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| Author: <b>Joanna Chappell</b>       | Organisation:  | <b>Northern Constabulary</b> |
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## NORTHERN CONSTABULARY POLICY FORUM

### MINUTES

**DATE:** 20 October 2011  
**LOCATION:** Conference Room, Police Headquarters, Inverness  
**CHAIR:** Mr. G. Graham, Chief Constable  
**SECRETARY:** Mrs. J. Chappell, Committee Services

#### PRESENT:

|   |  |
|---|--|
| Chief Superintendent J. Innes                       | Head of Support Services                       |
| Superintendent J. Darcy                             | Corporate Services                             |
| Detective Superintendent G. Greenlees               | Crime Services                                 |
| Superintendent P. MacRae                            | Professional Standards                         |
| Superintendent J. McDonald                          | Central Division                               |
| A/Superintendent J. Neil                            | East Division                                  |
| Chief Inspector D. Bushell                          | Central Division (Lochaber, Skye and Lochalsh) |
| Chief Inspector M. Grant                            | Executive                                      |
| Chief Inspector G. MacLeod                          | Central Division (Western Isles)               |
| Chief Inspector G. Murdoch<br>(part of the meeting) | East Division                                  |
| Chief Inspector C. Souter                           | Operational Support                            |
| Mrs. R. Cleland                                     | Head of Corporate Communications               |
| Ms. A. Sillars                                      | Director of Human Resources                    |
| Mrs. E. Ward  | Finance and Asset Management                   |
| Constable D. Ross                                   | Joint Branch Board                             |
| Mr. F. Winston                                      | UNISON   |

#### PRESENT BY VIDEO CONFERENCING:

|                              |                           |
|------------------------------|---------------------------|
| Chief Inspector L. Donaldson | North Division (Orkney)   |
| Chief Inspector A. MacInnes  | North Division (Shetland) |

#### APOLOGIES:

|                               |                        |
|-------------------------------|------------------------|
| Mr. A. G. Cowie               | Deputy Chief Constable |
| Chief Superintendent R. Noble | Head of Operations     |
| Superintendent J. Chisholm    | North Division         |
| Superintendent S. MacKay      | East Division          |

1. **WELCOME and OPENING REMARKS**

The Chairman welcomed everyone to the meeting and noted the apologies.

The Chairman:

- reported that the last meeting had been held on 21 September 2011
- advised that he intended to hold monthly meetings from December to keep members fully engaged and informed of the business regarding service delivery and the critical business in relation to the transition to a single force in Scotland
- took the opportunity to thank everyone for their work in relation to the continued excellent operational performance of the Force during these challenging times. He commented that the Force was well ahead of other forces and often came first against other forces across the UK and Scotland which was a commendable effort in both crime reduction and crime detection rates
- confirmed that confirmation had now been received from the Scottish Government in relation to the spending review settlement. He reported that the early signs had indicated a flat cash settlement for policing in Scotland which should be transported to the Police Authorities prior to being passed on. This outcome was better than expected with a flat cash settlement spanning the 3 years of the Comprehensive Spending Review. However, this would not be without challenges due to inflation pressures and possible wage inflation pressures next year. This outcome, together with utilisation of reserves, would give some stability for 2012/13 which would allow the Force to maintain the police officer and police staff numbers
- advised that the downside to this was that the capital spend would be reduced from year 1 but the police central grant would be increased for year 1 and 2 to recognise the cost of change but would be dramatically reduced in year 3.

2. **MINUTES**

(A) **Policy Forum**

The minutes of the meeting held on 21 September 2011, having been circulated, were approved. The Chairman thanked Mrs. Stephen for her work in preparing and circulating the minutes.

The Chairman reviewed the following Actions:

**Transfer and Deployment Policy**

The Transfer and Deployment policy had been rewritten and was awaiting comment

from Chief Superintendent Noble on his return. This would then be shared with the Executive Advisory Group prior to being submitted to the Operations Service Group and Policy Forum in December. Uncertainty existed around what authority the Force had to commit to anything beyond the next 2 years and the Chairman advised that some form of reassurance for staff who volunteered to serve in the Island areas was required to ensure that they would not be disadvantaged and reported that this could be further discussed at the next meeting. He acknowledged that this issue would impact on the policy that the Force was in the process of implementing.

**(B) Management Service Group – 19 October 2011 Meeting**

Chief Superintendent Innes reviewed the Summary of Policy Implications highlighting, in particular:

- the work undertaken at Divisions and Service Units prior to the meeting
- the new Risk Management and Retention of Personal Records Force Reference Documents
- that work to complete EIAs on the Force Reference Documents by the end of the financial year was on-going. The completion of the EIAs had resulted in technical changes to a number of documents none of which had any significant implications to the Force
- that the Welfare Service, Residential Property Allocation and Residential Police Property – Change of Occupancy Force Reference Documents had been withdrawn. An interim briefing in relation to police property was to be circulated
- the Deployment and Selection – Constable to Sergeant full EIA which had been completed
- the issue raised in relation to the Attendance Management Force Reference Document regarding annual leave while off sick. He advised that the agreed default position was that if someone was off sick then they are not on annual leave. The proposed amendment was not approved and was to be re-submitted to the next meeting of the Management Service Group on 18 January 2012 for approval following further amendment.

**(C) Capital and Project Monitoring Group**

Chief Superintendent Innes advised that he had been asked to Chair the meeting in the absence of the Deputy Chief Constable but due to the number of members on annual leave he had just met with Mr. Spence to review the papers. He reported that there was nothing significant to report from the discussion and that a Discussion Log had been prepared and circulated.

The Chairman requested a brief update on the following projects:

**CLIO 2**

Detective Superintendent Greenlees advised that funding was available and that the project should proceed. A decision was to be taken as to whether it was worthwhile

implementing CLIO 2 across the Force at present or to wait for a national solution. The initial view of the Head of Operations was that if a dedicated Critical Incident Room could be provided at Burnett Road Police Station then there would be significant advantages to having CLIO 2 installed.

### STORM MA

This project had been put on hold due to the delay with the national infrastructure.

### MARAC

Funding for the project had now been agreed. It was confirmed that the project was to be police led and would be set-up the same as MAPPA. Work would now be carried out by the PPU in respect of the development and roll-out. Confirmation as to who would employ the MARAC staff was still to be agreed.

### Digital Recording of Suspect Interviews

Chief Superintendent Innes thanked Mr. Maclean and SPSA staff for their work in relation to this project and highlighted the significant savings which had been achieved.

## 3. **POLICE REFORM PROGRAMME - DISCUSSION**

The Chairman advised that there had been some progress since the last meeting and reported that the consultation draft was almost complete from the second round of consultation issued by the Scottish Government. He thanked Chief Inspector Coats and Chief Inspector Grant for their work. The draft had now been submitted to ACPOS and the deadline for submission to the Scottish Government was 2 November 2011. The draft included the thoughts and views mainly reflecting the comments received in relation to policing the communities of the Highlands and Islands as well as highlighting the issues relating to governance and responsibility.

He reported that a special meeting of the Northern Joint Police Board ("NJPB") had been held yesterday to discuss the Police Reform. A paper had been prepared by Chief Inspector Coats and Chief Inspector Grant and submitted. However, he advised that the NJPB members still had their own views as to what their response should be in terms of consultation. There was however a positive line from the SNP members, which was to be expected, who were fully supportive of a single force although some realisation was beginning to dawn with the centralisation of control. One of the main concerns raised related to the constitution of the new Scottish Police Service which may prevent it from generating/holding reserves and from borrowing. In addition this would create issues around VAT reclamation with VAT being an additional financial burden. He anticipated that if the Scottish Police Service was structured on the NDPB basis as SPSA was there would be some key constitutional issues. He reported that a large part of the response to the consultation document would focus on issues relating to the service's constitutional position.

The Chairman went on to advise that Chief Constable Smith had now been confirmed as having the mandate to work in consultation with the other Chief Constables across Scotland and the authority to work with the Deputy Chief Constables on their portfolios. He reported that 3 or 4 ACPOS meetings had already

been held and that the first meeting of the Police Reform Strategy Group was to be held this Friday chaired by Chief Constable Smith which should provide a sense of priority on the work required to be taken forward. This meeting would replace the existing ACPOS Council.

The ACPOS Half Yearly Conference took place on Friday, 14 October 2011 which was attended by Chief Officers along with representatives from SPSA, HMICS, ASPS, UNISON and the Scottish Police Federation. Workshops were held in order to discuss the key emerging issues which were to be addressed prior to the first day of implementing the Scottish Police Service. The issues identified as requiring clarification were:

- Constitution
- Governance
- Finance
- Human Resources
- New structure design.

In relation to the in-Force work the Chairman advised that the Force was not yet in a position to convene a Programme Board. He reported that the Deputy Chief Constable would be attending the first Deputy Chief Constable's meeting with Chief Constable Smith on 28 October 2011 when they would be given the parameters, guidance and authority to start their portfolios. He reported that our own Deputy Chief Constable held the portfolio for Organisational Governance, Partnership and Performance Management which was a critical area for the new Scottish Police Service. He advised that there were currently differing views in relation to the command structure which required to be clarified. Following the meeting on 28 October a Force project team would be established to set-up a Project Board. He advised that the Policy Forum would be the forum in which to challenge the Project Board and highlighted the importance that communication and consultation with staff must be continued. In response to a question, the Chairman anticipated that following the meeting on 28 October 2011 clarity on the identified key emerging issues in terms of police business would be provided.

Superintendent Darcy highlighted his concerns regarding the timescales, structure and leadership of the project. The Chairman acknowledged the points raised and pointed out that 1 April 2013 was the earliest date in which the new Scottish Police Service could be implemented. This was due to the time required for the legislation to go through the Scottish Parliament. He advised that there was value in setting a date and pointed out that it was likely to be late 2012 or early 2013 before a new Chief Constable for the Scottish Police Service was appointed. It was acknowledged that the transition to a single force would not be easy and the Chairman commented that it was necessary to ensure that the correct individual was appointed to the role of Chief Constable.

He anticipated that the Scottish Police Service would be governed by a Scottish Police Authority with 11 members on the Board. At the moment there were proposals for a mix of elected members from Local Authorities which could include Police Conveners and Police Board members and Government appointments. A feeling from the NJPB yesterday was that 11 members was not enough due to the breadth, span and scope of diversity for policing in Scotland. He reported that it was important that members on the Board had a knowledge of policing in the Highlands and Islands in order to highlight the different approach to policing in different areas across Scotland. He advised that there would be a parliamentary process to go through and reported that some of the issues raised at the meeting would be discussed and debated by the politicians. He advised that he would be meeting with some

politicians in the near future which should allow the opportunity to raise the questions to be asked as the Bill goes through Parliament.

Constable Ross acknowledged the potential concerns and advised that lessons could be learnt from SPSA. He also advised that a Scottish Government led Working Group was looking at the complaints handling and investigation review and the role of HMIC. He reported that he sat on this Working Group as an SPF representative and for the benefit of the meeting he explained the role of the Group. It was reported that as we moved to a new structure it was likely that audit, review and best value would be high on the Agenda in terms of how performance was shaping and it was pointed out that it was only the police who had the required investigatory skills. He also highlighted the issues in relation to public perception. Chief Inspector Grant advised that the concerns highlighted had been included in the report.

Mrs. Cleland advised that Mr. Walker, Head of Corporate Communications for Central Scotland Police had taken on the co-ordinating role for the restructuring of communications and that he would be seeking to involve the other forces. Deputy Chief Constable Scobbie held the portfolio for dealing with the public. She reported that an ACPOS bulletin had been circulated yesterday with further bulletins expected in the future as part of the commitment to keeping people informed of what was happening.

The Chairman advised that once the Project Team had been set-up and decisions had been taken there would be a better indication on the implications to the Force. He advised of the on-going debate in relation to the organisational responsibilities of Chief Constables and the possibility of surrendering some of these responsibilities to allow decisions to be made to move forward and he advised of the responsibilities which could not be devolved. However, he reported that talks on centralised recruitment could begin from an early stage. He advised that the Force would take on 16 recruits in January 2012 and advised of his ambition to have the strongest baseline possible for police officers and police staff to hand over to the Scottish Police Service. It was unclear at present if any future recruitment after January 2012 would take place.

The Group discussed the issues, concerns and views regarding maintaining the current number of posts and the transfer of officers in particular to officers from other areas of Scotland taking up a post in the Island areas. Superintendent McDonald suggested that the new Nis Forum could be used as a method of communicating with staff with regards to transfers even though the Forum had not yet been used to generate discussion. It was pointed out that there was a lot of information currently available to staff regarding transfers. The Chairman advised of the importance of emphasising with staff in particular police staff and being aware of the language used which had potential to demoralise staff.

In conclusion, the Chairman advised that he intended to have the Project Board set-up under the direction of the Deputy Chief Constable prior to the next meeting of the Policy Forum.

#### 4. **OPERATIONAL/BUSINESS UPDATE**

The Chairman invited Divisional and Service Unit representatives to provide a brief update of their respective area.

### Professional Standards and Conduct

Superintendent MacRae highlighted:

- audits were progressing
- the forthcoming PCCS audit of correspondence.

In response to a question from the Chairman, Superintendent MacRae reported that there were currently 2 officers suspended. A report of the officer requested to resign had not yet been received.

The Chairman commented on the low number of complaints and the number of letters of appreciation which had been received.

### Shetland

Chief Inspector MacInnes highlighted:

- the detection rate was up
- the drug enforcement operation that was taking place
- on-going community consultation
- the forthcoming staff changes.

### Orkney

Chief Inspector Donaldson highlighted:

- the operation in relation to the battleships that were sunk.

### Central Division

Superintendent McDonald highlighted:

- the upward trend in the detection rates
- good drug detections
- on-going work in relation to performance and housekeeping
- a review of the objectives contained in the policing plan
- fuel theft was increasing slightly
- the assistance given to North Division for Operation Javelin
- Royal National Mod which was taking place in the Western Isles.

### Western Isles

Chief Inspector MacLeod highlighted:

- the extended licensing hours for the Royal National Mod.

### Lochaber, Skye and Lochalsh

Chief Inspector Bushell highlighted:

- that the detection rate was up and crime was down

- the focus on housekeeping
- the new staff moving to the Area Command
- closure of the A82 for a weekend sometime within the next 4 to 5 weeks due to a loose boulder
- focus on winter maintenance.

### East Division

A/Superintendent Neil highlighted:

- detection rate stood at 67%
- audit processes
- continued partnership working
- on-going work in relation to anti-social behaviour
- the work with the NHS in relation to persistent drinkers
- SNP conference which started today
- the projects in relation to the wind farms.

### Crime Services

Detective Superintendent Greenlees highlighted:

- the work in relation to MARAC
- that funding for the Adult Scheme had been approved
- streamlining of the PPU processes
- Vulnerable Persons Database was still on target for early next year
- child concern form backlog was reducing
- NIM Review
- the refocus of dealing with serious and organised crime
- the current on-going operations
- Clue 2 training which was to be completed by March 2012
- the Crime Management Review.

### Operational Support

Chief Inspector Souter highlighted:

- Torch Relay planning was on-going
- national developments of the SCG
- Road Policing unit ARV pilot which was now in the final stages of pre-planning
- new operational tactic coming up for search tactics which was a mandated tactic from NPIA
- handover with Inspector Gough.

The Chairman thanked Chief Inspector Souter for all his work while in Operational Support and wished him well for his new role in Human Resources.

### Corporate Services

Superintendent Darcy highlighted:

- his thanks to Chief Inspector Grant for her work in chairing a short-life Working Group on the Force Operations Centre (“FOC”) performance and procedures
- that the FOC were now taking out of hours calls for the Highland Council Technical Services department
- agreement had been given for a new member of police staff in the FOC
- the high performance in FIMU
- good partnership working
- risk management issues and thanked Mr. Spence for this work in relation to risk management
- the support from the Divisions for Operation Youth Advantage
- the increase in the number of meetings and thanked the individuals in Committee Services involved in taking the minutes
- the production of the Hate Crime Force Reference Document and implementation of the Autism Alert card.

The Chairman commented on the excellent work carried out in the FOC and FIMU.

### Executive Services

Chief Inspector Grant highlighted:

- the work on-going in relation to the short-life Working Group.

### Corporate Communications

Mrs. Cleland highlighted:

- the Northern Light magazine had been issued
- the winter edition of Northern Light would focus on back office functions
- new intranet was progressing well
- an increase in the use of Facebook
- transport police campaign against metal theft
- community website feedback
- the forthcoming short-term secondment opportunities.

The Chairman acknowledged the excellent community feedback and the opportunity of the short-term secondments.

### UNISON

Mr. Winston highlighted:

- the silence in relation to staff terms and conditions

The Chairman referred to the possibility of strike action and Mr. Winston advised that the results of the ballot should be received by the end of the month. It was reported that the 30 November 2011 was a potential date for strike action which would include all public sectors. The Chairman advised that there were timescales involved with strike action and getting staff back to work after the dispute was over. He reported that the Policy Forum would monitor the progress.

Joint Branch Board

Constable Ross highlighted:

- that this was likely to be his last Policy Forum as he was taking on an SPF role in Glasgow
- thanked the Chairman for allowing him to take up this post
- thanked all for their support
- that if there was anything he could do from a Northern Constabulary's prospective in his new role he was more an willing to assist.

The Chairman thanked Constable Ross for his work and wished him well for his new post. He was delighted that Constable Ross had the opportunity to be involved in the national work.

## 5. **POLICE STAFF TERMS AND CONDITIONS**

Ms. Sillars advised that there was no further movement forward. She reported that the situation had stumbled in a sense that a meeting of the NJPB had taken a particular stance where they would support the formal imposition of the offer made to the Trade Unions. However, subsequent to this there was another meeting and a further tentative offer was put to the Trade Unions for consideration and subsequent to this Mr. MacAskill had issued a letter to staff stating that they would be transferred across to the new Scottish Police Service retaining their terms and conditions which had been widely interpreted as the conditions which exist at this time and not on 1 April 2013. Due to this situation the issue relating to the terms and conditions was moving further into the distance and therefore would not impact or be in a position to impact on the budget for next year.

Ms. Sillars also raised the issue of strike action on pensions which could take place on 30 November 2011. Ballot papers had been sent out to all Union members and she reported that this related to all public sectors in general and not just police staff. The ballot papers were to be returned from individuals by the end of this month and subsequent to this notice would be given as to whether or not there had been a vote for strike action. She suggested that managers may wish to consider their contingency plans now as this had been well publicised by the Unions and she anticipated that strike action would go ahead on this date. This would trigger actions for the Force and she advised that a head count would need to be taken on the day. There was also the possibility of increased annual leave on this day. There was likely to be a stretch on police resources as this was not only about police staff going on strike but the whole of the public sector workers.

The Group discussed the issues and concerns in relation to the proposed strike action and the impact this would have on the organisation. It was pointed out that staffing would have to be managed at a local level and that there was no proposal at present to provide a blanket approach across the Force at this time. It was reported that the Union membership was less than 40% across the Force. However, it was acknowledged that the percentage level would differ in different areas across the Force. In response to a question, Mr. Winston advised that no information would be released as to who would be taking strike action and confirmed that if strike action went ahead it would run from Midnight to Midnight. In conclusion, the Chairman advised that discussions and debate were necessary in order for business to continue. He highlighted the importance of working with staff and getting the correct

balance. He reported that this impacted on the whole public sector which would include the Fire and Health services.

6. **BEST VALUE 2011-12**

The Chairman advised that there was nothing significant to report. He thanked Chief Inspector Grant for her work in relation to Best Value which was currently awaiting comment from the Deputy Chief Constable.

7. **PROCEDURE/POLICY REVIEW/PRIORITIES**

The Chairman advised that the Deployment and Selection policy would be submitted to the December meetings of the Operations Service Group and Policy Forum.

The interviews for Sergeant to Inspector were to take place from 20 November 2011 with 31 candidates being interviewed. The process for Constables to Sergeants was expected to take place in early 2012. Following this there would be an evaluation to review the processes.

Ms. Sillars referred to the police diploma for promotion and advised that the Force had been allocated 15 places. However, early indication showed that there maybe between 30 to 50 applicants. The application process had not yet closed and applicants would be contacted after the closing date.

Ms. Sillars also advised that they had been inundated with requests enquiring if Cadets would be recruited during the next financial year. She reported that this issue would be discussed at the Executive Advisory Group but as yet no decision had been made. Once a decision had been made information would be published on the Force Website. There were differing views from across the Group in relation to taking on more cadets next year which highlighted both the positive and negative benefits. The Chairman acknowledged the need to get the correct balance of Cadets and reported that this maybe the last chance that the Force had to recruit any Cadets.

8. **STRATEGIC PROPERTY REVIEW WORK**

Mrs. Ward:

- reported that work in relation to the operational estate was still on-going with the Highland Council and other local partners to develop protocols on the sharing of information.
- advised that with regards to the residential properties letters had been issued to police officers residing in police properties which had been identified as surplus offering them the opportunity to buy the property. A number of expressions of interest had been received to date and this would be feed back through the Policy Forum.

Constable Ross advised that there had been some confusion with the content of the letter which related to the guarantee offered to police officers for continued

occupancy of the property when on an agreed extension to their tenure. Mrs. Ward confirmed that this guarantee did extend to staff in this position and reported that anyone residing in a police property would not be asked to vacate the property if they had not noted an interest to buy. The Chairman clarified that there would be no change in tenure in order to free up the capital of the property if the police officer had not noted an interest to buy and reported that this would only apply to a limited number of police officers.

Mrs. Ward referred to the position regarding police hostels and advised that Chief Inspector Donaldson had already been involved in discussions regarding hostels in Orkney. He advised that a meeting had been scheduled for 3 November 2011 to discuss this matter. Mrs. Ward also advised that if the hostel project was progressed there would be an opportunity for both Area and Divisional Commanders to be involved.

In conclusion, the Chairman advised that the Force needed to be clear on the position regarding the occupancy of properties prior to the transition to the Scottish Police Service.

## 9. **FINANCE/SPENDING REVIEW UPDATE**

Mrs. Ward advised of the flat cash settlement for the next 3 years. Despite this settlement being better than expected the inflation still had to be factored in for 2012/13. She identified one area of work that required to be carried out was with the Constituent Authorities in relation to the funding disparity for 2011/12 which was not funded at the maximum level that was available within the public sector funding. Currently the Police Grant was a nominal 51% and it was up to the Constituent Authorities if they decided to fund to 49%. However, the Force has not been funded at this level for the last 2 years. There was still work to be done with the Constituent Authorities which would hopefully bring the Force back up to this level.

In relation to the capital there was likely to be an 18% reduction for 2012/13. However, she anticipated that the Fort William project would continue in the summer of next year.

Mrs. Ward advised that work on the budgets would begin over the next few weeks when they would be working with the Business Units on the budget setting process for the next financial year.

The Chairman advised that he, Mrs. Ward and the Convener would be visiting the Constituent Authorities to agree the capital and revenue requisitions and grants. He reported that the Force was doing well in terms of financial revenue and thanked everyone for their efforts.

## 10. **ANY OTHER COMPETENT BUSINESS**

Detective Superintendent Greenlees advised that Lord Carlway's Review was due to be published in November of this year and reported that this would impact on the Force. He reported that this would be progressed through the Criminal Justice Business Area.

Chief Superintendent Innes advised that the HQ Business Management Unit would

be transferring from the Corporate Services Service Unit to Finance and Asset Management.

11. **NEXT MEETING**

The next meeting had been scheduled to take place on 20 December 2011.

12. **CONCLUSION**

The Chairman thanked all present for their participation and contributions to the business of the meeting.

13. There being no further business, the meeting concluded.