



Supporting Police, Protecting Communities

The UNISON Scotland Submission
To the Scottish Executive
On – “Supporting Police, protecting
Communities: Proposals for Legislation

Executive Summary

- ◆ UNISON is Scotland's largest trade union representing 150,000 members working in the public sector including over 3000 police staff.
- ◆ UNISON Scotland welcomes the opportunity to respond to this consultation on Supporting Police, Protecting Communities
- ◆ UNISON Scotland supports the Executives efforts to tackle sectarianism. UNISON Scotland supports in principle the proposals around marches and parades particularly in giving communities a voice during the authorisation process. It is though important that changes are not used to limit the rights of the public and Trade Unions to protest.
- ◆ UNISON Scotland is disappointed that the proposals do not give enough detail on how the creation of a single service authority and an Independent Police Complaint Body would impact on Police Staff. Particularly in relations to members terms and conditions of employment.

Introduction

UNISON Scotland welcomes the opportunity to respond to this consultation exercise. The proposal covers a wide range of areas from re-organising police and to knife crime. UNISON Scotland's response will though focus on those areas that impact upon its members amongst Police Staff. UNISON Scotland represents over 3000 members across all Scottish Police Forces. Members are employed in a wide range of tasks including care and custody of prisoners, several branches of forensics and technical services for intelligence gathering.

UNISON Scotland can support in principle the national delivery of services and the creation of an Independent Police Complaint Authority but is disappointed that there is little detail on the impact on Police Staff of the proposals. UNISON Scotland expects to be further consulted when developing the detail of these plans to support its members fully.

Supporting the Scottish Police Service- the National Delivery of Services

While UNISON Scotland can in principle support the creation of a single Service Authority to maintain the SDEA and other common police services we are concerned about how this would affect the terms of conditions of employment of Police Staff. Over 3000 of whom are UNISON Scotland members covering a wide range of police staff for example: care and custody of prisoners, several branches of forensics and technical services for intelligence gathering. Many of these staff would find their employment transferred to this new authority. Unfortunately this consultation paper does not give detail on how the terms and conditions of staff would be affected during and after transition. UNISON Scotland therefore seeks assurances that the union would be involved in formulating the details of and setting up any new body.

The consultation document does not state whether The Bill will provide that the Transfer of Undertakings (Protection of Employment) Regulation 1981 (TUPE) will apply in relation to the terms and conditions of staff whose functions transfer from one body to another. Even if this is the case TUPE only provides limited protection for the workforce, especially in terms of occupational pensions. Some member's pensions are via the Police service and others via the Local Government Pension Scheme. UNISON Scotland would seek assurances that staff transferred to the new authorities would have continued access to their current schemes and that these pension schemes should also be accessible for new employees. There is a concern that pensions and terms and conditions of employment for police staff have not been mentioned in the consultation paper.

UNISON Scotland also has concerns regarding the relocation of staff and future staff numbers. While the paper states that

“in the first instance, the existing services would continue to be provided from their existing locations “

It also states that

“over time ...the organisation may wish to identify new ways in which the services are delivered”

This could mean either new offices being set up or the transfer of functions within existing premises. Police staff could therefore find their current post relocated to another part of Scotland. This would mean that staff were faced with the stark choice of commuting, resigning their positions or being forced to move away from their families and friends, taking their children away from schools disrupting their education. Even commuting has an effect on families affecting either take home pay or increased time away from families due to travel time. If staff are forced to resign expertise will be lost. Fingerprint, forensic experts and IT personnel are rare and difficult to recruit and train. It takes many years experience to be

an expert in these areas. Changes could also affect job numbers. UNISON Scotland requires further discussion/ detail on how this issue will be addressed both during the changes and in the future.

Supporting the Police Service- Membership of the Service Authority Board

UNISON Scotland is disappointed to note that the proposals for the membership of the board do not take account of the large number of Police Staff whose employment would be transferred to the proposed board. For example, approximately 98% of people working at the SCRO are Police Staff and only 2% are Police Officers. As well as ACPOS representatives UNISON expects members from other staff representation bodies to be included. We also believe that high calibre members with specialisms in related field such as forensics should be included in the board.

Marches and parades

UNISON Scotland recognises that marches and parades can and do affect the communities that they pass through. UNISON Scotland fully supports actions that give communities a say in the decision-making process. We wholeheartedly support actions around the routing and frequency of marches that seek to or do intimidate the communities that they pass through such as sectarian marches and those of Far Right Organisations. However UNISON believes that any changes in the arrangement for the authorisation of marches and parades must not restrict legitimate political protest or protests during trade disputes.

UNISON agrees that 28 days notice is reasonable notice of an intention to hold a procession. It important though for there also to be agreed circumstances where this period should be waved. Events that people may wish to protest against (or show support for) may arise too quickly for the 28-day period to be accommodated: action after a certain date may be too late to influence a decision.

UNISON agrees that it is important that both the police and local authorities are given notice of proposed events. Communities that parades intend to pass through should also be given notice so individuals and community groups can formulate a response. Particularly when various groups often use the same routes over and over throughout the year.

UNISON believes wider issues should be taken into account such as incitement to racial hatred or inflaming sectarian tensions in areas or the impact of the total number of marches on a route.

Independent Police Complaint Body

While UNISON Scotland is in principle not opposed to a single Independent Police Complaint body the inclusion of complaints against police staff under this body has many implications for UNISON Scotland members and UNISON Scotland. UNISON Scotland is therefore concerned about the lack of detail in the consultation document regarding impact upon police staff. UNISON must be involved in the development of the detail of how staff would be treated under the proposed system not least because of the cost implications when representing staff against whom a complaint has been made.

UNISON Scotland is also opposed to any changes that would lead to Police Staff being exposed to the same disciplinary measures as police officers. Police staff, while a crucial part of the police service, are employees. Police Officers are "office holders" and as such are subject to specific disciplinary measure that are not appropriate for police staff. Any changes to the complaint body cannot jeopardise the difference in their terms and conditions of employment.

UNISON Scotland therefore expects to be fully involved in negotiations involving the setting up and running of any Police Complaints Body which covered its members.

In conclusion UNISON Scotland is disappointed that the changes affecting Police staff have not been given more detail in this consultation and expects to be more fully involved in developing the detail of any changes should these plans go ahead.

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