



Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

JCC Circular 5 of 2019

Ref: CS/LS

11 February 2019

Attachments: Conduct, Equality & H&S Minutes

Dear Colleague

I refer to the above, and attach herewith, the Minutes of the Conduct, Equality and Health & Safety Committee meetings that were held in January 2019.

Although this circular is primarily for your information, any comments/observations you may have on its content should be sent to me no later than 10 days after its date of publication.

Yours sincerely

Calum Steele
General Secretary



Scottish Police Federation
5 Woodside Place Glasgow G3 7QF

**Joint Central Committee
Conduct Subject Committee**

Ref: CS/DJK/LS

MINUTES

17 January 2019

1. Attendance

North Area Committee	Sandy Smart
North Area Committee	David Threadgold
North Area Committee	Martyn Turner
East Area Committee	Michelle Ritchie
East Area Committee	David Reid
East Area Committee	Graham Ross
East Area Committee	Euan Sinclair
West Area Committee	Stuart Finnie
West Area Committee	Lynne Gray
West Area Committee	Gordon Cumming
West Area Committee	Lorna Hogarth
West Area Committee	Paul McWhinnie
West Area Committee	Campbell Smith
Deputy General Secretary	David Kennedy (meeting Chairman)
Assistant to the General Secretary (Conduct)	Amanda Givan
Business Administrator	Lesley Stevenson

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

Apologies were received from Heather Macdonald and Andy Horne.

Ilya Zharov, Head of Review and Policy with Police Investigations and Review Commissioner attended the meeting to discuss his role and the work of his department.

2. Minutes of Previous Meeting

The Minute of the previous meeting had been circulated with JCC Circular 45 of 2018 and was noted.

3. Legal Assistance

It was noted that since the last meeting, there had been 18 applications for legal advice and assistance for criminal matters; six for on duty and 12 for off duty issues. There were also a further seven applications for legal advice in respect of misconduct matters; two for on duty and five for off duty.

4. Complaints against the Police

The AGSC said that a SPA Complaints and Conduct Committee meeting was held on 13 December 2018 but she had been unable to attend. She circulated the report that had been issued at the meeting which had given a considerable amount of detail in respect of complaints against the police. The next meeting of this Committee is scheduled for 29 January 2019.

It was reported that there were currently five suspended officers in the East Area, four in the North and five in the West.

The AGSC asked members to inform her if they had any concerns about how complaints were being conducted in the areas. The meeting Chair said there was advice available on the SPF website.

5. Conduct

The AGSC reported that since the last meeting there had been no hearings in the East. There had been one Misconduct meeting resulting in a verbal warning and 3 improvement actions given. Two officers elected to resign. There were currently 11 conduct on duty matters and 5 off duty matters being monitored and 10 criminal on duty matters and nine off duty criminal matters being monitored. A total of 5 officers were currently suspended.

It was noted that there had been one gross misconduct hearing in the North resulting in the officer being dismissed without notice. There were currently six on duty conduct matters being monitored and 12 off duty conduct matters and 14 on duty criminal matters and 15 off duty criminal matters being monitored.

In the West area there was one officer who resigned prior to a hearing, one dismissed without notice and one required to resign. In respect of misconduct, there had been one meeting resulting in a written warning. There were currently 21 on duty conduct matters and 12 off duty conduct matters being monitored and 37 on duty criminal matters and 17 off duty criminal matters being monitored.

The AGSC provided all members with a Conduct Form Pad.

It was noted that Performance was to be added onto the next Agenda.

6. Police Appeals Tribunal

It was reported that one PAT had been submitted that week. Another case had concluded resulting in the officer's appeal not being upheld.

7. Police Investigations and Review Commissioner (PIRC)

The AGSC reported that she met with both the Head of Investigations and Head of Review and Policy on 13 November 2018. It was noted that PIRC said witness interviews were carried out so frequently due to the poor quality of statements provided by officers. PIRC said it was clear that many officers hadn't been fully apprised of the circumstances of the meeting and in most cases, hadn't been provided with the guidance leaflet, despite this having been forwarded to the SPOC.

The AGSC said she was to meet the Head of Investigations on 21 January and asked that any issues be sent to her prior to the meeting.

8. Competent Business

The AGSC said that a Performance hearing in the North Area had been held and the officer was dismissed. The decision was being appealed due to significant procedural issues. She said that anyone who was asked to assist a member (even in early stages of the performance process) should consult with a FTOB and ensure that any representations made were submitted and a copy retained as they may be relevant, should the process continue to advanced stages.

The AGSC said that this was the last meeting of this Committee prior to the reconstitution at the next Area meetings and thanked all for the work they had done whilst on the Committee. It was noted that training would be carried out for new representatives.

9. Closure

Date of next meeting: TBC

The Committee was informed that future meeting dates would be forwarded to the Resource Deployment Manager to be added to SCOPE.

The Chairman thanked everyone for their contribution and wished everyone a safe journey home.



Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

**Joint Central Committee
Equality Subject Committee**

Ref: CS/DJK/LS

29 January 2019

MINUTES

1. Attendance, Opening and Minutes of Previous Meeting

North Area Committee	James Thomson
North Area Committee	Shirley Moran
North Area Committee	Fraser Robertson (by VC)
East Area Committee	Darren Gallagher
East Area Committee	Andy Malcolm
East Area Committee	Allan Symington
West Area Committee	Gordon Cumming
West Area Committee	Alistair MacKinnon
West Area Committee	David Osterberg
West Area Committee	Jenny Shanks
Deputy General Secretary AGSE	David Kennedy (meeting Chair) Nigel Bathgate
Business Administrator	Lesley Stevenson

Apologies were received from Cath McNally, John Mullen, Colin Nicoll, Lynne Gray, Michael McCaughey and James Rice.

The Chair opened the meeting by welcoming all present and thanking everyone for attending.

The Minute of the previous meeting had been circulated with JCC Circular 45 of 2018 and was approved.

2. Standing Items

2.1 PNB(S) Equality Working Group

The last PNB (S) Equality WG was held in Glasgow on 12 November 2018.

The alternative to have TOIL instead of payment relative to maternity leave remained under discussion, with a settlement anticipated in 2019.

The next meeting is scheduled for 5 February 2019 in Glasgow and the main item for discussion will be the Equal Pay Audit data. The Force has provided incomplete figures for

some payrolls but generally this should not affect the final analysis. The Official Side findings are currently unknown.

A PNB(S) Guidance document relative to Flexible Working will be tabled by the Staff Side. The Equal Pay Audit will be the main focus with a statutory obligation to publish findings.

2.2 Equality, Diversity & Inclusion Employment Group

Andy Malcolm attended the last meeting of this group to replace the AGSE who could not attend. He gave an update and said that the meeting was chaired by DCC Taylor and said that the main issue discussed was flexible working and the different divisional processes for granting them. The AGSE said he would recirculate the Guidance Document to the Committee.

2.3 Agility & Flexible Working

There had been no meetings.

2.4 Area Updates

2.4.1 North

James Thomson reported that a divisional plan was in place in the North relative to modified/restricted duties and said he would be meeting with the Support Superintendent Shaun McKillop the following Friday.

He also said that information from HR was not forthcoming relative to officers on long term sick or those working part time and this may need to be raised with the HR Director and JNCC.

2.4.2 East

Andy Malcolm gave an update and said that matters of concern in the East included flexible working. A number of grievances were ongoing with one at Stage 2. It was noted that a number of grievances were exceeding the timescales stated in the SOP. A further two were being considered for an Employment Tribunal.

2.4.3 West

Jenny Shanks gave an update and said that there were numerous issues in the West including flexible working plans, disabilities and mental health. The Committee discussed the matter of mental health being treated as an injury on duty and two appeals were currently sitting with the ACC.

The Committee discussed the half pay/no pay process and expressed the view that appeals were being read by HR staff as opposed to senior officers. This matter had been raised at JNCC and further SPF comment would be made at the next opportunity.

2.5 Consultations

The AGSE said that Police Scotland's Equality and Diversity Mainstreaming Progress Report 2019 had been circulated for consultation at the end of 2018. There was a statutory obligation on the force to produce a progress report prior to the publication of its

Mainstream Report due in 2021. A lengthy response was submitted which can be circulated if required.

The AGSE said that the Force was still unable to identify the number of flexible working patterns in place or the numbers and reasons for rejection. He also said that the examples cited by the Force in the report were very narrow and did not reflect the experiences of our members on a daily basis.

2.6 Training/Legal Updates

A training input from Jayne Monkhouse would follow the meeting. The topic was Flexible Working and would develop themes presented in the Introductory Input following the last meeting.

The AGSE asked if the Committee found the Employment Tribunal summaries that he had circulated useful. The Committee said they were helpful and it was agreed that they would continue to be circulated.

2.7 Conference 2019

The AGSE said that the Equality session for Conference 2019 would be held jointly with the Conduct Committee. The Deputy General Secretary gave an update on the contributors.

3. Correspondence

There were no items.

4. Competent Business

The AGSE said that a volunteer was required to attend the PDT meeting on 19-20 March 2019 in Leeds. Anyone wishing to attend should notify Kirsteen Brown at Woodside Place.

Andy Malcolm said that he had attended a meeting of the C3 People Board the previous day and the main items discussed were modified/assisted duties and postings panels. The Committee discussed this issue at length and the Deputy General Secretary said he would raise this with PSoS.

Concerns were expressed that a significant number of officers with less than six years service were going off sick for six months and then returning on modified duties. It was agreed this was a force issue and potentially a recruiting problem.

The Deputy General Secretary raised the issue of Wellbeing Champions and it was agreed that the AGSE would attend the Wellbeing Group in future.

5. Closure

Date of Next Meeting: 24 April 2019

The Chair thanked everyone for their contributions and wished them a safe journey home.



Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

Joint Central Committee Health & Safety Subject Committee

Ref: CS/LS

MINUTES

16 January 2019

1. Attendance, Opening of Meeting and Minutes of Previous Meeting

North Area Committee	Gordon Forsyth
North Area Committee	Simon Lewis-Dalby
North Area Committee	Gordon Milne
East Area Committee	Wilkie McCloskey
East Area Committee	Ricky Wood
East Area Committee	Steven Clark
West Area Committee	Kenny Kean
West Area Committee	Gordon Cumming
West Area Committee	Ian Florence
West Area Committee	Stewart Gailey
West Area Committee	John Munn
West Area Committee	Campbell Smith
Vice Chair	David Hamilton (meeting Chair)
Assist. to the General Secretary (H&S) AGSH	Brian Jones
Business Administrator	Lesley Stevenson

The Chair opened the meeting and thanked everyone for their attendance.

Apologies were received from Paul Connelly, Ross Polworth and Mike Purdie.

The Minute of the previous meeting had been circulated withy JCC Circular 45 of 2018 and was approved.

2. Matters Arising

There were no matters arising.

3. Standing Items

3.1 SPF H&S Updates

Area Committees

North

Gordon Forsyth gave an update and said that matters of concern in the North included winter kit/clothing, equipment lists, fleet, vehicle inspections, lack of cleaning in offices, the increase in incidents during arrests and the EuroCOP survey. The Vice Chair said he would circulate the link www.spf.org.uk/eurocars to the Committee and encouraged all to take part.

East

Steven Clark gave an update and said that matters of concern in the East included remote supervision and authorisations relative to custody. It was noted that a Deep Dive had been held on 19 December relative to custody. He had attended a meeting with Chief Superintendent Gary McEwan and Superintendent Phil Davidson who had accepted the report and agreed to look into the matter. The Vice Chair gave thanks to Stephen Clark and Wilkie McCloskey for the work done relative to the Deep Dive.

The Committee also discussed the transportation and storage of firearms and ballistic bags. Stephen Clark had attended a Short Life Working Group (SLWG) on the matter where it had been agreed that a Risk Assessment was required.

West

Ian Florence gave an update and said that matters of concern in the West included the amount of ambulance calls to the police and officers being injured by auxiliary batteries in public order vans when they degrade. They also discussed custody and the issue of officers being asked to monitor prisoners on VDUs for long periods of time. It was agreed that the AGSH would write to ACC Paul Anderson on this matter.

The Committee also discussed airwave terminals, the comfort of the earpiece and the lack of battery life. The AGSH asked that any issues with airwave were emailed to him in order that he raises them with Colin Gill.

Custody Sub Group

There had been no meetings of this group since the last H&S meeting.

Operational Support Division Sub Group

The last meeting of this group was held in Stirling on 28 November 2018. Steven Clark attended in place of the AGSH. He said he would submit a Central Meeting Register for the meeting.

3.2 PSoS H&S Updates

Force Executive H&S Board

The last meeting of this group was held on 7 December and was chaired by DCC Fiona Taylor. The AGSH and Stephen Clark had attended. The main issues discussed at the meeting included driving training requirements, control of noise at work, H&S Training for Force Executive, damaged body armour, transportation of firearms, the Clinical Governance Group, naloxone and the RIDDOR reporting of days lost due to being injured at work.

APHSA

The AGSH said that he meets with James Bertram on a monthly basis and said that any issues in the areas should be sent to him in order that he raises them at the meetings. He last met with Mr Bertram on 11 January in Dalmarnock and amongst the matters discussed were vehicle battery leaks, RIDDOR reports, footwear and Noise at Work.

Uniform

The last meeting of this group was held on 19 October and chaired by ACC Williams. The main issues discussed at the meeting included body armour, headwear, ear protectors, PAVA, maternity wear, body harnesses, non-binary gender fluid headgear, digitally enabled policing program (new pda's), and police trousers.

Taser

The Vice Chair said that he and the AGSH had been interviewed by the Evaluation Team and told them that there weren't enough STOs and tasers. The comments were taken on board. A report was expected at the end of February. A new harness was being trialled and if successful and approved, would be issued supported by a retraining programme.

Wellbeing Group

There had been no meetings.

3.3 Other H&S Meeting Updates

Joint UK H&S Meeting

It was noted that the next meeting of this group would be held in Scotland on 31 January 2019 and would be chaired by ACC Tim Jacques. Issues to be discussed include temporary signage, overloaded vehicles, injury data and assaults, the vehicle procurement group, nationally provided first aid training, problems associated with colour blindness relative to taser and the Striking the Balance document which was being reviewed.

National Vehicle User Group

It was noted that this group meets bi-annually and the meeting was held on 14 November. Amongst the matters discussed were Peugeot 308s and BMW 530 and X Drive and satnav's and dash cam's. It was noted that there was a budget for 270 vehicles. The Committee also discussed fleet, telematics, vehicle equipment, breathalysers and acid protection

equipment. It was noted that the DCC and ACC Paul Anderson had monthly meetings to address all issues relating to fleet.

Training, Tactics & Equipment Working Group (TTEWG)

It was noted that this matter was heavily dominated by Brexit and mutual aid. It was reported that there is a shortage of public order officers and vehicles. The Committee also discussed pyrotechnics in relation to football games. A report by DCC Mark Roberts into Football policing was expected to be available in February.

3.4 Inspections/Investigations

It was noted that there were currently two accident/investigations ongoing, one in the North and one in the West

3.5 Training

The Committee discussed training and the one day course provided by external organisation, RRC. Stephen Clark said that a minimum of 1 day RRC course and 1 day course for inspections for local safety representatives was required. The Vice Chair said that inspections were needed and that he believed the 1 day training should continue.

3.6 Risk Assessments for Temporary Places of Duty

This had been completed. The Vice Chair said that they had yet to be signed off by the Force.

3.7 Driving Authorisations

It was reported that there were currently 2500 officers awaiting standard response courses and a severe shortage of instructors.

4. Correspondence

There were no items.

5. Competent Business

Steven Clark raised the matter of a needlestick injury in J Division. He said he had requested a risk assessment. It was noted that this item was to be added to the Accident/Investigations list.

6. Closure

The meeting Chair thanked everyone for their contributions to the meeting and wished them a safe journey home.

Date of next meeting: 1st May 2019