&E) had reported concerns relative to the quality of SMP reports being provided to OPTIMA with no standard report structure, missed information, copy and paste and not taking other medical professionals comments. She had passed her concerns to HR/OPTIMA. Two new SMPs had started in November bringing the total to seven.

Concerns were expressed about bullying, disability and lack of effective management and was agreed that too many of equality/grievance cases related to that.

12 Efficiency Standing Committee (ESC)

It was reported that there had been no meetings since the last JCC.

Special Constabulary (SC)

The Vice Chair reported that there had been no face to face meetings relative to SC. There were currently 450 special constables in Scotland.

Leadership, Training & Development (LTD)

The Vice Chair told the Committee that training had been suspended for two months.

He reported that the Strategic Co-Ordination Group was to meet later that day.

C3

The Committee noted that there were significant concerns relative to C3 and the Vice Chair had written to ACC Speirs relative to the impact of resourcing cuts on C3.

WFA

It was hoped that an update would be provided in the near future.

PIP

Refresher training was arranged for January 2024.

APMG/POMG

It was reported that the Chair and Vice Chair had attended the last meeting of the Group and had raised significant concerns relative to 80% of AFOs not trained to drive ARVs.

The West Area Secretary said that there was to be a CJSD meeting the following day. There would be discussions on solemn trial procedures and the practice of citing officers for the first day of a trial and using 'standby' for following days.

13 Health, Safety & Welfare Standing Committee Forum (HS&W SC)

It was reported that there had been no meetings since the last JCC.

It was reported that the AGS (H&S) had attended a meeting with Brian Johnston, PSoS Estates Compliance Manager, Unison, SPA and PSoS H&S Team prior to the Health & Safety Board.

Water risk assessments were ahead of the completion schedule and the asbestos inspections were in the process of being completed. All hardwire testing was complete and all C1 issues had

been rectified. There was still a heavy split towards the reports being marked unsatisfactory, but many issues were low level and the service had five years to address them.

It was reported that there had been 4030 assaults recorded this financial year which was an increase of 2.9%. There had been 30 serious assaults which was an increase of 16.

ACC Local Policing West had raised concerns about the lack of officer confidence in PSoS supporting them when interacting with individuals under the age of 18. This was illustrated by the reluctance to use stop and search powers or OST tactics such as cuffing and spit hoods etc.

Concerns were raised regarding the suspension of officer safety training. The issue had been raised with DCC Speirs.

The AGS (H&S) reported that regarding Op Moonbeam, officers were being exposed to noise and there was an issue with access to Surefire earpieces. SPF had begun investigations.

The AGS (H&S) reported that the Vehicle Equipment Working Group and Clothing & Equipment Working Group had merged. He said that he had raised a concern relative to acid protection kits and the fact that many kits were incomplete. He was unsure as to whether there was any value in retaining them on the kit list due to the lack of usage.

14 SPF Training

The Vice Chair reported that Edi training would take place in January but otherwise all SPF training was up to date. Following the quadrennial elections Basic and other training would be scheduled.

15 JCC Circulars

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

30/2023	SPPA Police Pension Scheme Circular 2023/05 – ABS 2023 – Information
31/2023	Police Pay 2023/34 and Beyond – Information
32/2023	Travelling Expenses and Travelling Time – Information
33/2023	The Impact of Budget Cuts - Information

16 Police Service of Scotland Reform

The Chair reported on the Audit Risk Assurance Committee, body worn video and the Digital Evidence Sharing Committee (DESC).

17 SOPs/Consultations

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

- 27.11.23 HMICS Report on Policing Mental Health in Scotland
- 15.11.23 Report Writing & Statement Writing NG v5.09

- 07.11.23 Revised Code of Practice for Constables in Scotland exercising search powers under POCA
- 31.10.23 Grievance Procedure v4.08
- 23.10.23 Specially Trained Officers SOP, Version 4.00
- 19.10.23 ACU/1055/23: Local Consultation - ACU/PSD Professional Obligations Reminder and Welfare Z Card
- 10.10.23 Collisions and Incidents on the Roads Network SOP, Version 1.11 – Standard Request
- 06.10.23 Distress Brief Intervention Guidance v2.08
- 04.10.23 Disruption Procedure V1.03
- 29.09.23 PSD Governance Framework Divisional Guidance – Local Consultation
- 26.09.23 Police (Ethics, Conduct and Scrutiny) (Scotland) Bill
- 26.09.23 Police (Ethics, Conduct and Scrutiny) (Scotland) Bill: Financial Memorandum

18 EuroCOP/ICPRA

The Committee provided an update on the EuroCOP meeting that was held in Torremolinos on 8/9th November 2023.

A report from Madrid University which had looked at assaults on officers and the costs associated with that had been discussed and would be circulated when received.

It was reported that an input had been given by the Norway Commissioner and it showed how similar the situation was in Norway and Scotland. The Committee agreed that issues like this showed the benefits of being in EuroCOP due to the interaction with other countries.

It was noted that the ICPRA conference would be held in Malta in April 2024.

19 Police Related Charities

PTC & Police Children’s Charity (PCC)

The last meeting of the PTC was held on 2nd November 2023 in Harrogate. Amongst the items discussed were the aging IT system, running costs, subscriptions, and donations.

The last meeting of the PCC was held on 2nd November 2023 in Harrogate. Ricky Wood gave a comprehensive report on the finances of the Charity.

Police Care UK

The Chair reported that the process of appointing a new CEO was underway and hopefully concluded by the next JCC meeting. The charity is in a sound financial position and continues to work with forces across the UK the develop support programmes.

SPMT

It was reported that the next meeting would be held the following day.

Police Remembrance Trust

It was reported that the next National Police Memorial Day would be held in Glasgow and SPF would attend.

20 SPF Annual Awards

The SPF Annual Awards ceremony was held in Dynamic Earth, Edinburgh on 23rd November 2023 and had gone well. Changes had been made to the process for recording videos etc and these had been deemed successful. Very positive media interest had been received with significant numbers of stories in the media which reflected well on the officers, the service and the SPF.

21 SPF Communications SLWG

The SLWG presented a report to the Committee covering all aspects of SPF communications. Following a full discussion on a list of options it was agreed that the SLWG had discharged the motion, and that further exploration would be carried out on an SPF app. The prospect of Parachute or another app designer delivering a presentation on potential features was discussed and a future meeting for this purpose would be arranged if and when required.

22 Deep Dive

It was reported that the Vice Chair had written a letter to the force informing them that the SPF intended to carry out an inspection in C3. Dates would be arranged as soon as possible.

23 Correspondence

There were no items of note.

24 Any Other Competent Business

Emergency Motion

That the JCC re-affirms that in accordance with SPF Rules and decisions taken by the Joint Central Committee of the SPF, it cannot reimburse fees incurred by members who choose to take independent action or instruct solicitors prior to JCC approval.

JCC

Explanatory Note:

SPF resources are finite, but every effort will be made to help those in need. We have a responsibility to manage the Voluntary Fund on behalf of everyone. Our rules state that members must seek approval from the JCC prior to instructing solicitors.

While it has absolute discretion the JCC will take the following factors into account: -

- potential benefit to the member and the membership as a whole.
- available alternatives have been exhausted.
- likely costs.
- prospects of success as per legal advice (less than 60% not supported)
- the moral and ethical aims and objectives of the organisation.
- other relevant matters.

This motion was unanimously approved.

It was noted that the SPF Vice Chair and AGS (H&S) would be standing for re-election at the next JCC meeting in February 2024.

25 Closure

The Committee noted that this would be Norman Towler's last meeting as an Inspector's rep for the East Area Committee. Best wishes were given to Norman for the future.

The Chair thanked everyone for their attendance and inputs at the meeting. The next meeting would be held on 6/7th February 2024 at the SPF Meeting and Training Facility, Unit 29, City Quay, Camperdown Street, Dundee, DD1 3JA.

A vote of thanks was given to the Chair.

David Threadgold
Chair

David Kennedy
General Secretary