



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

National Chair: Mark Fairhurst
General Secretary: Steve Gillan

Headquarters:
Cronin House
245 Church St.
Edmonton
London N9 9HW
t. 020 8803 0255
f. 020 8803 1761
e. general@poauk.org.uk
w. www.poauk.org.uk

North Regional Office

1 Linden House
Sardinia St.
Leeds
LS10 1BH
t. 01132 428833
f. 01132 429075
e. adminnro@poauk.org.uk

Northern Ireland
Castell House
116 Ballywalter Rd.
Millisle Co Down
BT22 2HS

t. 02891 861928
f. 02891 861839
e. adminni@poauk.org.uk

Scotland
21 Calder Rd.
Edinburgh
Scotland
EH11 3PF

t. 0131 443 8105
f. 0131 444 0657
e. adminscot@poauk.org.uk

POA Circular 037/2021

27th April 2021

Dear Colleagues

NATIONAL CHAIR UPDATE APRIL 2021

Please bring the contents of this circular to the attention of all POA members.

FUTURE REGIMES SURVEY

The NEC have agreed a joint statement with HMPPS (enclosed) that enshrines the employer's commitment to working in partnership with the POA to shape future regimes. It is important that frontline staff have their say. We therefore invite all POA members to highlight to the employer how they think future prison regimes should look like by accessing a survey via the following link;

<https://www.smartsurvey.co.uk/s/XCNNRN/>

PAY SUBMISSIONS

HMPPS have finally submitted their pay recommendations for 2021/22. They fall in line with Government policy. A copy of HMPPS submissions can be found via the following link:

<https://www.gov.uk/government/publications/hmpps-evidence-to-prison-service-pay-review-body-2021>

USE OF FORCE TRAINING

Plans are being drawn up to reintroduce priority elements of Use of Force training which will recommence after June 21st providing the Government approve the lifting of restrictions on that date. Courses that will take priority include C&R Instructors revalidations, Advanced refreshers, SPEAR, PAVA and Rigid bar cuffs.

Further information will be shared once plans are finalised.

PRISON STAFF: MARKET SUPPLEMENTS UPDATE

POA members in receipt of Market Supplement payments should note the following confirmation from HMPPS:

HMPPS can now confirm that it is able to continue for another year the market supplement payments for Band 3 Prison Officers currently being made at 31 prisons. Staff in receipt of this allowance should note the following from HMPPS pay submissions:

Identifying arrangements beyond April 2022 will require careful consideration – including of the effectiveness and ongoing need for Market Supplements, as well as value for money. A Market Supplement review is being carried out to support this and the findings will be delivered ahead of the 2022/23 pay round.

PAYMENT PLUS INCENTIVE SCHEME

HMPPS have confirmed that any staff who owe hours in the original PP Incentive Scheme that was brought in last April should note that the time limit to repay any outstanding hours has been extended until March 2022.

REPORTING STAFF COVID-19 CASES TO THE HEALTH AND SAFETY EXECUTIVE

HMPPS are processing new procedures for reporting cases of Covid-19 to the Health and Safety Executive. Members should note the following that the NEC have received from the employer:

We are currently refreshing our guidance to Health and Safety Leads across prisons and probations on the reporting requirements for Covid-19 cases of illness or fatalities under The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR).

HMPPS submits RIDDOR reports on a regular basis, primarily in relation to assaults or use of force injuries. As Covid-19 is a new context, we have consulted with the Health and Safety Executive (HSE) to test our understanding of their Covid-19 guidance. HSE has confirmed that they would not anticipate receiving RIDDOR reports in the large majority of cases and reinforced the importance of considering each individual case on the available evidence to determine whether a report is required.

HSE requires employers to report occupational exposures of Covid-19 that result in illnesses (cases of disease) or fatalities (work-related deaths due to exposure to a biological agent), where there is reasonable evidence that a work-related exposure is the likely cause of the disease. For an occupational exposure to be judged as the likely cause of a disease or workplace fatality, HSE requires that it is more likely than not, that a person's work was the source of exposure to coronavirus, as opposed to general societal exposure.

HSE recognises that such cases may not be easy to identify when COVID-19 is prevalent in the general population but stipulates that working with the general public is not considered sufficient evidence to attribute a COVID-19 diagnosis to an

occupational exposure. Additionally, given the prevalence of the disease at a societal level it is important to distinguish between a potential exposure happening at a workplace as opposed to one which arises from the work itself. As such, a very significant proportion of cases will not require a report to be made. When deciding whether a RIDDOR report is required, the responsible person (the local Health and Safety Lead) will consider all relevant factors, including the likelihood of societal exposure outside of work and the use of control measures in work (including PPE and social distancing), to determine whether the incident meets the threshold for reporting.

Due to the global pandemic status and levels of prevalence in the community, the control measures in place, and based on the HSE Covid-19 guidance for RIDDOR, cases of Covid-19 work-related illness and fatalities across HMPPS are very unlikely to meet the threshold for RIDDOR reporting and HSE discourages employers from submitted reports on a precautionary basis.

Any member of staff who concludes that they may have contracted COVID whilst on duty should submit an accident report form so a thorough investigation can take place and apply for a sick leave excusal if their illness continues beyond the statutory 10-day isolation period.

SECURE HOSPITALS

The situation in our secure hospitals continues to improve with very few staff or patient positive cases. POA committees continue to work tirelessly on members behalf and have been instrumental in ensuring their workplaces remain as safe as they can be. Their efforts have been commendable.

GATWICK IRC PAY OFFER

The Ballot for the DCO Pay Offer 2020/2021 at Gatwick IRC has now been completed and the membership accepted the offer by 96 to 32. The offer was

- 2% pay rise taking the DCO salary to £26043
- The removal of sickness waiting days so that full sick pay entitlement is paid from day one of any sickness absence.
- The continuation of premium payments for public holidays where existing terms and conditions specify.
- Salary increases to be back dated to the time the award was applicable to each individual.

COVID ABSENCES

All POA members should make themselves aware of POA circular 29/2021 which covers the new guidance issued by HMPPS in relation to Covid absences. Each case must be considered on its own merits and any issues should be progressed to Area NEC representatives.

EMERGENCY SERVICES FOOTBALL LEAGUE

POA members are invited to participate in the ESFL 5-A Side competition which will take place at Goals in the Black Country on 17 July 2021.

Separate women's and men's competitions will run. Full details can be found via the following link or by accessing the ESFL website.

<https://forms.gle/VjSfPtg1i4EqTXLp8>

A NEW EMPLOYEE HEALTH SUPPORT SERVICE

Members are reminded of a new health and wellbeing facility that they can access from their workplace.

In partnership with Optima Health, there is a free health support service to help you understand your condition better and gain access to tools to help you to make improvements to your health and wellbeing. You should access the service if you suffer from one of the following conditions or, if you feel you may be beginning to experience signs or symptoms relating to the following:

- Diabetes • Obesity • Breathing issues (Asthma) • Heart issues.

You can call health advisors between 9am – 4pm on 03300084336. If the lines are busy, you may be offered a call back slot which will be agreed with you on the phone.

NORTHERN IRELAND

The easing of restrictions and the vaccination roll out is slower than the rest of the United Kingdom. The area committee are due to progress pay negotiations for 2021/22 in the near future.

UTILITY VESTS

The NEC are dismayed at the lack of decision making by HMPPS in relation to the issue of utility vests for staff. The excessive equipment staff are forced to wear on utility belts leads to adverse health conditions for POA members. We feel utility vests offer more practicalities, are professional, smart and benefit staff. We are opposed to any further delays in relation to the roll out of utility vests for staff should they need them. The NEC will continue to engage with the employer until they finally decide if they wish to issue utility vests.

We are therefore advising any member of staff who feels their health is suffering due to the amount of kit they are forced to wear on a utility belt to immediately ensure they are referred to occupational health so they may discuss their issues and get provided with, as a reasonable workplace adjustment, a utility vest. The immediate need to provide a reasonable adjustment to staff who are experiencing musculoskeletal issues due to the excessive amount of kit they are forced to carry on utility belts is currently something that is addressed on an individual basis and

a bespoke solution is identified at a local level following advice from OH. In some cases, equipment vests have been issued.

SHIELDERS LEAVE

We are preparing to lodge Employment Tribunal claims on behalf of members who have been forced to take annual leave whilst shielding. We remain open to resolving this issue without legal action and await further dialogue with the employer.

POA MEMORIAL

The proposed POA memorial has been approved by the National Arboretum in Stafford. Plans to erect a fitting tribute to all our ex-forces personnel and colleagues we have lost throughout the pandemic can now progress. Once an anticipated completion date is finalised the membership will be updated.

As we continue to see a significant reduction in Covid outbreaks in our secure settings it is important that we remain vigilant to the threat it poses. The road out of lockdown and restrictions will be a protracted process. Local committees are encouraged to secure adequate facility time to engage with future regime plans for their establishments.

The NEC will continue to ensure your concerns are addressed.

Stay safe and all the best.

A handwritten signature in black ink, appearing to read 'Mark Fairhurst', with a long horizontal stroke extending to the right.

MARK FAIRHURST
National Chair

ENCLOSURE



HM Prison & Probation Service



HMPPS joint statement with POA NEC on future regime design programme.

HMPPS and the POA NEC have held initial meetings about how we deliver prison regime in the future, once COVID-19 restrictions have been relaxed. We are committed to working together to 'build back better' and move away from pre-COVID regimes. Though COVID-19 continues to present a significant challenge to our prisons, HMPPS and the POA agree that the next year and beyond presents a unique opportunity to look again at how regime is delivered and where improvements can be made.

This is not a quick process, national reform of regime is dependent on reducing backlogs in staff annual leave and training, amongst other pressures. Clearly, we can't achieve significant changes before prisons progress to stage 2. Some prisons are already at Stage 3 whilst others are cautiously progressing and will reach this point in the near future.

For safety and stability reasons we must get prisons to stage 3 where and when safe to do so but remain mindful that COVID still poses a significant risk both now and in the future, and we may need to regress regimes where necessary.

We shall only therefore deliver regime reform in stages after this point. The Future Regime Design project (FRD) has been established to deliver this reform. The Future Regime Design project will inform national regime requirements for stage 2 and design stage 1 regimes as the first steps to reform. A second phase will then commence which will be a three-year programme building on these initial changes to deliver reform of prison regime. The priority objectives of this three-year programme will be safety, order, control, reducing re-offending and decency, among others, interpreted in the light of COVID learning.

The NEC will work collaboratively with HMPPS on the Future Regime Design Project to represent the views of POA members. Though the work is at a very early stage the POA NEC has made it clear to HMPPS that the POA believes we should not return to mass unlock and full association in prisons. HMPS and the POA are committed to working together to develop safe and more purposeful regimes and recognise any benefits of a small group approach. The POA NEC will ensure the membership has a voice in the upcoming changes and that this and other ideas are considered.

HMPPS and the POA NEC are keen for staff to contribute their views on future prison regime. Prisons are already undertaking their own consultation locally and we encourage staff to participate in these opportunities. HMPPS is also keen to ask staff some specific questions on future regime so has launched a survey for staff to complete online. The POA NEC supports this development and encourages members to complete the survey and contribute your views. This is an opportunity for staff in all grades and roles to share their personal views on future regime. Please follow this link to share your views: <https://www.smartsurvey.co.uk/s/XCNNRN/>

If you have any queries about the Future Regime Design Programme or this briefing feel free to contact the Future Regimes Design team- COVID19.RegimesOpsGuidance1@justice.gov.uk

Yours sincerely



STEVE GILLAN
General Secretary

Yours sincerely



MARK FAIRHURST
National Chair

Yours Sincerely,



Michelle Jarman-Howe
Chief Operating Officer Prisons

Yours sincerely,



Cheryl Avery
Executive Director HMPPS, Prison Reform