



POA
ANNUAL CONFERENCE 2016

REPORT BACK

Booklet



Shaping
OUR FUTURE

Introduction

This Report Back booklet is compiled following the commitment from the Executive in response to a motion from the Parkhurst branch.

The motion asked for a report back on each motion be provided to Conference and the Executive gave an obligation to provide the information in the form of a Report Back booklet.

RULES AND CONSTITUTION

1. That conference accept it is in the best interests of our membership that, with effect from the end of conference 2015, we de-affiliate from membership of Eurofedop. Therefore, conference amend Rule 2.2(a) to read “Affiliate to relevant bodies, including the Trade Union Congress.”

NEC

The Rules and Constitution has been amended to reflect these changes and the revised Rules and constitution by way of a POA Circular.

2. This Conference reaffirms Rule 12.4
Conference will determine the principles and policies of the Union, except where these Rules provide differently.

HOLLESLEY BAY

No change – Rule reaffirmed.

3. Conference accepts conference paper 1, which introduces changes to the process, policy and rules appertaining both to Annual and Special Delegates Conferences.

NEC

The Conference Paper now forms part of conference procedures for Standing Orders and branches to follow and the terms of 84-2015 have been included.

HEALTH AND SAFETY

4. The NEC engage with Crown Premises Fire Inspection group to produce a report and subsequent recommendations to NOMS that review the current night staffing levels in all prisons and presents that report to NOMS by 30 November 2015.

HOLME HOUSE

The Health and Safety Whitley contacted the Fire Group to try and set up meetings to discuss the conference motion but due to their schedule and the reduced facility time it was not possible.

5. The NEC should engage with Crown Premises Fire Inspection group and produce a number of suggested safe system of work for dealing with a cell fire containing either a single or multiple non-compliant prisoner or prisoners and that these safe systems of work should be presented to NOMS by 30 November 2015.

HOLME HOUSE

The Health and Safety Whitley contacted the Fire Group to try and set up meetings to discuss the conference motion but due to their schedule and the reduced facility time it was not possible.

6. Conference instructs the NEC to affirm its commitment to the Health and Safety of all workers in the Public Sector Prisons, Private Prisons and Contracted Services by insisting on the provision of inoculations and boosters for Tetanus and Hepatitis provided by the employer at the place of work or as close as is reasonably practical.

BIRMINGHAM

We have taken this forward with NOMS and they have an inoculation process in place for the public sector. However, it has been difficult for the NEC within the private prisons and contracted services as they always insist that the inoculations and boosters are available from the members GP. Notwithstanding the NEC will continue to press for this for all our members no matter where they work.

7. Conference instructs the NEC to ensure the provision of all Personal Protection Equipment contained within PSO's, PSI's, Health and Safety legislation and instructions to NOMS, to all workers in Private Sector Prisons and Contracted Services.

BIRMINGHAM

This work is still ongoing with the assistance of our branch officials/H&S reps within the Private Sector and Contracted Services.

AWARDS

8. That Conference award Honorary Life Membership to John Hancock.

NEC

The terms of the Motion have been actioned and all necessary administration procedures put in place.

9. That Conference award Mr Terry Bond Honorary Life Membership.

NEC

The terms of the Motion have been actioned and all necessary administration procedures put in place.

PAY AND CONDITIONS

10. Having reaffirmed Rule 12.4 Conference seeks an explanation from the NEC regarding their submissions to the Prison Service Pay Review Body. The NEC in their 2015 submissions to the PSPRB asked that all staff have the contractual right to work 37 hours; plus a minimum of 2 hours ACH up to a maximum of 4 hours ACH per week. This is in direct contravention to the principles and policy set by conference; reference Motion 34/2011.

HOLLESLEY BAY

Explanation provided and accepted at Annual Conference 2015 – Terms of Motion disposed of.

10a Conference give clear condemnation for the deeply disrespectful and wholly condescending Prison Service Review Body report 2015 which condemns 83% of this Trade Unions membership to a pay cut displays derisory contempt for the remaining 17%. The report shows no consideration for the difficult work that POA members working in the public sector do. Therefore, Conference condemns NOMS for recommending such a disparaging pay cut, the Prison Service Pay Review Body for failing to listen to the membership of this Trade Union and the government for their sheer lack of regard for POA members across the country.

ELMLEY

The terms of the motion and views of the membership during the debate have been relayed to NOMS.

10b We withdraw from the Pay Review Body in light of the 2015 Pay Review Body recommendation.

DURHAM

The POA did not provide any evidence to the PSPRB and advised NOMS and the chair of the PRB of the decision and reasons why.

10d Due to the recent recommendations of the Prison Service Pay Review Body, Conference instructs the NEC to cease giving submissions to the Prison Service Pay Review Body and seek a return to collective bargaining on pay.

HATFIELD

The POA did not provide any evidence to the PSPRB and advised NOMS and the chair of the PRB of the decision and reasons why.

10e In light of the recent 0% Pay Award for the majority of staff, Conference urge all Branches to only work/operate shift patterns and profiles that are entirely compliant with Bulletin 8 and the Working Time Directive, except where there is a National Collective Agreement or an individual opts out.

RISLEY

The terms of this motion were fulfilled at conference as delegates accepted the motion and would have reported the terms of the motion back to each branch. The NEC are not aware of how many branches have enacted the policy at the time of writing the report.

10f The NEC to explain to Conference and the membership the agreement made in regard to Motion 72/2014

The Motion was enacted in the 16th March 2015. The membership gave notice to stop working PP from Sunday 19th April until Sunday 17th May. The NEC on the 25th March entered into an agreement and advised that Motion 72/2014 be set aside. The membership to rescind their notices to withdraw from Payment Plus for 28 days. The Motion having not been achieved.

HOLLESLEY BAY

Explanation provided and accepted at Annual Conference 2015 – Terms of Motion disposed of.

14. All staff who are subjected to Operation Tornado should be paid the Tornado rate of pay.

LIVERPOOL

The terms of the motion were passed to NOMS under the Whitley structure but at the time of writing this report the policy has not been achieved.

15. The allowance for dirty protests should be increased to £30.00 per shift.

LIVERPOOL

The terms of the motion were passed to NOMS under the Whitley structure and whilst there was an uplift in the allowance within the Pay Review Body at the time of writing this report the policy has not been achieved fully.

BENCHMARKING

20. That the NEC inform NOMS that any compulsory redundancies or enforced transfers or compulsory detached duty following over recruitment above a prisons benchmark TSF will result in a ballot of members for industrial action up to and including strike action.

HOLME HOUSE

At present there has been no reason to activate this policy and it remains live.

21. The NEC should negotiate with NOMS to formalise and protect the presence of existing operation staff or reintroduce operational staff into central detail offices with the number of operational staff in detail offices linked to the SIP figure and the complexity of the establishment.,

HOLME HOUSE

This motion has been actioned though during this reporting period NOMS have not been willing to formally negotiate a formal alteration to the Benchmark in order to allocate operational staff in central detail. They have however allowed several establishments to allow discipline staff to join "People Hub" teams via MTT resourcing and have committed to review these working practises through the proposed "reform" negotiations of 2016/17.

COMPETITION/MARKET TESTING

23. Following the rejection of MOU 2014 this Union will take action, upto and including strike action should NOMS negotiate away any prison officer work in Public Sector Prisons to private companies.

RISLEY

This motion has not been actioned during this reporting period due to the fact that the required criteria has not occurred. It remains as live POA policy.

24. That Conference mandates the NEC to enter into negotiations with NOMS that when the public sector wins a contract they are on equivalent contract terms in relation to the length of contract in line with the private sector. This will enable the public sector to have the ability to forecast long term, and also provide long term job security for those staff affected by the process.

MORTON HALL

At the time of writing the report the policy remains live but has not been enacted. NOMS have been made aware of the policy.

HR

25. That Conference debates potential misuse of the current sick procedures, which sees some Governors arranging personal “support” meetings.

WYMOTT

Debated at Annual Conference 2015 – Terms of Motion disposed of.

26. That Conference mandates the NEC to stop the disgraceful abuse of sickness procedures, which in some instances is tantamount to bullying. If “support” meetings are required, they should be to a national standard, in line with the PSO on managing attendance.

WYMOTT

This matter has been raised with NOMS and they have assured the Executive that they want support meetings to be just that and not another strand of the sick procedures to use against staff. NOMS are in the processing of rolling out management workshops to deal with the process and are looking to formulate best practise. The Executive continue to raise specific cases with the policy lead when they are made aware of the abuse. All members are urged to raise a grievance, if they feel the process is being mismanaged.

28. Conference mandates the NEC to challenge the ethics and legality of the mandatory fitness test, regarding members aged over 60 years old. The present test based on the ability to carry Control and Restraint when our employer fails to recognise Prison Officers as “front line” staff.

HOLLESLEY BAY

NOMS have been made aware of the policy and the terms of this motion form part of the overall strategy to bring about changes to the current fitness testing procedure. At the time of writing the report the terms of the motion have not been achieved.

29. The NEC pursue the employer in an attempt to remove a bullet point from the work life balance and flexible working guidance, this bullet point is under the paragraph titled “Can a request for work life balance be refused”. The bullet point reads

- Inability to recruit additional staff

SWALESIDE

NOMS have been made aware of the policy and we await their decision as to whether they will engage in a process of change. If any member has been refused work life balance out side of the policy, the union has provided legal advice.

31. Conference to debate the issue of introducing minimum educational entry requirements of 5 GCSEs of minimum grade C to include Maths and English Language, as a pre-requisite for all non-service personnel to join the prison service.

SEND

Debated at Annual Conference 2015 – Terms of Motion disposed of.

33. Conference instructs the NEC to enter into negotiations with NOMS to establish an independent disciplinary process similar to that applied to the Police authorities and a report to be presented to Conference 2016.

WAYLAND

NOMS have been advised of this policy and at the time of writing the report NOMS refuse to enter into discussions to review PSI 6/2010 until 2017 at the earliest.

OPERATIONS

34a That Conference condemns the Government for failing to re-appoint Nick Hardwick as Chief Inspector of Prisons for another term of office.

The POA believe it is fundamental to the safe, decent and secure operating levels of all prisons to have a Chief Inspector of Prisons who is not politically motivated.

Furthermore, Conference place on record their thanks to Nick Hardwick for his honest and robust reports identifying prisons in crisis and in need of support.

NEC

The terms of this motion have been relayed to the Secretary of State, Prisons Minister, NOMS and the outgoing Chief Inspector of Prisons.

39. That the NEC enters into meaningful negotiation with NOMS to negotiate an enhanced payment for members not involved in the special bonus payment scheme.

WAKEFIELD

The Executive raised the terms of this motion with NOMS during the collective bargaining discussions and continue to press NOMS on the policy. At the time of writing the report the terms of the motion have not been achieved.

42. That Conference utilises whatever means are available to stop the disgraceful misuse of staff resources, in terms of detached duty.

WYMOTT

The Executive has pursued NOMS over the use of compelled detached duty and sought to minimise the disruption to staff and their family time. The Executive continue to press NOMS on payment and travel and subsistence for those staff required to or volunteering to undertake detached duty.

A number of POA circulars have been published on the use of detached duty in 2015.

44. That Conference mandates the NEC to seek agreement from NOMS that when unified grade takes unpaid leave for any reason that this period of time is covered by payment plus.

MORTON HALL

NOMS were made aware of the policy and at present there has been no change to the payment plus policy.

46. That the NEC negotiates a national protocol for key trakka biometrics and challenge the use of those systems being used for timekeeping purposes.

RISLEY

The Executive raised this issue with NOMS and an assurance was given pending the agreement of a policy that TRAKKA could not be used as the sole evidence to investigate and or discipline staff. At the time of writing the report back NOMS has agreed to publish the agreed policy.

47. Conference debate the term MSL (Minimum Staffing Levels) within Bulletin 8, and compare this to the term MSL used in the RMP (Regime Management Plan), this to establish what tasks are in scope of the terms.

SWALESIDE

Debated at Annual Conference 2015 – Terms of Motion disposed of.

SECURITY & CUSTODY

48. Conference accept that POA members Health and Safety is currently being placed at risk during planned interventions when dealing with violent offenders. Conference mandate the NEC to engage with NOMS and other employers to introduce the use of Tasers or suitable alternatives to minimise the risk of injury to our members in these situations.

NEC

See Motion 49 for collective response.

49. In light of the unacceptable increase in assaults upon our members and the increased use of legal high narcotics and prisoners under the influence of alcohol that the NEC demand each prison has a central store of pepper spray that where appropriate can be deployed and used by trained officers to subdue prisoners prior to a C&R intervention.

HOLME HOUSE

NOMS takes very seriously the health and safety of all staff and reviews regularly improvements to restraint techniques and equipment. New contracts for improved C&R equipment were implemented last year and we are currently considering new restraint equipment to assist with moving violent prisoners. The current nature and level of risk associated with planned interventions by local prison staff does not support the use of TASER or PAVA (pepper spray). If staff are well trained and properly equipped for such interventions then they should be capable of resolving safely the vast majority of these incidents. Where necessary, we have existing processes to draw upon using specialist trained staff to intervene in more serious cases, including the use of PAVA.

PAVA and TASER are considered firearms under the Firearms Act 1968 and great care needs to be taken in their deployment. PAVA has been available to specialist staff for some time now, however it is rarely used even when authorised. The deployment of PAVA must be a proportionate response to the situation encountered, and it is that crucial need for proportionality that has led NOMS to develop the current processes for authorisation, use and governance. The authority for use sits with the Gold Commander or DDC to ensure authorisers have the necessary degree of experience in managing serious incidents and a greater degree of objectivity in decision making by virtue of being one step removed from the incident. The members of NTRG who may use PAVA have also amassed extensive experience of managing different incidents where it could most usefully be deployed, experience which could not be attained by officers in establishments.

The use of TASER has previously been considered for use by NTRG and this option is being kept open for the future should the nature of planned interventions require such a response.

51. The NEC should negotiate with NOMS to employ permanently stationed patrol dogs in every category B and C prison.

LIVERPOOL

Patrol dogs are used to maintain the increased levels of security required in the High Security Estate. Within the remainder of the closed estate, a combination of active and passive drugs dogs, as well as those trained to detect other substances, are used to effectively deter and detect drugs and other unauthorised substances and items in prisons. NOMS does not consider the need for patrol dogs in the remainder of the estate. They are unnecessary to maintain Cat B and C security and if there are incidents of disorder that require dog support this can readily be provided by NDTSG.

52. That Conference mandate the NEC to enter into discussions with NOMS to ensure that the illicit use and possession of synthetic cannabis in prisons will be taken seriously by our employer to protect the health and safety of our members.

ELMLEY

New Psychoactive Substances (NPS, including synthetic cannabinoids) are a recent issue affecting many parts of society, both here and abroad, including in prisons.

There is a wide-ranging programme of work being undertaken by NOMS to counteract NPS. This includes work to develop new drug tests to detect NPS substances, a new disciplinary offence through MDT for taking NPS, a new offence of throwing an item into prison (aimed at NPS), the strengthening of perimeter defences, and training drug dogs to detect NPS. NOMS has also embarked on a communication campaign to ensure that both prisoners and staff are aware of the dangers of NPS.

The Home Office has, through the Misuse of Drugs Act 1971, banned more than 500 substances or compounds that are known to have been used in NPS. Using the World-leading Forensic Early Warning System (FEWS), more dangerous substances are being added to the list of banned substances all the time and a wider review of legislative powers is underway. The Home Office recently announced the Psychoactive Substances Bill, which will introduce a legal definition of a psychoactive substance. This will be used to enforce six new criminal offences, as well as a new civil order.

NOMS continues to work with the Home Office on Bill development to ensure that issues relevant to NPS use in prisons are taken into account. The definition in the Bill is being reviewed by NOMS with a view, once agreed, to include it within the list of items that cannot be conveyed into custody.

The Serious Crime Act received Royal Assent in March and introduces a new offence of throwing anything into a prison. This will include any NPS. An impact assessment of the new offence is being conducted during the summer months, with a view to introducing the offence by the end of the year.

NOMS continues to deliver training to drugs dogs to detect NPS. Over 110 active search dogs have been trained across England and Wales and short research into extending that training to passive search dogs is now being conducted.

NOMS is working with science partners to develop a test for NPS that can be included in MDT; it is hoped to introduce a new test in early 2016.

Promoting joined up and inter-agency communication about the dangers of NPS continues, for example through the Health and Justice Board and the Inter Ministerial Group on Drugs. In addition, a number communications products aimed at staff, prisoners and visitors, have been delivered which highlight the dangers of using NPS and dispel some of the misgivings about legality.

The North West project, which is analysing samples and substances from ten prisons in the North West, has now been extended to cover prisons in Greater London, Kent, Sussex and Surrey. The project ran until the end of June and the outcome is awaited.

The development of the strategy to tackle NPS in prisons is regularly discussed at trade union forums and NOMS is committed to ensuring that the drug strategy effectively tackles the threat posed by NPS.

54. The NEC approach NOMS to review all adjudication punishments, reflecting on rising violence and gang related incidents.

WANDSWORTH

This motion is noted.

Discipline procedures are central to the maintenance of a safe custodial environment. NOMS is currently reviewing PSI 47/2011 Prison Discipline Procedures and as part of that work will be reviewing the guidance on punishments. We are working closely with a work stream of the Violence Reduction project to improve the application of the independent adjudications process so that violent incidents in prisons can be punished more efficiently. The review will also incorporate new policy guidelines issued by NOMS Security Group on the possession of unauthorised knives or other offensive weapons in prisons.

Any prisoner who commits an act of violence can expect to have action taken against them, which may include a loss of privileges or sanctions under the prison disciplinary procedures, and where appropriate, facing criminal charges and prosecution. To this end, a joint national protocol between NOMS, CPS and ACPO was published in February with the purpose of ensuring a nationally consistent approach to the referral and prosecution of crimes in prison. The protocol also sets out a requirement for prisons to submit a Prison Community Impact Assessment with each case referred to the police. This will explain the impact the offence has had on the establishment and will make sure that this is properly understood and taken in to account in the determination of referred cases.

The Chief Magistrate, who is responsible for Independent Adjudicators, recently published a new set of guidelines regarding the imposition of punishments for prisoners who have committed more serious offences against discipline, and if found guilty, may face the imposition of additional days to their time spent in custody.

55. Do Conference and the NEC have confidence in the employers ability to combat extremist acts within the prison estate? If not, Conference mandate the NEC to seek appropriate counter measures to protect the membership urgently.

SWALESIDE

The need to manage extremism and potential radicalisation within prisons is an issue NOMS takes very seriously and the threat is constantly changing. To help deal with this threat NOMS has a dedicated Extremism Unit responsible for the development of policy to support establishments in the management of the threat. Additionally NOMS has put in place Regional Counter Terrorism Teams that provide establishments with expert support and advice on a case by case basis especially through the Pathfinder process.

Extremism Unit has issued a number of PSIs, most notably PSI 33-2014 Managing and Reporting Extremist Behaviour and PSI 14-2013 Pathfinder, both of which are designed to support Governors and their staff to identify, report and manage extremist behaviours. The Pathfinder process is currently being reviewed to ensure that it accurately identifies those prisoners that present the greatest risk to staff and others, to the GOOD of an establishment and review is working with police and other partners to ensure all available resources across agencies are deployed to combat potential extremism and radicalisation where it is identified.

An extensive training programme has also been delivered at the two national C&R Centres for selected staff from across all eight establishments within the High Security Estate. This training will improve their ability to deal with a life threatening incident which requires a swift intervention within their establishments.

Twelve staff from each establishment were trained in method of entry training, restraint techniques and the use of PAVA and Pyrotechnics. Their training will continue over the next three years with regular refresher dates and time spent operationally deployed with NTRG to ensure capability is maintained at the highest possible level.

56. Conference instructs the NEC to engage in meaningful discussions with NOMS on the use of mobile phone signal and mobile internet blockers for all prisons in the closed estate.

ELMLEY

The illegal use of mobile phones in prisons is one of the most significant threats currently facing NOMS; it carries high levels of reputational risk, undermines good order and control in prisons, and perpetuates ongoing criminality. It is, however, a very difficult issue to tackle. The sheer numbers of movements of goods and people within a prison, the range of supply routes and methods used to conceal illicit articles, and the need to spread resource between competing operational threats makes the prevention of illicit items entering prisons and finding all illicit items within a prison very challenging. In addition to this, the speed of technological advancement within mobile phone technology means that we will always be “playing catch-up” in the pursuit of illegally held mobile phones.

Experience has confirmed that denying signals in prisons is not a quick, simple or cheap solution. The use of signal denial technology is highly technically challenging, given the nature of the different fabric and layouts

of prisons and the need to identify technology that is effective at denying signals within prisons without adversely affecting signals outside the prison. There is no off-the-shelf solution and bespoke technology must be procured. There is also a need to take into account health and safety and regulatory requirements.

NOMS has agreed that capital expenditure should be made available in the next three years to tackle the threat posed by illicit mobile phones by purchasing blocking and grabbing technology. The prisons selected to receive this technology have been (and will continue to be) chosen based on a risk assessment which looks at the numbers and types of prisoners they hold and the threat they would pose if in possession of a mobile phone. In addition to this a number of devices have been made available for prisons to purchase to detect mobile phones.

In March 2015 Royal Assent was granted for the Serious Crime Act, which allows NOMS to apply for a court order to compel Communication Service Providers to blacklist illicit mobile phones and disconnect SIM cards being used in a prison. This new legislation gives NOMS greater capability to reduce the number of phones in prisons. It is envisaged that the legislation will be implemented by autumn 2015.

57. All civilian staff who work in prison establishments should wear an identifying item of uniform.

LIVERPOOL

A policy has existed since 31 July 2000 that requires all directly employed staff (uniform and non-uniform) and directly engaged service providers, contractors and volunteers to be clearly identified whilst inside or about a prison establishment or its grounds.

Directly employed uniform staff, are required to wear individual epaulettes and non-uniform staff a name badge and NOMS issue photo pass.

Contractors, civilian staff and service providers are required to wear a locally issued prison pass/name badge at all times whilst within or about the prison. The current policy is contained within PSI 44/2012.

Anyone inside a prison not wearing any clear identification should be challenged immediately and escorted out of the prison if their identity cannot be readily confirmed.

Local arrangements will apply to the management of individuals engaged on schemes or working parties around the prison perimeter.

59. Conference instructs the NEC to pursue the introduction of a protective wrist band for use with wrist rest restraints as commonly used by Escorting Services in the Private Sector.

BIRMINGHAM

NOMS accepts that there may be advantages in using wrist protectors with wrist restraints and undertakes to examine the benefits of these. The POA will be kept informed of progress.

60. Conference instructs the NEC to seek through NOMS and to seek through legal advice, the right to have a blood sample from persons with infectious diseases who assault other persons and infect them through the deliberate transfer of body fluids. Conference further instructs the NEC to also pursue the right to free access to medical information on the persons who assault and infect other persons in such a manner.

BIRMINGHAM

Access to medical records without the consent of the patient can only be achieved by a Court Order. The police can obtain such an order when investigating criminal offences provided the Judge is satisfied of the relevance of the request.

I am doubtful whether this would help us as the result of the tests on the victim would be likely to arrive before a court order could be obtained.

Further, medical records would not necessarily disclose, say, HIV as that would require having been diagnosed.

Unfortunately the taking of intimate samples such as blood samples is illegal in the U.K. unless informed consent is given. Forcibly taking such a sample would constitute an assault and neither the circumstances giving rise to the need to take the sample nor the identity of the person taking the sample would make it lawful.

A change in the law would be needed here. It does seem strongly arguable that in circumstances where an assault has apparently taken place the consequences of that assault can't be mitigated by a compulsory blood test which would remove the stress and anxiety suffered by victims waiting for the results of their own tests.

62. That the NEC enter into meaningful negotiations with NOMS to stop the annual boot and shoe issue and reinstate the boot and shoe allowance.

WAKEFIELD

The terms of this motion have been raised with NOMS and at present NOMS are not prepared to reverse policy, therefore the motion has not been achieved.

REPORT BACKS

63. Report back Motion 9 please.

BIRMINGHAM

The factual Report Back from the Executive was accepted by Conference, although further work may be required to progress the matter.

64. Report back Motion 33 please.

BIRMINGHAM

The factual Report Back from the Executive was accepted by Conference, although further work may be required to progress the matter.

65. That a report back is made in relation to Motion 39 of 2014 that the NEC seek an immediate change of name of PSI 29/2011 Exit Management.

MORTON HALL

The factual Report Back from the Executive was accepted by Conference, although further work may be required to progress the matter.

66. Concerning the restructure of this union, could you please inform Conference of the financial savings to date.

SWALESIDE

The factual Report Back from the Executive was accepted by Conference, although further work may be required to progress the matter.

PENSIONS

67. That Conference debates the issue surrounding the actuarial reduction of the Alpha pension scheme benefits payable to members who retire before their normal retirement age.

HOLME HOUSE

Debated at Annual Conference 2015 – Terms of Motion disposed of.

68. Conference endorses the campaign to achieve a default pension age of 60 years. Moreover, conference recognises and debates the importance of receiving a fair and equitable pension scheme that is representative of the work POA members do.

NEC

This work is ongoing.

69. That this Conference applaud the NEC, POA members and the researchers for the work they carried out in regards to the “work related stress and wellbeing survey”, the NEC should treat this document as a work related risk assessment and pursue the employer for change in order to reduce stress and enhance our wellbeing in the workplace.

NEC

The Executive has taken on board the commentary from Conference and continue to use the document with employers to further improve the well-being of staff.

70. That the NEC oppose and negotiate regarding the abatement rule applying to members who draw their pre 2015 pension but are expected to work to an imposed NRA of 67-68 years old. Members of the pre 2015 pension scheme who choose to draw their accrued pre 2015 pension and continue to work will suffer a detriment.

HOLME HOUSE

The NEC are still negotiating the pension age of members back to 60 years of age, if we are unsuccessful in those negotiations then the NEC will proceed with the policy as outlined in the above motion.

EQUALITY

71. That all POA buildings and offices comply with the Equalities Act 2010 for access for people with any disability.

WANDSWORTH

The terms of the motion are being progressed by the Executive.

HEALTHCARE

73. That Conference and the NEC recognise and congratulate the POA members working in the Special Hospitals for their continuing professionalism, whilst taking industrial action as part of their hard fought battle against fair pay.

BROADMOOR

Debated at Annual Conference 2015 – Terms of Motion disposed of.

74. That Conference condemns the Government for their failure to provide an appropriate and fair pay award for NHS workers and prison staff.

RAMPTON

Debated at Annual Conference 2015 – Terms of Motion disposed of.

GENERAL MATTERS

75. Following the adoption of ACM 61/2011, Conference accepts that significant change and work has been achieved but the terms of this motion have not been realised fully. Therefore, Conference accept Conference Paper three, which sets out the areas of the union which need further consideration as part of the ongoing restructuring, namely

- Representation
- Organisation and Management structure
- Services and benefits
- Income and Expenditure
- Reduction in facility time (paid time off)

NEC

The progress of this work and report back is covered in the conference agenda under ACM 54 and conference paper 3

76. Conference acknowledges the dangers of the Transatlantic Trade and Investment Partnership (TTIP). Furthermore, Conference mandate the National Executive Committee to continue to campaign to expose the implications of such an agreement on the future of public prisons and public services within the United Kingdom.

NEC

The Executive continue to pursue the policy as directed by conference.

76a That Conference accept it is in the best interests of the Union and all its members to have in place a national media policy covering the legal framework and guidance as set out in Conference Paper 3 and that the policy is annexed to the Rules and Constitution at Annex J.

NEC

The Executive commissioned this piece of work and the media policy is now Annex J of the rules and constitution.

81. The NEC approach NOMS to stop food being sold in prison canteens that require cooking in establishments that have no personal cooking facilities for prisoners.

WANDSWORTH

This matter has been raised with NOMS and we still await a change in policy.

83. That the NEC consider the purchase of small banners for members to carry whilst attending various demonstrations and rallies, this to enhance the presence of the POA at such events.

SWALESIDE

The Executive has fulfilled the terms of the motion.

84. When the Standing Orders Committee deems that a Conference motion will fall because of wording they offer advice and guidance to that branch.

PARKHURST

As a result of the above motion the following has been inserted at paragraph 8 of Conference Paper 1-2015 Following the adoption of ACM 84-15, the Standing Orders Committee will offer advice and guidance to any branch who has submitted a motion if the committee feel the motion would fall because of the wording.

85. Given the extremely poor turnout figures for workplace ballots highlighted by the recent MOU ballot. Conference instructs the NEC to allow reasonable time for branches to collate information and send the workplace ballot results back to the NEC.

PARKHURST

The timetable for all ballots has been adjusted to reflect the terms of the motion. At the time of writing the report there has been no complaints and the system seems acceptable

88. That Conference mandate the NEC to re-negotiate the dispute process. It, in the opinion of the Elmley branch is not fit for purpose.

ELMLEY

In regard to motion 88/2015 the POA produced a new 'draft' disputes procedure which was given to NOMS to consider. Following this a number of meetings and discussions took place between the POA and NOMS following which NOMS then produced another version of the disputes procedure for consideration by the POA. This amended procedure from NOMS proved unacceptable to the POA and amendments were made by the POA and forwarded to NOMS for consideration. To date of making this report we have not received any further communication from NOMS and await a detailed response.

90. A copy of the Rules and Constitution be provided with all Conference paperwork prior to the start of Conference.

DURHAM

The terms of this motion have been achieved and all branches were sent a copy of the current rules and constitution prior to Annual Conference.

92. Conference instructs the NEC to engage with NOMS and see those staff who had Private Sector Service and transferred to the Public Sector under TUPE, be given Long Service and Good Conduct Awards as all staff were entitled to in the Public Sector.

BIRMINGHAM

NOMS has been made aware of this policy and at the time of writing the report we await their response, currently there is no change to policy.

FAIR AND SUSTAINABLE

94. Conference accept that NOMS job evaluation scheme (JES) is not fit for purpose. Furthermore, conference refute that operational and non-operational grades are in the same pay band. Therefore, Conference instructs the NEC to negotiate the introduction of an operational allowance for operational bands 2 to 5 over and above the current 17% unsocial hours to reflect the different working conditions and difficulties that operational grades face in the workplace on a daily basis.

NEC

NOMS were advised of the terms of this motion and a detailed piece of work was put forward as part of the collective bargaining discussions. NOMS did not accept our proposals and therefore the terms of the motion have not been met at the time of writing this report.

REPORT BACKS FROM ANNUAL CONFERENCE 2014 AS REQUESTED BY BRANCHES UNDER THE FOLLOWING MOTIONS

78. That the NEC report back on ACM 6/2014

BULLINGDON

6/2014 That NOMS provide complete access to RIVO for all accredited POA Health and Safety Representatives so that they can carry out the functions of a Health and Safety Representative as per the Safety Representatives and Safety Committees Regulations 1977.

At present there has been no reason to activate this policy and it remains live.

79. That the NEC report back on ACM 19/2014

BULLINGDON

19/2014 That dog handlers receive a % increase (to be negotiated) on the Care and Maintenance of dogs Allowance for having a second dog.

This matter has been concluded and the increase is set out in PSPRB report recommendation 12 of the summary. The new allowance for multiple dogs is £1908 per annum.

80. For the NEC to feedback on ACM 78/2014

SEND

78/2014 The POA to set up a you tube account and upload all media interviews done by local and national officials and circulate via social media. This is to make the media work done by the POA more accessible, and in so doing create an archive of interviews.

This work has not been concluded but remains work in progress. The POA are relaunching the website and a POA app. However, like all data the information can only be kept up to date and relevant if forwarded to the POA head office. Further information will be promulgated on this issue in due course.