



**The Professional Trades Union for Prison,  
Correctional & Secure Psychiatric Workers**

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## **POA Circular 050/2020**

2<sup>nd</sup> April 2020

Dear Colleagues

### **OPEN LETTER TO THE PAY REVIEW BODY- WITHOUT PREJUDICE COVID-19**

Please find attached for your information an open letter sent to the Chair of the Pay Review Body regarding Pay.

Yours sincerely

**STEVE GILLAN**  
General Secretary

**ENCLOSURE**



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**Our Ref: PSPRB/034/20/SG**

2<sup>nd</sup> April 2020

Dear Mr Flesher

**OPEN LETTER TO THE PAY REVIEW BODY- WITHOUT PREJUDICE COVID-19**

I would be grateful if you could supply members of the Prison Service Pay Review Body with this letter;

The POA is by far the largest Trade Union that the Prison Service Pay Review Body is responsible for in making its recommendations to Government on pay with regards to its remit group. I am aware that Oral evidence has been given this week by HMPPS on behalf of Government setting out their submission and attempting to justify it to the Pay Review Body members. During this COVID-19 pandemic the POA have made clear our position that we will work in partnership with both HMPPS and Government Officials and that the POA would not politicise any issue. The POA stand by that commitment. It must be pointed out that POA members have risen to the challenge of COVID-19 as they always do in times of crisis. They are keyworkers and demonstrating their professional qualities, attending work in very dangerous circumstances and must be recognised for the work that they carry out on behalf of the public. Brave men and women not only rising to the challenges of COVID-19 but all the other challenges that we see in our Prisons on a daily basis. It is for that reason that I put this Open letter in the public domain.

The Pay Review Body was set up in February 2001 as a compensatory mechanism for the POA not having the right to strike under the Criminal Justice Public Order Act 1994 Section 127. The first Chairman of the Pay Review Body was Sir Toby Frere who wasn't afraid to ruffle feathers and make recommendations purely based on evidence and fact.

The Review Body was supposed to be Independent of Government, Employer and indeed Trade Unions. However, over a period of time appointments to the Review Body altered and it appeared to our Union that it lost its way. That isn't a criticism

of the existing members who probably have no idea as to why it was set up in the first place, so I thought it important to give that little bit of background. The POA do not ask for favours only to be treated fairly. It is estimated if our evidence over the last few years had been heeded Prison Officers (Band 3) would be earning approximately £37,000 for the demanding and professional job that they do on behalf of society with (Band 4 and 5) earning in excess of that. These are just examples. Operational Support Grades (Band 2) that we represent would also have had far higher salaries and they remain on low salaries as do Prison Officer Grades.

The purpose of writing this Open Letter as we no longer give oral or written evidence as a result of a Conference mandate, is to appeal to you to be Independent of Government. The facts speak for themselves. I recognise there are new members on the Board who are not responsible for the past and the blatant disregard for our evidence over the years. I recognise Mr Flesher that you have only recently been appointed and that we have not met since your appointment and I wish you well in your new role. Consistently this union was told that we would be judged on facts and evidence. If you scrutinise our evidence going back to 2010 you can only come to one conclusion and that is that our evidence was factually based, as we are now in a situation where Government and HMPPS formally (NOMS) are overseeing what the POA predicted. You will see from previous Submissions the POA warned about recruitment and retention issues across the service. We warned of rising assaults on staff, assaults prisoner on prisoner, suicides, self-harm, riots, drugs, weapons and security breaches. All this has come to fruition because our factually based evidence was ignored over the years by the Pay Review Body. We told you year on year of the £6million annual debt that HMPPS carry because they cannot repay TOIL. Year on year that evidence had been ignored. The attrition rate of Officer Grades and OSGs is now running nationally at over 11 per cent the worst it has ever been in the Service and that in local areas that attrition rate is sometimes between 20 and 25 per cent. Evidence shows from HMPPS and Government statistics that it is those with over 8 years service that are also leaving not just new starters. We warned that when the Review Body set the rate of pay for Prison Officer 2 and Fair and Sustainable it was far too low but the Review Bodies year on year went ahead and accepted Government evidence, which effectively created a two-tier workforce. Closed grades and OSGs along with Fair and Sustainable members of staff since 2010 have had a pay cut year on year with pay freezes, pay caps and increases to pensions.

Our evidence for many years has been ignored and that is why a Conference mandate was given to us to stop giving oral and written evidence to the Review Body. We will continue with that mandate until our members determine otherwise. This Review Body can alter the way previous Review Bodies have ignored our evidence. I urge you to read previous POA Submissions going back to 2010. Recommendations should be made based on facts and evidence in relation to pay. Demonstrate your independence by recommending an increased pay award for all that is meaningful and consolidated. If you fail to act, you will be once again

endorsing the Submission of HMPPS/Government evidence which is pitiful once again. I also believe your own credibility is at stake because if you just endorse this year's Submission from Government and HMPPS which was consistent with previous years and very predictable then I am afraid the Review Body will further lose the confidence of the POA membership.

Please consider what I have asked you to do in relation to reading our Submissions year on year going back to 2010, as they are a matter of record and demonstrate your independence by ignoring the Submission of Government and Employer for all POA members and correct the mistakes of the past. I cannot give evidence to you as per our Conference mandate but the members of the Review Body have a golden opportunity to restore the trust of the POA so that we may be able to make a recommendation to any future Conference that we get back to giving Submissions and oral evidence even although our preferred option is to have collective bargaining with HMPPS and Government on such matters such as pay.

It is worth commenting on the Submissions that have been made by HMPPS and Government. To submit a £500 non-consolidated payment for all closed grades is quite frankly insulting to these brave men and women and does nothing for morale nor indeed values them whatsoever. I cannot believe that any Review Body anywhere would entertain or endorse non-consolidated pay as it is not pensionable and is a dangerous precedent yet HMPPS and Government present it every year. That Submission is an insult to the brave men and women in the closed grades that are exceptionally experienced and it is that experience that is needed more than ever during difficult events that they are encountering not just during COVID-19 challenges, but through the challenges operationally every day 365 days a year. Band 3 Fair and Sustainable in the first year have a leaving rate of 25 per cent. Surely that must tell you something about the pay model of HMPPS. They know their own pay model is broken and not fit for purpose with a third of the Prison Estate covered by market supplements that didn't even go through the Review Body, but was announced because their pay model is broken and they were losing staff left right and centre. That is an admission in itself the pay model is flawed. Everyone knows that Prison Officer grades within the remit group are not paid enough for the professional job that they do on behalf of society. One only has to look at what is occurring today in the height of a crisis and those individuals mentioned are stepping up as true professionals. This surely must be recognised by a decent remuneration rather than the plaudits that we so often hear. If the retention rate is to improve then so does pay otherwise HMPPS will continue to hemorrhage staff to the Police, Border Force and other occupations that pay more.

Operational Support Grades are a grade that have continually been neglected over the years as well. A very important grade that is essential to HMPPS, yet they are a grade where their pay is literally on the poverty line. I know that the Review Body visit Prisons during the course of the year and will speak to many of our members. Whilst that will give you a snap- shot it doesn't give you the real picture. Members of staff at every grade the POA represent are under extreme pressure day to day

with life changing disfigurements from vicious assaults in the workplace with little recognition for their efforts. They need recognition now and the Review Body has that opportunity within the next few weeks when it makes its recommendations to Government. In the HMPPS/Government Submission they state they are worried about potential equal pay claims and whilst not surprised by this admission they may well have created their own problem with a two-tier workforce. The evidence speaks for itself you have an opportunity to make a statement to restore confidence. Please do not miss this opportunity to reward POA members of all grades significantly with your pay recommendations. We will be watching closely.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Steve Gillan', with a small horizontal line at the end.

**STEVE GILLAN**  
General Secretary

Sent via email; [neil.goodson@beis.gov.uk](mailto:neil.goodson@beis.gov.uk)

Tim Flesher  
Chair PSPRB