



# **Scottish Police Federation** **East Area Committee**

## **Minutes of the Third Quarterly Meeting of the East Area Committee of the Scottish Police Federation held on Wednesday 4 September 2024 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 Third Quarterly Meeting of the East Area Committee for 2024.

The Chair next went on to inform 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.

Thereafter, the Chair gave a warm welcome to two new representatives namely Lucy Langford and David Marr who were both attending their first East Area Committee Quarterly Meeting and as is customary, they introduced themselves to the rest of the committee.

Those present were informed that inputs would be given by Damian Kane (Digital Evidence Sharing Capability (DESC)), Gemma Fraser 1919 Magazine and Diane Clayton EAP during the meeting.

The Chair reiterated, especially for the benefit of the new representatives, asking everyone to get involved in discussions and ask questions about anything they are not sure about. He went on to remind those present once more, of the importance of always directing all points or issues through the Chair.

Standing Orders were adopted, and the meeting was declared open.

## **2. ATTENDANCE**

Inspector Liam Harman	C - Forth Valley
Inspector James McLaren	C - Forth Valley
Inspector David Marr	C - Forth Valley
Sergeant Heather MacIntyre	C - Forth Valley
Constable Jim Bayne	C - Forth Valley
Inspector Neill Whiteside	E - Division
Inspector Marc Copland	E - Division
Sergeant Christopher Richardson	E - Division
Sergeant Mike Smith	E - Division
Constable Brandon McKendrick	E - Division
Constable Perri Hyslop	E - Division
Inspector David Hughes	J - The Lothian's & Scottish Borders
Inspector Ross Drummond	J - The Lothian's & Scottish Borders
Sergeant Fraser Muir	J - The Lothian's & Scottish Borders
Sergeant Michael Harte	J - The Lothian's & Scottish Borders
Constable Gareth Watt	J - The Lothian's & Scottish Borders
Constable Lucy Langford	J - The Lothian's & Scottish Borders
Inspector Craig Stephen	P - Fife
Sergeant Craig Menzies	P - Fife
Sergeant Gavin Alcorn	P - Fife
Sergeant Martyn Reidie	P - Fife
Constable Ben Pacholek	P - Fife
John Turley	Chair
Ricky Wood	Vice-Chair
Davie Reid	Secretary
Lyn Redwood	Deputy Secretary
Deborah Kennedy	SPF Staff

## **3. APOLOGIES**

Apologies were received from Lee Dickson, David Davison, Sarah Nimmo, Billy McFarland, Christopher Scott, Jim McGuinness, Samantha Davidson, Anthony Clark, Ashleigh Archer, James Gowling & Darren Gallagher. (Absent Michael Dixon).

#### 4. MINUTES OF THE PREVIOUS MEETING

The minutes of the preceding meeting held on Wednesday 5 June 2024 had previously been disseminated to the Committee via TEAMS. The minutes were agreed and thereafter recorded as a true reflection of the meeting.

#### 5. RANK SEPARATES

The Committee broke to discuss Rank Specific issues.

#### 6. MATTERS ARISING

##### (a) JOINT CENTRAL COMMITTEE (JCC) - UPDATE

The Secretary provided an update following the Joint Central Committee Meetings held on 19<sup>th</sup> & 20<sup>th</sup> June and 20<sup>th</sup> and 21<sup>st</sup> August 2024. The key points worthy of note had been circulated via TEAMS to the Committee who acknowledged their receipt and understanding.

Guest speaker, Gerry Donaldson CEO with CCRC Performance Management delivered a presentation on the EQME Wellbeing App which is currently being considered by the SPF for members use.

**Legal Advice and Assistance** - the Deputy General Secretary provided an overview of the number of legal cases ongoing within the three areas. Since the last meeting, 72 applications for Legal Assistance had been received.

**Contingent Decision** - the Secretary explained for the benefit of those new representatives that this was part of the remedy that allowed any officer who left the pension between 1 April 2015 & 31 March 2022, to buy back their pension. SPPA had published that those in the 1987 Scheme who left during that period, could buy back their 1987 pension. This is incorrect as those who have tried, have now been told it is only the 2006 Scheme who can buy back for that period, and it is in primary legislation. This is currently sitting at government level with the possibility of a legal challenge as the whole point of remedy is that no officer would be worse off.

**Allard** - (recall payments for CHIS Handlers) – this has been ongoing since 2015. The majority of officers have been paid out however, a number are still having issues in relation to tax implications. Some have received a rebate from HMRC and those still waiting to do so have been given a single point of contact at HMRC.

**Pension Trap** - legal opinion on the Pension Trap is awaited. SPF are to meet with counsel.

**Probationer Discharge** - on-going.

**Housing Contracts** - three officers are affected in the East by the new occupancy charges PSoS are now seeking to impose. Awaiting legal opinion.

**WhatsApp Case** - awaiting new dates for Gross Misconduct Hearing.

**Hurt Feelings** – Thomsons case continues to be sisted.

**Police Negotiating Board Scotland (PNBS)** - the last meeting was held in June 2024. PNBS Review is now complete and can be viewed online. Pay Levels checks and Index have now been agreed. Three companies bid for the tender which was awarded to Fraser of Allander Institute. The hope is that this leads to an Index on pay enabling SPF to focus on the intricacies of pay.

**Pay** - the pay claim was submitted June for 5.7% brought about on the average inflation from last year. No correspondence has been received from the Official Side. The matter was not pushed due to the General Election in June to see how the political landscape would change. No offer would have been made prior to then anyway.

We are taxed more in Scotland and depending on rank, some colleagues in England & Wales are paid more. We have no right to strike therefore, the discussions ensued with regards to rallying and the withdrawal of goodwill.

**Index** - to be signed off by ministers. Ideally, we want the index recommended prior to the budget in order that the Scottish Government can set their budget for Policing accordingly. Apart from an acknowledgement of the offer, as it stands, no counteroffer has been received to negotiate with however, talks have been scheduled for the 18th and 20th of September which is encouraging.

**Pensions** - the Secretary attended the Scheme Advisory Board Meeting on 10 June 2024. Proposed changes to Scheme Sanction Charges will not now go ahead. (This was an issue in England especially with the Met).

The Member Contribution Yield in Scotland is a flat rate of 13.46% (which is what is paid into CARE) however in the rest of the UK they have a tiered approach based on earnings. The bands which have not been revised for over nine years are due to be revised. Discussions ensued around whether a tiered approach should be made as with England & Wales or, should we keep it at a flat rate. The JCC's view is that it should be a flat rate for all.

**Scottish Police Pension Board (SPPB)** - SPF requested a pre-meet prior to the Pension Board meeting with the Chair, with all staff associations in attendance. This was to highlight concerns regarding the functionality of the Board and the disappointments surrounding Remedy. Remedy has been clarified, and the figures should have been confirmed by 31 August 2024 however this has now been delayed to 31 March 2025.

Our concerns were noted by the SPPB Chair who corresponded on behalf of all concerned parties to the SPPA highlighting the lack of accuracy and commitment. The new Chief Executive highlighted a sizeable number of failings of the Board within his opening remarks but expected new personnel would change the trajectory for the membership. The 2015 Remedy software was noted as a significant problem.

Officers should register with the SPPA for the self-service site to receive their own personal pension details and annual statement. The Pension calculator is reasonably accurate on SPPA site.

As the SPPA failed to meet their own statutory deadline for providing the Annual Benefit/RSS statements they have reported themselves to their own regulator. It is hoped that most officers will have their statements by the end of September 2024. Any officer looking to lodge a complaint can do so with the SPPA on the dedicated Police Pension number 01896 893000.

**Scottish Police Consultative Forum (SPCF)** - the Deputy General Secretary and Vice Chair attended the SPCF meeting on 7 June 2024.

HMICS provided an input regarding the wellbeing review for frontline officers. In addition, there was an input from Graham Thomson from the Police Division in Scottish Government regarding the Police Ethics Scrutiny Bill.

Discussions have been held around the new Conduct Regulations which the service hope will come into force in 2025. What the service would like and what the SPF consider acceptable are a long way from being agreed.

SPF are of the opinion that the current bar for Gross Misconduct is set too low.

PSD spoke about Public Confidence. To assist Public Confidence the Police should not investigate and make determinations on their own. Everything should be given to PIRC to investigate as they are independent. SPF have asked for an independent panel to sit as the Chair at Meetings & Hearings and not Chief Superintendents.

**Scottish Police Authority (SPA)** - the Chair provided a full update on the SPA Board meeting that he had attended on 23 May 2024 and 19 June 2024.

There is an underspend on Police pay due to being below the established budgeted numbers. Most recent figure for officer numbers was 16,397 in PSOs with more officers retiring each month than the service can recruit.

Training and accommodation at the SPC will be impacted in the Autumn due to Dunvegan closing for refurbishment.

Chief Constable informed the Committee that Body Worn Video will not now be rolled out in August as initially hoped. No date was given with the deadline changed to as soon as possible.

A workplace survey is underway which is the services own survey. Concern was highlighted in relation to just how anonymous the survey is as, from the questions asked, it would not be hard to work out who some officers are depending on where they work.

**Finance Standing Committee (FSC)** - The last FSC meeting was held 15 August 2024.

The General Secretary had provided an overview of the accounts informing that the Voluntary Fund and Member Benefits Fund are in a healthy position investment wise.

Since 2015 the annual legal cost to the SPF each year has doubled. There is no set budget each year as it depends on what legal cases are on the go at that time with some being more costly than others. Off Duty Criminal is by far the biggest outlay with over a third of the budget spent on this. (England and Wales do not provide this cover). SPF can recoup some costs for Criminal on duty cases won, however cannot recoup legal fees spent on cases taken to employment tribunals. Discussions ensued around dropping one of these services; to keep the price low however, it was voted to keep them both due to the benefits our members receive from them.

SPF were advised to break even, that the subscription in relation to the legal side of the voluntary fund had to increase by £5.50 each month. After a vote on a proposed increase, it was decided an increase of £4.50 would be implemented when the pay award was agreed. (Not backdated however, the pay award will be). It was also agreed that moving forward, the Voluntary Fund would increase each year by the same percentage as that years pay award.

Discussions ensued around an increase in the Voluntary Fund and the knock-on effect this may have on the charities.

Officers should be reminded that they can claim tax back on their Federation Subscriptions.

**Efficiency Standing Committee (ESC)** – had last met on 24th July 2024. Points worthy of note are:

Shift consultation for Armed Policing Inspectors has taken place and the results are sitting with the Deputy General Secretary for review and conclusion.

Officers within CJSD are receiving text messages informing them of countermands. Whilst there is no official policy, the SPF view is that this is not

a suitable method of delivering countermands as it cannot be proven that officers have seen the text.

Memo of understanding is to be agreed with CJSJ for the Monday when officers are cited for a Sheriff & Jury trial.

Training for “Your Leadership Matters” is being carried out internally. PSoS are of the view that this will shape the service however, SPF are aware of issues such as too many people on screen, lack of engagement in breakdown sessions and limited bandwidth. We will continue to highlight these issues to the service.

SPF attended an event for Special Constables in May. They are looking for more training such as OST (instructors) and Driver Training.

Other items discussed had been:

- RDU’s not adhering to the 8 hr days for Op Backstrip as per the Work Force Agreement that was in place for it.
- RDU trying to balance books by giving like for like days back, 9 hr/10 hr shifts and rostering officers with more than 91 days for shifts exceeding 8 hrs in length. SPF view is that the Rest Days are protected, and it is only the working days they can tweak if necessary. (Both sides may have to seek legal advice in relation to this).
- Remote and Rural Housing
- The issue of ‘shift slides’ being implemented for officers the day before their court shift is being debated. SPF are against this practice; the service is for it. Legal advice is being sought.

**Police Service of Scotland Reform** - potential issues with Body Worn Videos (BWV) were discussed for when they are eventually rolled out specifically in relation to transport.

The Scottish Police College have held workshops over two days to discuss the future of response policing as it is unlikely that numbers will increase any time soon.

### **SOPs/Consultations**

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

09.08.24	Attendance at Incidents Involving Trams v4.11
07.08.24	Planned Voluntary Interview Pathway NG v.0.06
06.08.24	Unacceptable Complainers v4.09

19.06.24	Crime Scene Management - Manual of Guidance National Guidance
16.07.23	Presumptive Drug Testing National Guidance v0.05
09.07.24	OST Manual Revision
05.07.24	Legal Professional Privilege NG v0.08
26.06.24	Responding to Hate Policy and SOP
19.06.24	Adult Support and Protection SOP v4.17
15.08.24	Reporting Wrongdoing (Whistleblowing) Policy v1.05 & NG v3.13

**EuroCOP/ICPRA** - The next meeting of EuroCOP is scheduled for 5th – 7th November 2024.

**ICPRA** - The General Secretary, Chair and Vice Chair attended the ICPRA meeting on 11 and 12 June 2024. David Kennedy was appointed the new General Secretary of ICPRA replacing Calum Steele.

The Vice Chair provided an input on Electric Vehicles in Policing which was very well received and had been invited to provide the input in Canada for the Canadian Police Force.

**Police Related Charities** – the Vice-Chair Ricky Wood expressed his concerns that the increase in other deductions from salary may affect the charities.

**PTC & Police Treatment Centre** – waiting times for physiotherapy currently stand at 2 weeks for Harrogate and 1 week for Auchterarder. Waiting times for Wellbeing are 7 Weeks for Harrogate and 6 for Auchterarder.

**Police Children’s Charity** – those present were reminded that officers going through ill health retirement process’s children can benefit from this charity, also officers that suffer the death of a spouse. It is important we push this charity as they only way they can fund themselves is through investments.

**Scottish Police Benevolent Fund** – Anthony Green a young autistic boy visited stations during his school holidays and raised over £2,000 for the charity. The East do not receive many applications as other areas therefore, if the committee were reminded that if they knew of officers requiring support for benevolence and they pay into the Benevolent Fund to point them in the direction of the fund.

The East Area Chair expressed the desire to push and support all Police Charities including the Scottish Police Benevolent Fund due to the vast amount of ongoing work which could prove vital to our members.

**Scottish Police Memorial Trust** – Annual Memorial Day being held on 4th September 2024 at SPC.



**Police Remembrance Trust** - The Police Memorial Day will be held on 29th September 2024 at the Royal Concert Hall, Glasgow. Tickets are free for anyone who wishes to attend.

**SPF Annual Awards** - The next SPF Annual Awards ceremony will be held in Dynamic Earth, Edinburgh on Wednesday 27th November 2024. All finalists have now been decided, and the judging panel will take place on 10th September.

**Deep Dive** – the last deep dive was in held within C3. There have been a lot of recommendations put in place however, we are waiting on the Chief Superintendent in Bilston signing them off. PSoS SPF deep dive is to be carried out on Response Policing, and it has been decided the Divisions to be visited are D, J & G (which are different from the Divisions HMICS visited). The visits will be carried out in September and a questionnaire will be sent out to Constables, Sergeants and Inspectors who work within these areas to complete ensuring accurate feedback is obtained. Alongside this, station visits and Health and Safety Inspections will be carried out at each station.

## **7. AREA LEAD UPDATES (Conduct, Equality & Health & Safety)**

**HEALTH & SAFETY** - the Vice-Chair had previously disseminated to the Committee via Teams a full update highlighting key aspects and concerns at both local and national level. The key issues worthy of note in respect of both local and national level were:

He thanked those in attendance for helping make the East Area very proactive reminding them that everything that the East Area will be on the National Register for things that require attention.

**Officer Safety Training (OST)** - Currently there is a sizable review taking place in relation to the OST Manual by the SPF.

OST figures are becoming a worry in relation to the drastic number of officers out of card due to a pause in training during Christmas and the summer. There may be enough courses, however officers are not being released due to OBL's, and they are struggling getting enough instructors to run all the courses. This must be rectified now, as PSoS cannot keep extending. This is not only putting our members at risk but PSoS also.

**Driver Training** - SPF position has not changed. The service has still not provided written evidence regarding their standpoint.

In relation to Fast Roads, the SPF have informed PSoS that MOODLE packages are not enough in relation to training. It was explained again that most response cars are not equipped for fast roads, nor do they have the additional lights required. ACC has tasked a Chief Superintendent to confirm if MOODLE is enough or not.

**Surefire Earpieces** - now being distributed in the East. The only issue is not all Public Order Officers have trained with the earpiece therefore, they will have no idea how much it will affect communication and shouted commands. Public Order training claimed they are aware there may be issues with hearing so all officers will get to try the earpieces at PSU training.

60% will have managed to use the earpiece where commands are shouted prior to Operation Moonbeam meaning 40% will not have! Gordy Forsyth SPF Health & Safety lead is raising this issue with the Service. To ask if they are prepared to accept this risk.

## **EQUALITY**

<b>CASE TYPE</b>	<b>NUMBER</b>
Probationer Performance Meetings	2
Discrimination/Equality	1
Grievance	13
Ill-Health (IH) & (IOD)	45
Ill-Health Retirement (IHR)	15

The Deputy Secretary highlighted key issues worthy of note in respect of both local and national level:

**Ill-Health and Ill-Health Retirement** - Officers on long-term sick continue to be supported.

There is a slight improvement in timescales for IHR however, we still have members waiting for over a year for the final decision as whether they are going to be granted Ill-Health retiral or not, creating additional anxiety for them due to the uncertainty of their future. Members are frustrated at the length of time it takes for them to see SMP along with concerns regarding the delays in obtaining copies of medical reports, which are ready at practices however OPTIMA are not paying for them.

Due to continuing problems with the provision of OPTIMA, SPF are looking to build a case of evidence that can be escalated to the procurement team at PSoS. There appears to be repeated instances where OPTIMA report multiple inaccuracies and officers are relying on them for their Ill-Health retiral. Those present were asked if they hear of any failings by OPTIMA to forward onto the Deputy Secretary who will feed back to our AGS for Equality who will be submitting a report.

Grievance continues to be a common query from our members who are unhappy about various issues.

The new mediation service has been launched by PSoS.

PSoS has employed a “Fair Play Advisor” whose role is to ensure that the organisation upholds the principle of fair play and the broader theme of equality providing an independent oversight of discrimination cases amongst officers and staff.

**Unsatisfactory Performance** - SPF are supporting several probationers going through this process.

**Mental Health, Wellbeing and Suicide** - a survey was circulated by the SPF Chair, David Threadgold who will provide written and oral testimony at the next Scottish Parliament Justice Committee regarding officer mental health, suicide, and wellbeing.

The service will be promoting videos in relation to Police Scotland with the emphasis on being an encouraging employer, commenting about staff and wellbeing. SPF want to provide a narrative in opposition to the one proposed by Police Scotland and are seeking officers willing to speak on camera to provide a 30 second account of their experiences in relation to processes used for IHR, conduct, staff welfare, lack of training/welfare and Health & Safety concerns etc.

**CONDUCT** - preceding the meeting the Chair provided a brief update on TEAMS. In relation to Conduct issues in the East, the most up to date figures are as follows:

<b>CASE TYPE</b>	<b>NUMBER</b>
Criminal Cases – On Duty	<b>31</b> (Increase of 5)
Criminal Cases – Off Duty	<b>17</b> (Increase of 4)
Conduct Cases – On Duty	6 (Increase of 5) (2 are Gross)
Conduct Cases – Off Duty	<b>14</b> (Increase of 4) (7 are sat at Gross Misconduct)
Suspended Officers	20 (Increase of 2)

The number of suspended officers in the East remains reflective of what is occurring in the North & West.

There has been no change in the way the service is dealing with certain types of behaviour, and it is clear they are still trying to enforce this message with what looks like a tactical use of suspensions and restrictions. The AGS for conduct is having meetings with the PSD regarding these issues.

**Conduct** - There are 8 conduct hearings and meetings are now scheduled for the rest of this year.

**PSD** - The arrangement with Superintendent Harrison to make sure the SPF are notified of anyone being suspended or arrested, ensures the officer is not left to go through the process alone has continued to prove beneficial for the officers involved. This process can speed up the waiting time for officers.

## **8 DIVISIONAL UPDATES - "C", "E", "J" & "P"**

**"C" Division** - a meeting was held with Senior Management. Issues discussed and worthy of note had been the new Vauxhall/Peugeot vans being unfit for purpose; condition of Falkirk Police Station and toilets not fit for purpose etc; current issue list for frontline policing being unsuitable with officers regularly having to purchase items such as trousers and waterproof/warm clothing themselves; Taser officers unable to deploy due to the shortage of Tasers; resourcing; moral; annual leave; wellbeing and the provision of "health services"; Community Policing and whether the policing model is working within Forth Valley; more support for Reactive CID.

**"E" Division** - Next meeting is scheduled for Monday 9 September 2024.

**"J" Division** - David Hughes, James Gowling and Ross Drummond met with Chief Superintendent Banks, Superintendent Thompson, Detective Superintendent Balfour, and James Mackie (RDU) on Monday 2 September 2024. Topics discussed worthy of note had been officers not wearing their high visibility vests; volunteers sought from RDU to work shifts and if no takers if the division were happy for shifts to work below the number of officers they deem to require; warrant self-hand-ins at St. Leonards'; double sectorised Sergeants; resourcing levels and issues regarding minimum PPE when officers are in public environment.

**"P" Division** - Meeting had been scheduled for 27 August 2024. Awaiting note of outcome.

## **9 NEW BUSINESS**

None received.

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

Liam Harman informed those present of a new shift pattern for every Constable, Sergeant and Inspector who work Monday to Friday, 9 – 5, except for Covert, will be going onto a 4-week shift pattern whereby they will work one weekend in four. This will help police events at weekends and take the pressure of Response and Community Officers. The first rollout is expected in January/February 2025 with OSD rolling out across Op Services, SCD and local policing.

## **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 4 December 2024** within the McDonald Houston House Hotel, Uphall, EH52 6JS.

## **13 CLOSURE OF MEETING**

The Chair next 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. The Vice-Chair then asked for a show of appreciation for the orderly running of the meeting.

DAVID REID  
SECRETARY

JOHN TURLEY  
CHAIR