

# **Police Negotiating Board (Scotland)**

## **Report of the Independent Chair 2022 - 2023**

**October 2023**

<b>Contents</b>	
<b>Background</b> .....	<b>2</b>
<b>Part 1</b> .....	<b>3</b>
Introduction .....	3
Main issues in the review period .....	3
<b>Part 2</b> .....	<b>6</b>
Chairman’s comments .....	6
<b>Annex A</b> .....	<b>8</b>
PNB officers and members .....	8
<b>Annex B</b> .....	<b>9</b>
PNB meetings .....	9
<b>Annex C</b> .....	<b>10</b>
PNB Agreements Reached August 2022 – July 2023.....	10
<b>Annex D</b> .....	<b>11</b>
PNB Strategic Commitment Working Group terms of reference .....	11
<b>Annex E</b> .....	<b>12</b>
Background on workforce size .....	12

## Background

The Police Negotiating Board (PNB) fulfilled the legal requirement, under [section 61](#) of the [Police Act 1996](#), for a body comprising appropriate representation to consider 'questions relating to hours of duty, leave, pay and allowances, pensions or the issue, use and return of police clothing, personal equipment and accoutrements.' The PNB sought to reach agreement on those matters and the agreements then became recommendations to be passed to the Scottish Ministers. Ministers would decide whether to accept the recommendation (agreement) and enact it in law.

The PNB was an advisory non-departmental public body under the [Police Act 1996](#), but only existed for the negotiation of police officer terms and conditions in Scotland. [Revisions to the PNB constitution](#) to reflect this change were approved by the Home Secretary in July 2014. The [Criminal Justice \(Scotland\) Act 2016](#), which contained the provisions to establish the Police Negotiating Board for Scotland (PNBS), completed its parliamentary passage on 8 December 2015 and became an Act of Parliament on 13 January 2016.

Commencement Orders ([No. 7](#) and [No. 8](#)) allowing for the establishment of PNBS were laid before the Scottish Parliament on 4 May 2023, coming into force on 17 August 2023. PNBS replaced the PNB which was abolished at that time.

Under the PNB arrangement, the parties to negotiation were the Official Side, comprising representatives of the Scottish Ministers, the Scottish Police Authority and the Chief Constable of the Police Service of Scotland; and the Staff Side comprising representatives of the Scottish Police Federation, the Association of Scottish Police Superintendents and the Scottish Chief Police Officers Staff Association.

An Independent Chair was appointed by the Prime Minister and supported by an Independent Secretariat based in the Scottish Government Safer Communities Directorate.

In accordance with the PNB constitution, the Independent Chair is required to prepare an annual report for Ministers on the business of the PNB covering the 12 months of the reporting period. This report marks the final annual report of the Police Negotiating Board.

# Part 1

## Introduction

1.1 This is the 23rd Annual Report of the Independent Chair of the Police Negotiating Board (PNB) and the sixth to cover Scotland only. It relates to the period 1 August 2022 to 16 August 2023, which marks the final date of the PNB before it was replaced by the Police Negotiating Board for Scotland (PNBS) on 17 August 2023.

1.2 Ian McKay was appointed as the Independent Chair of the PNB on 17 August 2015 and the Scottish Government's then Cabinet Secretary for Justice also appointed Mr McKay as Independent Chair of the Scottish Police Consultative Forum (SPCF). Mr McKay was re-appointed to these positions from 17 August 2019 and remained as Chair until the formation of the PNBS.

1.3 A summary of the membership of the PNB is provided at Annex A and information about the number and attendance of meetings held in this reporting period is provided at Annex B.

## What we do

1.4 The PNB provided the negotiating forum for the pay and conditions of service of police officers in Scotland. The PNB also provided a means of enabling the representatives of serving police officers, and of those engaged in the management and governance of Police Scotland, to bring their expertise to bear on practical issues that affect the conditions of service of police officers.

## The main outcomes in 2022 – 2023

1.5 The following section reports on agreements reached and on the progress towards agreement on a range of topics including: Pay 2022 claim and the formation of a strategic commitment working group to identify opportunities for improvement.

## Main issues in the review period

2.1 Agreement was reached in August 2022 on changes to pay and terms and conditions with effect from 1 April 2022. The agreement included a 5.0% increase on all pay points for all ranks and a 5.0% increase to all appropriate allowances. Changes to a range of other allowances were also agreed.

2.2 Agreement to work together to agree the terms of, and deliver, a shared strategic commitment which will look to reduce the working week and the level of disruption to all police officers in a way that is financially sustainable whilst continuing to deliver high quality policing services to the public.

2.3 In March 2023, the Staff Side submitted a Pay 2023 claim. Agreement was reached for both sides to commence preliminary discussions. As of 16 August 2023, no pay deal had been agreed.

2.4 Members contributed to the formal consultation on [PNBS regulations, constitution and arbitration arrangements](#) which took place in February 2023.

### **Strategic Commitment Working Group (SCWG)**

2.5 The SCWG, comprising of members of the PNB, was established as part of the 2022 pay settlement. Following the initial meeting of the SCWG in December 2022, members agreed to form two sub-groups in relation to health and justice to identify opportunities for improvement.

2.6 The Health and Justice Interface groups were composed of members representing the Official and Staff sides. Both groups produced a report to the SCWG and PNB on findings and proposals to take work forward.

2.7 The Justice sub-group met in March 2023 and identified police witnesses as a key area where improvements to practices and processes would reduce officer workload. Members proposed that the SPCF take this work forward. This approach was approved by the SPCF and PNB.

2.8 The Health sub-group met in February and May 2023. A number of areas were identified where there were opportunities for improvement, particularly around the time spent by officers in health settings. Police Scotland proposed setting up a short-life working group outwith the PNB to take this forward. This was endorsed by the PNB in June 2023.

2.9 Members noted the positive, collaborative, practical approach to the working groups worked very well and support their continued use in the future.

### **Technical working group (TWG)**

2.10 The TWG met on 7 occasions during the period covered by this report and discussed a range of matters under its remit including:

- Acting ranks (Pay 2022)
- Annual leave calculation (Pay 2022)
- Electric vehicle mileage
- Flexi-time operation (Pay 2022)
- Inspector/Superintendent allowance (Pay 2022)
- Islands allowance (Pay 2022)
- Overseas allowance
- Paid parental/family friendly leave (Pay 2022)
- PNB Handbook
- Short-notice rest day working allowance
- Travelling expenses
- Unpaid leave (Pay 2021)

2.11 During this reporting period, the TWG meetings have taken place without a formal chair at the agreement of both Sides due to a commitment to collaborative working by both Official and Staff Side representatives.

## **Conciliation and arbitration arrangements**

2.12 Conciliation and arbitration arrangements were not used in the reporting period.

## Part 2

### Chair's comments

3.1 It has been the practice that the Chair of the PNB should offer some personal remarks in this report, and I continue that practice here. These are of course my remarks and do not represent the views of the Sides.

3.2 This year has seen the long-awaited legislative process to establish the Police Negotiating Board for Scotland (PNBS). This development means that the current PNB, which is governed by UK legislation but operating only in Scotland, is now to be replaced. PNB operating in Scotland has offered a long apprenticeship for the Scottish organisations involved and I am very optimistic that the PNBS can build on the work of the PNB. I wish the body; its Chair and the organisations involved every success in what will be financially challenging years.

3.3 I would commend to the new body that it seeks to continue the structure and practice of the PNB in its Strategic Commitment Working Group (SCWG). This group has worked this year to explore the interface between policing and health, and separately, policing and the justice system. While the outcome of this work may be in the future, the levels of positive engagement and cooperation shown in the work of the SCWG has considerably enhanced the work of the PNB as a whole, and I believe a similarly established body can offer the same advantage to the operation of the PNBS.

3.4 The advent of the PNBS will also have implications for the work of the Scottish Police Consultative Forum (SPCF). SPCF continues to be a useful vehicle for discussions and scoping out of issues that may then be brought to the PNB for completion or reported directly to Scottish Government Ministers. This has proved to be a very useful activity in previous years and in the past year SPCF has also been engaged in internal discussions on how its role and purpose might change in the future. These discussions are still ongoing, but I am strongly of the opinion that the ability to provide a 'safe space' for those organisations concerned with policing in Scotland to discuss openly and frankly, and come to consensus views to advise policy here, is of great and continuing importance. In addition, the engagement of the policing community with wider groups and sectors in Scottish society through the offices of the SPCF is a vital part of good relations and shared experience.

3.5 Progress in the discussions around the main Staff Side Pay Claim this year was again slow and frustrating for both Sides and was not assisted by a general economic situation which saw considerable price inflation and a worsening cost of living crisis over the year. As I have said previously, both Sides of the PNB are fortunate to have skilled and experienced negotiators in their leadership, without whom I fear that the last year might have seen more serious disruption and failure to agree in the negotiation process. Unfortunately, the economic conditions which spawned these problems has not abated and both Sides will be hard pressed to provide the deserved annual uplift in salaries without the Scottish Government recognising the need for special recognition of this workforce and the need to ensure proper reward for their service.

3.6 I am again grateful for our link with officials from the Scottish Public Pensions Agency (SPPA) through the direct involvement of SPPA personnel in meetings of the PNB, which provides very useful information on related matters. Finally, in all this process, I am indebted to our Independent Secretary Scott McNeil and other colleagues within the Police Division for their support over the last eight years.

3.7 It has been my privilege to chair the PNB and SPCF for the last eight years and that experience has reinforced my belief that Scotland is well-served by its single police service and we, the people of Scotland, owe a great and continuing debt to the men and women who serve that police service.

Ian McKay  
Independent Chair  
Police Negotiating Board Scotland



## **Annex A**

### **PNB officers and members**

Independent Chair: Ian McKay  
Independent Secretariat: Scott McNeil

Official Side Secretary: Sarah Messenger  
Official Side Secretariat: David Algie  
Staff Side Secretary: David Kennedy  
Staff Side Secretariat: Provided by the SPF

The Independent Secretariat is provided by the Scottish Government Safer Communities Directorate.

PNB officers and members as at 16 August 2023

#### **Official Side**

##### **Scottish Police Authority (SPA)**

Jane Ryder  
Fiona McQueen  
Caroline Stuart

##### **Police Scotland**

Alan Spiers  
David Page

##### **Scottish Government (SG)**

Graham Thomson

#### **Staff Side**

##### **Scottish Police Federation (SPF)**

David Kennedy (Staff Side Secretary)  
David Threadgold  
Lorna Cunningham  
James McLaren

##### **Association of Scottish Police Superintendents (ASPS)**

Suzie Mertes

##### **Scottish Chief Police Officers Staff Association (SCPOSA)**

Andrew Barker

In addition to those listed above, attendance at PNB meetings is supplemented by participants and observers from each constituent body.

## Annex B

### PNB meetings

Details of all meetings held in the review period, and of attendance at full PNB, are set out below.

Police Negotiating Board	Three regular meetings: October, January and June
PNB working-groups	Strategic Commitment Working Group: Meetings held in December and January
	Health Interface Group: Meetings held in February and May
	Justice Interface Group: Meeting held in March
	Equalities Working Group: No meeting held
	Technical Working Group: Meetings held in September, October, December, January, February and June

Dates of PNB meetings	Attendance		
	Official Side	Staff Side	Independent Element
14 October 2022	11	6	2
25 January 2023	12	9	2
22 June 2023	16	9	2

## Annex C

### PNB Agreements Reached August 2022 – July 2023

In the period under review the agreements listed below were reached.

<b>Issue</b>	<b>Date of PNB Circular</b>	<b>Circular number</b>
Pay agreement	15 August 2022	<a href="#">2022/03</a>
Federated ranks pay	15 August 2022	<a href="#">2022/04</a>
Superintending ranks pay	15 August 2022	<a href="#">2022/05</a>
Senior officers pay	15 August 2022	<a href="#">2022/06</a>
Other allowances	15 August 2022	<a href="#">2022/07</a>

## Annex D

### PNB Strategic Commitment Working Group terms of reference

**Title:** PNB Strategic Commitment Working Group

**Chair:** Ian McKay, PNB Independent Chair

**Members:** Deputy Chief Officer (Police Scotland)  
Executive level Police Officer Representative (Police Scotland)  
Senior People and Development Representative (Police Scotland)  
Workforce Governance Lead (SPA)  
SPF Representatives  
ASPS Representatives  
SG Deputy Directors for Police, Mental Health and Justice  
Transformation (others may be identified as working group progresses)

**Attending:** Others at discretion of the Chair.

**Quorate:** TBC

**Purpose:** To jointly develop proposals that look to reduce the working week and level of disruption for police officers in a way that is financially sustainable whilst continuing to deliver high quality policing services to the public, seeking to also enhance the delivery of policing and wider services to the public.

These areas align to key areas of focus within Scottish Government Pay Policy to seek to reduce the working week and discussions about the ability to disconnect.

**Remit:**

1. To consider opportunities for more closely aligned public service partnerships that appropriately reduces demands placed on policing whilst achieving better outcomes for the public.
2. To consider internal policing working/management practices that reduces unnecessary disruption to rest for police officers.
3. To examine barriers and solutions to ensuring that re-rostered rest days can be re-allocated in a timely manner and to a period close to the point where the rest was disrupted.

**Sub groups:** Technical sub group with relevant representation from across all organisations in place to ensure progress between Working Group meetings

**Secretariat:** PNB Independent Secretariat

**Frequency:** Monthly with sub group meeting between each meeting

**Reporting responsibilities:** Police Negotiating Board

## Annex E

### Background on workforce size

This Annex gives an indication of the size of the workforce for which PNB Scotland has responsibility.

The number of full-time equivalent (FTE) police officers in Scotland is published on a quarterly basis by the Scottish Government. The [Police Officer Quarterly Strength Statistics](#) (published on 1 August 2023) show that there were 16,600 FTE police officers in Scotland as at 30 June 2023.

Police Scotland also publish quarterly [Management Information](#) which includes a breakdown of officers available to each of the local policing divisions which cover Scotland. The latest [quarterly report](#) provides data as at 30 June 2023.



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