



Scottish Police Federation East Area Committee

Minutes of the Fourth Quarterly Meeting of the East Area Committee of the Scottish Police Federation held on Wednesday 5th December 2018 within The Houston House Hotel, Uphall, Livingston, EH52 6JS

1 OPENING OF THE MEETING

The Chair welcomed all those in attendance to this, the Fourth Quarterly Meeting of the East Area Committee for 2018 giving a special welcome to those who had recently been elected to the Committee, Michael Williamson, Craig Menzies, James McLaren, Anne Begley, Ewan Wilson and James Morrison. A warm welcome was also extended to the Deputy General Secretary David Kennedy and James Thomson, Deputy Secretary, North Area Committee who were attending as Observers.

The Committee were informed that they would be joined later for a small presentation to Hugh Loudon, Mark Westmorland, Ian Williamson, Gordon Latto and Brian Henderson who had served as Federation Representatives and recently retired.

They were further informed that this would be Paul Redwoods last meeting as he retired on 5th December and the Chair thanked him for all his hard work over the many years as a Representative, wishing him a long and happy retirement. He next went on to thank all those in attendance who had not stood to be re-elected for whatever reason for all their hard work.

The Chair encouraged all in attendance to participate fully as this was their opportunity through the East Area Quarterly Meeting to identify areas of challenge and introduce plans to address issues that they foresaw for the benefits of the members saying that anyone wishing to speak should indicate through the Chair in the usual manner.

Standing Orders were in place and the meeting was declared open.

2 ATTENDANCE

Inspector Mark Murphy	C - Forth Valley
Inspector Ewan Wilson	C - Forth Valley
Sergeant David Reid	C - Forth Valley
Sergeant John Burgoyne	C - Forth Valley
Sergeant Anne Begley	C - Forth Valley
Constable Scott Callaghan	C - Forth Valley

Constable John Hay	C - Forth Valley
Constable Paul Redwood	C - Forth Valley
Inspector Allan Symington	E - Edinburgh
Inspector Norman Towler	E - Edinburgh
Inspector Peter Jones	E - Edinburgh
Inspector Neill Whiteside	E - Edinburgh
Sergeant Christopher Richardson	E - Edinburgh
Sergeant Richard Banks	E - Edinburgh
Sergeant Scott Meechan	E - Edinburgh
Sergeant Mark Wilson	E - Edinburgh
Constable Euan Sinclair	E - Edinburgh
Constable Stephen Neilson	E - Edinburgh
Constable Richard Wood	E - Edinburgh
Inspector Michelle Ritchie	J - The Lothian's & Scottish Borders
Inspector Andrew Toombs	J - The Lothian's & Scottish Borders
Sergeant Mark Sherman	J - The Lothian's & Scottish Borders
Constable Jim Friery	J - The Lothian's & Scottish Borders
Constable Darren Gallagher	J - The Lothian's & Scottish Borders
Constable John Brownlee	J - The Lothian's & Scottish Borders
Inspector Ian Stephen	P - Fife
Sergeant Wilkie McCloskey	P - Fife
Sergeant Graham Ross	P - Fife
Sergeant Craig Menzies	P - Fife
Constable Colin Nicoll	P - Fife
Constable Stevie Herd	P - Fife
Andrew Malcolm	Chair
Stephen Clark	Vice-Chair
Grant McDowall	Secretary
Heather Macdonald	Deputy Secretary
David Kennedy	Deputy General Secretary
James Thomson	Deputy Secretary, North Area

3 APOLOGIES

Apologies were received from Jim Thomson, Austin Barrett, Quinten Russell, David Davison and John McEwan.

4 ELECTION FOR THE POST OF EAC SECRETARY:

Chair asked for nominations for the position of Secretary, the following had been received in accordance with the rules.

Nomination: Grant McDowall

Proposed: Allan Symington

Seconded: Graham Ross

Nomination: James Friery

Proposed: Darren Gallagher

Seconded: Scott Meechan

Grant McDowall was duly re-elected into the post of EAC Secretary.

5 MINUTES OF THE PREVIOUS MEETING

The Minutes of the previous meeting held on Wednesday 29th August 2018 had been circulated and were approved.

6 MATTERS ARISING

(a) JOINT CENTRAL COMMITTEE UPDATE

The Secretary informed those present that the last meeting had taken place on Tuesday 6th and Wednesday 7th November 2018 at the Dundee Office. The following points are of note:

Legal Advice and Assistance - Personal Injury – Since August 2018, £28,975 has been paid out to members.

ALLARD and HOLIDAY PAY – Updates were provided.

CICA Appeals - A motion to consider changes to be made in relation to the CICA Scheme in 2016 had been put forward by the East Area and, as a result of this CICA appeals have been monitored over the past two years.

Officers **must** be a victim of violence to make application for example, falling over is not enough. The rule change was made around the execution of duty and was introduced as a consequence. Part 4 – assault is the key element.

Police Negotiating Board (PNB) – There have been no meetings of the PNB since September where the pay offer concluded. Members were reminded of the benefits and value of the pay award.

Pensions - Revaluation of Police Pension Schemes – an update was provided around the 4 year revaluation of the CARE Pension Scheme.

There is likely to be a benefit to the CARE Scheme for members, accrual rates will drop to 48.1 which is a considerable benefit. There is an impact on the employer with the contribution rates remaining static for employees.

The committee were updated on the new commutation factors which had been circulated following research from GAD.

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

Scottish Police Consultative Forum (SPCF) – the last meeting was in September, the following were of note:

An update is awaited from SPA and PSOS in relation to funding of legal costs for officers subject to criminal cases where they had been acting in the execution of their duty. Dame Eilish Angiolini is heading a review into complaint handling. SPCF continues to establish itself and it is unclear whether it is a suitable replacement for the Police Advisory Board for Scotland (PABS).

Scottish Police Authority (SPA) - There has been little contact with the Chair of the Authority.

A Forum involving the SPA, Staff Associations and Force was held on 30th November.

Scottish Police Budget and Finance - Revenue position is likely to remain unchanged with 2019/20 likely to be a difficult year.

There will be an increased cost for employer's contribution regarding pensions, money required for IT and other capital spends.

Joint National Consultative Forum - The next meeting is scheduled to take place on the 3rd December 2018.

Working Practices Review Board - The next meeting is scheduled for 30th November.

Work Force Agreement - The last meeting took place on Monday 5th November 2018 at Stirling. The meeting discussed the implementation, or not, of the Work Force Agreement. The primary focus being the operation of shift patterns and reticence to adapt or amend shift patterns. A reminder was made to the Service that this is a Work Force Agreement for the Force **not an SPF document**. Flex Working was discussed and the requirement to deal with elements on an individual basis was highlighted.

Peoples Operation Delivery Group – The last meeting took place on 1st November 2018. Amongst matters discussed were the following:

- Under attendance by the ACC's which was recognised by the Chair
- **Stop Search** – questions asked relating to the reduction in searches being recorded and, if these are these accurate. Local audit of searches.
- **Vehicle Use** – vehicle compensation and operational elements. Impact of tax on ACC; inconsistencies in recompense for negotiators and extent of the grey fleet (private use and hire cars), Nicky Page tasked with reviewing.

- **Half Pay Letters** – review of the current process in operation around half pay. People and special circumstances.

2026

- **Digital** - biggest moving which is welcomed given the research that shows it as the critical element to be addressed.
- **Mobile Data** – moving quickly with a roll out expected in Jan/Feb 2019.
- **Systems** – Missing Persons to be launched in D Division; IVPD, productions in April and direct measures in 2019.
- **Bi-Monthly Meetings** – Scheduled for 6th November. SPF are unable to attend due to all being at the Joint Central Committee.
- **Custody Programme Board** – Plenty of work ongoing with issues around procurement and ICT which, may result in elements not being delivered.

BTP Integration into Police Scotland - The last meeting of Joint Program Board took place on the 7th November which provided updates to BTP Officers and staff. There is a continuing uncertainty around whether plans are interim or final.

Other Matters - Wednesday 4th September 2019 the Scottish Police Memorial Day took place at Scottish Police College. The SPF continues to support the Scottish Police Memorial Day as one of its primary charities.

A debrief for the Scottish Police Memorial Day has been held - no serious issues identified, attendance is increasing and a larger marquee maybe required.

National Police Memorial Day – Held in Belfast on 29th and 30th September 2018. This event will be held in Scotland in 2019, reception within the Civic Chambers on 28th September and the Service in the Concert Hall on 29th September.

b) **STANDING COMMITTEE UPDATES**

All meetings (Finance, Operational Duties and Legislation & Regulation Committees) were held in Dundee on 22nd October 2018, the minutes of these have all been published on the SPF Website. The committee were updated on the pertinent elements by the Secretary and Chair.

c) **HEALTH & SAFETY**

An update was given by the Vice-Chair in relation to Health & Safety matters which had been discussed at the Joint Central Standing Committee for Health & Safety.

Several matters were highlighted to the Committee including:

- **Naloxone** - A paper had been circulated to the PSoS Clinical Governance Group, which last met on 18th October (chaired by ACC Mark Williams). The paper highlighted a desire from PSoS Substance & Harm Prevention Department and the Scottish Drugs Forum (SDF) to carry out a pilot in two divisions ('K' and 'D' – apparently the two highest divisions regarding drug deaths) in Police Scotland whereby Police Officers would be supplied with Naloxone and trained to administer it intravenously (syringe doses) to persons suspected of having an opioid overdose. In addition to the paper a presentation was given to the group by the Substance & Harm Prevention Department and staff from the Scottish Drugs Forum (SDF), during which they provided the following information:

There have been approximately 1000 drug deaths in Scotland in 2017 - according to the SDF the number of deaths from opioid overdoses in Scotland is now classified as a National Medical emergency!

Naloxone was first introduced in 1996 and was initially piloted in Glasgow and Lanarkshire.

The Lord Advocate has been consulted regarding the administration of the medication and stated that emergency services were exempt from legislation in administering this prescribed drug on the grounds of saving lives.

The SDF advised that Scottish Prison Service staff have now been issued with Naloxone kits.

The SDF stated that since 2011, 50,000 units have been deployed in Scotland although less than 10% have been used. There are no statistics available regarding how many lives have been saved as a result of Naloxone. Apparently, 19 out of 20 opioid overdoses will not prove fatal.

The SDF also stated that Naloxone has no adverse effects and, if it is administered to someone who is not experiencing an opioid overdose, then it will have no effect whatsoever and the medication will simply be processed by the body. This has since been challenged due to the discovery that there have been a number of NHS Safety Alerts disseminated regarding the administering of the medication.

The staff from the Substance & Harm Prevention Department stated that there was a desire from Police Officers to be issued and trained to administer Naloxone, albeit when challenged regarding this statement, they were unable to evidence this claim.

In response to the paper and the presentation, a number of concerns were raised by group members, which included mission creep regarding a Police Officer's role, officer safety concerns and additional burdens on the Police Service. These concerns were shared by the SPF, ASPS, PSoS Clinical Governance Advisor (an NHS A&E Consultant), Unison and the PSoS H&S Team. In addition, it was highlighted that the NPCC are not supportive of Naloxone being supplied to

Police Officers in England, Wales or Northern Ireland and, that they had previously rejected any such suggestions.

During discussion on the subject, it was established that there was no risk assessment currently available for this piece of work, albeit the staff from the Substance & Harm Prevention Department advised that if the pilot was approved, they would produce RA's prior to the pilot go-live date.

ACC Williams appeared to be supportive of the proposed pilot and countered it was a Police Officer's primary role to save lives (actually it is to 'protect life – an important distinction). At the conclusion of this presentation, the ACC advised that this subject would be escalated to the Senior Leadership Board for consideration of approval.

Following the meeting, the SPF raised their concerns with the Force Executive at JNCC at which time any further progress regarding the proposed pilot was put on hold pending further consideration/consultation and discussion, which will be progressed via the Health & Safety Board that is chaired by DCC Fiona Taylor.

- **Safe Seizure, Transportation and Storage of Firearms** - This issue was again raised at the Health & Safety Board meeting on 7th September by the SPF as, it still remains unresolved! The lack of any Risk Assessment for the working practices pertaining to this issue and the lack of ballistic bags (capable of containing a round) across the East Area and indeed the Force, was **again highlighted**. This issue had also been clearly highlighted during the recent firearms amnesty, where complaints had been received from Police Staff regarding the handling of weapons. In response to the significant concerns the Chair of the Board (DCC Taylor) tasked the PSoS Health & Safety Team to carry out an urgent review of the current work practices and instructed that she wanted a paper presented for the next meeting on 7th December (meetings are now monthly since DCC Taylor took over vicarious responsibility for Health & Safety for the Force and the position as Chair of the Health & Safety Board).
- **Health & Safety Investigations** - An update was provided on the status of SPF investigations in the East Area.

The Committee was advised that the report into the officer who was stabbed at Edinburgh College has since been submitted, which included various recommendations. The SPF are awaiting a response from Police Scotland.

- **Operation Moonbeam** - It was recognised that the planning, preparation and resourcing for this years' fireworks season was significantly improved following the events of last year and specifically, the injury to the officer in Edinburgh. It was acknowledged that SPF Representatives in the East had played a significant role in highlighting shortcomings within the Force and ensuring necessary improvements were made.
- **Reduction of Airwave Channels on C and P Divisions** - Recent changes have been introduced by C3 with regards to the number of Airwave Channels in

routine operation within the two divisions. C Division has seen a reduction from 4 to 2 channels, whilst P Division has gone from 5 channels to 3.

Unfortunately, and despite representations from the SPF, Police Scotland did not provide a detailed Risk Assessment in relation to these significant changes to working practices and C3 pressed ahead with what can only be described as minimal consultation with the respective territorial divisions and the SPF.

The SPF will continue to monitor this issue, particularly in terms of position officer's safety and channel capacities and any concerns will be raised with Police Scotland.

- **National Database Enquiry Unit (NDEU)** - Over recent weeks the NDEU has been introduced into C, J and P Divisions in a rolling programme, which resulted in significant concerns being raised by members to the SPF.

Again a familiar story, **no Risk Assessment** provided by Police Scotland in relation to the introduction of this 'new' working practice in the East Area. It is acknowledged that the NDEU has been in operation in the North and the West for some time, and indeed in E Division more recently, however, it does represent a new work practice for the other divisions in the East. The SPF have challenged the Force in this regard and there has been recognition and acknowledgement that this should have been provided.

The project team responsible for NDEU have been delivering presentations within the affected divisions and feedback from those has been good. In addition there is a Moodle Package available, both of which go some way to address the concerns of members regarding officer safety re changing of channels etc.

The SPF are aware that there have been occasions when staff within C3 have apparently not been following the guidance/processes regarding the NDEU, i.e. occasions when it is not safe/appropriate to change radio channels, and members are encouraged to make themselves fully aware of said guidance.

- **Vehicle weights and the new Vehicle Equipment List** - Work continues with regards to both of the above issues and an update was provided.
- **Driver Training** - The SPF continue to have a number of concerns in this area, including:
 - i. The potential removal of basic driver assessments
 - ii. Demand for standard response driver training; and
 - iii. Lack of training of officers to drive high performance vehicles, including ARV's
- **PC-led Custody Centres / Remote Supervision** - Concerns have been raised to the SPF with regards to the introduction of this new work practice at Dalkeith Custody Centre and SPF Representatives in the East are currently investigating the issue.

The Vice-Chair advised the Committee that further information was available regarding Health & Safety matters and any Representative requiring further information should contact him direct. The Vice-Chair reminded the Committee that all Minutes of Standing and Subject Committee Meetings could be found on the SPF website.

d) CONDUCT

The Deputy Secretary informed those present that there had been no Gross Misconduct Hearings since the last East Area Meeting however, there had been two meetings, resulting in verbal warnings for both cases along with improvement actions.

Maintaining anonymity, she then provided the Committee with an overview of the current Criminal and Misconduct cases being monitored.

At a recent SPA meeting, the quarterly figures were presented which makes very interesting reading. Overall, there is a 20% decrease in the number of on duty CAP's. The total number off duty decreased by 60%. There is 38% decrease in assault allegations but a 13% increase in allegations relating to use of force.

The National Gateway Assessment Unit, assessed 508 matters in this quarter with around half of them relating to a business interest or, secondary employment. The other half generally relate to disclosure and controlled drug allegations. The Representatives were told to get the message out to officers that there are still issues to be careful about.

Local Conduct Representatives should by now be linking in with their PSD SPOC and building these relationships for the future.

PSD state they are returning cases which have been assessed as performance however, this is not reflected in the numbers the divisions are actually dealing with!

There has been 63 referrals to PIRC in this quarter, compared to 27 in the same quarter last year and of the 63, 18 resulted in Investigations.

A document has been circulated regarding **PIRC Learning Points** on 23/11. This gives an insight into the continued lack of understanding in respect of non-criminal complaints and, hopefully allows Representatives to be in a better position to advise and guide the members. Officers who are being asked to provide an account on a non-criminal complaint against the Police should have as much information as possible in order to provide a suitable response. Colleagues who elect to not address a specific allegation and, merely deny or refute a suggestion should be aware that this will likely result in the complaint being upheld.

The Representatives were informed that the Conduct Training would commence in the New Year following the elections, enabling any new Conduct Representatives to be trained.

The Deputy Secretary reiterated her request that all members in need are signposted for advice on **all** related matters to a conduct trained representative.

The SPF website contains huge amounts of information on most subject matters but is still vastly underutilised.

e) EQUALITY

As per circulated update, the issues discussed were:

- Flexible working
- Recognition 24 hour service
- Gender mutual hats
- Tribunals regarding gender
- New Grievance SOP
- Attendance Support Meetings
- What are disability and equality
- MAT Leave and a Plain Clothes Allowance

f) DIVISIONAL UPDATES

“C” Division” – Deep Dive

The Committee were updated on a ‘Deep Dive’ that had been conducted in Forth Valley over a week in October. Full Time Office Bearers had went into the Division asking questions about working practices obtaining the views of the staff. The staff appeared to appreciate this exercise as it enabled them to let off steam!

Various issues were identified and have been formally relayed back to the Force and Divisional Commander – various issues including vehicle safety, estates, resourcing, custody, Taser allocation, diploma, use of temporary ranks/secondments and deployment were all identified.

David Reid informed the Committee that the C Divisional Representatives had had a constructive meeting with the Command Team. Topics discussed had been the frustrations with the diploma due to it being a poorly put together process with the Guidance SOP published wrongly. Other issues discussed had been the Work Force Agreement, Tasers and STP’s. Overall it had been a good meeting.

“E” Division

Stevie Neilson informed the Committee that a meeting had been held with the Command Team. One of the topics discussed had been Stop and Search and the reported league table within the South Edinburgh Area which, may or may not

have resulted in disciplinary action. After concerns were raised assurance was given that this was not the case.

Extractions being taken from Division to cover Custody. Positions have been advertised for officers to work within Custody but no one apparently applied!

High Viz Vests are not consistent within the Division and a review had taken place regarding Fleet.

The E Division Representatives wanted to thank Mark Wilson for all his sound advice and guidance during his time as an E Divisional Representative. Mark would not be re-standing.

"J" Division

Michelle Ritchie updated the Committee that the last meeting with the Divisional Commander had been cancelled and was due to be rescheduled in December under the heading "You asked, we acted". Only real issues were Officers within the Division purchasing their own uniform and equipment, the possibility of losing Funded Officers and High Viz Jackets.

"P" Division

Graham Ross updated the Committee, the main issues within the division are reduction in channels and resourcing.

(g) MAJOR EVENTS

Update was provided on forth coming events. Namely Hogmanay, the Torchlight Procession and the Edinburgh Football Derby. Brexit is a massive problem with further information hopefully being available in February 2019. A key date for 2019 will be the 8th June as the Spice Girls Concert in Edinburgh takes place as does the Connolly March!

7 NEW BUSINESS

There was no new business.

8 COMPETENT BUSINESS

- Diploma – causing angst amongst the Force. Force are reviewing, one concept is to combine the diploma, promotion process and probation period together.
- Promotion processes for Constable to Sergeant and other ranks are ongoing.
- Bravery Awards – An update on the SPF Bravery Awards 2018 was provided particularly in relation to the recognition of the actions of members in the East.

9 DATE OF NEXT MEETING

The next meeting will be held on Tuesday 26th and Wednesday 27th February 2019.

10 CLOSURE OF MEETING

The Chair thanked everyone for attending and for their valued input into proceedings. An extended thank you was given to Mark Wilson, Scott Meechan, Colin Nicoll, Wilkie McCloskey and Scott Callaghan who had attended their last meeting as Federation Representatives.

He wished everyone a safe onward journey home prior to formally closing the meeting.

Grant McDowall
Secretary

Andrew Malcolm
Chair