



Scottish Police Federation North Area Committee

Minutes of the 1st quarterly meeting of the Scottish Police Federation – North Area Committee held on Monday 4th and Tuesday 5th March 2019 at the SPF Conference Centre, Dundee.

1. Members Present

Full Time Officials

Gordon Forsyth	Chair
Neil MacDonald	Secretary
Davie Threadgold	Vice Chair
James Thomson	Deputy Secretary

Constables	Sergeants	Inspecting Ranks
Fraser Robertson Mike Purdie Andy Horne Shirley Moran – Day 1 only Gary Johnston Ross Polworth – Day 1 only Linsey Burns Sandy Smart David MacKay	Bruce Crawford Simon Lewis-Dalby Martyn Turner Andy Sawers Pat Nicoll Caroline MacNaughton	Gordon Milne Scott Macdonald Marc Lorente Emma Bowman Nick Clasper

2. Opening of Meeting

The Chairman opened the meeting and welcomed all members present and he encouraged everyone present to take an active part in the meeting and to contribute to discussion and debate.

There was then a presentation from Kevin Thomson and Tom Rintoul of Police Care UK (formerly Police Dependents' Trust) on the services provided.

3. Apologies for Absence

Apologies were received from:

Mark Fleming
Alan Devine
David McAlpine
Norman McGlashan
Shirley Moran – Day 1 only – AL
Ross Polworth – Day 1 only
Kevin Hird
Nicola Trower
Neil Cameron
James Rice
Fionnuala McPhail
Graham Smith

Excusals during meeting;

4. Approval of Previous Minutes

The Minutes of the previous meeting which were circulated in advance of the meeting were formally approved having been proposed and seconded by Fraser Robertson and Scott Macdonald.

5. Matters Arising

5.1 Action/Decision Log

There is one outstanding action from the last meeting;

07/18 Creation of some type of FAQs. Channel questions to Secretary for forwarding to JCC Vice-Chair. Ongoing.

The Committee then broke into three groups to discuss "Strategic Issues". When the meeting reconvened each group gave detailed summaries of their discussions.

The Committee then discussed the issue of Action Logs and lots of views were expressed in relation to this.

6. Standing Items

6.1 JCC Update

Gordon Forsyth, Chair gave an update on the JCC which met on 12th and 13th February 2019 at the Dundee SPF Office.

The Minutes will be circulated when they are received.

The Agenda comprised the usual items.

Legal Advice and Assistance

The Deputy General Secretary, David Kennedy reported on case statistics and updated the JCC on:

Cases have been settled - £171,000

Criminal on duty - 6

Criminal off duty - 20

Civil off duty - 3

Misconduct- 7 on duty 1 off

RTC - 6 on duty 4 off duty

CICA - 1

FAI -

PI - 8 on 11 off

Employment disputes - 8

Employment disputes ex officers - 2

Contract dispute - 6

Property protection -

Other - 4

Three cases were rejected. One of the rejections was in relation to a personal injury claim against another officer which is not covered by the Scheme.

Two appeals were heard.

First appeal was in relation to an officer who was unfairly dismissed in 2004 and the process recently concluded. It was agreed that the officer would have to pay £30,000 towards legal costs and subscriptions.

The second appeal was in relation for funding for a non-harassment order. It was rejected on the basis that the criminal process was still in progress and further information had been requested by the Deputy General Secretary to consider the likely success of any application for an Order.

Holiday Pay Claim

Update from the last meeting that a formula was at the point of agreement when the decision of the Tribunal which provided that claims could go back 20 years. The decision of that tribunal has been appealed. Deputy General Secretary is having further meetings with legal counsel to discuss how to progress the matter.

Allard

Allard is an ongoing situation although it is looking at heading towards legal action. Hopefully the threat will give the Force the focus required to come to a suitable conclusion. The Deputy General Secretary has had meetings with CHIS handlers at Gartcosh and Glenrothes where officers from the north have attended. This provided updates regarding the claim and the proposals for a shift pattern. Further meetings are planned for Aberdeen and Inverness.

Police Negotiating Board

There has been no meeting since the last NAC.

Scottish Police Consultative Forum

There has been no meeting since the last NAC.

Pensions

Following the last review by the Government Actuaries Department it was assessed that too much money was being paid into the Scheme. On that basis it was decided to improve the benefit rather than reduce the contribution rates. Accrual rates were to be increased. However on 30th January 2019, Liz Truss, Chief Secretary of the Treasury, announced that as a consequence of the outstanding legal action the process of revaluing the public pensions is being paused.

Pensions Board met on 5th December 2018. Annual allowance is a tax charge if the value of your pension goes up by a significant amount. The pay rise has taken more into that bracket. Software used by the SPPA is not fit for purpose and mistakes were made. However this affected a small amount of officers who were individually identified.

The SPPA still see police pensioners as a small part of the public sector Schemes they manage. There are circa 18,000 police pensioners compared to 250,000 NHS pensioners. The SPA are becoming more heavily involved to progress a solution.

Scottish Police Authority

There is a formal meeting with the SPA at the Partnership Forum in Glasgow on 20th February 2019. An issue to be raised there is in relation to re-enforcing the SPAs to provide suitable equipment.

Scottish Police Budget and Financing

The draft budget has been published. A letter was written to all MSPs on 11th December 2018 outlining the concerns regarding policing with fewer resources and less funding.

The budget does not support the current 17,134, but the 300 fewer officers that was muted, but that has since been over ruled due to the increased demands of Brexit. The budget does not provide support for fleet or estate to the level that is required to bring it to the desired standard.

A letter has been sent to the Cabinet Secretary for just seeking reassurance that police officers will not be subject to the proposed car parking levy.

JNCC

Last met on 3rd December 2018 and was chaired by DCC Taylor.

Dog Handlers allowances was supposed to be discussed but it had been forgotten about.

Disparities in pay for officers promoted in the East have been addressed for those promoted since the merger. Work ongoing to address promotions prior to that time.

Half pay letter process has been addressed. Process is that line managers will now advise their staff member when they are approaching half pay. This is to be brought in with training for line managers. Letters will be available on request by the officer affected.

Communication of decisions from JNCC. The expectation is that Chris Starrs, Head of Corporate Communications will ensure the appropriate dissemination from this meeting.

Naloxone – Issue of carriage is still ongoing, however there has been strong representation that any consideration of officers administering Naloxone be rejected.

Chair and General Secretary met with the Chief Constable and Deputy Chief Constable Taylor on 28th January 2019. The arbitrary slashing of the ranks and the issues that is causing were raised. Acting ranks in the East having their CRTP removed – being addressed by Deputy Chief Constable Taylor.

PSoS Reform (was 2026 update)

Many of the projects are hinging on the Scottish Government budget for policing.

Mobility project has been given the green light. The training package is significant and looks like it will be properly implemented. The project will roll out in D Division in June and will then go to A Division then N Division before going to the rest of the country. It follows the Adel rollout.

The handsets used in E Division are compatible, but the maintenance contract for the West has almost expired so those will be replaced in the future. This will mean them being turned off in April and the officers having to return to paper for a while.

Core Operation Systems – The next stage has been approved and these will be enhanced versions of what already exists. Unifi is the engine.

No funding for the CJ project.

Telematics has been installed, but not been switched on yet. Unfortunately it has already been paid for in full and is currently doing nothing. Still no risk assessments, displays being fitted into vehicle crumples zones and vehicle batteries are being drained.

WPRB

Feeling that the WPRB should be DCC led as it lacks the authority being led by ACC.

Gold group has been held for the Euro 2020 tournament where four matches will be played at Hampden. A fan zone is likely to be set up for the duration of the event. Early planning of this should enable appropriate resourcing to be identified in the near future rather than a month before the event.

Survey

The second phase of the research project being carried out by Carleton University is going to start in the near future. It will look at the Introduction of Technology particularly the Mobility Project, C3 and Stress.

Brexit

The Operational Commanders have been identified and a Logistics Group has been set up. Public Order reserve staffing has been identified and they will be removed from daily policing, although when not deployed to a Brexit related incident they will be available for deploying locally to deal with incidents that will not require future involvement.

People and Operational Delivery Group

Stop and Search Review Group. Informal feedback is that PSoS very compliant with code of practice. Feedback with those stopped suggests that it's a negative contact experience. In terms of reported numbers has gone from 500k down to 25,000/30,000.

Remote posting process- other priorities in HR have meant it hasn't progressed.

Officers on iVPD - Assistant Chief Constable Johnson advised that two of top nine "vulnerable" victims of hate crime are cops and AFOs. PODG recommendation not to record officers ID on iVPD. Will be taken to JNCC.

Half Pay/ No Pay letters - Recommendation to not auto generate letter. SOP to be updated for 1st April 2019. Information will now be passed by the officer's line manager and there was an acceptance that training for those delivering the message is required.

Assistant Chief Constable Higgins will also consider life changing or life impacting event not just criteria in circular. He will share that view with other ACCs.

PODG Recognised inconsistencies. This ties in with scheme of delegation work we raised and that Assistant Chief Constable Speirs is progressing.

Assistant Chief Constable Johnson proposed the flip decision process, so that default is that pay will be maintained. Nicky Page was tasked to develop paper following discussion with SPF for progress to SLB.

Football Policing Review – Deputy Chief Constable Mark Roberts. Operationally PSoS very fit for purpose. A few recommendations re command CPD. Glasgow as a template for policing football across the country. More fan engagement and football liaison officers than just match day.

FOCUS gets a good report - turn into a policy and Intelligence Unit eg mirroring UKFPU. Single Point of Intelligence – Scotland.

Report also says we're doing too much. Clubs need to do more but not mature enough yet. Cost recovery to be revisited. Deputy Chief Constable Roberts is scathing re Safety Advisory Groups. LAs issuing site certificates without proper assessment. TTROs should be club/LA led.

Call for overarching Government Sport Safety Authority to ensure compliance - Peterhead temporary stand for Rangers a good example of something that would never have been passed in most LAs but was in Aberdeenshire.

Fans Against Criminalisation refused to contribute to report.

SOP review - Will only retain 50 High Risk SOPs. Accessible useful Toolkits instead.

Brexit Major Crime Plan being pulled together.

CTSFO capability- Assistant Chief Constables Johnson and Higgins keen to stay in CT network. Dispute over money and Westminster funding.

Allard- from Assistant Chief Constable Johnson - Final check on figures. Controllers (DCI/DIs) with Rest Days being looked at with a view to rectifying.

BTP Integration

No significant update and is being removed from JCC Agenda.

Police Charities

St Georges Trust – four more Scottish families are now benefitting from support.

PTC – the building at St Andrews, Harrogate has been delayed due to issues with trees. This expansion will create additional capacity at Castlebrae.

PDT – Rebranded in February as Police Care UK. As a part of this there will be more advertising in relation to the services that they can provide. Important for officers who are injured on duty or are exposed to a traumatic event to register with PDT. Financially support 14 Wellbeing rooms which are spaces in offices where officers can go to genuinely relax.

Scottish Memorial Service is at the Scottish Police College on Wednesday 4th September 2019.

Bravery Awards – Nomination Forms have been circulated and the closing date is 16th August 2019. The awards are held in November.

ICPRA/Eurocop

Neither have met since the last JCC. The vehicle surveys for Eurocop will be re-circulated and active participation is encouraged. Massive increase in responses from Spain.

6.2 Subject Committees

The minutes of all national Subject Committees were circulated.

- **CONDUCT**

Davie Threadgold, Vice Chair gave update.

The Vice Chair met with Derek Hiley from PSD to make sure their workloads were aligned in terms of the support provided to officers who are subject to ongoing proceedings. Suffice to say, there were slight differences, but those who require support are getting it.

Amanda Givan, AGS Conduct, is collating any examples of issues with the PIRC from across the area. Examples could be organisation of appointments, access to Reps, conduct of PIRC staff etc etc, please get back with any issues so it can feed back to Amanda.

North Area Conduct Meeting

The conduct leads from across Scotland met with Amanda Givan on 22nd February 2019. We looked for trends across the country to try and see if we could mitigate any of the work that comes our way.

It was acknowledged that the ongoing case at Judicial review involving the 'Whats' appers' has passed stage 1 at Judicial review and will now pass to a full hearing. This may have a significant effect on the way PSD conduct their business.

All new Committee members will receive basic training. As part of that will be a conduct input. I have circulated a process map for the 2014 Regulations which can be used to answer the more basic questions you will be asked.

Those who have been identified as conduct reps, will receive further training in this area.

My hope is that we have people across the country who can deal with a good number of the enquiries, and procedural matters that arise on my behalf.

After this meeting, I will send the conduct reps a list of those officers who I would like them to be a 'point of contact for'.

This should not only enhance the reputation of the SPF, but more importantly, provide extra support to the subject officers.

- **EQUALITY**

James Thomson, Deputy Secretary gave update.

JCC Equality Subject Committee

Met on 29th January 2019 at Dundee. The minutes from this have been circulated and no issues or questions have been raised.

Standing Items

PNB(S) Equality Working Group

Equal Pay Audit continues. The Official Sides findings are still unknown.

Equality, Diversity & Inclusion Employment Group

Deputy Chief Constable Fiona Taylor (Chair) - Flexible working was still the main topic and the different process across the country when dealing with them. The findings welcomed in the Mair v Chief Constable of the Police Service of Scotland is a driver for ensuring continuity across the Force.

Agility & Flexible Working

There have been no meetings.

However there is an understanding within the Force that there should be no real issue with officers requesting a flexible working plan, we are a 24 hours service.

Protected Characteristics

STONEWALL SCOTLAND

We recognise the value of diversity within the workplace – the skills and qualities that every individual brings to our teams and projects across the Force. Our aim is to raise awareness of employment opportunities at Police Scotland with members of minority communities and underrepresented groups.

The Equality Act 2010 replaces previous anti-discrimination laws with a single act which strengthens the protection afforded in some situations and creates nine protected characteristics, which cannot be used as a reason to treat people unfairly. Every person has one or more of the protected characteristics, so the Act protects everyone against unfair treatment. The protected characteristics are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

We are Disability Confident Committed to the recruitment and selection of people with disabilities. We guarantee an interview to any applicant who has a disability as defined under the Equality Act 2010 who meets the essential criteria for the role.

Disability

No issues raised at this time.

Maternity

Town v the Chief Constable of Devon and Cornwall Police – Police Officer wins claim of direct pregnancy and indirect sex discrimination when moved from Response to a Hub when she notified her pregnancy.

Another reminder for all that plain clothes allowance is available and can be back dated to 2013.

Consultation

Police Scotland's Equality and Diversity Mainstreaming Progress Report 2019 was passed for consultation at the end of 2018, a lengthy response was submitted and can be circulated.

Training/Legal Updates

An Equality Training package has been produced.

The implications of the Ms Fiona Mair v Chief Constable of the Police Service of Scotland, relating to flexible working, is still being assessed by Deputy Chief Constable Fiona Taylor.

The findings of Furlong v the Chief Constable of Cheshire Police was shared with the Committee;

A Force's use of positive action under s159 of the Equality Act resulted in unlawful direct sex, race & sexual orientation discrimination against a white heterosexual man.

Brudzinski v the Chief Constable of Nottinghamshire Police ET 2018 findings were also shared with the Committee.

P v Commissioner of Police of the Metropolis UK SC 2017

P claimed to an Employment Tribunal that the Panel had discriminated against her by failing to make reasonable adjustments for her PTSD.

Correspondence

There were no items.

Absence Review

No current statistics for Ill Health Retirement/Redeployment are available however it is known that a number of the officers have been recommended for IHR/Redeployment.

Anxiety/Stress/Depression continues to be the most significant cause for long term absence.

Deputy Chief Constable Fiona Taylor has made the decision to remove the removal of self cert option, this could reduce some of the stress for our members and will relieve some of the pressure on the NHS/GPs and so on.

Competent Business

There was an additional meeting on 19th February 2019 between with the Equality Leads at Merrylee House, Renfrew.

A new HR Business partner for the North has been identified, Michaela McLean. I have a meeting with her on 13th March 2019. I'll update the Committee after the meeting.

There is an awareness that potentially all Reps will be dealing with issues out with their portfolio and as such, it is requested that the Deputy Secretary is copied into all potential equality issues so he can provide support and identify any trends across the North.

- **HEALTH & SAFETY**

Gordon Forsyth, Chair gave update.

The minutes of the last JCC H&S Committee along with local meetings have been circulated to representatives.

Main points:

- Naloxone – Significant concerns raised by SPF, ASPS and NPCC regarding administration by officers. Deputy Chief Constable Taylor directed a SLWG to look at the issues in detail and report back to her. Clear mission creep. Paper presented at the meeting by NHS Glasgow regarding the benefits and that there were no side effects. Safety alerts regarding the incorrect administration of the drug were then highlighted to them.

- Transportation of mental health patients – Dr Stevenson who is a medical advisor to Police Scotland raised an issue of a sedated mental health patient being transported to a medical facility in the rear of a police van. On no account should that happen.
- Health & Safety issues regarding time frames of courses at Scottish Police College. Example given of recces being completed at 0300 hours then the practical commencing at 0700 hours. Is it necessary to do that in a training environment. No risk assessments for the courses.
- Discussion at JCC regarding how to progress H&S failings in the Force. HSE/Crown Office. Use of performance regulations.

6.3 Standing Committees

The minutes will be placed on the SPF website when ratified.

- **FINANCE**

The Chair confirmed that the Finance Standing Committee had met on Monday 22nd January 2019 at the SPF Conference Centre, Dundee and he updated on the discussions at that meeting. The main points of note were:

- General expenditure is down in most areas.
- Despite the volatility of the stock markets and Brexit the investments are still performing well.
- The refurbishment at Woodside Place including repairs to the roof are almost complete and are significantly under budget.
- Renewal of the Member Services package is ongoing.
- Critical illness schedules are changing, but these are across the entire market.
- Due to a change in council policy student accommodation is no longer an option in Glasgow.
- Coffee machines are still being progressed.
- Proposal to have legal surgeries around the country where members can book an appointment to speak with a lawyer on general legal matters. Also looking to solicitors to provide a free basic Will service.

The minutes will be placed on the SPF website when ratified.

- **LEGISLATION & REGULATIONS**

Meeting on 22nd January 2019 at SPF Conference Centre, Dundee.

Main points:

- The post legislative review of the Police & Fire Reform Act by Scottish Parliament Justice Committee. The consultation responses have been submitted no evidence sessions have been called thus far.
- A Review of Complaints Handling, Investigations and Misconduct has been instigated by the Scottish Government and it will be led by Dame Elish Angiolini. Early stage meetings have taken place. Difficult to predict the direction or any outcomes at this time.
- An independent review of policing on affected communities during the 1984-85 Miner Strike. This has been initiated by the Scottish Government and John Scott QC will be the lead. As this will only potentially affect retired officers at this time the SPF will maintain a watching brief.

- **OPERATIONAL DUTIES**

This meeting took place on 22nd January 2019 at the SPF Conference Centre, Dundee.

Learning, Training & Development

Sergeants Pathway – Response has been returned to Carol Lloyd for consideration. Highlighted that there are concerns over the PDC process and any promotion based on that could be considered flawed.

P&D are looking to stop continual promotion in specialist departments.

Public Order Monitoring Group

Training for supporting Northern Ireland is ongoing

CBRN

Salisbury has highlighted issues. Issues being considered regarding supply chain as most of the equipment is manufactured in Europe. Also discussion has taken place in relation to stocks of Atropine that are required by all CBRN officers on deployment.

Procurement of replacement carriers has begun, although this is not being done through any supplementary funding from the Home Office. Six new vehicles have been ordered. Three carriers broke down during the last old firm match deployment.

Post Incident Procedures – No deployments since the last meeting. Still not being used to full effect by the organisation.

Workforce agreement – There are still non-compliant shift patterns across the Force. The majority in the north that were non-compliant have been addressed and new shifts will be applied in the near future.

Custody – Deep dive held in the East following the introduction of PC led facilities.

Armed Policing Monitoring Group – Driver training for ARV officers is to be undertaken. Issues of the training of CTSFOs and their interoperability.

BTP – They are expanding their deployment of Taser in Scotland. Hasn't raised any press coverage.

C3 – Continual cycle of vacancies across the ACRs and Call Centres.

Brexit Public Order Reserve – 3x3x3 shift pattern to be introduced. Commanders will have some autonomy to identify the most suitable officers to go from their Divisions to avoid otherwise essential staff being taken.

OP Unicorn – The Dundee and Edinburgh elements have undergone table top testing.

6.4 Force/Area Meetings Update

Divisional Management Meetings

N – Neil Macdonald, Secretary gave update. The N Divisional management meeting has been replaced by a Peoples Board which meets every month and attended by SPF. The Secretary meets with Chief Superintendent Macdonald and the Senior Management Team monthly or as and when issues arise. The Secretary attends all the Sergeants and Inspectors Leadership Forums, the next one scheduled for next week.

A – Gordon Forsyth, Chair gave update. The FTOs meet with Chief Superintendent Thomson every quarter and will see as and when he needs to. The Commander is keen to look at projects to support wellbeing and acknowledge the good work being carried out within the Division.

Sergeant and Inspector Forum – Hasn't met since the last NAC and is due to meet on 6th March 2019.

Chief Superintendent Thomson has convened a meeting of FTOs, Reps and the wider Command Team to go over proposed developments in the Division. This takes place on 11th March 2019.

D – James Thomson, Deputy Secretary gave update. He meets on a regular basis with the Command Team and is in constant contact with Support Superintendent, Shaun McKillop. The Deputy Secretary also hosts quarterly meetings with Chief Superintendent Todd

along with the Divisional Reps, the latest was 19th January 2019. A number of issues were discussed.

New Community Shift Patterns and CID Shift patterns have passed through the consultation stage and ready for implementation.

Mobile Data within D Division is progressing with training and roll out set for June 2019.

The Division are undergoing Naloxone Awareness Training.

Elected Members Familiarisation Event

On 22nd February 2019, local Elected Members from across D Division were invited to an SPF Familiarisation Event at City Quay, Dundee. The purpose was to introduce both the Full Time Office Bearers within the North and the Part Time Reps based in D Division to those in attendance.

Presentations included a perspective from the Frontline, a Local Commander and a Senior Investigating Officer. **It's What We Do** videos were also played and the question 'what would you do?' posed to those in attendance. There were questions and answers throughout and some real positive engagement during and after the event.

Those attending included representatives of Members of the UK and Members of the Scottish Parliament, Bill Bowman MSP, Shona Robison MSP, Liam Kerr MSP as well as local councillors from across all parties.

During the event there was some excellent debate and questions around the challenges our officers face. We are no different to any other member of the public, but probably more susceptible to mental illness, injury, stress and other related illnesses due to the scrutiny we face and role we carry out.

Real emphasis was placed on the excellent work our members carry out 24 hours a day 7 days per week and there was welcome appreciation for this and the fact if this is to be maintained then it should be properly funded. We can't do more for less.

The **Its What We Do** videos were hard hitting, this was emphasised by the gasps from the room during one of them (Maggie). When asked "What would you do?" only one answer came back "Run".

A massive thanks to those who contributed, in particular Constable Gary Johnston, Chief Inspector Gordon Milne and Detective Chief Inspector Andy Patrick who provided the excellent presentations.

7. New Business

8. AOCB

9. Correspondence

10. Time and Date of Next Meeting

The Chairman advised the next Meeting of the North Area Committee would be held on Tuesday 4th and Wednesday 5th June 2019 at the SPF Meeting Centre, Dundee commencing at 1300 hours on Day 1 and 0900 hours on Day 2.

Dates of future meetings

2nd / 3rd September 2019

2nd / 3rd December 2019

11. Closure of Meeting

The Chairman thanked the Committee for their active and constructive participation and closed the Meeting by wishing everyone present a safe journey home.

He was thanked by the meeting in the customary manner.

Gordon Forsyth
Chair

Neil Macdonald
Secretary