



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

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POA Circular 155/2020

13th November 2020

Dear Colleagues

NATIONAL CHAIR UPDATE NOVEMBER 2020

Please ensure the contents of this circular are relayed to all POA members.

DEATH OF OSG

It saddens me to inform you of the death of two OSG colleagues, one who worked at HMP Full Sutton and one colleague who worked at HMYOI Wetherby. Both deaths are due to Covid. I have passed on our condolences to all involved.

NATIONAL LOCKDOWN

Further to Circular 152/20 HMPPS have confirmed that staff may now use Prison gyms. Please see below from HMPPS to Governors:

We are satisfied, following consideration of specialist advice in the relevant areas, that staff fitness programmes may go ahead. We have taken into account the need for staff to retain sufficient physical fitness to undertake their roles effectively, and the benefits for physical and mental health as part of our wellbeing strategy. We also recognise that staff have reduced opportunities to exercise when off duty, due to restrictions in the community, shorter daylight hours and longer hours of working in many cases.

During this current period of restrictions, staff exercise programmes can take place within establishments when staff are off duty, including indoors where necessary. These are subject to local risk assessments.

Social visits continue in YCS sites. Extra footfall in Prisons creates additional risk. We think any visits should be risk assessed and only facilitated in the most exceptional circumstances.

All local non-essential training should not go ahead. This includes C&R basic refreshers and MMPR training. A directive to Governors has confirmed that C&R and MMPR training has paused during this lockdown period. Please note the following:

In general, non-essential training is being suspended but any essential activity and training can continue. This means that POELT Training, including use of force elements, as well as specialist operational training that is necessary to maintain competence of staff in specialist roles should continue during lockdown where SOPs are in place and it is safe to do so. However, all other training, including locally delivered refresher use of force training (Personal Safety, C&R and MMPR) must be paused for the duration of the National Restrictions (until the 2nd of December).

Staff who were required to shield in March should have received notification to do so again. If any member has concerns about attending their workplace and thinks they should be shielding during this lockdown period they should liaise with their local POA committee who can seek support from their area NEC Representative. We can fast track any issues if needed.

WINTER REGIMES

The POA are currently involved in discussions about the level of regime that can be accommodated during the winter months. We are of the opinion that the safest and most sensible course of action would be to hold regimes at level 3 until at least the New Year, so we can assess what position the country and our secure settings are in with Covid outbreaks. These talks will progress once the National Lockdown is completed.

PENSION SUBMISSIONS

The consultation period with Government over the future of public sector pensions has now concluded. Members can access the POA submissions via Circular 146/20.

Main points are:

The Government need to address the discriminatory period which runs from the changes we were forced on in 2015 until the end of the 10-year tapered protection period for those staff aged 50 or above in 2012.

The Government propose that in April 2022 all staff in a civil service pension scheme go on the Alpha scheme which means we have a retirement age of 67 or 68, dependent upon your official state pension age.

We will then get a choice of either transferring those 7 years contributions into our pension schemes which we were members of in 2012, which is either Classic, Classic Plus, Nuvos or Premium, or we can choose to keep those 7 years contributions in Alpha.

We have asked the Government to allow a deferred choice which means staff will not have to choose what to do with those contributions until they retire.

The Government proposals include repaying any extra contributions you have made if you transfer into a legacy scheme minus tax, or the government will use it to pay for the case they have just lost and the cost of putting it right.

The POA continue to campaign for a retirement age of 60 for all members. We will continue to engage with Government to stress the unique occupation we have and the unviable practicalities of working in our secure environments until the age of 68.

I envisage a final decision by Government in spring next year.

KEY WORK

Many branches have highlighted the insistence of local SMT's to log key work on the NOMIS system even when an official key work session has not been profiled. Members should be aware that key work is an official 45-minute session and must be profiled work. Nobody can be forced to record a conversation as a key work session if key work has not been profiled or taken place. Although we do not discourage key work taking place, staffing levels and Covid outbreaks will determine if this is possible. Staff being subject to threats and intimidation to record conversations with prisoners as a key work session when it is clearly not should immediately submit a grievance. Local committees are encouraged to keep their area NEC Representative updated about key work in their establishments.

FACE MASKS

Staff can now choose to wear a face mask on duty if they wish. Please make yourself familiar with POA Circular 139/2020 for further details. All Covid related documents can be accessed via the following link:

<https://hmppsintranet.org.uk/except/latest-updates/>

TRACK AND TRACE

We are in discussions with HMPPS about their updated track and trace policy for staff. They intend to create a Single Point of Contact who will assess the level of contact between staff who have been identified as Covid positive. A report will then be forwarded to the local Health Protection Team who will decide if staff who have been in contact with the positive case need to self-isolate.

BANK HOLIDAY LEAVE

I can confirm that after the intervention of the POA any staff who had been shielding and were subject to bank holidays being taken from their annual leave balance will now have that balance recredited. No operational member of staff should have had leave taken off them if they had been shielding during a bank holiday.

COVID 19 TESTING

Matt Hancock Health Secretary has confirmed that Prison Officers on the frontline will now be prioritised along with NHS and Care workers as a priority for C-19 testing. This will further protect the workforce and is a welcome announcement. Plans include the regular voluntary testing of frontline staff every 7 days to ensure we curtail the spread and isolate staff who identify as positive. Initially this will commence in the 28 sites that adopted the pilot testing scheme, with a target of all Prisons conducting the testing by the end of November. The tests come in kits that staff use to test themselves so there are no additional resource requirements. Results are returned within 72 hours via text.

There are also plans to test every prisoner both on reception and prior to transfer.

STAFF BEING FORCED TO USE PRE-BOOKED ANNUAL LEAVE WHEN SELF-ISOLATING

The NEC are aware of reports from branches that staff are being forced to use pre booked annual leave if they have to self-isolate. The POA have not agreed this position and are vehemently opposed to it. Any member who is forced to use leave when self-isolating should submit a grievance to the employer. You are also encouraged to submit an LA100 form to the POA to get legal advice so we may challenge the employer about this obscene, unfair practice. We have also had reports of staff who have reported sick due to Covid 19, who are having any pre booked AL or TOIL deducted. This is not acceptable. If you have reported sick any pre booked AL/TOIL should be amended to reflect the period of sickness.

RETURNING AFTER SELF-ISOLATION

We have been made aware of a practice in one Prison in Wales that requires staff returning from self-isolation due to track and trace to answer personal questions in relation to their absence as part of a return to work interview. This process could be interpreted as a warning or threat to staff. Return to work interviews are not an investigatory process. All members are strongly encouraged to only attend return to work interviews after a period of self-isolation with a local POA committee member in attendance, so they are fully supported and do not feel intimidated. This practice has not been agreed nationally.

POA SCOTLAND

Our colleagues in Scottish Prisons continue to battle with sporadic outbreaks of Covid, most notably at HMP Barlinnie that has seen 68 staff and 116 prisoner positive cases. There have also been several instances of staff cars being firebombed in car parks, most recently at HMP Shotts.

The annual Chief Inspector of Prisons report for Scotland is due to be published which casts a positive light on Prison staff for the commendable work they have carried out during the pandemic in keeping Scottish prisons safe and stable.

SECURE HOSPITALS

Our secure hospital sites continue to see cases of Covid amongst staff and patients with varying degrees of staff absences. PPE is readily available but is sometimes being misused or underused. The main concerns surround the staff being managed appropriately whilst absent due to Covid and the long-term effects which could affect future employment.

PAY RECOMMENDATION 3

The Government continue to consider the recommended £3k per year pay uplift for Band 3 staff in Fair and Sustainable. There is no specific indication of when a decision will be made.

EMERGENCY SERVICE FOOTBALL LEAGUE

Any POA members who wish to partake in the emergency services football league should register their interest on the following link:

<https://www.esfl.co.uk>

UNION LEARNING

The Government have recently announced that they intend to withdraw funding for all union learning schemes. Members are encouraged to sign the petition and email their MP to reverse this decision. Links enabling this are enclosed.

<https://www.megaphone.org.uk/petitions/uk-gov-don-t-cut-union-learning>
<https://act.newmode.net/action/saveunionlearning>

As we continue to deal with outbreaks of Covid it is vital that we support each other and work as safely as we can. Regimes should not be extended whilst we continue to deal with the threat of Covid in our Prisons. I will continue to visit branches upon request.

All the best.



MARK FAIRHURST
National Chair