

# SCOTTISH POLICE FEDERATION

## NORTHERN BRANCH

Minutes of the 4<sup>th</sup> Quarterly Meeting held within The Drumossie Hotel,  
Inverness on Wednesday 5<sup>th</sup> December 2007

### 1. Members Present

Ramsay Aitken	Archie Henderson
Julie Connor	Neil MacDonald
John Crawford	Neil MacKinnon
D Craig Dale	Linsey MacKintosh
Les Donaldson	David Miller - Chairman
Graeme Ednie - Assistant Secretary	David Ross
Simon Fraser	Donnie Ross
Alasdair Goskirk	Calum Steele - Secretary
Hamish Grace - Vice Chairman	Martyn Turner

### Also in attendance:

Claire Kerr - JBB Administrator  
Mairi MacGregor - JBB Administrator

### 2. Apologies

Paul Eddington - conflicting commitment

### 3. Opening of Meeting

The Chairman opened the Meeting by welcoming everyone present. He extended a particularly warm welcome to Alistair Goskirk and Neil MacKinnon on their return to the Board and to Martyn Turner attending his first ever Meeting. He congratulated them on their recent success in the elections and encouraged all present to take an active part in the proceedings.

The Chairman advised that prior to lunch, the Board would be making a presentation to some guests to mark their considerable contribution to the Joint Branch Board over the years and that after lunch the Meeting would receive a presentation from Police Federation Mortgages.

The Assistant Secretary thereafter updated the Board with regard to John Jones-Davies health. The Secretary also provided a further update regarding Chris Methven's health, (Secretary, Grampian Joint Branch Board).

The Board wished their continued best wishes be intimated to John and Chris and their respective families.

#### **4. Adoption of Rules**

The Rules were formally adopted.

#### **5. Approval of Minutes of Last Meeting**

The Minutes of the Last Meeting were adopted as a true record.

#### **6. Matters Arising**

##### **6.1. Legal Advice / Conduct**

The Meeting noted a legal opinion in respect of the Force position re transfer expenses was due within the next few days.

The Secretary advised the Meeting that since the last Meeting three new legal cases have been forwarded for consideration for legal advice / assistance. One in respect of a personal injury claim and two in respect of injury award claims.

The Secretary reported to the Meeting that he had meet with staff from the Independent Police Complaints Commissioner for Scotland team and found the meeting to be exceptionally worthwhile. The Secretary advised the Meeting that he believed our members had little to fear from the PCCS.

The Meeting noted the question of challenge for the push pull element of the fitness test related to its relevance to the job, for example, if a female required to exert a certain strength to undertake a certain element of her role, it would be unfair to suggest a male should require in excess of that strength for the same task.

The Meeting noted the inaugural meeting of the Interview of Police Officers subject to complaint Working Group on the 22<sup>nd</sup> November. The Meeting thereafter discussed the use of Operational Statements and noted the intention of ACPO(S) to seek the introduction of a 'common standard'.

The Meeting discussed the Federation advice in respect of complaints and noted the published advice has been agreed by all three staff associations. It was further noted the advice had been agreed by Federation Lawyers prior to publication.

The Meeting further noted instances of Officers from the Professional Standards Department 'door stepping' Members and agreed a lack of initial information was only ever likely to result in brief operational statements being forthcoming.

The Meeting agreed the Secretary should raise this issue with the Head of Professional Standards.

## 6.2. Police Pay and Conditions

### a. PNB and other Circulars

The following circular has been received and is available on [www.northernpolicefederation.com](http://www.northernpolicefederation.com)

Police Circular 7/2007

Chief Officer Appointments - Guidelines

### b. Allowances & Expenses

The Secretary advised the Meeting he had written to the Force highlighting that their 'policy' of restricting stamp duty to £2500.00 was at odds with the determinations governing this issue and requesting they provide the JBB with reasoning for so doing.

The Secretary read to the Meeting the detail of a comprehensive legal opinion which advised, in no uncertain terms, **the Chief Constable had no authority to restrict the payment of Stamp Duty and that his actions were *ultra vires*.**

The Secretary circulated a letter, approved by the Joint Branch Board Executive, which would be sent to all officers subject to transfer, provided the transfer was notified to the Federation office.

The Meeting noted whilst the JBB Safety Representatives had met since the 3<sup>rd</sup> Quarterly Meeting, the purpose of that meeting was essentially to prepare and agree papers for the Safety Committee. As such the Safety Representatives had yet to discuss the significant stresses associated with removal view to bringing this to the Safety Committee.

The Meeting welcomed the comprehensive and unambiguous legal opinion and recognised its content should bring reassurance to those Members currently out of pocket by several thousand pounds and agreed the issue of interest on sums owed required to be addressed.

The Meeting agreed that as the decision making authority in respect of this matter was the police board, the Secretary should write to the Chief Constable, advising him of the content of the legal opinion, and copy him into any future correspondence on this matter, which should be directed to the police board.

The Meeting thanked the Secretary for his work on this matter.

### c. Official Side's proposals

The Secretary circulated, in advance of the Meeting, a copy of the decision of the Police Arbitration Tribunal.

The Meeting noted with considerable disappointment the Arbiters decision to make an award of just 2.5% from the 1<sup>st</sup> September 2007.

The Secretary advised the Meeting that Booth Part 2 had been a substantive agenda item at the Meeting of the Joint Central Committees of Scotland, Northern Ireland, England & Wales.

The Meeting noted the Secretary spoke at length on the subject which, otherwise, generated little debate.

During the Meeting information was received that the Home Secretary had indicated her intention to ratify the award for England & Wales from the 1<sup>st</sup> December. The Meeting, whilst disgusted at yet a further breach of trust on the part of the Westminster Government, recognised such a decision in itself would not necessarily impact on the award made in Scotland, where the decision was ultimately that of Scottish Ministers.

The Meeting noted a request for the JBB Secretary and Chairman to attend a meeting in London later in the month at which time the current situation and direction would be further debated.

### Police Numbers

The Secretary reminded the Meeting of the significant impact of the motion presented to Annual Conference in respect of officer numbers.

The Meeting agreed it was to the huge credit of the Board that the motion in itself had such a significant impact on the political discussions on this very issue.

The Secretary expressed the view the Board should build on this issue and seek an improvement in Police numbers locally. He advised the Meeting that figures he had been working on showed Northern Constabulary to have the poorest officer to member of the public ratio in the whole of Scotland and that, given rurality and sparsity, such numbers were anomalous with what would be expected.

The Meeting agreed the issue was significant and commended the Secretary on the work undertaken to date.

The Meeting discussed the difficulties with recruitment with some expressing the view the transfer policy was in itself a barrier to recruitment.

The Meeting agreed the Board should support the Chief Constable in his efforts to raise the police establishment whilst at the same time calling for any imbalance in ratio to be addressed prior to redistribution of any additional resources.

### **6.3. Safety Representatives Update**

The minutes of the Safety Representatives Meeting were circulated in advance of the Meeting and the contents noted by the Board.

The Meeting noted in particular;

- The diligent manner in which recommendations for the Safety Committee had been drawn together.
- The considerable work undertaken by the Safety Representatives on behalf of the wider Membership.
- The positive development in respect of a programme of inspections.
- The comprehensive response from the Chief Constable in respect of asbestos.
- The considerable work of Derrick Cronie in matters of Health & Safety.

The Secretary advised the Meeting that none of the proposals contained in the JBB Papers for the Safety Committee were rejected at that forum.

The Meeting noted the views of the Safety Representatives who attended this meeting that it appeared to achieve far more than has been in some considerable time.

The Secretary advised that he and the Assistant Secretary had a productive meeting with the external safety auditors and details of their findings will be published in due course.

The Secretary reminded the Meeting of the considerable benefit for Members associated in participation with the Imperial College London study into the effects of Airwave.

The Assistant Secretary advised the Board the long awaited contract in respect of Body Armour had fallen through and other options were now being explored.

The Meeting discussed the tatty standard of the body armour and noted 'carriers' were being gaffer taped as they were falling apart at the seams and wearers being advised to utilise black pen to colour in areas in a bid to maintain the overall appearance of the armour.

The Meeting agreed this issue was now at an intolerable stage and agreed this issue should be brought to the Safety Committee and the Joint Liaison Committee as a matter of urgency.

The Meeting agreed issues in respect of consultation and communication in general appear to have improved and congratulated the Secretary and Safety Representatives for their work.

#### **6.4. Grievance Procedure /Harassment & Bullying Policy**

The Secretary advised that this item was now to be progressed to the PABS agenda.

The Secretary further advised he was due to meet with the Director of Human Resources within the next few weeks to discuss the Force grievance procedure.

A Representative enquired as to the decision making authority in determining whether a matter formally reported as a misconduct offence would be investigated or considered as a grievance.

This matter was discussed at length by the Meeting and it was recognised as the duty of the Deputy Chief Constable to investigate all allegations of misconduct and agreed, that whilst some grievances may contain allegations of misconduct, it would be inappropriate to cause a matter reported as a formal allegation of misconduct to be considered as a grievance.

The Meeting unanimously agreed the Secretary should discuss this issue with the Deputy Chief Constable before formally writing to him on the matter.

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Prior to lunch the Meeting was joined by Alan Drummond, John Jones-Davies and their respective wives. Both Alan and John were thanked for their considerable work on behalf of the Joint Branch Board and were presented with a small gift, as a token of the Board's appreciation.

Alan and John both expressed their gratitude for their gift and wished the Joint Branch Board all the very best for now and into the future.

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Immediately after lunch the Meeting received a presentation from Police Federation Mortgages. This presentation focused on the unique services the company was able to offer Members and the Meeting agreed each Representative would distribute literature on the services to the wider Membership.

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## 6.5. Member Services

The Secretary thereafter provided the Meeting with a breakdown of the benefits paid to Members since the last Meeting,

The Secretary reported responses in respect of a possible amalgamation of the Death Benefit Schemes were generally unsupportive of the proposal. The Meeting noted the Secretary was to discuss with his Grampian counterpart options for increasing benefit or membership to the current NSDB scheme.

The Meeting noted with effect 1<sup>st</sup> October 2007, new retiring members were being provided with the opportunity to remain within the Group Life Scheme, Travel Scheme and Legal Assistance Scheme. As with all such schemes some restrictions apply. The provision of such services only applies to retirees after that date.

The Meeting agreed the continued provision of member services to retired members was a significant benefit.

#### **6.6. Distant Island Arrangements**

The Assistant Secretary reported that the sub committee established to progress this matter had met on 21 September 2007 and that he had circulated a minute of this Meeting to members of the Board.

There had been four actions which currently remain outstanding;

- Paul Fraser to work with FCM Travel to establish some parameters for the value of the allowance based on Adult, Child and OAP fares from each of the island locations to the mainland.
- Andrea Sillars to prepare a draft Force Reference document on the new allowance.
- Andrea Sillars to circulate draft FRD around the group.
- Paul Fraser to advise Andrea Sillars when FCM work nearing completion for Andrea Sillars to reconvene another meeting of the group.

The Secretary advised of his intention, subject to the Meeting's support, to bring a motion on this issue to Annual Conference.

#### **6.7. Ill Health Arrangements**

The Secretary advised that he has received confirmation from the Clerk of the Police Board that efforts to secure a meeting of the Joint Liaison Committee early in the New Year.

The Secretary provided the Meeting with a synopsis of a recent DDA employment tribunal decision in the case of Weaver vs. Chief Constable Lincolnshire.

The Meeting noted the decision and agreed the principle established was of significant benefit to Members.

## **6.8. JJB Executive Update**

The minutes of the JJB Executive Meeting were circulated in advance of the Meeting and the contents noted by the Board.

The Meeting noted in particular;

- The profile and influence of the Joint Branch Board at a National and Political level.
- The renewal of the office insurance.
- The position in respect of the Work Place Agreement.
- The decision to invite former Representatives, who made a considerable contribution to the Joint Branch Board, to the 4<sup>th</sup> Quarterly Meeting each year to receive a small presentation.

The Meeting discussed in particular the influence of the Joint Branch Board and agreed the work undertaken to date was something of which the Board should be rightly proud.

## **6.9. Force Review**

The Secretary advised the Meeting that he had been invited to a Force Review Working Group meeting on the 19<sup>th</sup> December 2007.

The Meeting noted some of the immediate issues in respect of the Force Review had been addressed as a direct consequence of the Joint Branch Board paper submitted to the Safety Committee.

In particular, the meeting noted the inclusion of bulletin updates appended to the FIB and an assurance Annual Leave granted on the basis of current shift patters would as far as possible be honoured in any new pattern to fall from the Force Review.

The Meeting discussed the intention to invite Supt Noble to the last Meeting of the JJB Executive and noted the only reason this never happened was due to a heavy agenda at that time.

## **7. New Business**

### **7.1. Motions for Annual Conference**

### **Accommodation Allowance**

This Joint Branch Board asks Annual Conference to ask the JCC to pursue, through whichever mechanism available, the introduction of an accommodation allowance for those officers not in receipt of a housing allowance.

Proposed by David Ross, seconded by Graeme Ednie and carried.

### **Pay Increase**

This Joint Branch Board asks Annual Conference to ask the JCC to pursue, through whichever mechanism available, a minimum 15% pay increase for all Federated Ranks.

Proposed by David Ross, seconded by Calum Steele and carried.

### **Reimbursement of Expenses**

This Joint Branch Board asks Annual Conference to ask the JCC to seek the introduction into Regulation 35 and Annex V of the Police (Scotland) Regulations 2004, through whichever mechanism available, of a financial penalty clause to assist with the timely settlement of Members legitimate claims for expenses.

Proposed by Calum Steele, seconded by Craig Dale and carried.

### **Examination of Internal Police Complaints**

This Joint Branch Board asks Annual Conference to ask the JCC to pursue with the Scottish Government an increase in the role of the Independent Police Complaints Commissioner for Scotland to enable him to review internal police complaints and their investigation.

Proposed by Calum Steele, seconded by David Ross and carried.

### **Distant Island Allowance**

This Joint Branch Board asks Annual Conference to ask the JCC to pursue, through whichever mechanism available, the introduction of a tax free allowance to replace the current travel agreement to the Distant Islands.

Proposed by Calum Steele seconded by Neil MacDonald and carried.

### **Non Uniformed Roles**

This Joint Branch Board asks Annual Conference to ask the JCC to challenge ACPOS and the Scottish Government to specifically identify those roles which do not require to be performed by a police officer in uniform and to ensure all other officers, who do not currently receive uniform, are provided with uniform to undertake their duties.

Proposed by Calum Steele seconded by Martyn Turner and carried.

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The Secretary advised, that whilst updates provided at the Joint Central Committee advised the bulk of this Joint Branch Board's previously supported motions were 'on the staff side agenda' (of PNB), an update provided at the Joint UK JCC appeared to suggest very little progress in their development.

The Meeting agreed the Board's JCC representatives should pursue any lack of progress on these issues at every opportunity.

### **7.2. Joint Branch Board Composition**

The Meeting discussed the briefing paper, circulated in advance of the Meeting, in respect of the impact of the new divisional structure on Joint Branch Board Representation.

The Meeting noted the current geographical lines along which the Joint Branch Board drew its Representatives and the relative flexibility afforded by the Police Federation (Scotland) Rules in respect of Joint Branch Board representation to alter these 'lines' if necessary.

The Meeting agreed;

Joint Branch Board Representatives should as far as possible continue to be drawn from all areas of the Force.

To secure guaranteed Island Representation the Joint Branch Board should retain the current Islands Electoral Area.

To more accurately reflect the new force divisions, the Joint Branch Board electoral areas should be;

Shetland, Orkney & Western Isles  
Caithness, Sutherland & Easter Ross (Northern Division exc. Islands)  
Ross, Skye & Lochaber (Central Division exc. Islands)  
Headquarters, Inverness, Nairn, Badenoch & Strathspey (Eastern Division)

with officers on Central Service continued to be regarded as Headquarters staff.

Representation should be one Representative of each rank from each area and three Representatives of each rank from Headquarters, Inverness, Nairn, Badenoch & Strathspey.

The Joint Branch Board should give consideration to approaching the Chief Constable and seek one additional non-voting Representative of each rank for Ross, Skye & Lochaber.

The Joint Branch Board should adopt the new electoral areas in advance of the triennial elections scheduled for December 2008.

## **8. AOCB**

### **8.1. PCCS Report**

The Meeting discussed the content of the recent Police Complaints Commissioner for Scotland report.

## **9. Secretary's Correspondence**

The Secretary advised the Meeting that in addition to routine items the following items of correspondence had been received;

- A letter from Derrick Cronie intimating his resignation from the Joint Branch Board.

The Secretary commented the minute should reflect the Board's appreciation for Derrick's unwavering support and efforts over the years and wished him all the very best in his retirement from the police service and into his new career. The Meeting agreed.

- An invitation to the launch of and subsequent cancellation of a SAREC (Scottish Alliance of Racial Equality Councils) reception at the Scottish Parliament.

The Meeting agreed the JBB support the charitable efforts of the cyclists by providing the requested accommodation and that a gift from the JBB be presented to John McNab to mark the occasion of his retirement.

#### 10. Time and date of next meeting


The next Meeting will be the 4<sup>th</sup> Quarterly Meeting and will take place at 10am on Wednesday 5<sup>th</sup> December 2007 at the Drumossie Hotel, Inverness.

#### 11. Closure of Meeting

The Chairman closed the Meeting and thanked everyone for their contributions during what had been an interesting Meeting.

The Chairman then wished everyone a safe journey home and was himself thanked in the customary manner.

pp - *David Miller*  
Chairman  
*Hamish Grace*  
VICE CHAIRMAN

  
Calum A Steele  
Secretary