



**Police Negotiating Board  
for Scotland**

**Bòrd Bargaich Poilis  
na h-Alba**

# **Operations Guide**

## 1. Overview and background

The Police Negotiating Board for Scotland (PNBS) is a public body in Scotland as of 17 August 2023 and is classed as 'other significant national body'. The PNBS replaced the Police Negotiating Board, which negotiated pay for police officers across the UK and from 2016, only for Scotland.

The legislation for the PNBS is set out under the [Police and Fire Reform \(Scotland\) Act 2012](#), in particular [Chapter 8A](#) and [Schedule 2A](#). The body was brought into force through Regulations and two Commencement Orders ([No. 7](#) and [No. 8](#)).

In accordance with paragraph 5 of [Schedule 2A](#) of the [Police and Fire Reform \(Scotland\) Act 2012](#), the Scottish ministers prepared and published the [PNBS constitution](#) which details the functions, membership, roles and negotiation framework of the PNBS.

The legal basis and statutory obligations of the PNBS are set out in the legislation and constitution above and this guide is only intended as a reference document.

## 2. Purpose and remit

The PNBS negotiates agreements on the terms and conditions of officers of Police Scotland. It considers matters affecting police constables (other than special constables) and police cadets, all in accordance with sections 55B(1) and 55C(1) of the 2012 Act:

- a) pay, allowances and expenses
- b) public holidays and leave
- c) hours of duty
- d) draft regulations
- e) draft determinations
- f) governance, administration and conditions of service

The PNBS, within its remit of police officers' pay, terms and conditions will undertake the following activities as and when required:

### **Negotiation**

Of Claims (submitted by the Staff Side) or Proposals (submitted by the Official Side) to the PNBS.

### **Discussion of issues**

Issues may be raised by any member through the Joint Secretariat (Official, Staff and Independent Secretariats). Discussion may occur at the PNBS or a subgroup thereof (i.e. Technical Working Group).

### **Guidance**

Interpretation of extant terms and conditions may be sought by a member through the Joint Secretariat. Clarification and guidance would then be provided by the PNBS.

The PNBS may have other functions as required by statute per the constitution.

### 3. Membership

The PNBS consists of the Independent Chair and Secretariat, the Official Side and the Staff Side. Each side consists of six members with voting rights as indicated below.

**Table 1 – Official Side**

<b>Constituent Body</b>	<b>Total</b>
The Scottish Ministers	1
The Scottish Police Authority	3
The Chief Constable of the Police Service of Scotland	2
<b>Total</b>	<b>6</b>

**Table 2 – Staff Side**

<b>Constituent Body</b>	<b>Total</b>
The Scottish Chief Police Officers Staff Association	1
The Association of Scottish Police Superintendents	1
The Scottish Police Federation	4
<b>Total</b>	<b>6</b>

## 4. Definitions

- ④ **ACAS - Advisory Conciliation and Arbitration Service:** Independent public body which offers independent conciliation and arbitrations services should they be required.
- ④ **Circular:** A circular sets out agreements between staff and official sides. Approved circulars are published by the PNBS Independent Secretariat.
- ④ **Claim:** A formal request from the Staff Side for changes to the current pay, terms and/or conditions of police officers.
- ④ **Guidance/request for guidance:** A request for interpretation or clarification of an existing regulation or determination within the remit of the PNBS.
- ④ **Independent Chair:** Chairs the PNBS to neutrally support and facilitate the process of negotiation and conciliation where required, discussion of issues and provision of guidance.
- ④ **Independent Secretariat:** Primary contact for the PNBS, ensuring good governance in communication and processes of the PNBS.
- ④ **Issue:** A topic which may come to the PNBS via either side or ministerial direction which is within the remit of pay, terms and conditions. It may include the details of an agreement or an ad hoc development.
- ④ **Joint Secretariat:** Led by the Official and Staff Side Secretaries (Independent Chair and Independent Secretariat if required). Side Secretaries may bring other members of their respective side as and when appropriate.
- ④ **PNBS Constitution:** Published May, 2023, the [Constitution](#) of the PNBS is prepared by the Scottish Ministers in accordance with paragraph 5 of [Schedule 2A](#) of the [Police and Fire Reform \(Scotland\) Act 2012](#).
- ④ **PNBS Meeting:** Refers to formal meeting of all PNBS members. Scheduled three times per year with an option to reduce or increase the number of meetings based on requirements.
- ④ **Police Officer Handbook:** The agreed [guide to police officer conditions in Scotland](#) to ensure a shared interpretation and consistent application of the negotiable conditions contained within the Police Service of Scotland Regulations, Determinations and supporting circulars.
- ④ **Proposal:** Official Side response to Staff Side Claim or initiation of offer.
- ④ **Side Secretary:** Representative selected by each side to be the primary contact/negotiator.
- ④ **Technical Working Group (TWG):** A standing sub-group of the PNBS comprised of PNBS members who agree to work together on the detail of issues / topics / guidance / claims / proposals on behalf of the PNBS.

## 5. Meetings

### 5.1 Format

Meeting formats should ensure that the PNBS works as effectively as possible whilst meeting the needs of all members and the remit of the board. Per the PNBS constitution, the Chair decides how meetings of the board will be conducted. However the preference is that the format serves the purpose of the board and is agreed by members and therefore is subject to change.

Official Side and Staff Side meetings are conducted as the respective Side sees fit.

### 5.2 Quorum

As set out in the PNBS constitution, the board must be quorate for agreements of the board to be made. To be quorate there must be 8 members present at a meeting, with at least 4 members from each of the Official Side and Staff Side. If a meeting of the board is found not to be quorate the Chair may either suspend the meeting or continue with the meeting, with any decisions of the board postponed to the next quorate board meeting.

### 5.3 Records

#### 5.3.1 PNBS members

Records will be kept per request of Independent Chair for ongoing work.

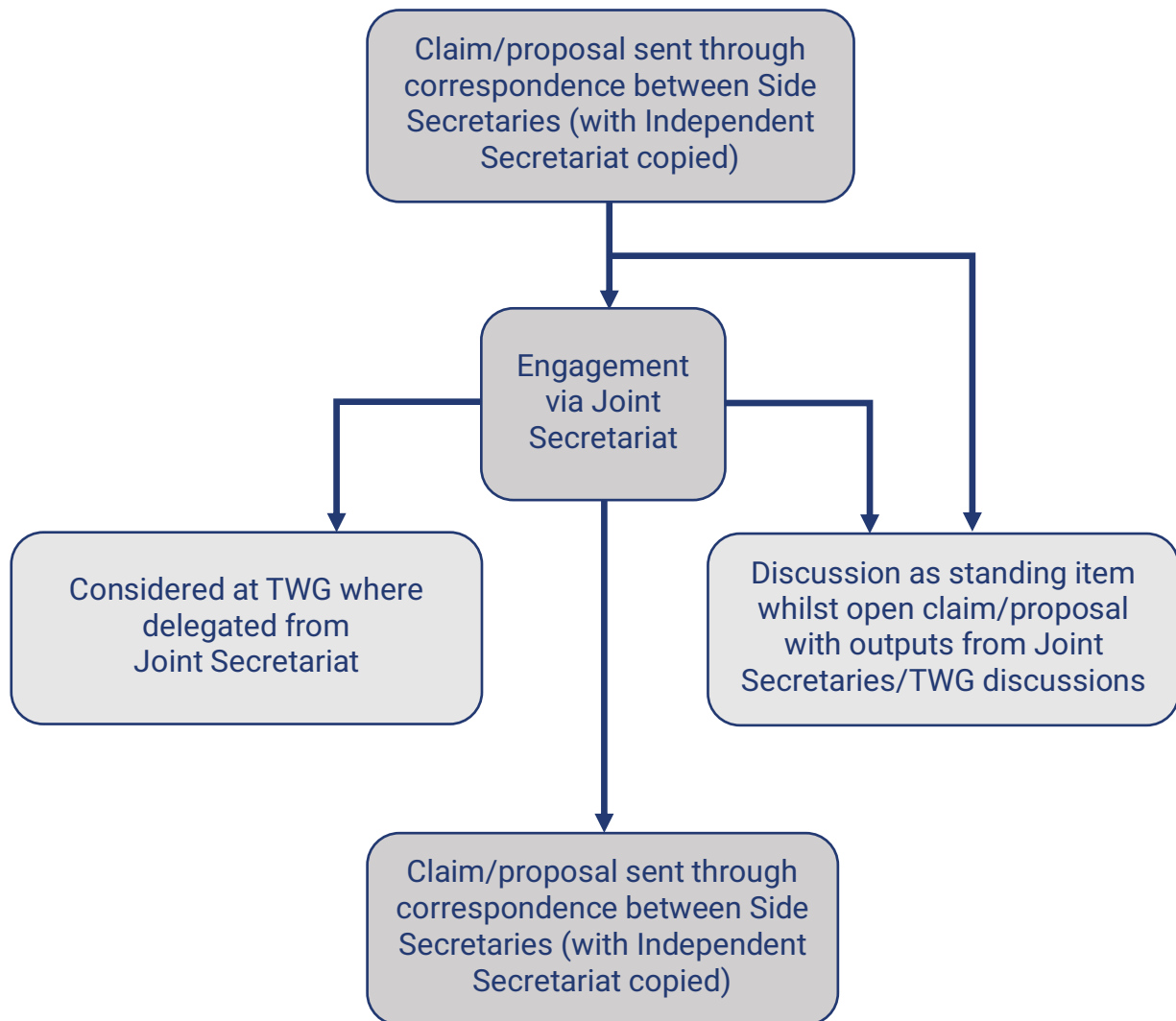
#### 5.3.2 Public

Public communications will be available on the [Police Negotiation Board for Scotland website](#).

## 6. PNBS process flows

### 6.1 Formal claim or proposal

When the Staff Side wishes to submit a formal claim, or the Official Side offers a proposal, the process flow is as follows:

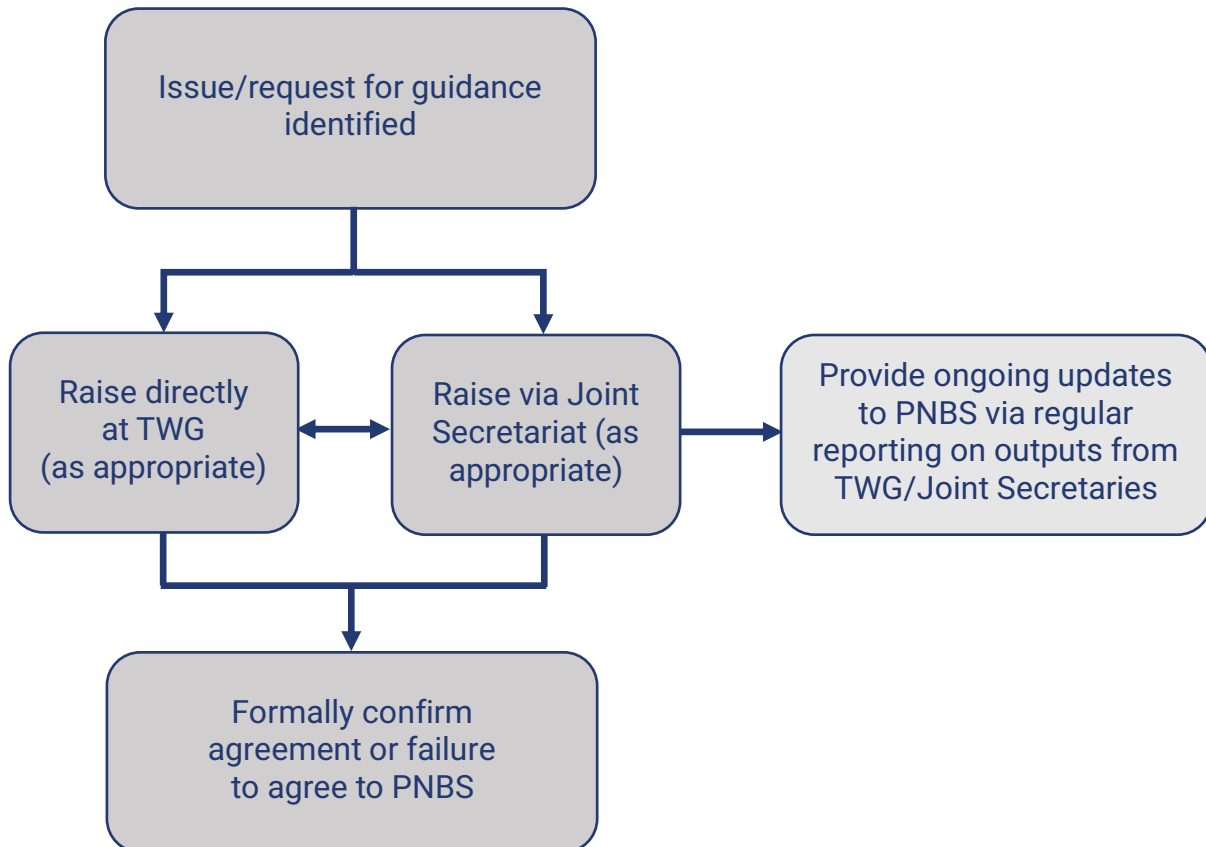


#### Key Notes

- For formal claim/proposal, central point of engagement should be Joint Secretariat
- Delegation to TWG should only take place when agreed via the Joint Secretariat
- Updates from TWG should go via Joint Secretariat to PNBS
- Attendance of the Independent Secretary and/or PNBS Independent Chair at Joint Secretariat meetings to be determined as required

## 6.2 Issue or request for guidance

When topics, issues, or requests for guidance come to the PNBS via either side or ministerial direction; or which is within the remit of pay, terms and conditions, the following process applies:



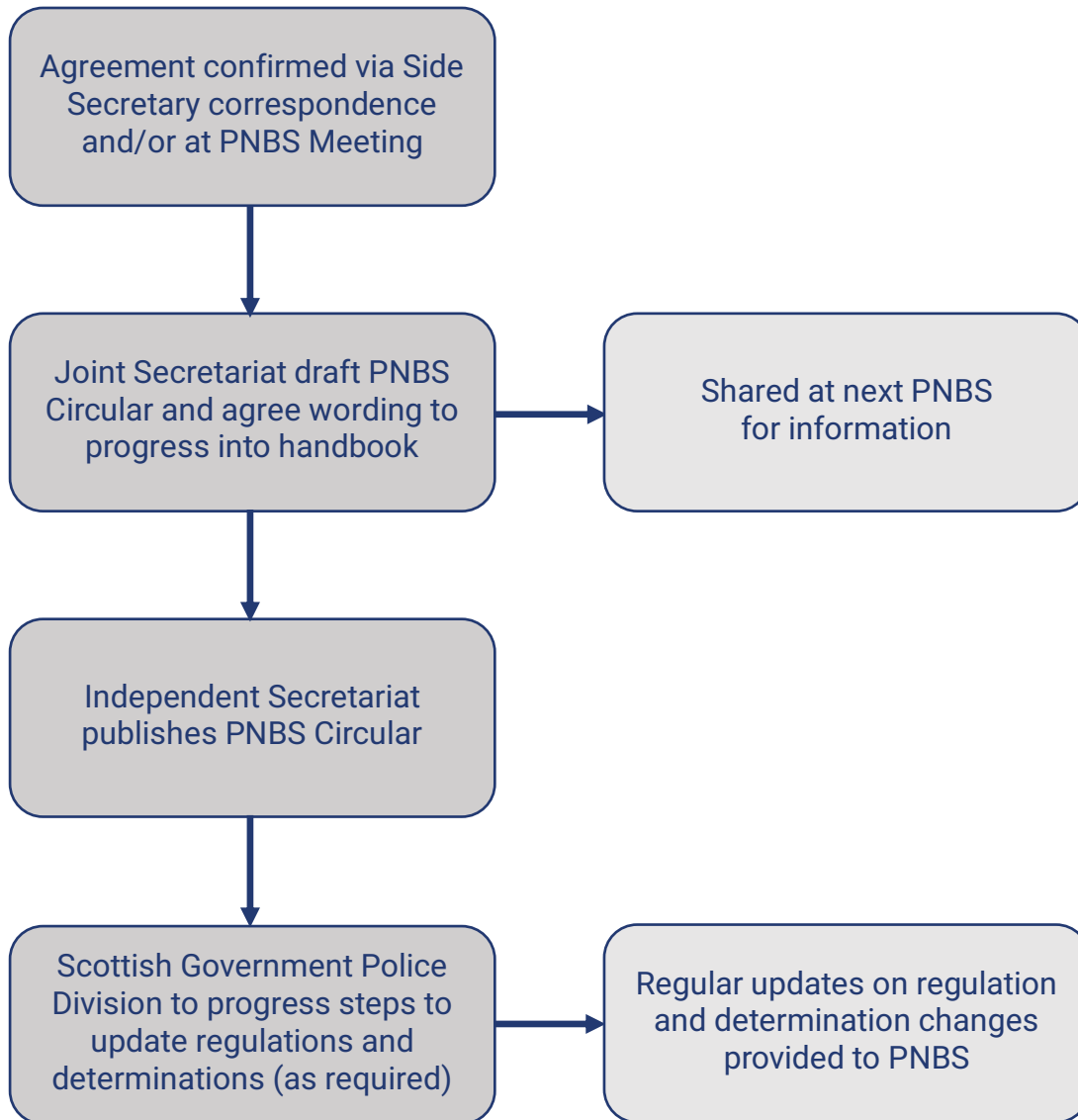
### Key Notes

- For issues/requests for guidance, there is no formal requirement to progress via Joint Secretariat in the first instance where determined that it is suitable for discussion at TWG
- Joint Secretariat and PNBS will receive regular updates on issues/requests for guidance under discussion at TWG
- Where TWG is unable to identify a solution, this should be escalated to the Joint Secretariat for resolution
- Attendance of the Independent Secretary and/or PNBS Independent Chair at Joint Secretariat meetings as required
- Unlike formal claims, agreements can be reached via TWG and reported directly to PNBS without the need for discussion via Joint Secretariat



### 6.3 Process following agreement

Once agreement is confirmed at PNBS, it is required to be in writing as follows:

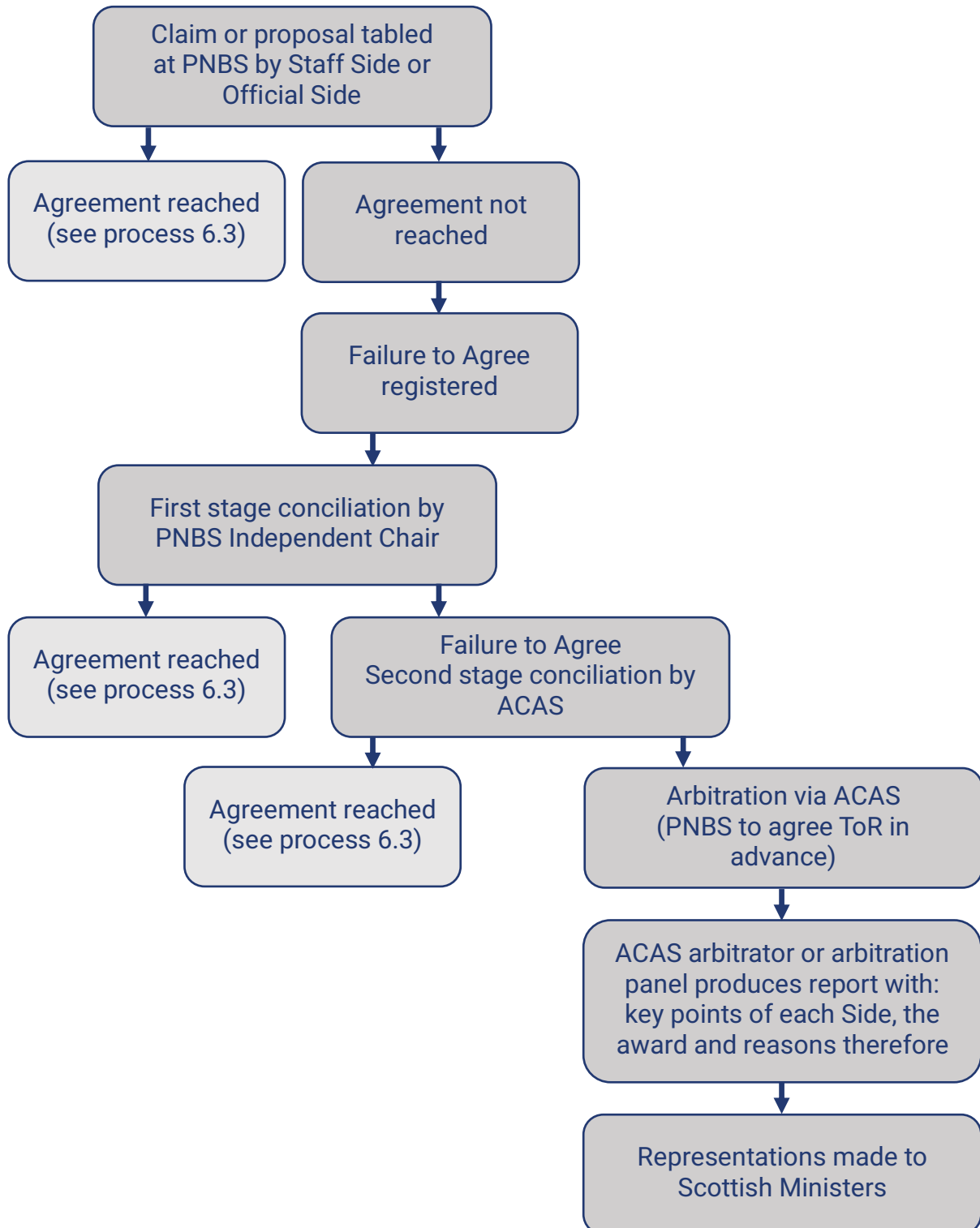


#### Key Notes

- Scottish Police Federation maintain the [Police Officer Handbook - Agreed Guide to Police Officer Conditions in Scotland](#) and is responsible for ensuring all changes are updated

## 6.4 Process for conciliation and arbitration

While members of the PNBS will at all times strive to reach agreement on matters under consideration, and the Chair will take all reasonable steps to ensure that the board reaches agreement, there is a process for conciliation and arbitration if required. The following is a brief summary. Full details are in the PNBS constitution.



## Key Notes

- Either the Official Side or the Staff Side may register Failure to Agree
- There may be a maximum of two qualifying cases in any one reporting year. Only one case can be a claim other than the annual pay award
- Where representations have been made to Scottish Ministers, Ministers must take all reasonable steps necessary to give an effect to those representations

## 7. Sub-groups of the PNBS

There is a history of sub-committees or working groups of the PNBS meeting independently to undertake the detail of topics, issues, claims and proposals with the purpose of facilitating the outputs of the PNBS work whilst updating all members at PNBS meetings.

To simplify and clarify this process and to streamline reporting, the Technical Working Group (TWG) is the only standing sub-group. The TWG can establish sub-groups in relation to specific issues, but these groups will all feed back into TWG to support a single update on sub-group activity to the PNBS.

The PNBS Independent Chair will retain oversight of the TWG and receive regular updates, attending if/when required. The TWG will update all members at every PNBS meeting.



© Crown copyright 2024



This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit [nationalarchives.gov.uk/doc/open-government-licence/version/3](https://nationalarchives.gov.uk/doc/open-government-licence/version/3) or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: [psi@nationalarchives.gsi.gov.uk](mailto:psi@nationalarchives.gsi.gov.uk).

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at [www.gov.scot](http://www.gov.scot)

Any enquiries regarding this publication should be sent to us at

The Scottish Government  
St Andrew's House  
Edinburgh  
EH1 3DG

ISBN: 978-1-83601-201-6 (web only)

Published by The Scottish Government, May 2024

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA  
PPDAS1449598 (05/24)

W W W . g o v . s c o t