Railway Policing (Scotland) Bill: 6 monthly progress update

I refer to my letter of 6 November 2017, seeking clarification as to whether the issue of British Transport Police officers being represented by the Scottish Police Federation had been resolved, as part of the transfer of current terms and conditions agreement.

In your response you indicated that “the planning assumption of the Joint Programme Board is that officers will transfer to Police Scotland with their existing dual status” and that discussions were on-going with the British Transport Police Federation (BTPF) and the Scottish Police Federation (SPF).

On 22 November 2017 the Committee received correspondence from the National Association for Retired British Transport Police Officers (NARBTPO), whose responsibilities include representing retired officers’ in relation to pension arrangements. They express a concern that discussions about the pensions of BTP officers and staff were on-going, and that despite an option under consideration potentially impacting on their members, they had not been included in any of those discussions.

Following receipt of your letter and the letter from NARBTPO I wrote to the BTPF and the SPF to request an update on progress on the negotiations on the terms, conditions, benefits and pension arrangements of British Transport Police officers and staff, and to enquire if either association was representing retired BTP officers.
The letter from the BTPF indicates that they have not seen any additional detail about the planning assumption of the JPB that officers will transfer to Police Scotland with their existing dual status. They also state that they have not had sight of any written proposals on pensions, pay, or terms and conditions and that there have been no formal negotiations in this regard. They ask for clarification of how BTP officers transferring with their existing dual status of police constable and employee will be eligible for representation by the SPF.

In its response the SPF indicate that whilst they are aware of the policy intent with regards to the employment position on pension arrangements for officers in the BTP, they are not involved in any formal discussions about these issues.

The SPF confirmed in its response that it has no role in representing retired BTP officers. The BTPF confirmed that it, and the BTP Superintendents Association (BTPSA), are to conduct negotiations on behalf of retired officers, but that this is far from ideal as they may not fully understand the needs and expectations of retired officers. The Committee is aware that NARBTPO do not have negotiating powers in respect of the proposed merger, however, as the decisions made will have a direct impact on those they represent, we are concerned that they are not included in the discussions about the pension proposals for BTP officers and staff.

At its meeting of 23 January the Committee heard from DCC Iain Livingstone that "we have identified significant issues related to ICT, terms and conditions and pre-existing third-party contracts that, in my judgment and in that of my team, will not be resolved by 1 April 2019".

The Committee considered that reaching agreement on the terms, conditions, benefits and pensions of BTP staff and officers was critical to achieving a seamless transfer of railway policing to Police Scotland.

The Committee should therefore be grateful to receive details of the progress of negotiations on pay, terms, conditions and the pension arrangements for BTP officers and staff and also of the impact of these issues not being resolved prior to integration.

Margaret Mitchell MSP
Convener, Justice Committee