



POA Annual Conference 2022

Annual Report - Years 2019, 2020 and 2021

Building **Safe** Workplaces





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ANNUAL REPORT

YEARS 2019 / 2020 / 2021

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STEVE GILLAN
General Secretary



MARK FAIRHURST
National Chair

Foreword

As with previous years, 2019 proved to be extremely busy for the Union across the country. The year started poorly, with the NEC walking out of a meeting with HMPPS Chief Executive, Michael Spurr, over the widespread abuse of the disciplinary and grievance procedure and the inability of HMPPS leadership to bring this issue under control. Disciplinary procedures are supposed to be fair and follow natural justice, no matter where you work. It cannot be natural justice when members are cleared in a Crown Court trial or after a Police investigation, only to be charged by the Employer with the exact same offence the law cleared them of. This has and will remain a point of principle that the Union will continue to hold, now and in the future.

Michael Spurr moved on later that year and we welcomed the new Chief Executive, Dr Jo Farrar, who took up post in April 2019.

Covid

The appearance of Covid-19 in early 2020 brought about changes to everyday life that will be with us for generations to come. Throughout the pandemic, POA members have worked tirelessly to ensure they deliver safe, decent and secure custodial environments across the whole of the UK.

Despite all the predictions of the devastation that could have happened inside our prisons, hospitals and centres, the procedures and new ways of working have delivered over and above what was expected.

That is not to say that we have not been affected by losses – we have.

What is important going forward is we learn from these life-changing events and strive to come out of the other side of the pandemic safer and more secure than when we went in.

It has been three years since we had a POA Conference, and we hope this year's will prove to be a positive one, providing a springboard of policies to take the Union and the membership forward.

The pandemic does not mean the work of the Union stopped. Instead, many issues have been progressed

throughout this period.

Pensions Challenge

Thompsons Solicitors and the Union have continued to progress this matter. The Government have now accepted that the rules which required members to transfer from the Principal Civil Service Pension Scheme to the 2015 scheme ('alpha') were unlawful. The same is true for members who were part of the former NHS Pension Scheme.

Though this issue has moved forward with success, many of the details have yet to be fully resolved. The Union and Thompsons will continue to fight and campaign to ensure all members receive the fair deal they deserve.

Also ongoing in relation to pensions is the Union's "68 Is Too Late" campaign. This was relaunched in 2021 and is being taken forward in Parliament, with the Ministry, Cabinet Office and across the POA's social media communications. Although this is not a campaign that the Union believes can be won swiftly, it is one which will continue for as long as it takes to win justice and fairness for the membership.

Prison Violence

Throughout 2019 and the Covid pandemic, the Executive have monitored levels of violence across the custodial sector. The unacceptably high figures from 2019 did, as we would all expect, decrease once regimes were restricted as part of the Covid pandemic measures.

The important issue for all of us is that, as we emerge from these restrictive regimes back towards the new normal, we ensure that violence does not return to the reprehensible levels we saw before.

Privatisation

In April 2019 we saw the return of HMP Birmingham to the public-sector prison service. The POA campaigned tirelessly for this move ever since Birmingham was wrongly privatised in 2011.

The Union will continue to campaign against the obsession of the Tory Government to outsource and privatise public-sector work.

Following a market testing process, the two Immigration Removal Centres in Gatwick, Tinsley House and Brook House transferred from G4S operation to Serco. The POA engaged throughout the TUPE process and have built a positive, close and productive partnership approach to working with Serco at our first establishment as the recognised trade union. Since the transfer, POA membership has more than doubled at the Centres.

2021 saw the construction of a new prison in Wellingborough. This new establishment has been named HMP Five Wells after a public consultation. G4S were announced as operator of the new prison in October 2020.

Following the partnership approach that the POA and G4S developed at HMP Oakwood, POA and G4S have now signed a new voluntary recognition agreement at HMP Five Wells. Membership has grown and we will continue to engage with G4S in a positive partnership approach to help support our members in this new large establishment.

PSPRB

Throughout the last three years, the Prison Service Pay Review Body have made recommendations for below-inflation pay increases for the remit group. Where they made recommendations that we would welcome, Government chose not to accept them. These choices by Government again showed to the NEC and membership that, as a pay determination mechanism to compensate POA members for the restrictions placed on their trade unions rights, the process fails to meet even a basic level of scrutiny.

What is clear is that, until HMPPS is given the funding it truly needs to deliver the service that Government claim they wish to deliver, the NEC can see no change to the use of low pay awards through the recommendations of their pay review body and the constraints put on them by Government.

Political Campaigning

In March 2019 we held an extremely successful march and rally in London. We marched down Whitehall, stopping off at the entrance to Downing Street, and then moved on to the Methodist Central Hall, where we held the rally. Guests from across the political spectrum joined us on the day – SNP, Liberal Democrat, Labour, Plaid Cymru and Conservative MPs attended and supported us. And with a large number of POA members meeting with their own MPs in the Houses of Parliament, the event was successful in highlighting the main campaign themes of “68 Is Too Late” and violence in the workplace.

Despite the restrictions brought about by Covid, the Union have continued to campaign on the political front and have been supported by many MPs from across the House during a number of debates and sessions in Parliament. Many of these are highlighted on the POA website, Facebook and Twitter accounts.

The POA remains politically neutral. The Union is aligned to no single political party and has a wide range of support from MPs of all political persuasions. We will continue to work closely through our Parliamentary Groups.

Scotland

Following months of long, difficult and challenging negotiations in 2019, including consideration of industrial action ballots, the Scottish membership overwhelmingly agreed to accept a three-year pay deal worth 15%, effective from 1 April 2019 and lasting until 31 March 2022. The scale of this deal was unprecedented and represented the largest pay settlement to date for a public-sector body, not only in Scotland but across the whole of the UK.

Our Scottish membership have endured the same issues and hardships since the outbreak of the Covid pandemic as their colleagues across the country. They, like us, all continue to engage with management and Government to ensure prisons in Scotland transition into the new normal in as safe a manner as possible.

Prison and Probation Ombudsman Interviews

Another success for the Union prior to lockdown was the agreement in November 2019 with HMPPS to ensure that members have the right to be accompanied at Prison and Probation Ombudsman Interviews by a solicitor where appropriate.

This was a significant step, as members' evidence provided during an interview with the PPO can be used in disciplinary proceedings with the explicit consent of the member. At the conclusion of any such interview, members must ensure they inform the PPO that consent to share the information with the Employer is not provided. Importantly, members must also be aware that any such evidence can be shared with the Police or prosecuting authorities during a criminal investigation without their consent.

For this reason, the NEC took this matter forward and were successful in reaching what we believe are vital new protections for members who may need the services of a solicitor during these interviews.

Our Thanks to the Membership

The National Executive Committee wish, as always, to place on record their thanks and gratitude to the men and women of the Prison Service, Immigration Service and the NHS, who continue to serve the public diligently, day in day out.

The issues, difficulties and victories outlined above can only be taken forward successfully with the continued help and support of the membership. Where we have not yet achieved favourable results, we will continue to campaign and negotiate on your behalf. We may not always be as successful as we would like, but the NEC are sure that, if the Union remains strong and we remain united, then further successes will be achieved for members going forward.

Thank you all.

HR

HR Sub Whitley Annual Report 1/1/19 – 31/12/21

Introduction

Since the last POA Conference in 2019, the POA has worked hard on your behalf to improve terms and conditions and to keep you safe in the workplace during what has been a challenging time for our members working in the prison service. The gains we have made on your behalf are as follows:

- Submissions to the Pay Review Body supported by the giving of oral evidence in a timely manner to ensure that members receive a fair and inflation-proof pay rise to stem the flow of staff leaving the Employer for better pay.
- Collective negotiations with the Employer of PP in lieu of an agreed overtime scheme and individual negotiations on its implementation
- Challenging the re-introduction of fitness testing for all and negotiating a phased return of this when this challenge was unsuccessful, as well as continuing to campaign against its continued use and for its replacement with a well-being assessment.
- Protecting the clinically vulnerable and pregnant staff during the pandemic and ensuring that staff continued to be paid when it was assessed that it was not safe for them to attend work, whether they were able to work from home or not
- Raising both collectively and individually bullying and unacceptable behaviour in the workplace and engaging with TUBU to raise the concerns of our members regarding their treatment in the workplace.
- Supporting a better work-life balance by supporting the implementation of the flexible working policy. Currently there are discussions regarding permanent part-time working, annualised hours, and other changes to enable operational staff to achieve a better work-life balance in what is a demanding and challenging occupation.
- Working with the Employer to deal with discrimination in the workplace and sending a clear message to our members and the wider prison community that racist language/abuse is unacceptable, and action will be taken with the Chair and General Secretary making joint communications with the Director General of HMPP.
- Supporting women in the workplace who have been subject to harassment and discrimination and through the menopause [Equality Impact Assessment on fitness testing].
- Negotiating an improved arrangement with Occupational Health for all staff returning to work from long-term sickness, including those injured at work or suffering from Long Covid or work-related stress.
- Continuing to support individual members in codes of discipline, grievances and other HR processes, including the provision of reasonable adjustments and protecting staff being targeted by prisoners or colleagues, as well as ensuring that staff are paid their correct salary and allowances and are not unduly penalised for overpayments caused by the Employer.

Looking beyond Conference to the remainder of 2022 and into 2023, processes and procedures to tackle unacceptable behaviour, such as bullying, harassment and discrimination of members, has repeatedly been raised by individual NEC members, as has the inadequacy of the current Grievance Policy in offering a fair and impartial hearing to the concerns of our members – something that the Employer has failed to resolve.

The POA are committed to changing the culture of the establishments within which our members work and to ensuring that Procedural Justice is a reality within the prison service, and will be robustly negotiating on behalf of our members with the Employer to achieve this.

POA HR Sub Whitley Meeting Thursday 5th September 2019, 2:30 – 4.30pm Room 1.19, 1st Floor, Southern House, Croydon

Attendees

HMPPS

Francis Stuart (FS) (Chair)	Head of HMPPS Employee Relations
Rebecca Dodd (RD) (Dialled-In)	Deputy Director HR (Prisons and YCS) MoJ People Group
Jim Heavens (JH)	SBO Resourcing for HMPPS
Graham Kilvington (GK)	Principle Operational Researcher (MoJ)
Eleanor Rose (ER)	People Analytics Team (MoJ)
Sarah Lock (SL) (Dialled-In)	Head of Learning and Development
Carol Wheeler (CW) (Dialled-In)	HR Policy Lead, People Group (MoJ)
Andy Hewitt (AH)	Senior Employee Relations Manager
Roberto Pesci (RP)	ER Team (Minute Taker)

POA

Andy Baxter	NEC Member
Ian Carson	NEC Member
Terry McCarthy	NEC Member
Joe Simpson	Full Time Officer

Apologies

Priscilla Wong	Head of Occupational Health and Employee Assistance Programme (MoJ)
Nicholas Wright	Programme Manager
Dave Todd	POA National Vice-Chair

1. Apologies were received as set out above.
2. Minutes of the last meeting (8th May 2019) were agreed as a true record.

3. Matters Arising (Actions Log) – Andy Hewitt

3.1 Concerning Action 3.3 on the Log, the POA said we had moved away from the spirit of the original action: they remained concerned that some Governors were holding back from submitting Sick Leave Excusals (SLE) where they were not sure about the circumstances e.g. with supposed secondary inhalation of PS (Psychoactive Substances) where staff have taken absence without an SLE. The POA suggested a way to deal with this would be to allow such staff to submit their own SLEs direct to SOP so that the situation is registered in a timely fashion and then for Governors or Line Manager could carry out their actions separately.

Action: ER Team to arrange a meeting between the POA (Andy Baxter); Andy Hewitt and Michael Lowe (Head of HR Services, MoJ People Group) to consider the possibility of allowing operational staff to submit SLEs directly on SOP to register illness in a timely fashion.

3.2 In-relation to sickness absence and SLE, the POA also requested that for those staff without an SLE, a temporary injuries benefit award should be available if and when they triggered nil pay rather than them moving onto statutory sick pay. Doing this would allow sick staff to continue paying into the pension scheme.

Action: The POA (Joe Simpson) and Andy Hewitt to discuss the possibility of a temporary injuries benefit award for sick staff separately to this meeting.

3.3 Concerning SLE for PS testing, the POA would like to see applied more widely the current discretion that Governors have, given the influx of Spice in establishments. A balance of probability should apply and outstanding SLEs should be dealt with as soon as possible because at the moment the POA believed that Governors were not processing SLE cases until absent staff advised when they were returning to work. The Chair asked the POA how many PS-related SLE cases were out there. HMPPS remained of the view that while the testing of PS was on-going, any application for SLE in this context would continue to be dealt with on a case-by-case basis.

3.4 Concerning Action 11.4, Pay and Reward related, the POA advised that Agency OSGs were being used in the North East establishments rather than substantive OSGs and that this was a breach of the 2015 OSG Agreement. AH advised that it had been difficult to recruit the right number of substantive OSGs in some regions. Therefore, Hays Recruitment Agency had been used where necessary. There was also the issue that Agency staff were actually better paid than substantive OSGs.

Action: HMPPS to recirculate to Governors of the 2015 OSG Agreement to remind them of the guidelines.

3.5 On a related issue, the POA questioned why OSGs could only work 37 hour weeks rather than 39 hours.

Action: ER Team to remind Pay and Reward Team of action 11.4 on the Log and that this includes the issue of OSGs not being able to work 39 hour weeks.

3.6 Concerning action 21.1, the Dying to Work Charter, in response to the Chair's request, the POA pointed out examples of organisations involved could be found on the TUC website.

Action: The Chair would circulate the Dying to Work Charter to HR colleagues and take their views as to the viability of HMPPS signing up to the Charter.

HMPPS Standing Agenda Items

4. Staff Wellbeing and Occupational Health Update

4.1 Priscilla Wong sent her apologies that she could not attend the meeting and provided a written update which the ER Team would forward on to the POA after this meeting. (*This written update was subsequently sent to the POA on 6 September 2019*)

5. Learning and Development update – Sarah Lock

5.1 SL advised that the Apprenticeship Coach role would be a single rather than dual one. We currently had up to 47 new officers signed up to participate in coaching. In May 2020 HMPPS would move over to a new selection model; in the meanwhile between October 2019 and May 2020 the old and new models would run together. The POA acknowledged their appreciation that HMPPS had taken on-board their request that the Apprenticeship Coach role should be a single rather dual one.

5.2 SL advised there were currently 85 POELT courses where we were looking to introduce the new learning methodology (more experiential) though this would take time.

5.3 A bespoke Level 3 Custody and Detention Officer Apprenticeship would be offered to new entrant prison officers from October 2019.

5.4 POA Agenda Item 15, *Custodial Manager Workbooks at HMP/YOI Moorland*, was brought forward at this point for Learning and Development to consider. The POA were concerned that this was not part of the nationally agreed CM job description or profiled work and felt it needed to be made explicit in the job descriptions. They were concerned that Governors were giving staff work that actually sat across two grades and that they could not just keep adding work to staff without profiling it – it needed to be measured with costing and resources being taken into account. SL confirmed the workbook in question was not part of Learning and Development. This seemed to be bespoke to the establishment in question where we understand they did not have profiled work for CMs. The POA felt every grade should have a profile.

Action: ER Team to ask Dan Billingham of the Service Improvement Group (SIG) for data across the estate concerning how many establishments formally profile their Custodial Manager grade. We would share the CM workbook with SIG and mention the work that the POA are doing in the North East around resourcing.

5.5 Additionally, the POA asked if we could risk assess workloads as per staff wellbeing (given the CM workload).

Action: ER Team to ask Dan Billingham in SIG if we could risk assess workloads as per staff wellbeing (given the CM workload) and we would advise the POA.

6. Recruitment and Retention update – Jim Heavens

6.1 This item was brought forward from no.7 on the agenda.

6.2 JH advised that recruitment of Prison Officers on the whole had stabilised but HMPPS would need to recruit some 2,500 to 2700 POs per annum to maintain current turnover across the estate. There were still regions where attrition and problems recruiting persisted e.g. Gartree and Channings Wood (this latter suffered from an increase in police recruitment in the area). The POA asked for consideration of the use of First Deployment at Gartree. Police recruitment was often a slower process than that for prison officers and there had been instances where successful newly recruited POELTS turned out to be dual-applicants subsequently left us to take a role in the other uniformed services where they had also applied. JH acknowledged that in some parts of the country recruitment was more difficult as salaries for prison officers were not seen as attractive; but there was a limited budget to address this and market supplements had to be Treasury approved. JH also pointed out that HMPPS now had a National MoJ cross-recruitment system in place and it was intended to extend national volume recruitment to cover OSGs, Instructors and Caterers (who were hard to find).

6.3 JH was able to advise the POA that it cost HMPPS approximately £9,000 per recruit to maintain staff turnover. In response to the POA question of how many experienced staff were leaving the Prison Service, JH thought this was less of an issue as they were well established in their roles. For further statistics, JH pointed the POA to the published Workforce figures to which we had shared a link with the POA originally but provide it again here: <https://www.gov.uk/government/statistics/hm-prison-and-probation-service-workforce-quarterly-june-2019>

6.4 JH advised HMPPS currently had two assessment centres and two pop-up centres as needed. He also advised that the Civil Service Commission had allowed HMPPS to curtail recruitment campaigns once enough applicants were received which was helpful in controlling the size of merit lists and throughput at assessment centres.

6.5 A brief discussion took place around gender distribution and shift patterns and HMPPS' ability to backfill roles when staff were on Shared Parental Leave.

Action: The POA committed to write to the Interim Director General of Prisons (Phil Cople) with their suggestion that HMPPS expand the approved method for use of Payment Plus in order to cover Shared Parental Leave.

HMPPS Items to raise

7. Free Text Exit Survey Presentation – Jim Heavens, Graham Kilvington and Eleanor Rose

7.1 This item was brought forward from no.8 on the agenda.

7.2 ER shared a paper copy of the Exit Survey, HMPPS – Prison Officer Summary and explained the main themes. The survey was based on 275 Staff Exit Surveys provided across two years. This was a less than 5% uptake. Of these there had been 188 responders to the Free Text element of the Survey. The Summary of free text key words extracted had been broken down into clusters covering Support; Management; Recruitment; Pay; Safety; and Training. This was covered in the presentation.

7.3 The key question was how we could encourage more staff to complete the Exit Survey in future – HMPPS could perhaps improve the design and drill-down with it to Establishments. AH wondered if the POA could promote the Survey with its members and the POA advised they were content to do this. JH thought that managers should also promote this with their staff and we should be looking at least 10 – 20% response rates. This would then provide more persuasive data that could be used to influence HM Treasury for pay and resource related purposes. The POA advised that the timing when launching the Survey was critical as staff who leave often use up TOIL and Annual Leave at the end so become unavailable to complete this when it is usually sent out.

Action: The POA agreed to work with HMPPS (Jim Heavens) in producing joint-communications to try to persuade members to fill in the Staff Exit Survey. Additionally, Becky Dodd agreed to consider the best approach to communicating the Survey at the right time.

8. HR Policy Focus: current and new policies – Carol Wheeler

8.1 This item was moved back from no.6 on the Agenda.

8.2 CW advised that a review of the Public Interest Transfer Policy, Excess Fares etc. was taking place. A meeting with SSCL would take place then a new policy would be produced in the New Year. Information would be shared with the Trade Unions in due course.

8.3 CW was also able to advise that the new system for booking travel tickets was now working correctly.

8.4 HMPPS would be consulting shortly on the introduction of the Transgender Staff policy.

8.5 We were progressing work on the introduction of the Conflict of Interest policy following a meeting between Ian Blakeman and the Trade Unions in the summer.

8.6 CW reminded the meeting that today was the closing date for HM Queen's 2020 Birthday Honours List.

8.7 The POA were concerned that they only seemed to be involved in consultation toward the end of a process and that the 28 days was merely a formality. They would like to be involved earlier in this process. CW agreed with this and said that this is what she had been doing with the Trade Unions and had discussed a number of consultations and issues around them with Jackie Marshall.

8.8 The POA advised that one of this year's Conference Motions was to engage HMRC to increase the Travel and Subsistence rates. CW confirmed that HMPPS would be considering T&S rates in a policy review which was scheduled but has no date set as yet.

9. Introduction of Rebecca Dodd, Deputy Director HR (Prison and YCS) MoJ People Group

9.1 This item was moved back from no.8 on the Agenda.

9.2 BD spoke about the new Functional Leadership model for HR which was now located in the Ministry of Justice. The HR Director and Deputy Director roles had gone from HMPPS and BD was currently interim Deputy Director roles for YCS and Prisons and Suzanne Moore was interim Deputy Director for Wales, Probation and Headquarters,

9.3 BD emphasised that HR Business Partners were still the key link between issues and people in HMPPS. The Chair also made the point that it was important that we remain linked-in to MoJ People Group. BD confirmed she would attend future POA HR Sub-Whitley meetings.

9.4 The POA wondered if BD was responsible for the HMPPS Pay Manual. They felt this Manual was confusing for managers and staff and could it be refreshed. BD advised that Adrian Scott was the HMPPS Director responsible for Pay and Reward and Julia MacMillan, Head of Reward, worked for Adrian. HMPPS areas such as Reward and Employee Relations remained in HMPPS given their importance to the business.

Action: ER Team to raise with Pay and Reward Division whether there are plans to refresh the HMPPS Pay Manual to make it clearer in the first instance and to feed this back to the POA.

POA Standing Agenda Items

10. HR Conference Motions 2019

10.1 The POA requested responses to their 2019 Conference Motions by November / December 2019. ER Team have launched requests for the organisation to consider and respond to these and would respond to the POA in due course. Alongside this, a discussion took place concerning Facility Time issues – HMPPS were considering POA needs and would continue to have that conversation with them.

POA Items to raise

11. Job Description Suite (POA request all latest Job Descriptions)

11.1 The POA asked that Job Descriptions be sent to them in a Zip File as they had little access to the HMPPS Intranet site (where the Chair advised these could be found). AH mentioned that currently the Job Descriptions had been removed from the Intranet while the wording of Success Profiles is added to them replacing the Competence-Based wording. AH emphasised that beyond this change, JDs would not

change in any other way. He advised that Zip Filing JDs would only show them as snapshots because there would be no live update links.

Action: ER Team would investigate with Angela Sinclair of the POA about sourcing a new laptop that the POA could use.

12. Handyman

12.1 The POA understood that a job was being advertised for a Band 3 with adaptable skills at Wymott. AH spoke about the action 16.1 on the Action Log (currently marked as completed). He advised that the Governor had now submitted a Job Description to the JES Team and the role was being scored and moderated. The POA thought this was happening at Moorland also. AH assured the POA that they would be consulted on this and confirmed that where these posts were being put in, no other jobs were being taken out. The Chair pointed out that Steve Ruddy, Head of Prison Maintenance, had been clear that we were not employing people to do the work that FM Contractors should be doing.

12.2 The POA asked for Facility Time for a POA branch member to attend a GFSL meeting. The Chair advised that the POA should be able to write to GFSL to request one of their members attend this but it would need to be in their own time.

13. Support for staff with cancer and other disabilities

13.1 The POA were grateful that the Governor at Hewell had been very helpful in the way they had helped a member of staff who had been diagnosed with a terminal illness, setting them up to work from home. While such cases were dealt with on a case-by-case basis, the POA wondered if there could be more widespread guidance disseminated. Michael Spurr's letter re serious underlying medical issues was cited.

Action: We agreed to hold a meeting to consider how we could assist seriously ill staff covered by the Disability Discrimination Act so that they avoid triggering pay reductions. The Chair said he would consider attendees from HMPPS-side.

The meeting ended.

POA HR Sub Whitley Meeting, Wednesday 18th December 2019, 2 – 4pm Room 1.19, 1st Floor, Southern House, Croydon

Attendees

HMPPS

Francis Stuart (FS) (Chair)

Rebecca Dodd (RD)*

Jim Heavens (JH)*

Sarah Lock (SL)* Jim

Fraser (JF) Michael

Lowe (ML) Steve

Buxton (SB)*

Head of HMPPS Employee Relations

Deputy Director HR (Prisons and YCS) MoJ People Group

SBO Resourcing for HMPPS

Head of Learning and Development

HR Policy Lead, MoJ People Group

Head of HR Services (Delivery), MoJ People Group

Ill Health Retirement Service Delivery Manager/HR Relationship Manager, MoJ People Group

Julia MacMillan (JM)	Head of Pay and Reward
Suzanne Davies (SD)*	Head of Promotional Assessments (Principal Occupational Psychologist)
Dan Billingham (DB)*	Service Improvement Group
Roberto Pesci (RP)	ER Team (Minute Taker)

Guest Observers

Eleanor Brain	HR Policy Fast Stream, MoJ People Group
Felicity Chilver	HR Policy Fast Stream, MoJ People Group
Archi Sharma	HR Policy Fast Stream, MoJ People Group

POA

Dave Todd	National Vice-Chair
Ian Carson	NEC Member
Terry McCarthy	NEC Member
Sarah Rigby	NEC Member
Andy Baxter	Full Time Officer
Mick Pimblett	Full Time Officer

Apologies

Andy Hewitt	Senior Employee Relations Manager
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*These individuals dialled-in to the meeting

1. Apologies were received as set out above.
2. Minutes of the last meeting (5th Sept 2019) were agreed as a true record.
3. Matters Arising (Actions Log) – Francis Stuart
 - 3.1 Concerning action 16.1 on the December Action Log, staff being employed on maintenance work at Leeds, the POA felt it was not appropriate for this process to continue without National Consultation being completed first. Therefore they asked that the Governor at Leeds cease the process in the meanwhile. The Chair said he would follow this up with the Governor and feedback to the POA.
 - 3.2 Concerning action 3.6, Dying to Work Charter, ER Team would organise a meeting with the POA to include the Ministry of Justice policy leads in the New Year.
 - 3.3 Concerning action 6.5, Maternity and Paternity leave, the POA had not written in but it was explained that Andy Hewitt and Becky Dodd were looking at these in-relation to Payment Plus and other elements. The Chair advised Andy Hewitt would update the POA in the New Year.
 - 3.4 Concerning action 7.3, engagement with the Exit Survey, Becky Dodd agreed to write to the POA about how we could progress this further. The idea was discussed that HMPPS could write to former staff with the survey 6-8 weeks after they had left.

HMPPS Standing Agenda Items

4. Learning and Development – Sarah Lock

4.1 SL advised that we now had Apprenticeships in 14 Prisons with more establishments coming on-board between January and full rollout in May 2020. We had recruited approximately 115 Apprentices by December 2019. The new more interactive approach to POELT had received good feedback. A two day Welcome event had been organised at Newbold post-training so that POELTS could meet other new Prison Officers. SL pointed out that using an ex-offender to describe to POELTS the “offender journey” had been very helpful. SL said we were still considering how to additionally reward Apprentices for completing their training. The POA were interested in a financial incentive for Apprentices who completed their training and SL suggested that maybe we would consider an increase in the spine points or a bonus.

4.2 Regarding Trainers and Apprenticeship Coaches, these were now visiting Prisons on a daily basis. In response to the POA’s enquiry, SL advised that we would be looking to recruit 80 Coaches by the end of 2020 (approximately 10 to 15 per month). One Coach would be allocated to each Prison with 50% of their time being funded by us and Governors using the other 50% to carry out projects etc. SL was clear to point out that this was absolutely not a dual-role.

4.3 SL mentioned that HMPPS had some 85 courses outside of the current POELT and that these would be reviewed either to remove or refresh them and, if refreshed, then to see if these should be face-to-face or online.

4.4 POA Item 17, *Rumours around a bespoke female POELT course*, was brought forward to discuss here. The POA clarified that they had heard some POELT training would be specific to working on the Female Estate and YCS. SL said that was not the case but that there would be more Female Estate and YCS content in the POELT. The POA remained concerned about this approach: they felt each Estate had its own unique set of problems and that there would be difficulties for POELTs moving into the Closed Male Estate on the above emphasis. SL advised that she had been specifically tasked to explore the above because only 6% of POELTS go into the Female Estate. Also, SL advised that there was a training course entitled “Power” that staff took when they switched from one type of establishment to another.

Action: Sarah Lock to send information on the “Power” training course to Dave Todd of the POA.

5. HR Policy Focus: current and new policies – Jim Fraser

5.1 The HMPPS HR Policy team recently merged with the MoJ HR Policy Team and they now led on HR policies for HMPPS and MoJ.

5.2 The MoJ HR Policy Team were concluding the research phase of the Public Interest Transfers (PIT) policy review. They were preparing a paper with an overview of proposed changes and would be making contact with the trade unions soon to set up a meeting in the New Year to discuss the revised policy.

5.3 We were looking to create a pan-MoJ Stalking guidance and we were conducting focus groups for MoJ/HMCTS in January with a look to publish guidance once we had collated all the feedback.

5.4 HR Policy Team had begun work on the introduction of a Gender Identity & Intersex policy. Unions would be engaged as part of process – we recently had a meeting and updated Jackie Marshall (POA) on progress and hoped to be in a position to share a draft policy with unions shortly.

5.5 Work was ongoing on the draft Conflict of Interest policy following the POA meeting with Ian Blakeman (Executive Director of Performance) in the summer. We would continue to liaise with all trade unions as this progressed.

5.6 CSEP had set up a cross-government working group to look at how we could better support staff diagnosed with a terminal illness. As part of this, consideration would be given as to whether departments signed-up to the Dying to Work charter.

5.7 HR Policy had been working on recruiting more nominated officers, to ensure the departments' (MoJ including HMPPS) Whistleblowing policy remained sufficiently supported going forward. Once the new officers were officially appointed by the Perm Sec, they would cover the entire Ministry. The POA asked whether this was an MoJ-wide policy or Civil Service-wide and JF said he would check. The POA also asked if the policy/guidance was available on the Internet (i.e. for someone at home rather than in an establishment). JF said he would check this.

Action: On Whistleblowing, Jim Fraser to confirm to the POA whether the policy was MoJ-wide or Civil Service-wide. Also, Jim Fraser would confirm to the POA whether the policy/guidance was readily available on the Internet.

5.8 CSEP had recently released guidance on Domestic Abuse to support managers and staff. HR Policy would be reviewing this guidance over the coming weeks, with a view to consulting trade unions before implementing a refreshed version across the Ministry.

5.9 JF said that work was on-going around the proposal for a Queen's Prison Service Medal.

POA Items to raise

6. Sick Leave Excusal (POA item brought forward from item 16.)

6.1 The POA thanked HMPPS for the meeting that had been held recently and their support. ML advised that HMPPS had consulted with Governing Governors that Deputy Governors could sign Sick Leave Excusals (SLE). A guided timeline had also been produced for SLEs to help Governors in this process. In the New Year, ML would be in-touch with the POA for a further meeting where, amongst the issues, the length of the guided timeline would be discussed. SB added that the SLE form had no section at present that showed ongoing absence – HMPPS would change this so that the form did have such a section. Additionally, we would be removing a box on the form that currently implied a Governor could reject an SLE: this aspect was for Scheme medical advisers to consider. Additionally, we would be removing any box relating to Local Delivery Units (LDU) on the form as this was misleading.

HMPPS items to raise

7. Seriously ill staff and the Disability Discrimination Act (Michael Lowe / Steve Buxton)

7.1 This item was pushed back from item 6 on the agenda. Michael Lowe and Steve Buxton wanted clarification on this POA request / action from the September Sub-Whitley meeting. The POA clarified that the Policy around this was confusing and therefore easy to misinterpret e.g. disability leave did not cover hospital appointments and treatment but the sick procedure did cover this. Long-term chronic conditions needed time off through normal procedures.

Action: Jim Fraser / Carol Wheeler (HR Policy) to look at clarification on the policy guiding how HMPPS deals with Seriously Ill Staff - this was also in relation to Michael Spurr's letter on Attendance Management Policy (dated 3 January 2017).

POA Item to raise

8. Operational Staff Profiling (POA item brought forward from item 10.)

8.1 The POA advised the profile issue was one they had raised previously and related to the fact that all work delivered by operational staff (not including non-uniform managers) should be profiled and the profiles must contain the costing for all profiled work. This was not currently the case where at best the POA considered some profiles were simply wish lists. The POA reiterated all work should be fully costed: the process should include an identification of work to be done; an identification of the grade of work; and an identification of resources available to do that work. The POA believed that this was not happening therefore these principles needed to be re-established. A technical discussion on how HMPPS operated in this area was had and it was agreed that a dedicated meeting was required between the POA and Dan Billingham who leads in this area for HMPPS.

Action: ER Team to organise a meeting between the POA (including Ian Carson) and Dan Billingham of the Service Improvement Group (SIG) to discuss the issue of Operational Staff Profiling to see if this process could be improved.

HMPPS items to raise (continued)

9. Recruitment and Retention update (Jim Heavens)

9.1 JH advised that a greater volume of recruitment had been carried out by the centre. Prison Officer Recruitment in November 2019 proved difficult because we had a shortage of Assessment Centre availability. From the New Year this would be much improved. JH confirmed that recruitment to most prisons was working fairly well. However, he acknowledged that attrition had been an issue at a number of establishments. Exeter's Urgent Notification process had made it harder to recruit and keep staff there. There had also been issues at Channings Wood possibly because of the significant increase in police recruitment: people may have applied for both Prison and Police roles and, due to the more rapid Prison Service recruitment process, people who had taken a job with us might leave if offered a Police job further on. JH advised that HMPPS would look to increase its profile in the Channings Wood area.

9.2 The POA were keen to understand why detached duty was still necessary if the recruitment situation was running so well. JH reiterated that there were indeed pockets of difficulty citing Wormwood Scrubs. However, regions such as North Yorkshire and Humber, which had problems in the past, had improved: Hull had a +10 staff in post and

Humber a +13 by the end of November 2019. Additionally the Merit List numbers were good. JH acknowledged that in the North East, there had been problems e.g. at Wealstun due to police recruitment however this had now been overcome. HRBPs also had a toolkit to analyse how HMPPS was addressing issues of attrition. The POA pointed out that they were aware of six prison officer staff leaving Liverpool and seven were leaving Holme House to join the Police. The POA asked if we had compared the packages between HMPPS and the Police in order for there to be greater parity between the two.

Action: Jim Heavens and the POA to meet to discuss the HMPPS recruitment and retention situation further based on discussion above (paras 9.1 and 9.2).

9.3 JH advised that OSG Recruitment was now centrally handled making it a much more consistent process. Additionally, the Catering Staff recruitment situation was much improved and now resolved. Workshop Instructor recruitment remained an issue and HMPPS is turning its attention to this.

9.4 POA item on Compassionate Transfer Policy was brought forward from item 15. Concerning the Policy, the POA asked how many applications had been received. JH confirmed HMPPS did not hold a central record. He thought many applications had been received and given careful consideration. The POA believed approved requests were rare as they were aware of members whose requests had been turned-down.

Action: Jim Heavens would explore with Becky Dodd about getting the figures for Compassionate Transfer applications and the results from these (acceptances/rejections) and would provide these to the POA.

POA Item to raise (continued)

10. Pay Slips (POA item brought forward from item 11.)

10.1 The POA raised some time ago that pay slips need ed to be changed to reflect what an individual earned in its entirety rather than broken down. Members were continuing to report they were struggling to get mortgages as their pay slips had the ACH / ACHP and the 17% reflected separately with no annual earning displayed. This was making it difficult to get a mortgage based on their entire earnings. JM advised that HMPPS were aware of the situation but that there was an issue with consolidating all these payments into one. They needed to be accounted for separately regarding the Pay Bill. Legislation stated employers must be transparent and we could not circumvent this situation. However, JM advised that, for situations like proof of salary for mortgage applications, staff could contact SSCL who would provide a letter of proof of salary.

10.2 Additionally, the POA asked if an annual salary figure could be listed on the payslip, the context being that it was difficult for staff to query their pay. JM advised that she would investigate whether this was possible and respond to the POA (Sarah Rigby). Additional to this, JM said the Pay and Reward Team were developing a guide to straight-forwardly explain the elements that make up staff pay slips. Each line and box of the slip would be clearly explained. The POA asked if JM could also check what should be shown on a pay slip e.g. does it break down Payment Plus on each slip etc.

Action: Julia MacMillan to confirm with the POA (Sarah Rigby) whether i) an annual salary figure could be listed on a pay slip so that staff were able to better query

their pay; and ii) what should be shown on a pay slip e.g. does it break down Payment Plus on each slip etc.

11 Berryman Ruling Policy (POA item brought forward from item 12.)

11.1 The POA requested greater clarity on the policy around the Berryman ruling.

Action: Julia MacMillan agreed to re-issue guidance on the *Entitlement for Regular Earnings*.

11.2 JM said that HMPPS would be referring to the Prison Pay Comparability Study in the Evidence to the Prison Service Pay Review Body (PSPRB) this year. This had been a helpful piece of work to reference. The POA thought that the key to retention remained with Pay and Reward, JM acknowledged that staff leave for other reasons than pay too.

12. Pass scores and success rates for CM Assessments (POA item brought forward from item 13.)

12.1 SD clarified that CM applicants need four of the six competencies above 36% to get a pass score for the Custodial Manager (CM) Assessment. The pass rate was 79%. The POA thought there was a lack of training for CMs: Health and Safety (H&S) training was a serious concern for the POA now that the NEBOSH course had gone. SD could not respond on this as it was a Learning and Development issue but did advise that the CM training was based on a framework of competencies and H&S would be too specific an element. However, the POA felt H&S should be a requirement for first line management. The Chair asked the POA to write directly on this issue to Kathryn Ball (Head of Health, Safety and Fire) and Sarah Lock (Head of Learning and Development).

HMPPS Items to raise (continued)

13. HR Sub-Whitley Terms of Reference.

13.1 This item was pushed back from item 7 on the agenda. The POA were of the view that Terms of Reference for the Sub-Whitley meetings should be compared to ascertain where items were best placed and that there was no duplication. Francis advised that this would be considered as a piece of work for the new HR Business Partner temporarily joining the Team in the New Year.

Action: Emily Przybyla (HRBP in ER Team) to consider the Terms of Reference for the POA Sub-Whitley meetings comparing them to ascertain where items were best placed and that there was no duplication.

POA Items to raise (continued)

14. HR Conference Motions 2019.

14.1 This item was pushed back from item 8 on the agenda. HMPPS advised the Conference Motion responses were being followed-up in ER Team and we were hoping to finalise these in the New Year.

15. Sick Leave Excusal

15.1 This POA item was brought forward from item 16 on the Agenda. A dedicated meeting in relation to Sick Leave Excusal procedures had happened between HMPPS and the POA, however, the POA were seeking guarantees that staff would not be dismissed on capability grounds who had outstanding SLE applications. The POA had understood that once staff left HMPPS they were not covered by HMPPS systems.

16. Submitting Grievance

16.1 Related to the above item, this POA item was brought forward from item 18 on the Agenda. When staff who had left the Service wanted to submit a grievance, they were not able to have it logged with Shared Services. These grievances were therefore not being recorded officially anywhere. The POA wanted the system be amended so a staff member's employee number remained valid even after they depart from the service. The POA felt that at the point a detriment suffered by a member of staff then a Grievance should be recorded and submitted.

Action: The Chair advised that Julia Summer, HR Policy Lead on Grievances, would provide an update to the POA on the issue of Grievance and specifically on employee numbers remaining valid even after the member of staff had left the organisation.

17. Socio Economic personal details that are being requested by SOP.

17.1 This POA item was brought forward from item 19 on the agenda. The POA wanted feedback from the Survey re how many people completed by: Area; Demographic; Follow-up.

Actions from the Survey. Wincen Lowe, the Statistician overseeing the Socio - Economic Survey provided some initial figures on this as follows:

The completion of Socio-Economic Background (SEB) questions for HMPPS as at 30 Oct 2019 was:

HQ and Area Services: 31.19%
HMPS: 19.16%
NPS: 30.36%
YCS: 20.14%
Grand Total: 22.45%

We had no plans as yet to include SEB figures in our bulletin, but we were certainly planning to expand what we published on a quarterly basis, and so if there was indeed interest in seeing these by diversity we could consider that.

The meeting closed.

POA HR Sub Whitley Meeting 22nd September 2020, 10:15 – 12:15pm by Zoom

Attendees

HMPPS

Francis Stuart (Chair) (FS)	Head of Employee Relations
Jim Heavens (JH) Samantha Beard (SB)	SBO Resourcing for HMPPS Head of Delivery & Development - C&D Apprenticeships and Operational Training, Regional HR Business Partner
Rachel Richards (RR) Felicity Chilver (FC)	HR Policy Lead, MoJ People Group
Clare Cormell (CC)	HMPPS People Team
Ollie Saunders (OS)	Reward Policy Manager
Andy Heppell (AH)	Senior Employee Relations Lead
Roberto Pesci	ER Team Business Support (Minute Taker)

POA

Dave Todd	National Vice-Chair
Ian Carson	NEC
Terry McCarthy	NEC
Sarah Rigby	NEC
Geoff Willetts	NEC
Angela Montgomery	Full-Time Officer

Apologies

Andy Hewitt	Senior Employee Relations Manager
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1. Apologies were received as set out above.
2. Minutes of the last meeting (19th December 2020) were agreed as a true record.

Matters Arising (Actions Log) – Andy Heppell

3.1 Concerning the Leeds FM issue, AH advised that Mark Scott was the Governing Governor and was looking into the situation. Additionally, AH ran through the ongoing actions and explained that we continue to work to resolve and that some of these would be addressed in the meeting.

HMPPS Standing Agenda items

4. Learning and Development - Samantha Beard

SB advised that HMPPS had 45 POELT venues at the moment with 90 trainers but that we were trying to recruit more. We currently allowed a maximum 10 learners in a class and had between 450 – 500 new officers in training. We continued to monitor the Covid-19 situation and would review our approach in-line with advice.

4.2 We had 250 early adopters of the Apprenticeship scheme which was paused due to the Covid-19 situation.

4.3 The Security Investment Programme training had now started. We were awaiting guidance from the DG concerning the resumption of Fitness Testing. The POA asked if there was a likelihood that

Fitness Testing would recommence in the near future - SB advised that Phil Copple was writing to the POA about this. AH offered to chase up with Phil's office.

5.HR Policy Focus: current and new policies – Felicity Chilver

5.1 MoJ People Group were working through a number of Covid-19 related policies and liaising with Senior HR Business Partners. We were at version 3 re Travel from this country and Returns from abroad policy. We continued to work on the harmonisation of People policies and continued to meet with the POA to discuss the simplified Performance Management process to end of reporting year 2020/21.

5.2 MoJ People Group were also updating and simplifying rates for Travel and Subsistence and Permanent Transfer policies. Meetings would be set up with the Trade Unions to continue this consultation.

5.3 In-addition, MOJ People Group were developing the Transgender/Intersex and Non-Binary policy to be shared with Trade Unions. Similarly, they had developed a new Whistleblowing policy and would share draft products in due course.

5.4 The POA made the point that they had been invited over the last few weeks to a number of consultation meetings at short notice. It might be better if a number of HR issues could be consulted on across a set of meetings on one day. ER Team would consider this with Felicity Chilver if practical.

5.5 POA Item 8 concerning the restrictions placed on Collective Grievances and the ACAS code of practice was brought forward. The issue as described by the POA could be found in the Annex of these minutes. The POA asked if we could consider introducing a collective grievance policy and process when more than one member had the same issue with the employer – something we currently did not have. The POA argued that it would be better to deliver a collective grievance response so that what applies for one applies to the rest. Otherwise, the POA had to submit SFCs (Suggestion for Change forms each time) which were effectively a form of dispute.

Action: MoJ People Group would consider the POA request that HMPPS introduce a collective grievance policy and process. Felicity Chilver advised that this request would be passed to the appropriate HR Leads. Some scoping would need to be done in the next few months as part of the HR Transformation work.

5.6 POA Item 9 concerning Compassionate Transfer policy was brought forward. If HMPPS did not have such a policy, the POA were asking us to introduce one. The POA explained that currently a member of staff could be granted such a transfer at their current jail but, if the receiving jail did not accept the transfer, then it did not happen. The POA also advised that applications were not always being properly considered: staff received no response or were told verbally it would not happen.

There needed to be some clear guidelines and a policy that ensured when staff had genuine issues and needs that these were properly considered.

5.7 The POA were keen to see the data we held on Compassionate Transfer numbers – this was currently an ongoing action. ER Lead, Andy Heppell, was chasing for an anonymised version. Jim Heavens advised that the policy would likely be owned by HMPPS HQ (part of Resourcing) but was managed by the line so others would need to be involved. FC said she would be able to confirm this point.

Action: Felicity Chilver to establish who owned the policy on Compassionate Transfers and

MoJ People Group to review the policy in-line with POA suggestions.

5.8 FC advised that the POA action concerning ex-staff grievances was being considered by MoJ People Group and this remained ongoing on the action log.

6. Recruitment and Retention Update - Jim Heavens

- 6.1 JH advised that Prison Officer numbers were higher at the end of June this year when compared to previous months. However, Assessment Centres had been closed since March and there had been no recruitment of Prison Officers since mid-April. They had now re-opened with social-distancing measures in place. We have been given permission to redirect people from merit lists to establishments that they did not apply to, but we are being cautious with these as we did not want to create compassionate transfer issues further down the line.
- 6.2 The six-month recruitment gap would take time to fill and a shortfall of Prison Officers was a possibility in the future. London and the South East already had a gap in recruitment which will be difficult to make up quickly. New recruits were only now being allocated to prisons if they had a training date, which means that we are no longer starting people as OSGs other than through the 8 week early starter scheme. Additionally, we struggled to bring back retired staff to help with cover during the pandemic. Restricted regimes have helped with the staffing requirements and resignation rates during the Covid-19 situation had reduced by a third.
- 6.3 We had developed an all online recruitment system including assessment, which means that, apart from the Fitness Test, there would be no need for people to physically attend recruitment centres. This is planned to start in November and should be fully operational by January 2021.
- 6.4 JH advised that a new Resourcing & Workforce Planning Steering Group had been set up and chaired by Michelle Jarman-Howe to help us engage better with Line Managers around recruitment data to better predict the numbers of staff to bring in.
- 6.5 The POA advised that as an example there were currently 57 vacant B3 staff at Berwyn due to sickness absence and shielding. How were HMPPS going to address this issue? JH confirmed that recruitment for Berwyn was high on our list of priorities and we had an eight weekly training arrangement there. We had also compiled a merit list at Stoke Heath. More generally, the POA enquired about the use of Payment Plus for those staff who were covering work to meet the shortfall. FS said this was not being used in this way at the moment, but Phil Copple had said that if we went into a second wave of Covid-19, this would be considered to help manage the impact to resourcing across establishments.
- 6.6 The POA asked what the geographical span of the Stoke Heath merit list was. JH confirmed that we have some merit availability across the north west of the country. Redirections are based on a limit of a one hours travelling time from home. The POA asked if there was a relocation package with such moves but JH said we were reluctant to move people too far because a permanent location away from family had caused problems in the past.
- 6.7 The POA asked if all the JSAC could now be carried out online as part of the online recruitment process. JH confirmed the simulation part will be available online from November. The POA thought it was unhelpful that staff did not actually meet new recruits until they started at the establishment. JH agreed that it would be better that staff familiarise themselves with new recruits before they joined but there was little choice for doing this at the moment. JH also noted that there was an issue with turn-up rates for those people who initiate applications but then do not actually follow through and that we need to look again at the overall approach.
- 6.8 JH advised that the OSG interview process was entirely online now and HMPPS continued to recruit these. We were also trying to recruit for Enhanced Gate Security: this was now being managed centrally but the interview element was being done locally. JH agreed to have a dedicated meeting with the POA to discuss workforce numbers and officer and OSG recruitment.

Action: JH agreed to have a dedicated meeting with the POA about OSG recruitment.

POA Standing Agenda items

7 HR Conference Motions (POA/Francis Stuart)

7.1 The POA confirmed they would not be accepting motions this year. Branch related issues would be agenda'd on Whitley meetings.

POA items to raise

8 Stress Risk Assessments

8.1 It was agreed that the POA item, Stress Risk Assessments, should be considered on the Occupational Health, Safety and Fire (OHSF) Sub-Whitley.

9 First Aid

9.1 The POA advised that one establishment reported concerns with First Aid and the provision of adequate staffing. Another Branch requested whether Special Leave could be granted for staff to attend St John's Ambulance (SJA) First Aid Training. HMPPS took away an action to find out if the SJA qualification would be accepted as the same standard for the training we gave. Also, we would consider whether staff would be given special leave to undertake external SJA training.

Action: HMPPS took away an action to find out if the SJA qualification would be accepted as the same standard for the training we give. Also, we would consider whether staff would be given special leave to undertake external SJA training.

10 Band 6 overtime

10.1 The POA wanted to know what the process was for getting the issue of Band 6's not being paid an overtime rate put on the National Whitley agenda for the PSPRB to have it included in their remit going forward.

10.2 The POA said they had members who were Band 6 non-ops and had worked hard through the Covid-19 situation in order to support the Prison and HMPPS and yet received no enhanced overtime rate; they had to do it for their flat rate. They were not classed as senior managers (7-11) and therefore did not attract the £1,500 bonus, but had to sign up to the 108 hours like everyone else.

10.3 The POA advised that they were aware that the Pay Policy 2012 stated that they [Band 6 non-ops] overtime rate was a flat rate so would never achieve anything through the grievance process. Therefore, the only avenue the POA felt they had to address this issue was the National Whitley and getting HMPPS to agree to include it on the PSPRB remit.

10.4 Ollie Saunders from Pay and Reward Team advised that if the POA had Band 6 members they would be former Prison Officers who had been promoted into non- operational Band 6 roles. However, he reminded the meeting that Band 6 itself was not within the PSPRB remit. Also, overtime for all managers (Bands 6-11) was at a flat rate. The reason that operational Band 7-11 staff had the £1,500 Covid-19 payment was because they could not have an overtime scheme - they were ineligible for overtime due to receiving RHA. All managers (Bands 6-11) who did not receive RHA were required to sign up for an overtime scheme. OS explained that it was therefore not realistic to expand the PSPRB. We considered similar for NTUS but because it would have changed legislation disproportionately it would not work.

10.5 Andy Heppell put the POA in-touch with NTUS so that NTUS could address this issue as part of their annual pay claim – Overtime for operational managers was high on NTUS' agenda. The POA were content with this approach.

11 Staff Survey

11.1 The Chair said that HMPPS would share the results of the annual People Survey when available, and asked about the POA's engagement with it this year. The POA advised that they would be content to put this issue on their NEC meeting agenda this week – they would reconsider their stance for 2020. Any change would then be published in a POA Circular.

11.2 Clare Cornmell advised that the paper Staff Survey for prisons would run until 20 October and the online version would be available from 1 – 30 October. The staff wellbeing section had been significantly expanded and there were Covid-related questions this year. CC highlighted that it was important to understand how people were coping during Covid-19 and what more could be done to support them.

The meeting closed.

Annex

POA Item 8 – Collective Grievance

8. HR team to discuss the restrictions placed on collective grievances and the ACAS code of practice.

The POA write: *Unfortunately the issue of collective grievances has reared its head again, I have raised this matter in the past but to be clear in my opinion at this time there is no avenue for our members to pursue collective grievances through the current HMPPS policy, in my opinion submitting collective grievances is something we should refrain from advising until we can achieve some policy change.*

Please see the details below copied from the ACAS code of practice in relation to the legal advice we have recently received (bullet point 4) re C&R.

ACAS Code of Practice on disciplinary and grievance procedures extract, the provisions of this Code do not apply to grievances raised on behalf of two or more employees by a representative of a recognised trade union or other appropriate workplace representative. These grievances should be handled in accordance with the organisation's collective grievance process.

Occasionally a collective grievance may arise where a number of people have the same grievance at the same time. If there is a grievance which applies to more than one person this should be resolved in accordance with the organisation's collective grievance process – where one exists.

As no collective grievance policy exists at the moment the only advice we can offer is to issue an SFC highlighting a policy failure/management decision, in my opinion branch officials should also outline a possible resolution within the SFC which must be linked to the non-availability of a collective grievance.

POA HR Sub Whitley Meeting 21st April 2021, 2 – 4pm by MS Teams

Attendees

HMPPS

Francis Stuart (Chair) (FS)

Head of Employee Relations

Jim Heavens (JH)	SBO Resourcing for HMPPS
Samantha Beard (SB)	Head of Delivery & Development - C&D
Dan Billingham (DB)	Apprenticeships and Operational Training
Lynne Last (LL)	Senior Resource Management Lead Head of
Ian Tune (IT)	HR - Business Continuity
Donna Sexton (DS)	Staff fitness Strategy Delivery Manager HR
	Policy Lead, MoJ People Group
Suzanne Davies (SD)	Head of Promotional Assessments
Sonia Brooks (SB)	Head of Prison Diversity and Inclusion
Wincen Lowe (WL)	Staff Equalities Report Lead
Ollie Saunders (OS)	Reward Policy Manager
Victoria Jackson (VJ)	Ill Health Services Retirement Manager
David Martin (DM)	Reward Policy Manager & Pensions Lead
Felicity Hill-Miers (FHM)	Occupational Psychology Services Lead
Andy Hewitt (AH)	Senior Employee Relations Lead
Roberto Pesci	ER Team Business Support (Minute Taker)

POA

Dave Todd	National Vice-Chair
Ian Carson	NEC
Sarah Rigby	NEC
Geoff Willetts	NEC
Angela Montgomery	Full-Time Officer

Apologies

Terry McCarthy	POA NEC Resource Management Lead
John Butler	

1. Apologies were received as set out above.
2. Minutes of the last meeting (22nd September 2020) were agreed as a true record.

Matters Arising (Actions Log) – Andy Hewitt

3.1 Concerning the Leeds FM action, the POA reiterated their view that these should be operational roles only. It was agreed to hold a dedicated meeting to discuss further.

Action: ER Team to organise a meeting with POA, JES Team and ER at a Tuesday HR slot.

3.2 Concerning the Dying to Work action, the POA felt the work around this action was moving too slowly. The Chair advised HMPPS was working on this issue and had linked it into the Wellbeing work. DAWN were also involved and there was a collective desire to get this done.

3.3 The Chair took the opportunity to thank the POA for their work at pace around the various

consultations during this phase of the pandemic. He noted that HMPPS had needed to put certain projects on hold during the pandemic (e.g. the Shared Parental Leave action). AH noted that the POA suggestion to set aside Tuesday afternoons to discuss HR-related issues as they arose was working well and said we should continue this arrangement.

HMPPS Standing Agenda items

4. Learning and Development - Samantha Beard

4.1. Foundation Training (POELT) was now at 3,800 and was meeting the target of 100% of the Total Staffing figure of 4705 POELT places (about 390 per month). We had secured 51 sections across 48 venues (including hotels). We had recruited 120 additional trainers. We were also contacting trainers who has left HMPPS within the last three years.

4.2 We had run 10 OSG courses with 80 places bearing in-mind Covid restriction. We were rolling-out Apprenticeships in the North and Midlands of England now and would be doing this in the South from July. We needed coaches to support the Apprenticeships and recruitment for these was still ongoing – we had recruited 980 so far.

4.3 Between April and June we would be running 23 priority training programmes. We would review the take-up in three months to see if this was working. There would also be some remote delivery: for example there had been good take-up online of the Intelligence Foundation.

Action: The POA asked for a copy of the list of 23 priority courses and what the online courses were. Additionally, the POA asked when the Personal Safety package for POELT would be provided. Samantha Beard to provide.

5. Recruitment and Retention Update - Jim Heavens

5.1 JH advised that over the last six months we had moved to a fully online process of Prison Officer Recruitment. There were 767 vacancies in the adult estate and 58 in the youth estate. The situation was a long way from being ideal. The Chief Operating Officer wanted this to significantly increase. JH said that there may actually be an increase in attrition rates as we recruited more staff. Overall we needed to recruit 4,000 more officers therefore were needing 12,000 new applications every month. We were investing more into this process. The current attrition rates were mostly stable with some variation e.g. these had been 25% at Woodhill but now better.

JH explained we were concerned about the 730 OSG vacancies. That was quite a large deficit therefore we had now made this recruitment fully online and had taken over interviews centrally. The POA asked if the online process for PO recruitment would end at some stage. JH thought it was too early to say. We currently want to keep it unless we find evidence that it was not as good. The POA asked if we would be monitoring the quality of PO recruited fully online as they were concerned the process was not as good as in-person recruitment. JH said that Governors would feedback if there were any issues. The POA asked if we had attrition rates by establishment. JH thought this data was published in the quarterly Workforce Statistics and advised the POA to look there first and come back to him if not.

5.2 The POA also asked if we conducted exit interviews to try and establish the reasons for leaving. JH advised yes, HRBPs carried these out. The POA thought some staff were leaving due to bullying and felt that exit interviews were not happening in some establishments. Lynne Last said that if there were specific areas where this was an issue, the POA should contact her and this would be investigated. AH advised that we were planning a meeting on Exit Surveys next week and would invite the POA also. The POA asked if we had data on Compassionate Transfers. JH advised

Compassionate Transfers did happen but HMPPS had not been collecting data. On the issue of Closed Grades moving to F&S, JH confirmed we would be approaching the POA on this.

Action: It was agreed to invite Jim Heavens to the 11 May Recruitment and Retention meeting to discuss compassionate transfers further.

POA items to raise (brought forward)

6. Band 2, Excessive Red Hours - Dan Billingham

6.1 The POA said this issue was a legacy from F&S. It appeared, particularly for OSGs, that they were delivering many more unsocial/excessive hours than the 20%. DB said this was about providing guidance; you needed to work 20% red hours to qualify for unsocial hours. Staff could volunteer to do nights. However, DB acknowledged that there was not much flexible work for OSGs but that this had always been the case. The POA thought there should be an upper threshold in the Unsocial Hours policy. JH and DB thought this would penalise lots of staff who chose to work unsocial hours. The POA thought there were staff who did not want to do excessive nights but DB said we did not compel staff to work on or off nights. DB advised that Governors should carry out occupational health checks every few months to ensure there was no detriment to staff in these circumstances. The Chair thought that the POA could let us know where they thought there were issues in specific establishments and if there was a wider issue amongst the membership. The POA (Dave Todd) agreed to consider this more widely with the NEC.

7. CM JSAC's and the lack of available spaces for potential candidates - Suzanne Davies

7.1 The POA said that Exeter and Channings had six spaces allocated between them and there were significantly more applicants than that. There were 6/7 CM vacancies at each prison currently, so they required more permanent CMs than there was the potential for them to have at the end of the process. SD said that workforce planning data had been used and four spaces had been showing across the whole group. So even if there were staff who wanted to apply, it was about who was most ready. The Head of HR and the PGD made a judgement call on where to allocate the spaces and we allowed double the allocation. However, we did need to improve our approach e.g. ratifying the data to be more current and to be checked more thoroughly. Additionally, SD had written to Heads of HR about running fully online assessments in future. The POA pointed out that we were suggesting the data fell down on this occasion. SD confirmed there had been some disparities within a six week period and that this may have been a data entry issue. JH added that across the country there had been a rapid increase in CM posts so changes may have happened more quickly than expected. When the original work was done the number needed was much lower. The figures were taken from SOP.

HMPPS Standing Agenda items (continued)

8. HR Policy Focus: current and new policies – Donna Sexton

8.1 DS spoke about the use of Animations (cartoon-like presentations working through a policy) for the HR Transformation programme. Areas being looked at included: Performance Management; Workplace Adjustments; Travel and Subsistence; Smarter Working; and Raising a Concern. Additionally, DS said that the Transgender, Intersex and Non-Binary Staff policy and toolkit was published at the end of March. Additionally, we were launching an animation for managers of staff who failed the Fitness Test. Consultation on Travel and Subsistence and Permanent Transfers policies would take place during May. We would also be consulting on Disputes Resolution, Conduct and Discipline policy, Attendance Management – Discretion and Decision Making (an animation was also being produced for this). DS pointed out that the Smarter Working policy being developed would

not always be possible to implement in operational settings. DS advised that Phil Copple would be writing to Trade Unions about replacing the current Performance Management process. This would be more team-based with less check-in. It was shared at the 13 April HR Transformation meeting attended by the POA. DS said she would provide the note of her briefing above with links to the animations to the POA after the meeting.

POA items to raise (continued)

9. Updated Copy of HMPPs Gender Breakdown for 2020 - Sonia Brooks / Wincen Lowe / Ollie Saunders

9.1 This concerned the data provided to the POA on 17 March on the current number of operational closed grades currently employed, broken down by grade and gender; the current number of operational Fair and Sustainable grades employed, broken down by grade and gender. Grades covered were B2 OSG, B3 – 5 Operational and B7 – 8 Operational in HM Prisons and YCS only. It was confirmed by the POA that this item should also involve Pay and Reward Team. The Chair thought that a dedicated meeting with the POA may be more appropriate and we agreed to use the time set aside on Tuesdays to discuss this.

Action: ER Team to organise a meeting to run through the Gender Breakdown data for 2020 at one of the Tuesday afternoon meeting spaces set aside for HR- related issues. The meeting would include the POA, Sonia Brooks, Wincen Lowe and Ollie Saunders.

10. Fitness testing for staff suffering from Long Covid - Lynne Last/Ian Tune

The POA advised that in time their affected members would be asked to undertake their annual fitness test. Those who were suffering from long Covid (which according to some estimates was between 2.3% and 10% of people who tested positive for Covid-19) experienced some symptoms for 12 weeks or longer. These included fatigue, breathlessness, headaches, chest pains, palpitations and dizziness. Yet, there still wasn't a clear idea of just how common Long Covid was or how serious a problem it was likely to be, both for individuals and wider society as a whole. Given the current medical literature which indicated individuals suffered for weeks or months, this would not bring them in-line with the criteria for disability under the 2010 equalities act. The POA wanted to know if staff affected would be given some dispensation re their fitness test. Importantly, the parts of society which appeared to be suffering the most from the effects of long Covid appeared to be middle aged women. The POA also wanted to discuss the Fitness Test and staff's ability to undertake the test on more occasions than prescribed in the policy.

10.1 LL thanked the POA for raising these important issues and confirmed that we had been working on them. It was the case that if staff failed their fitness test after three opportunities they then went down a different route. Ordinarily, they would be referred to Occupational Health but now we have two new services. One of those dealt with the more complex Covid cases where staff would be considered for rehabilitation and occupational therapy. We continued to learn more about the effects of Long Covid and we wanted to support staff back to good health e.g. by providing intensive physiotherapy for 6 – 8 weeks when staff were recovered enough. Going forward there would be no blanket approach and each case would be considered on their merits.

10.2 LL advised that HMPPS would need to work out a process as to how we incorporated the situations thrown up by Long Covid and Fitness Testing in-order to have a coherent and fair process for staff. IT agreed that we would not be testing staff suffering from Long Covid until Occupational Health gave the go ahead. The POA (Ian Carson) said that it would be important to communicate information to staff on this issue as soon as possible, perhaps guidance on the

intranet. The Chair thought a meeting should be held with the POA before the re-introduction of Fitness Testing. There was some discussion around when the Fitness Test would be re-introduced and that staff should be given 12 weeks' notice. IT said the Recovery Board would decide the resumption date. The POA reiterated their position that there should be no Fitness Test in its current form.

Actions:

1) A follow-up meeting should be arranged between the POA and HMPPS (to include Lynne Last, Ian Tune, Priscilla Wong and James Mills) for July 2021 to discuss the re-introduction of the Fitness Test before it takes place. Lynne Last to advise ER Team to arrange once HMPPS has met internally and agreed a way forward on the re-introduction of the Fitness Test;

2) In answer to the POA's concerns that staff should have early notice of the Fitness Test situation, Lynne Last agreed that a holding note should go in the Senior Leader's Bulletin on the issues and something should go to staff concerning the new OH procedure;

3) Andy Hewitt to confirm the 12 week notice period that it was thought Phil Copple had promised before the Fitness Test would begin again.

11. Legacy Scheme Pensions - Victoria Jackson / David Martin

The POA recently had two examples of staff about to be medically retired who should have been assessed under the new guidance for IHR. Both staff had encountered problems where prisons had only requested IHR figures based on the alpha pension scheme. One of these staff managed to contact My CSP who informed him that they would take up his case as he was due to leave the service on the 30th of March. Whilst MYCSPSs intervention was welcome, HR advisors within establishments should be picking this up. In addition, one of the members had a sick leave excusal for his condition and was given a temporary injury benefit award. Ian had advised him that he may be eligible for a permanent injury award due to the change in qualifying criteria in March 2003. Again, whilst he had welcomed this advice, it must be for local managers to provide it. In effect one of the members concerned could have left the service having been assessed under the wrong criteria unaware he was most likely to be eligible for other benefits lifetime benefits. Surely it would be the responsibility of the employer to provide this advice, not as has happened in this case, something Ian has had to pick up at the last minute.

11.1 VJ advised that there was a detailed page on MyHub administered by My CSP. VJ was looking to roll-out a training programme for Prison HR. Therefore a new role was being developed for HR Performance Managers (and HR Case Managers and People Hubs) who would be trained to provide the sorts of advice the POA were speaking about. The POA were keen that staff could approach a single point of contact to get all the advice needed. Additionally, the POA were keen to be involved in the development of any policy guidance and the sharing of information with members. VJ said she would link-in to My CSP as they should signpost to the Performance Injury Scheme. ER Team would update the POA with VJs progress on this issue.

Action: Victoria Jackson would keep the POA informed of progress of the training programme that was being rolled out for Prison HR staff to be able to advise staff on Ill Heath Retirement related issues.

12. Additional Pension contributions - David Martin

12.1 The POA were concerned to raise the issue of pre-Fresh Start staff and options for staff achieving the pension ceiling in the classic pension scheme. Staff were still paying contributions and

having them paid back at a later date when these should have ceased. Staff were not benefitting from making these payments in the meanwhile. DM was aware of a number of cases regarding those individuals' retained rights and he would need to speak to the Cabinet Office and report back.

Action: David Martin said he would need to speak to the Cabinet Office about this and provide a response to the POA HR committee through ER Team.

13. Success Profiles policy (Wormwood Scrubs)

The POA advised this had been discussed with HR before now. It related to a scoring exercise undertaken for a promotion board at Wormwood Scrubs. The POA were questioning the issue of rounding up/down when scoring applications for sift. One individual had complained that their summing had not been rounded up. FHM said that the guidance mentioned scores being "summed", but any predetermined benchmark was based on an average score and panel members should be deciding this beforehand. The key point was that the process should be applied to everyone. The POA accepted this to an extent but thought the process at Wormwood Scrubs all took place far too quickly with 20 minutes only for the Sift. The POA asked for a review of that Sift and Board as, though there was only one complaint, other people had reported similar issues to them. AH advised that this issue had been looked into already and the Sift took more than 20 minutes. The Team considering this issue had been satisfied that the process had been carried out appropriately. The Chair clarified that this forum was to be used to consider policy issues and changes to those policies if appropriate rather than going back over disputes. The situation had been reviewed and the result had been passed to the local POA Branch.

13.1 On a separate but related issue, there was some concern from the POA that the Unconscious Bias training had been removed by L&D Team at short notice from the Success Profiles process. This was a Civil Service-wide policy decision that only occurred a few months ago. The POA thought they should have been consulted on this and wondered what it was being replaced with. FHM would find out.

Action: Felicity Hill-Miers to find out if there will be any replacement to the Unconscious Bias training in the Success Profiles process.

14. HRBP QA around decisions and processes - Lynne Last

14.1 The POA said this concerned the auditing of decision-making processes and quality assurance around the implementation of HR Policies. How was this monitored by HMPPS? LL said we were advised by internal audit what they would be auditing beforehand. This was a rigorous process and we would take remedial action as necessary. We challenged where managers were not applying policy and Lynne Carter's Complex Case Team were doing a "Lessons Learned" update and working with MoJ Policy Team. The POA thought it was not encouraging that not more case manager decisions were being investigated, e.g. a Governor doing what he wanted without HR advice. HR case managers should be able to give support either in- person or remotely. LL said that we did review HR policy if there were changes to legislation, for best practice, if the policy time has ended or due to an audit. LL had spoken with HR Policy Team and acknowledged more could be done but there were priorities to consider. The POA thought an instant reporting system could inform HMPPS where there was an issue.

The meeting ended.

The next POA HR Sub-Whitley meeting was set for 28 July 2021, 2 – 4pm.

Minutes of the POA HR Sub Whitley Meeting 28th July 2021, 2 – 4pm by *MS Teams*

Attendees

HMPPS

Francis Stuart (Chair) (FS)	Head of Employee Relations
Jim Heavens (JH)	SBO Resourcing for HMPPS Divisional
Rebecca Barnes (RB)	Head of HR - HMPPS HR
Samantha Beard (SB)	Head of Delivery & Development - C&D Apprenticeships and Operational Training MoJ
Juan Iglesias (JI)	People Group, HR Policy Lead
Joseph Holloway (JHO)	Interim Head of HR Services (Operations and Improvement)
Jo Greenlees (JG)	Head of Organisational Change
Andy Hewitt (AH)	Senior Employee Relations Lead
Roberto Pesci	ER Team Business Support (Minute Taker)

POA

Mark Fairhurst	National Chair
Dave Todd Sarah Rigby	National Vice-Chair POA NEC
Angela Montgomery	Full-Time Officer

Apologies

Ian Carson Terry	POA NEC
McCarthy Geoff	POA NEC
Willetts	POA NEC
Caroline Rostron	HMPPS Staff Wellbeing Lead

1. Apologies were received as set out above.

Minutes of the Previous Meeting

2. The POA advised that the second sentence in paragraph 6.1 of the Minutes of the last meeting (21st April 2021) should be amended so that the qualifying percentage should read 20% only (and not 20 – 30% as originally drafted). ER Team would send an amended set of April minutes to the POA for agreement.

Matters Arising (Actions Log) – Andy Hewitt

3. Concerning the Leeds FM action, the POA were now content for this action to close. Andy Hewitt advised he would let Collin Bryant in the JES Team know. Concerning the Personal Safety Package for POELT, the POA asked for this action to remain ongoing until further progress was made. On the action concerning Additional Pension Contributions, the POA said they were aware of a scenario where part-time staff on reserved rights were trying to access their CS Pensions. According to the POA, no-one at SSCL seemed to know what reserved rights were. They asked to see the SSCL

complaints procedure SSCL. Rebecca Barnes said she would send this to the POA.

Action: Rebecca Barnes to send the POA a copy of the Complaints procedure for SSCL.

HMPPS Standing Agenda items

4. Learning and Development - Samantha Beard

4.1 SB advised that concerning the Foundation (POELT), 66 sections and 44 venues across all regions had run. We had recruited 189 Trainer Expert Adviser (TEA) staff in total including 34, six month contracted staff to manage the additional training. We had offered 5,059 places between April 2021 and March 2022.

4.2 We currently had no more than sixteen people in a classroom with some highlighted as ten people only for any who were CEV individuals. We were carrying out dry runs in September for Women's group courses and we were currently considering venue and timings. Additionally, demand was growing for more YCS courses, so we were looking to add these to the schedule.

4.3 We were rolling-out the new Assessment, Care in Custody, Teamwork (ACCT) Version 6 and the new *Five-Minute Intervention* (FMI) up-skill. We were supporting the *Unlocked* programme with 130 delegates studying at Leeds University using 13 TEAs from Delivery.

4.4. Concerning Workbook 13, 186 staff still needed to complete this (28 questions) to finish the requirement of the POELT foundation diploma. As SB explained, staff who returned to establishments during the start of COVID 19 were required to complete some further learning. Workbook 13 was written to capture that learning and meet the contractual obligation. Completion of POELT and all associated assessments and examinations was a stipulation of the probationary period. A reminder letter would go from Alison Hamer (HR Divisional Director, HMPPS) to POELTS. The original deadline for completion had been 31 July 2021, but this had now been extended with agreement from *Skills for Justice* to 30 September 2021. SB advised that no further deadline would be provided.

4.5 SB advised that HMPPS had achieved over 280 new apprentices from the Midlands and North, and felt the process was going well. The roll-out to the south would commence from January 2022. HMPPS had received a positive first OFSTED report which provided a good launch pad for compliance.

4.6 SB said that concerning Operational Training, all courses were running, and 4,698 places had been offered up to mid-July with 81% occupancy. 614 courses offering 4,436 places were scheduled until the end of the year and currently this was running at 67% occupancy. 22 courses had been offered via remote delivery. We would continue to offer delivery remotely, but would supplement this with a face-to-face offer in response to feedback from establishments who had advised us that they were struggling with access to suitable IT.

4.7 Concerning other projects, we were looking at Release in Error – Evaluation of remote sentence calculations training. We were agreeing a baseline level of competence and ensuring sufficient delivery to meet all sentence calculations demand. SB mentioned that we were looking at the development and delivery of the new Safer Custody Modules (Case Review Team – Module 9 (ACCT V6) replacing ACCT Case Manager) delivery and that this had started two weeks ago. We had run two Physical Education (PE) courses since Sept 2020 until now with one more planned to December 2021. We had run five pre-selection courses (4 days) and 7 awareness events (1.5 days).

4.8 The POA asked if HMPPS still ran sports and games courses. SB said she would let the POA

have a list of PE courses being provided.

Action: Samantha Beard to provide the POA with a list of PE courses HMPPS had delivered and were planning to deliver up to December 2021.

4.9 The POA asked about Workbook 13 as they wondered about the accuracy of the 4 hours that it supposedly took to complete it and whether establishments were giving POELTS the time to complete it. SB advised that it was reasonably accurate timeframe, but we did not know how prisons were accommodating it, for example, it could be done as a group session. SB promised to send the POA a copy of the Workbook.

Action: Samantha Beard to provide the POA with a copy of POELT Workbook 13.

4.10 A discussion took place around a Physical Education Instructor (PEI) role at Erlestoke. AH advised he had spoken to Jim Heavens and Wendy Limb about the issue and would be able to respond to the POA once they had considered. The POA said that, concerning the PE training, someone could join this as a Band 3, and if they completed successfully, could move to Band 4. If they failed the training, they would simply go back to their establishment as a Band 3. AH and RB agreed that there seemed to be an anomaly in the system. Success at training merely gave you a ticket to apply for Band 4 jobs but PEI was an unclear situation and HMPPS did need to be clearer on how we promoted or demoted without interviewing.

4.11 Jim Heavens (JH) joined the meeting at this point and thought we needed to look at the contract and tighten the process. The issue seemed to revolve around what PEIs were selected for, but JH advised we might not be able to resolve retrospectively. The POA would provide the specific name of the person at Erlestoke.

4.12 The POA also asked if the same situation could apply to Programme Facilitators (the course for this was simply marked as pass or fail). JH thought that this would depend on what selection process you were putting staff through.

Action: Jim Heavens to provide clarification on the grade status of PEI's in SSCL (Mark Fairhurst was of the view that PEIs were classed as Band 3 Officers with a specialist allowance).

4.13 The POA asked about OSG recruitment and courses. SB advised that we had recruited additional staff to support OSG recruitment. Some 400 OSGs were needing training places, most of which will have been scheduled by the end of March 2022. SB mentioned that we were embarking on a review of the Learning and Development group and the POA would be welcome to feedback their views.

Action: It was agreed that Samantha Beard would share a copy of the OSG training courses with the POA.

5. Recruitment and Retention Update - Jim Heavens

5.1 JH shared management figures on screen regarding Prison Officer and OSG Recruitment. Headlines included: 183 FTE increase in TSF (Target Staffing Figure) in May 2021. Staff were leaving and joining and there were an increased number of places to fill, based on new accommodation being planned. We made nearly 5,000 provisional offers with 2,805 of these being agreed with staff dates. We had 405 FTE joiners in May and 275 in June. JH said the vacancy levels were high in 2020 – about 1,000. However, we were gradually bringing these down, but Covid had made training difficult to do. The Prison Officer vacancies figure at the end of May 2021 was 874 FTE with 84 FTE in Youth Justice. Concerning attrition rates, our modelling suggested we would lose 120 staff per month over

the next three months due to the improved economy, and Police and Border Force recruitment. From our recruitment activity, we had some 700 people on our merit list. Instead of allocating people to projected vacancies, we would be bringing this forward to offer jobs much sooner therefore front-loading staff.

5.2 The POA raised a concern around a recent announcement that ex-prisoners would be recruited into Civil Service roles. JH advised that there had never been a position where we did not recruit staff who had spent convictions e.g., youthful convictions. We employed some ex-prisoners under supervision in some of our programmes.

5.3 The POA also said that front-loading was causing anxieties in Ford and Standford Hill establishments. JH agreed that Ford had been a mistake, but staff were needed for Standford Hill due to the additional accommodation. The POA thought the situation should be clearly communicated to staff to allay fears of compulsory transfers. JH was clear that there would absolutely be no compulsory transfers. In response to the POA's enquiry, JH advised that we were recruiting part-time staff at Wayland and Portland and were considering developing part-time training programmes for these. The POA said this was the first time they had heard of this and thought it could be linked to Tim Gower's work on smarter working. JH confirmed this was a very recent development and we would link into Tim's work.

5.4 JH said that we were looking to reduce OSG vacancies. Currently, we waited for establishments to ask us for OSGs but in-future we will allocate these based on projected need. We have recruited 860 OSGs since the start of this year.

6. Exchange Transfer Strategy – Andy Hewitt

6.1 The POA explained the Exchange Transfer Strategy related to staff transfers (rather than "greening" issues). The POA said they had not had consultation on this issue and noted Band 5s did not seem to figure in the Strategy – why was this? It was agreed that the POA would send details to Andy Hewitt to consider.

Action: The POA to send details to Andy Hewitt in ER Team concerning the Exchange Transfer Strategy and their concerns around this. Jim Heavens would then respond to the POA.

7. HR Policy Focus: current and new policies – Juan Iglesias

7.1 JI mentioned the development and use of animations to explain developments/changes to policy. An animation on Recognition and Reward was due to be published shortly. Also, an animation concerning Attendance Management and line manager discretion was being developed. Consultation on Keeping In-Touch during an Absence, and Welcome Back to Work had ended and was now going through the governance process. The Grievance Resolution policy, which had also been linked to TUBU, was going through consultation with stakeholders including the Trade Unions. JI said that concerning the Flexible Working policy, we were at the scoping phase and would consult with the Trade Unions in due course. Related to this was the Smarter Working policy - *Our People/Our Future Programme* but HR were just a stakeholder in this.

7.2 JI spoke about Performance Management / Recognition and Reward and that the SPDR process had been suspended. We were looking to launch the new Performance Management Policy from April 2022 and between now and then would be testing our products at seven sites: two in HQ and five in Operational settings. JI said that the review of Exit and Leavers policy was being rescheduled while Conduct and Discipline was being pushed up the priority list for harmonisation between HQ and the

Operational side at the investigations phase. Family Leave policy would be considered but was not an immediate priority. The POA mentioned that they had not seen the Expenses Policy consultation. JI said he would check when it was sent.

Action: Juan Iglesias to find out when the Travel and Subsistence Policy consultation took place and ER Team would let the POA know what comments had been received.

7.3 The POA were concerned that the Exit and Leavers policy had been prioritised down given recruitment and retention issues, but JI advised this was because we needed to clarify processes at the investigations phase of the Conduct and Discipline policy – currently there were different timelines between MoJ and HMPPS. Additionally, capability needed to be looked at in HMPPS.

POA Items

8. Is there a process in place to support the families of staff who have committed suicide and are the figures for staff suicides collated nationally.

8.1 As members from the Wellbeing Team could not attend the meeting, Caroline Rostron (HMPPS Staff Wellbeing Lead), provided a written update to the POA before the meeting including guidance from the National Safety Team on *Coping with bereavement, grief and loss*. In her written update Caroline advised HMPPS did not collate figures for staff suicides nationally. There was not a set process in place and in terms of family support, each establishment would make their own arrangements including the Family Liaison Officer, Chaplaincy and the different support services available.

9. Support for staff who are suspended

9.1 The POA said they found it unacceptable that in some places suspended staff seemed to have been written off. On both this issue and in paragraph 8.1 there was probably a need to look at strengthening the policy.

Action: ER Team to arrange a separate meeting with colleagues from the Wellbeing Team and the POA to discuss staff well-being with a particular focus on preventing staff suicides and providing well-being support for staff on suspension.

10. Non effective Maternity Leave

The POA said that Maternity Leave was causing issues re Non-Effective Hours. They asked where the provision was to provide detail of cover in the operational approach as it was not provided under Non-Effective. Jo Greenlees (JG) advised that we were focussing our case on POELT and seeking an increase in funding from the up-coming Spending Review for this. While the POA thought this was useful, they thought the biggest issue was around staff on restricted duties on a phased return. JG agreed that issues like suspensions, restricted duties and parental leave did impact Non-Effective Hours, but these issues would be the focus of the next spending review. The POA thought it was right to identify the biggest funding gaps but that the Maternity Leave issue would not go away. JG said that she was linked into Tim Gower's area of work, the remit of which would consider these areas and we would be inviting the POA to be part of that working group.

11. SSCL Service Provision

11.1 The POA were concerned at the high levels of overpayments to staff that SSCL were making and would send AH in ER Team details of the specific overpayment cases. AH would share with Joseph Holloway (JHO). In some cases, staff had been in-touch with SSCL to highlight the overpayment, but no action was taken until a long-time afterward (in one example, four years was

cited).

Action: POA would share specific details of overpayment issues which members have brought to them with Andy Hewitt to share with JH at SSCL to look into.

11.2 The POA also said that there was some confusion regarding the market supplement payments when staff moved from one geographical area to another and the time it took to resolve these. JHO was aware of this issue and was investigating the situation - we did need a clear and timely process that was communicated to staff. He said that the actual calculation process was going to reduce from four weeks to two days which would help make the system more efficient.

11.3 The POA asked if JHO could share evidence of improvements in SSCL contracts relating to overpayments.

Action: Joseph Holloway to share with the POA evidence of improvements in SSCL contracts relating to overpayments for the next Sub-Whitley.

12. Appropriate use of Sickness Warnings

12.1 The POA advised that Branches were still highlighting the fact that some governors were not allowing line managers to use their discretion as provided in the policy when issuing sickness warnings. The POA had raised this issue before and were asking that prisons supply data relating to the number of discretionary decisions taken. As mentioned by JI, Rebecca Barnes (RB) said that an animation was being published reinforcing the message that line managers had discretion in these matters.

12.2 RB mentioned statistics for sickness warnings: between July 2019 and June 2020, 8,409 warnings were triggered (but 55% of these triggered warnings were not issued); and between July 2020 and June 2021 6,503 warnings were triggered (but 54% of these triggered warnings were not issued). It was the line manager discretion that allowed for the warnings not to be issued. The POA asked if this could be broken down by establishment and grade.

Action: Rebecca Barnes to share breakdown of absence trigger data by demographic (establishment and grade) with the POA before the next Sub-Whitley meeting.

The meeting ended.

The next POA HR Sub-Whitley meeting was set for 16 November 2021, 10:05am – 12:05pm.

Minutes of the POA HR Sub Whitley Meeting 16 November 2021, 10:05am – 12:05pm by MS Teams

Attendees

HMPPS

Francis Stuart (Chair)

Rebecca Barnes

Ruth Mulder

Samantha Beard

Sue Vallance

Rob Moore

Head of Employee Relations

Divisional Head of HR - HMPPS HR

Head of HR-Workforce Planning

Head of Delivery & Development - C&D Apprenticeships and Operational Training

HR Business Partner, Avon and South Dorset

Head of HR Policy Team

Joseph Holloway
Samantha Lappage
Andy Hewitt
Roberto Pesci

Interim Head of HR Services (Operations and Improvement)
MoJ People Group, HR Policy Adviser
Senior Employee Relations Lead
ER Team Business Support (Minute Taker)

POA

Sarah Rigby
Geoff Willetts
Angela Montgomery

POA NEC
POA NEC
Full-Time Officer

Apologies

Jim Heavens
Dave Todd
Ian Carson
Terry McCarthy

SBO Resourcing for HMPPS
National Vice-Chair, POA
POA NEC
POA NEC

1. Apologies were received as set out above.

Minutes of the Previous Meeting

2. The Minutes of the 28 July Meeting were agreed as a true record.

Matters Arising (Actions Log) – Rob Pesci

3. Concerning the ongoing actions, Ruth Mulder agreed to pick-up up the action concerning the Physical Education Instructors (PEI)

4. Learning and Development – Samantha Beard

4.1 Sam advised that Foundation POELT Apprenticeships would start in January 2022 for the South but there had been no update on Wales yet. We may offer English Apprenticeships to Wales. PAVA and SPEAR training would be rolled out in early 2022 with National Technical Response Group (NTRG) support in upskilling Use of Force Trainers. Between July and October 2021, 3,700 training places were offered overall. The top courses were around Offender Management, Enhanced Gate Security, Safety Training (module 3) and Assessing Concerns (module 8). There would also be bespoke training for Women's POELT.

4.2 Since the re-introduction of Fitness Testing, some 4,000 plus officers had been tested with a 97.2% pass rate first time. A national Physical Education (PE) survey was sent to all establishments to see if the current PE offer met HMPPS' needs.

4.3 Concerning the Learning and Development Review, we were now looking at all the recommendations.

4.4 The POA said that a meeting concerning an Apprenticeships update should have happened but had not. Sam suggested a written update to the POA first and then a meeting could be provided if necessary. The POA said they would also like to see a copy of the PE Survey.

Action: Samantha Beard to provide the POA with a written update on Apprenticeships.

Action: Samantha Beard would also provide the POA with a copy of the recent PE survey sent to establishments.

5. Recruitment and Retention Update – Ruth Mulder

5.1 Ruth advised the October data showed 734 Prison Officer (PO) vacancies. There were 376 new starters with 422 new leavers. Therefore, our focus was very much on retention. We had 93% of POELTs booked for October and 91% booked for November. We were running recruitment campaigns in Onley, Portland and Wayland. Where there were issues, level transfer campaigns were also happening. Ruth said we had 633 OSG vacancies. In October we had recruited 134 OSGs but there had also been 128 leavers during that month. We would be introducing a new OSG conversion to PO programme in December 2021.

5.2 The POA asked if there was a list of hard to recruit sites. Ruth said that there was a group in HMPPS who met to make these decisions known as Steerco. Steerco looked at HR and Operational issues together: where recruitment campaigns were not attracting people, Steerco flagged this as an issue to address. In relation to the OSG conversion programme, the POA said that some prisons did not want to change from a settled OSG complement. Therefore, it was unfair that OSGs in these places did not get an opportunity to apply. Ruth said the conversion programme was offered twice a year so that every prison had the opportunity to offer this to OSGs. To clarify a prison can opt out of the OSG Conversion programme so there would not be vacancies advertised at their sites but this would not stop an OSG applying for a conversion place at another site.

5.3 The POA said that there were a number of factors related to above that were also driving attrition rates. Some of those OSGs not being allowed to convert to PO, along with a lack of job rotation, meant that these staff were more likely to leave HMPPS. In the POA's view, the issue was not so much the policies but rather the Governors that were stopping the processes and these needed to be policed. Ruth acknowledged that we wanted to work with the POA on the Greening policy so that staff moving around different establishments was managed better.

Action: Ruth Mulder agreed to meet with the POA to discuss Exchange Transfer Strategy including Compassionate Transfers / Level Transfers at a Tuesday HR slot in due course.

5.4. Ruth spoke about the retention situation. There was an increased uptake of staff completing the Exit Interview process which meant there was more data of substance to work with. The attrition rate for Band 3 – 5s in January was 5.89%; in September this figure was up to 7.07%. It was clear that there had been big increases in attrition rates at some sites, particularly Berwyn, Norwich and Wayland. The Exit interview process was suggesting a number of reasons, not just Pay and Reward, but also Career Progression and Health and Wellbeing. Interestingly, establishments with low part-time working opportunities tended to have the highest attrition rates.

5.5 Ruth advised that a Retention Strategy and Toolkit was due to be introduced at the end of November to help Governors incentivise staff. There would be a list of interventions that Governors could use, including Focus Groups and conversations with staff. This approach would make retention as important an issue as recruitment. The draft Strategy and Toolkit had been shared with the Trade Unions before any launch.

5.6 The POA wondered how the Exit Surveys were being monitored; they knew of staff who had not been invited to feedback or were not being released to do them. Ruth advised that interviewing was being carried out by an impartial person so that staff felt comfortable. Resignation now automatically triggered an interview. We were approaching senior managers if those interviews did not happen. The POA thought it would be helpful if first line managers and Custodial Managers could receive training to support their staff better. Ruth agreed that there was a need to upskill line managers and we did have first time manager training with additional bite-sized training too. However, support for Custodial

Managers did need further consideration. Jo Greenlees, Head of Workforce Reform, was aware of the issues around spans of control including for CMs. The POA thought we also needed more CMs to reduce the numbers of staff each had to report on.

6. HR Policy Focus: current and new policies – Rob Moore

6.1 Rob advised that HR Policy Team continued to harmonise HMPPS and wider-MoJ policies into one set with the intention of making them clearer, more engaging and with supporting toolkits. Rob advised that the Business Travel and Expenses policy had been updated and shared. We were also developing a digital solution to the Expenses tool for March 2022. The POA highlighted that they felt as though there was a drive to try and change HMPPS policies to bring them in line with the MOJ and that their opinion and input into this process was not being taken on board. Their main issues were with Performance Recognition/Management, Fitness Testing and the Grievance process. Rob advised that we had listened to the POA on the Performance Management consultation and had taken out areas the POA were concerned about. He also confirmed that a meeting on the Grievance policy would take place when the consultation had happened. Rob agreed that there had been an oversight around the Fitness Testing policy, but the POA would have seen that already.

6.2 On Performance Management Rob said that we were focussed on the products and were running several early adopter sites in Prisons and HQ. There were seven sites who would test products to January 2022. We would then evaluate these before launch in April. Rob confirmed we would work with the Trade Unions on this. The POA would also feedback on this and have asked the local committees at the pilot sites to tell them how they felt the introduction of the new policy had gone.

6.3 We were also in the early stages of the Conduct and Discipline policy work and would approach the TUs in the next few weeks. Rob pointed out that there were significant differences between HMPPS and MoJ on the Conduct aspect of this policy. He advised that the HR Policy Team were making a small contribution to Tim Gower's work on Hybrid Working – Sue Cole, Deputy Director, HMPPS People Team, was leading on this aspect.

6.4 Rob said we were exploring the Flexible Working policy. We were trying to streamline and amalgamate the policy strands and were conscious of the different drivers in the business. Work on the Attendance Management policy was further down the schedule, but a dedicated discussion would take place. We were hoping to supplement how we present these policies using animations. We were working with an external company who put our scripts into visual representations, and these would be shared with stakeholders before going live. We would do this for Grievance, Business Expenses, Conduct and Discipline and Bullying and Harassment. Rob mentioned that we were working on guidance around the duty of care to staff around unwanted media attention. We would share this with Unions shortly.

HMPPS Additional Item

7. Improvements in SSCL contracts re overpayments – Joseph Holloway

7.1 Joseph spoke about three key areas where there would be improvements to SSCL from November onwards. Concerning overpayments management, we were improving how we communicated with staff and the need for a timely plan for recouping money. We were also keen to reduce overpayments in the first place with a case management system. We had automated the overpayments calculations process, and this would now only take three days to complete. In our communications with staff, we would be precise about why the overpayment had happened, the amount of the overpayment and how and when the overpayment would be recouped. We had reworded the letter template to staff in these circumstances to that effect and to make the repayment plan clear. We would be releasing Line

Management guidance with an FAQ about what usually led to overpayments. This would be shared with the recognised Trade Unions.

7.2 Joseph advised that we were doing lots of work on reducing overpayments and we wanted to see a reduction of between 20 – 30%. One issue we were looking at in December was to make the HMPPS and MoJ payrolls interactions more seamless. It was the change from one to the other that usually caused the overpayments. We would look to flag actions on the payrolls so that we could anticipate problems.

7.3 The POA pointed out that there were overpayments going back several years through no fault of staff. They thought that there needed to be improved local training. Joseph advised that we would be carrying out a Pay and Reward housekeeping exercise in December to ensure the right allowances were in the right place. The POA asked whether staff personal circumstances would be taken account of when dealing with large overpayments. They also asked about how we would address overpayments of people who were no longer working for HMPPS or who had retired. Joseph confirmed we would tailor plans to individual circumstances.

7.4 The POA also asked if staff could repay by working overtime. Joseph said this was a possibility but dependent on the overtime being available and it not being excessive: we would be reluctant to advertise such a solution if it led to a situation like that. In essence, we were looking to help staff who contacted SSCL to agree a repayment plan that suited their needs and prevented hardship. Joseph confirmed we would be setting plans next year to deal with pre-2017 overpayments. On the issue of Market Supplements, the POA asked if staff who changed roles and stopped receiving it, could they simply call the contact centre to advise. Joseph said that we were utilising staff locally to ensure this was dealt with smoothly. The POA requested feedback on this as things progressed, to ensure that systems were improving - something similar to when we raised issues around Ill-Health Retirement (IHR) and were given regular feedback to report on the current position so we could see if there had been any improvement or not.

Action: ER Team to invite Joseph Holloway to update each quarterly POA HR Sub-Whitley meeting during 2022 on progress concerning SSCL improvements.

POA items to raise

8. Staff pay (overpayments)

The POA advised that issues were wide-ranging around overpayments and SSCL not negotiating a repayment plan and just informing the member. Joseph Holloway spoke to this item as part of his update in section 7 above.

9. Joint boards for two prisons

9.1 The POA explained that this was in-relation to CM posts that were advertised at the Verne and Portland and wondered where the successful candidates would be allocated. As the POA understood it, the Portland vacancies had been filled. Vacancies remained at the Verne and candidates who qualified at the board and were offered Portland, but turned down Portland, should now be offered the vacant positions at the Verne. Sue Vallance said this related to a recent joint-Board which was advertised along the lines of if offered an allocation and refused then your application was deemed as withdrawn. A recent joint-hub manager board asked applicants to express their preferred placement location. HR had not been involved in the CM process. The advice to the establishments since had been that allocation was by candidate preference or by using site specific Success Profile strengths to identify particular candidates for particular prisons. Both the outgoing and new Prison Group Director (PGD) believed we should do joint-Boards for Portland and the Verne due to co-location.

9.2 Sue advised that induction interviews were now taking place at Portland to capture people's experiences and there had been some interchange with The Verne. Staff at each establishment had got different skillsets and each prison would gain from different experiences. Portland staff there were very focussed on operational delivery and some management skills needed development. In answer to the POA, Sue advised there was no formal guidance for the operation of joint-Boards.

10. Manager Discretion

10.1 The POA asked for clarity on whether line managers have the discretion to not issue sick warnings under the management of attendance policy. They highlighted cases where this had not happened.

10.2 Sue Vallance confirmed that line managers do have discretion and that this was actively used. We were making this clear at local and corporate level. Rebecca Barnes added that Merlin Ipinson-Fleming, Head of HR - Business Continuity, was producing guidance on this issue and this was currently going through internal clearance. The POA remained unconvinced that the issue was being adequately policed and highlighted they had now raised this issue numerous times and nothing has changed.

11. Vetting Process

The POA asked about vetting when people were applying for jobs in MOJ where they had previously resigned from being prison staff: was the previous Governor contacted for a reference; or did Shared Services still only provide their standard letter stating employment dates with no opinion on performance. Rebecca Barnes clarified that if the application was for a role in HMPPS, where Shared Services saw previous HMPPS employment on the application, then SSCL would approach Approval and Compliance Team with this information. For safety reasons, that team would seek an internal reference from the team where the applicant used to work. If the application was for MoJ, then the usual (minimal) reference letter would be provided as mentioned above.

12. Queen's Platinum Jubilee Medal (QPJM)

The POA raised this new item at the meeting. They wondered if staff at those establishments that had been privatised would miss out on the QPJM if they had not reached five years' service when the establishment was privatised e.g., Birmingham.

Action: ER Team to pass the POA enquiry about QPJM eligibility to Jim Fraser for response.

The meeting ended.

SECURITY AND CUSTODY

Security and Custody Sub Whitley Annual Report 1/1/19 – 31/12/21

HMPPS / POA Security & Custody Sub Whitley 19th March 2020 – 09:00 – By Dial in

Deputy Director OSG Update

Business as usual cannot continue due to COVID.

SOCT will be reviewed in order to identify:

- Core work that must continue during COVID emergency
- Contingency team to respond to COVID-specific commissions
- Pool of people available for redeployment

SOCT is a mix of roles and backgrounds, what roles people can take on at present depends on operational backgrounds.

SIP will be scaled back. We will be requesting an extension to the work to ensure it can be continued. CT work will continue, along with some investment into the CT space.

During this period, there will be those in prison who will look to exploit the situation, so we need to keep a focus on this.

Actions from last meeting

- UOF Framework sent out now there will be an extension to consultation to take into account current COVID situation;
- Work on BWVC policy has been suspended;
- Knowledge on personal security, Chantel will update;
- CL will do presentation today
- Car park security guidance has been issued, Sarah Rigby has seen.

- JB has had calls with PGDs, they have been informed they can roll out RBH, they don't need to wait for PAVA/SPEAR. Was a mixed picture, some knew they could, some thought was linked to PAVA/SPEAR.
- JB will send written update from SA on hospital escorts.

JB has discussed the issue of trace detection with SR. SIP are currently looking to invest in trace detection. Use of it does increase staff confidence as it at the very least sends a message to those attempting to smuggle in drugs that we are checking, so it may have a deterrence effect. Effectiveness of trace detection is however not strong. HMPPS are looking to perform some research work with developers, so that HMPPS can identify the right product and so that HMPPS have technology that provides a meaningful result, before going to market. We will draft guidance to help staff to use these in the best way possible. We want that guidance to include where this is used on staff searches and what the follow up from that will be, as this was an issue highlighted in some recent searches.

POA are currently uncomfortable that there is no guidance out there at present. HMPPS have recognised this as an area of concern. They will look to put in some interim guidance to assist staff and consult with the POA on this. SIP will pick this up as part of their programme. PE can link SR in with those leading the operational guidance.

JEXU update

There have been three recent terrorist attacks, from which there has been significant follow up action.

SOCT are currently going through and reviewing all the current CT cases and assuring ourselves everything that should be done is being done. There has also been emergency CT legislation to change and significant investment announced for CT, with £20 million in the first year and £30m thereafter. The investment includes doubling NPS CT staff and increasing the Imams and psychologists who perform interventions. We will continue to focus on this during COVID19, and perform the work to ensure this is progressed.

NIU Update

As part of SIP NIU have had funding to recruit additional analysts. There were consultations around late 2019, sift and interviews completed but recruitment has had to be paused due to COVID19.

NIU are launching the first technical surveillance unit and performing work on automating telephone transcripts of prisoner telephone calls. As much of this work as possible will continue during COVID19. NIU will continue to provide intelligence reports to the COVID19 team to help support any restrictions that are out in place and to allay any concerns.

CCPU Update

SOCU: Work has been ongoing on updating SOC management policy, however the work has hit a significant stumbling block due to COVID 19. SOCU will be winding down activity during next two weeks, and staff will be redeployed out to support the front line in prisons. SOCU will be operating a reduced service during this time.

CCU: CCU will be continuing to support establishments during COVID but will maintain a resource in HQ to continue counter corruption work. HMPPS do not know at present what this resource will look like. CCU are continuing to develop their operating model. Senior leaders in CCU are now all in place. CCU are working on policy framework for new CCU model work. CCU noted it is important that the business do not take the eye off the ball during this time. When get through COVID CCU will start ramping up work on the new operating model again and managing the threat of corruption duties.

ORRU Update

No update in person today, currently ORRU are supporting the gold and COVID-19 gold structure. National Incident Management Unit are supporting the structures for command mode and liaison with other agencies. NTRG and NDTSG have reduced training and are focussing on availability for operational deployment. The staff are working from home so as to increase resilience.

SRU & SCU Update

CK is currently covering Head of SCU post. Recruitment for SCU ongoing and temporarily suspended due to COVID-19.

Whilst SRU and SCU will have a core contingent of staff remaining in the centre, the priority will be to support SIP, as technology for mobile phone blocking and detection has been committed to being purchased.

Guidance produced on staff security and their responsibilities in regard to this and there are materials being produced to support this. Work is underway with L&D to produce some online learning around staff security.

SRU are also looking at digital and online safety. SRU have produced materials that cover main online digital risk areas as well as online booklets and posters. A staff assessment toolkit has been produced so staff can manage their own online safety. This is something that staff can work through to see if their online safety is good and some actions they can take forward from this point.

SIP Update

Momentum has been on x-ray body scanners and enhanced gate security. Sign off has been received for 50 priority sites for x-ray and 50 sites for EGS. These will be separated into installation waves.

COVID-19 has had an impact on the rollout of this, so a pause has had to be put on installation. HMPPS were due to take delivery of first 17 pieces of kit on Monday 23rd March, but during the current climate it may not be possible to get the equipment into country. It is not possible at the current time to perform a proper installation, as well as performing floor walking and appropriate training. This is disappointing as sites had performed the enabling works and were on schedule. Wave 2 x-ray body scanner sites have been identified, and enabling works identified. Recruitment has been completed for wave 1 establishments for OSGs, and have asked that the staff are still brought in even though the equipment is not ready.

As for the resource model, there will be flexibility for governors in the resource model for EGS. Governors have information on the resource model and PE is awaiting a response in regards to their preferences for the operating model for their establishments.

PE's team are going back to operational line, so a lot of work will be put on hold.

MARSOC Update

With regards to impact on work by COVID19 – the MARSOC project is in a fortunate position, in that the project team is made up of secondees from other agencies, such as police, NPICC etc. and HMPPS have commitments at present that these staff will not be withdrawn.

MARSOC is essentially the new LOM. It is a multi-agency process to assess threats and prioritises SOC offenders, during and after custody, to disrupt SOC offending. It is a collaborative process with other agencies to disrupt highest harm SOC offenders. It has been renamed as MARSOC to differentiate from other LOM programmes across country in police forces.

MARSOC is owned by the Home Office and HMPPS made a joint bid for money with the Home Office. £7.5m has been allocated to design and implement this on a national level, focusing on probation and prison aspects.

Plans are being worked on for the early adopter phase of MARSOC. HMPPS are now in the final phase of designing the operating model.

There will be 10 regional MARSOC coordination units sitting in the regional SOC units with the manager and coordinator reporting directly to HMPPS. They will coordinate HMPPS and law enforcement responses.

The current estimated rollout schedule is over summer 2020. HMPPS will be identifying the highest harm offenders in prison and probation toward the end of the year. This will be impacted by when we can start recruitment and how long the COVID outbreak lasts.

HMPPS / POA Security & Custody Sub Whitley Wednesday 17th June 2020 – 09:00 – 11:00 – By MS Teams.

Physical Security Update

SA has performed work around physical security for staff when outside of work – similar to the online security information that has been provided previously. The guidance addresses physical, procedural and personal measures to reduce risk. This guidance will be distributed in due course.

Extremism update

Work is ramping up on the CT step up programme, which has received significant funding. Work is ongoing around multi agency hubs, which will bring together prisons, probation, police and other agencies in their CT work. A PMO has been created to deliver the programme. 75% of the CT step up money will go towards establishments' CT capability. There will be a significant uplift in staffing for both prisons and probation CT ability. The programme will look at professionalising CT training. A CT national performance framework will also be put in place.

On the back of the recent terrorist attacks JEXU have been reviewing the TACT cohort. Emergency legislation has been put in place by the government to address release dates of the cohort. Work is underway to address the need to ensure pre-2008 TACT offenders are subject to the same parole considerations as post-2008 TACT offenders in line with the emergency legislation.

The CT network remains stable despite the impact of COVID-19. An exceptional delivery framework has been put in place to ensure the continued stable delivery of CT services. The new virtual dial in set up for pathfinder meetings has enabled staff to be in front of their laptops during meetings, meaning they have had a higher quality of information in front of them and has been a success.

Separation Centres

Feedback has been received by the POA by HMP Frankland. The feedback indicated a feeling that initially the separation centre training was very good and amongst the best courses that staff have participated in. However feedback since has indicated that the training has dropped off and is not of the same quality as it once was. The POA have also received concerns over how the Separation Centre is running – with the cohort making threats to Muslim members of staff and staff in general feeling unsafe. The POA have also discussed with Ed Cornmell the Yaxley-Lennon case, and about where he would be placed if serving a longer sentence or convicted under terrorist legislation. POA were informed by Ed Cornmell he would may be considered for a Separation Centre. The POA are concerned about mixing white supremacists with Muslim prisoners convicted under terrorist legislation in separation centres. POA believed that together this created a case for opening the unoccupied separation centres so as to enable

more effective population management.

HMPPS informed that a lot of the issues described are issues that need to be grappled with on the operational line. A solution in line with policy for the above described issue would be to open a second separation centre – but this would create issues with capacity within the establishment.

HMPPS noted that HMP Woodhill have an arrangement in place where they could open a second separation centre. The PSI around separation centres does make the identification and placement of individual's difficulty due to a strong reliance on intelligence and observable behaviours.

HMPPS shares the POAs concerns about the difficulties presented to establishments by only having one separation centre open and where possible want to have the ability to move prisoners around to help the operational need.

MC will take away issues raised to Will Styles to try and get some answers to the POAs concerns, as JEXU can only answer to within their policy sphere of influence, input will be needed from the operational line. However JEXU and HMPPS very much share with the POA a commitment to safety.

JB noted the three main questions that need to be picked up between HMPPS policy and operational line:

- The quality of the training – will the training be revisited and the feedback taken account of and changes implemented.
- Are their plans to open one of the mothball separation centres to accommodate those with opposing extremist reviews or people causing disruption?
- A review of the safety concerns of staff in the segregation centre in HMP Frankland.

The best way forward would be a conversation between Mick Clark and Will Styles and then referring to Dave Todd to join the conversation.

The POA pressed that time is of the essence for POA members, but appreciate a report is being conducted around separation centres and it would be sensible to wait for the results of this to tie its recommendations in with any action taken.

ACTION: MC to set up a call between with Will Styles and Dave Todd to address separation centre issues.

The POA queried how many prisoners the new CT legislation affects and what are the reasons and ramifications around the pre-2008 distinction in the CT bill. JEXU noted they do not have the details behind this to hand, but would provide a response outside of the meeting.

ACTION: MC will provide details to Mark Furness around the emergency CT legislation, how many prisoners it affects and what the legal ramifications around the cohort split with pre-2008 prisoners is.

The POA enquired whether de-radicalisation courses would be reviewed. HMPPS noted a significant amount has been allocated to interventions from the CT step up programme. There has been a lot of conversation around mandating de-radicalisation courses. At present there are no plans to do so, as there is a need for attendees to meaningfully engage with the course for it to have an effect.

Counter Corruption and Policing Update

CCPU staff have been deployed to help the frontline during the COVID-19 response period. There is a skeleton staff continuing to perform serious organised crime work. SOCU work has been mainly paused – with some low level activity around disruption work continuing. CCPU anticipate these staff returning at

a later date.

The counter corruption unit were performing a big recruitment campaign as part of the investment programme work. As part of this they had completed interviews for analyst candidates, so they are continuing with the deployment of these staff, as it is only right and proper that staff who had been provided a promotion opportunity are allowed to take this up. CCPU are hoping to bring 54 staff online in the coming months, however they will be led by the requirement of establishments for staffing through the COVID-19 period.

There has unfortunately been signs during the COVID-19 period that staff have been put under increased pressure to smuggle illicit items into establishments.

MARSOC is continuing to develop and are now in the recruitment stage. SH has been performing work with the NCA around specialist equipment. The POA queried the management of prisoners and the re-categorisation process, raising an instance in Bristol Segregation Centre of a prisoner on multiple unlocks being moved to Cat C in HMP Portland where they assaulted staff within the space of two days. HMPPS noted that they would not have the specific details of this case within SOCT and that the PGD would need to be brought in to advise. The Security Investment Programme are addressing re-categorisation process within their stream of work. The POA will take up the specific case with Russ Trent in the South West.

Security Investment Update

At time of last update SIP were moving into a position of pausing physical security deployment such as body scanners to support the operational line. There were two issues with body scanner deployment, one was the rightful redeployment of staff to support the frontline and the other was the supplier in Belarus was having difficulty in acquiring parts for the scanners from China. We now have the equipment in storage ready for rollout when appropriate.

Progress has been made in a number of areas by SIP over the last three months. SIP have requested an extension to the programme from HM Treasury, but it is not clear at present if this will be provided. As a result SIP are looking to push ahead with the rollout of X-Ray body scanners as a priority. Phil Copple has supported the return of the team for this and are hoping to have the team back and ready for rollout by beginning of July.

SIP are hoping to have the kit, floor walking and staffing in place by end of September and all 50 sites by end of March 2021, the original programme close date.

As for Enhanced Gate Security, there has been some delays to the timescales due to equipment supply being delayed. SIP wanted equipment in August, but are now looking at October / November, work has been performed so deliver can be made straight away when SIP receive equipment. They will also be moving forward with all sites for EGS in multiple waves of delivery.

SIP have permission to continue with recruitment. OSG recruitment is complete with starting dates between July and October. SIP are also looking to progress dog handler recruitment.

Mobile phone work – SIP are procuring and moving ahead with portable mobile phone detection.

ORRU Update

Strategic management of COVID has dominated the work of ORRU. ORRU staff have been protected to perform strategic response work around COVID. ORRU are now starting to contribute to a national recovery plan. A recovery framework for ORRU is being produced, considering how they can best support the whole prison estate and environment and looking at how they can support safe prison

environments.

The last few months have seen a reduction in response teams being called out. There has been a change in the support required, and receiving different requests for call outs.

The level of protest activity as we come out of lock down period will be monitored. Whilst prisoners have been very tolerant of lock down, a spike in incidents is expected as time goes on, and prisoners start to interpret lock down procedures as no longer justified. There is a need to keep focus on incident management responses going forward to maintain effective delivery.

The POA enquired if they have been cc'd into ORRU specific framework of recovery and if it has gone to POA and to Gold Command. HMPPS informed it has not been shared but intend to discuss further this afternoon and then share to POA branches. The POA requested this is shared for national consultation before distribution to branches. HMPPS agreed to share with national POA, with note that it is a draft and a live document that will be subject to constant change. It will be a framework and not an EDM.

ACTION: SA to share ORRU recovery framework with Dave Todd.

The work on the Use of Force framework has been delayed due to COVID-19 period. A pause had been agreed, and this needs to be completed and implemented, but it was noted that this has not been abandoned.

Use of PAVA – We are three months on from the exceptional rollout of PAVA to sites that were already partially through rollout. Use has been monitored as it is reported as a telephone-able incident. There is a group representing the safety project analysing use and are trying to ensure it is being used within policy and that governors are supported.

The POA noted that we may see an increased use of PAVA due to the 2 metre social distancing rule and a lack of PPE to adequately respond to an incident. POA and HMPPS noted that policy has not changed and should be used in line with this.

The POA has requested access to reports on the use of PAVA. Meeting is chaired by safety programme and the data is not currently in an easily shareable format. HMPPS will perform work on developing the data over the coming weeks and provide in a more digestible format.

ACTION: SA to share reports from Use of PAVA meetings chaired by the safety programme.

Security Risk and Security Countermeasures Update

CK has temporarily merged the two units in a new delivery model to prioritise work and to look at recovery from COVID. The current focus of work in the units is rapid policy advice and rewrites, particularly around social distancing and CK noted her thanks to the POA for their support with this.

Significant work is being performed around digital and accommodation expansion. There is also lots of work ongoing around the vetting of returnees and desk toping around different models. The EDM for visits has been worked on. Quite a lot of work has been done on intruders in open prisons. It is not clear if intruders have increased or if establishment's ability to detect them has increased. Work is underway with colleagues under the assumption that instances have increased looking at how this can be combated and to investigate this as a conveyance route. The POA queried if staffing at nights could be increased to combat this? HMPPS informed that work is being performed looking at this as an option and believe this may be occurring in some sites to tackle specific risks.

AB had a conversation with HMP Ford Security lead, who definitely feels there is an increase in the

amount of activity. HMPPS noted the wide difference in physical security in different open establishments, so there is a need to work with sites to understand the individual situations. The POA informed issues have also been noted with Stanford Hill and Sudbury. Chantel will feed this into the work. SCU and SRU will also feed this back through Stephen O'Connell who chairs the Open Prisons forum and the National Security Group.

Any Other Business

None to note

JB noted his gratitude to the POA on the work they have done to assist the National Security Group and Operational Security Group rapid policy work to respond to the unique challenges raised by COVID-19, as there have been a lot of requests for consultation.

POA Security Sub Whitley Monday 18th January 2021 at 11:00 – 13:00

Apologies

Hazel Mehta (**HM**) – National Security Group

Lorna Shore (**LS**) – Security Investment Programme

Francis Sturt (**FS**) – Head of Employee Relations and HR Policy

Actions and minutes

1. Apologies / Introductions

JB opened the meeting and welcomed everyone

2. Review of previous minutes / action log

The following actions were noted in the previous meeting:

ACTION: At the last POA Security Sub Whitley meeting Rhiann Gilbert and the Safety team provided data about the number of establishments that are currently using rigid bar handcuffs.

ACTION: CK confirmed that mobile phone blocking/detection will not prevent 'OMiC on the move'.

In December 2020, JB had an interim meeting with SR. Three items were raised:

- Request for feedback on the implementation of trace detection
- Request for a copy of the proposed classroom based C&R refresher
- Feedback on a use of force survey that had been distributed in some prisons

SR confirmed that feedback had been received on all three points.

3. National Security Group Update

OPT (Operational Partnership Team): SH gave updates on the current review of OPT. The likely outcome is that there will be a slight restructure in the way the B8 Police Advisers support establishments, and this will mean moving from a regional foot print to threat based structure. This should give greater capacity for capability work and enable advisers to support establishments in working alongside LEA's

CCU (Counter-corruption unit): The majority of the new SIP funded posts have been recruited to, although there have been a delay to the start dates for some of the prevent staff (in order to ensure prisons are supported during the second lock-down). The majority of new B4 analysts are in post, and we are starting to see the positive impact of these.

SOCU (Serious & Organised Crime Unit): Work continues in this area, however given the lack of regime activity and movement between prisons, disruption activity has been minimal. Focus has

been on developing information around B1 cases. A number of SOCU staff have once again been deployed to support establishments.

- **National Intelligence Unit** – JB gave an update on behalf of NIU. On 26 October HMPPS were granted the powers of the Proceeds of Crime Act 2002 (POCA) This means that HMPPS will now be able to investigate prisoners who are suspected of laundering money and also use the Act's civil powers to freeze their bank accounts and seek to forfeit the funds. To support this we are recruiting six financial investigators who, once trained, will be able to exercise these powers. The campaigns for these posts are underway.
- These powers are in addition to the recent implementation of the Prisoner Money Laundering Compliance Team (MLCT). In its first nine months of operation the team has investigated over 9000 suspicious transactions in the prisoner money portal and blocked over 2000 of these (totalling c£80,000). These new powers and capabilities are being delivered in support of the new prisoner money policies that were rolled out in November.
- SIP recruitment went well, with a healthy mix of HMPPS and non-HMPPS candidates. In cases where the candidate was internal (prison based) NIU was led by the establishment to ensure that release / start dates did not disrupt frontline activity.

Joint Extremism Unit – Following the Manchester Arena attack the Security Intelligence Committee made a number of recommendations relating to the strengthening of controls in relation to communications between TACT, TACT Connected offenders and individuals in the community. A programme of work is about to start to review the current controls with a view to introducing revised policy that will potentially treat TACT and TACT connected offenders in a similar way to category A offenders when it comes to visits and phone calls. Funding from CT Step Up has provided an additional 14 staff at a national level that will deliver the additional requirements likely to be introduced by the additional controls. These additional staff will be recruited when we have more clarity about the precise nature of the work. MC also updated on the introduction of the Separation Centre Operational Policy Group. The group which is headed jointly by LTHSE and JEXU will be completing a review of the Separation Centre PSI with a view to introducing a revised PSI that will address identified issues with the processes. The working group will seek to address the recommendations of the recently completed custodial management review.

MC & AB updated on the CT step up training programme which aims to provide CT Awareness training (ASPECTS) to staff in prisons. JEXU are targeting uniform staff who completed their POELT training before 2017 (when ASPECTS was included in the POELT training course). This year we will train around 3000 (after COVID impacted on delivery) and next year we are targeting 7000. They went on to summarise their COVID Exceptional Delivery Model, which advises prisons and regional CT staff on the delivery of CT management during COVID. JEXU continue to work closely with establishments to manage this important area of risk.

4. Security Investment Programme

- On track to deliver X ray scanners at all 51 priority sites by March. Currently delivered to 37 sites (w/c 4th Jan delivering at HMP Wymott and Risley). Three of the first four sites are live with **Enhanced Gate Security**. We now plan to deliver the Tier 1 package to 46 sites this year, with the remaining 7 receiving a resource package to provide some resilience to the threat at the gate (53 in total).
- In November the Programme board approved investment into **assessing, improving and maintaining the capability of HMPPS drugs detection dogs**. £300k per annum will fund collaborative work between HMPPS and the Defence Science and Technology Laboratory to ensure the capability of drugs dogs in prisons keep pace with the rapidly changing drug threat, particularly around spice. We are creating a formal policy on the use of trace detection

machinery and this will be sent for consultation to yourselves on 18th Jan. The **Digital Categorisation Service** rollout team has delivered close to 300 training sessions to establishments with a further 50 1:1 sessions to staff. All sites will be live early this year.

- The **Visitor Identification Verification (VIDV) Project** is updating policy to introduce a more robust list of acceptable forms of identification for social and professional visits – you will be consulted on the 18th Jan. A new interactive PDF training package, hosted by MyLearning, is in development. Both are scheduled for delivery in April 2021.
- Installation of **mobile phone blocking** equipment continues to progress well. An order has been placed for portable blocking which will be delivered in March.
- The majority of Pursue teams are now in post in the **Counter Corruption Unit** and 50% of the Prevent Teams have now been inducted and all remaining posts have now been filled. Many of the new staff are redeployed back to prisons to support the COVID 19 response.
- The Implementation phase for the **Multi-Agency Response to Serious and Organised Crime (MARSOC)** has started. 10 Regional Hubs will be stood up in a staggered manner across the police-managed Regional Organised Crime Unit footprint. Over the next few months our staff will start operating at the regional level, along with a national team in the NCA.
- DT asked how many prisoners had been categorised to a higher category as a result of DCS. JB stated that a response should be sought from Eve Richards and then provided to DT
- The introduction of the new Policy Framework and the Digital Categorisation Service would appear to have resulted in, among other effects, a reduction in the number of male prisoners categorised as 'B'. However, we cannot say that the introduction of the DCS is the sole cause for this or whether any similar trends are present in other category areas, without collecting shadow data. In order to get this data, we would have to categorise the same person at the same time independently by the two different criteria and methods (DCS/Framework and paper/PSI) and then compare the results, which isn't practical. It will eventually be possible to do a statistical analysis of categorisation outcomes using data provided by DPS and then comparing this globally with outcomes from a previous period before the DCS was in use. (For instance, you could analyse outcomes from the period April to June 2020 and then compare these with outcomes April to June 2021.) This piece of work will be looked at later in the year, once the new framework and the DCS has been fully embedded.

5. ORRU Update

SA briefed this meeting to confirm that as of September 2020 the safety programme have delivered the rigid bar handcuffs to 80 prisons and c2000 staff have been trained to use them. The training is included in UoF basic refreshers which are currently not running. Sarah Daniels to confirm that progress with this aspect of training will be monitored as part of safety programme project planning process, and reported to TUS via the Safety Whitely going forwards.

ORRU continues to prioritise the operation of emergency response services, with local EDMs constantly under review and LOP's reflecting latest PHE advice. We have cancelled all but essential operational training that is necessary to maintain specialist skills/emergency response. ORRU staff are based at home as a protective measure, and deployed nationally according to proximity to the establishment requiring assistance. This has enabled us to minimise travel and mixing of staff outside of operational emergency.

6. AOB

SR raised a question regarding what action was proposed following the issuing of a security alert, which highlighted that a weapon had been fashioned from a television bracket. JB stated that the alert was intended to raise awareness so as to inform AFCs. CK agreed that it was primarily intended to raise awareness and inform practice.

DT asked whether it was normal to seek an annual return for conflict of interests. JB and CK stated that this was normal practice, although acknowledge that it probably didn't happen everywhere. The intention was to update the register and raise awareness.

SR asked for an overview of SOCT functions. This is attached (it is due for updating but is the most recent version)

POA Security Sub Whitley 17th March 2021 at 09:00 – 11:00 by MS Teams

JB opened the meeting and welcomed everyone

1. SOCT Overview

- Richard Vince will be taking over Claudia Sturt's role for 3 months while Claudia has been redeployed to Department of Health and Social Care in order to establish the managed quarantine system.
- SOCT are currently producing a document that sets out the support available to prisons to manage the security threats during the recovery phase
- The 2021-22 Delivery Plan is being finalised and will be distributed when it is completed.
- SOCT are preparing bids for the Spending Review. This will include consolidating the investments made in the security investment programme and supporting the CT step-up programme. It will also include other areas where we want investment to strengthen security.

2. NIU Update

- Currently produce a prison weekly national assessment that goes to the gold unit and all the PGD's, NIU are now developing a section in that assessment that will specifically look at the recovery issues as long as this issues are being picked up by local assessment it will then be fed into the weekly national assessment.
- Investigatory powers been signed off by OPS which will be publish hopefully in spring, HM proposes for DT and team to set up a meeting to look through the OPS ideally in March/April.

3. JEXU Update

- Jonathan Hall (Independent reviewer of CT legislation) will be carrying out a review into terrorism in prison, the review will be focusing on the link between gang, potential terrorist and extremist, crime in prison and the wider availabilities of extremist materials . The first part of the review is focused on the crime in prison aspect, looking to see how many potential terrorist offences are committed dominantly around the procession of extremist material that potentially reaches the threshold being prescribed and other offences as well. MC confirms that he will feed back more details to the group once he has an update.

CT Step Up Funding:

- JEXU has been offered 25million for the next finance year, discussion between cabinet office and MOJ has been taking place on who should be responsible for the funding.

Enhanced Parole Process:

- Following on from London Bridge an enhance parole process was introduced allowing the introduction of more sensitive information potential from partners so the parole board can take account of that information, it also requires different response from prisons. The RCTL network

are starting to support establishment in those changes and JEXU are working on how to support them better providing probation staff to assist offender managers in prisons with the enhance parole report and will only effect tact and tact connected offenders.

Covid:

- Support from establishment continues through the CT structures, as restrictions ease more works in prison will be able to take place. MC confirms that JEXU are keen not to lose some of the advantages from COVID such as the remote pathfinder meetings, even though this meeting will not be remotely held long term but it showed that partner access to the meeting was increased and more importantly they have access to databases so questions could be directly answered at the meeting instead of waiting for the next meeting to do so. MC confirms that they will probably start doing blending meetings with the majority of staff being face to face and a small number being remote, so they have access to the available IT to answer some questions.

Training:

- Current ASPECTS training to date is 35,500, JEXU will continue to provide ASPECTS at all POELT training.
- CT Step Up this year is targeting pre- 2017 staff using payment plus for staff to attend the training, even though Covid has led to most of the training being cancelled JEXU has managed to deliver 2400 training event so far using the funding.
- Funding for developing a training plan for next year which will extend the same Programme.
- During recovery we are working with prisons amongst competing pressures, including the back log in other essential training and accumulated staff annual leave.
- Currently reviewing CT awareness training with a view of trying to update the current core package and explore alternative ways to train this cohort whilst minimising disruption to establishment delivery.
- DT asks for confirmation if all the training will be done online via civil service learning, MC confirms the proposal will not be for all training to be done online and states that face to face training will be more effective by a CT specialist who understands the context of extremism however if in the next 12months they find themselves delivering little training then MC would like some of the training to be delivered as remote training.

4. ORRU Update

SOCT recovery planning:

- The recovery planning paper has been finalised and will now be taken up for consideration to the recovery and reform board at the end of the month.
- To continue to deliver the training courses that has been delivered throughout which are the HOMES course, the MRPR course and support for the basic use of force refreshers that are being delivered locally. The focus initially will be for ORRU staff to refresh their own professional skills and learn new manuals over the next few months, and as national restrictions lift. Restart will begin after the end of June when national restrictions are lifted, taking account of PHE guidelines and with the priority of local instructor re-validation courses which will recommence in small numbers in July and August. Personal Safety Training (PAVA and SPEAR) also a priority

and we will seek to provide support to small numbers of site who have passed readiness assessment and have managed to get their instructors to the centres over the summer to be revalidated.

Project work:

- Has now started to be picked up again due to the pause on training, more staff are available. SA has commissioned a review of LRT which will be led by NIMU but will be working in collaboration with long-term high security estate. Also commissioned a full curriculum review which is looking at both curriculums for useful force policy and dog training policy which will be taken to OPS in the May meeting to be consideration.
- ORRU are coming to an end of review for health and safety which was generated and commissioned in response to the serious incident that happened in 2018 on the advanced course, the work is almost complete.
- Digital force tool roll out almost complete with aim to be finished by the end of March, the rollout is currently in London which seems to be going well which will be helpful to ORRU in producing national data.

SR Bid:

- Last year bid for capital funding for new training facilities in Kidlington was unsuccessful but ORRU want to resubmit this bid and putting in part of the spending review bid for staff resource money to support an increase in the profile at NTRG, more details will be circulated next week. ORRU has manage to access some capital which was made available in the last couple of months and just finished work at Kidlington to build a training ground for dog training .

Reward and Recognition:

- 16 NTRG and NDTGS staff have been awarded a director's commendation for an incident in Lowdham Grange and external work at height Norwich, the ceremony will be taking place on the 6th April 2021.

AB informs SA that dog handlers are concern about the socialisation of the drug dogs and asks if it was intention that the restriction meant for patrol dogs have now been applied to search dogs. SA emphasis that the dog are security assets and the restriction was deliberate for safety due to an incident where a prison dog attacked a young girl which left ORRU in a difficult situation as a result these measures now need to be applied to search dogs as well.

5. CCPU Update

- 55/58 B4 Administrators in the Pursue function have now taken up post. These are deployed in establishments, although are currently only working at one of their sites in line with COVID guidelines. We are currently hitting the 72-hour triage of intelligence target.
- In South West and Wales, we have trialled weekend working for the B5 Pursue Managers. This has proved successful and will now be rolled out nationally. This will complement the on-call rota and mean prisons have access to 24/7 Pursue advice and coverage.
- 13 new Prevent Managers have started with us and are being inducted w/c 15/03/21. All remaining deployed Prevent Managers have returned from redeployment w/c 15/03/21.

- We have developed an awareness package that is in the final stages of sign-off. The Prevent Managers are all being trained in its delivery this week with a view for rollout shortly.
- We have developed Resilience and Support guidance for line managers and our own managers to support them in how to have conversations with staff to build resilience and offer/signpost to support. This will form the early iteration of the work towards early intervention.
- We have started work on our Corruptor Strategy and are currently cleansing NOMIS of inappropriate alerts that do not meet the legal definitions. This will mitigate the risk of litigation and allow us to focus our resources on identifying, assessing and managing those who pose the most risk of corrupting our staff.
- Early work has started on a cross-Government approach to sharing corruption information for vetting purposes. This is with an aim to build resilience in our recruitment and onboarding processes in line with the “Protect” aspect of the Counter Corruption Strategy.

6. SIP Update

Body Scanners:

- We have completed the roll out of the 51 body scanners. We have had good results with them stopping over 3000 items from entering establishments.
- We are working with establishments to help them get adjudications/criminal charges where appropriate.

7. RaCU Update

- From the 1st April SRU and SCU will now be joining to become Risk Capability Unit (RaCU)
- The priorities remain the same
 1. Support delivery through age recovery
 2. Security investment programme
 3. Priority risk work through emergency
- Enhanced gate security training has now been launched and will be done virtually instead of face to face. This will only be short term and will move to a blended training.
- RaCU are now in a position to restart work that was put on hold due to deployment:
 1. Understanding Escape- Research and review has been completed and will now be moving forward in the summer
 2. Greater crime in prison focus- SR Bid has been put forward to increase dedicated staffing around crime in prison
 3. Access digital evidence training
 4. Expansion of the control strategy –working on expanding regional, local and Probation strategy.
 5. National security framework- to be finalised this year
 6. Review of segregation policy- Hope to start in the summer
 7. Digital Categorisation and the policy that goes with it- aiming to expand the work to some of our cohort and to our women offenders.

- Designed and redeveloped the state of security assessment- running sessions with regions prison group directors and governors on how you use this tool to get yourself out of recovery with regards to thinking about security.
- Producing rapid practise products – how to reskill/skill some of the basic security tactics i.e. Search of a person, cuffing

8. **AOB**

- None

OPERATIONS SECTION

Operations Sub Whitley Annual Report 1/1/18 – 31/12/21

HMPPS Operations Whitley Sub-Committee (Joint Bodies) 19th May 2020, 15:00hrs – 16:45hrs, Dial In only

2. Opening Remarks

2.1 The Chair said that following the recent COVID-19 briefing his Operational update would be as succinct as possible.

2.2 NTUS said that he had nothing to add.

2.3 The POA asked that COVID-19 be added as a temporary standing agenda item. The Chair and NTUS agreed and the Chair said that he would try to separate out this topic in his Operational Update.

3. Minutes of the last meeting

3.1 Comments had been received and revisions made prior to this meeting. Additionally at 5.4 this was clarified as being the findings of the Lord Chancellor. At 6.2 this was clarified as pertaining to a training package.

4. Update on Actions Log

4.1 In relation to Action Line 1 the meeting agreed that the action should be closed.

ACTION: Current Action Log to be amended. Action 1 to say that the meeting should be sighted on re-categorisation at the TU stocktake meeting.

ACTION: Action 2. Jenny Rees to progress the question raised by the POA which questioned the manner in which an inmate of IRC involved in the assault of a member of staff is dealt with.

4.3 In relation to Action Line 3 a document produced by the Health and Safety team had previously been circulated.

ACTION: Andy Heppell to draft a note for Richard Vince to circulate to PGDs and Governors regarding the proper use of radio warblers.

4.4 In relation to Action Line 4 a minor amendment was made to replace PCS with POA. The Chair also said that he would provide more information to the meeting regarding airport-style security measures.

4.5 In relation to Action Line 7 the Chair said that until such time as the current circumstances around COVID-19 changed, this was not likely to be progressed.

4.6 In relation to Action Line 8 an update had been provided which stated that informal training or job shadowing did not replace formal training.

ACTION: Action 11.4 on log to be closed however there should be a pinned Action regarding Instructors to prisoners in order to retain the issue for future consideration.

4.7 In relation to Action Line 12 the POA confirmed receipt of correspondence and the action was closed.

ACTION: Add the ratio of prison industry instructors to prisoners to the next agenda for discussion.

5. Standing Items

5.1 Operational Update - The Chair said that the population is down but that this trend is plateauing and that a paper will be going to the Criminal Justice Strategic Command looking at population flow.

5.2 The Death in Custody figures were shared as were the number of times Gold Command had been opened. The Chair said that there had been some good work accomplished across a number of departments in dealing with a high profile prisoner. The Chair touched on non-terrorist related incidents at HMP Belmarsh for which he praised the work of the officers involved.

5.3 In conclusion the Chair noted that recruitment would be an issue for the Prison Service in the future.

ACTION: Rachel Radice to take and respond to questions regarding Drug Strategy via correspondence via AH.

6. Interim Items

6.1 Terry Williams provided a brief update to the work around the Rehabilitative Culture Programme. She will provide a more detailed report via correspondence. Terry paid tribute to the work done by Ruth Mann.

6.2 TW said that the Rehabilitative Culture Programme would be working closely with Rosie Travers in the Evidenced Based Practice Team.

6.3 The POA said that the number of assaults had dropped during the restrictions introduced in the face of COVID-19. The Chair said that the issue is of interest to both Ministers and Directors.

6.4 The POA said that they felt that the work should be linked into the topic of safety.

7. Standing Items (cont.)

7.2 Prison Safety Programme Update - Jenny Rees said that the majority of work is now paused and focussed on COVID-19. The roll-out of PAVA and body worn video cameras (BWVC) continues. She said that a Safety Policy framework is being developed. She added that staff wellbeing is being linked to work around COVID-19. TRIM is being developed in establishments and group safety teams are still in place and hold regular meetings. She said that the Data Working Group is looking at current data sets. Looking to the future JR said that there would be some projects and policies related to COVID-19 that she would be sharing with the trade union groups for comment.

7.3 In response to a question from the POA JR confirmed that the Safety Team is alive to concerns around the procurement for equipment including BWVC and PAVA.

7.4 Population Capacity Management Update - Stacey Tasker said that the population had reduced by 3500 from the start of measures around COVID-19. London prisons had been staggering their reception intake. She said that advice around PPE was being taken on-board and that the advice of Public Health England was being followed. She paid tribute to the work done by staff during this unprecedented time.

7.5 There was a discussion around decisions made affecting individual establishments. The Chair said that the ambition was to have single cell occupancy across the estate if at all possible.

7.6 The POA relayed some feedback from staff dealing with prisoners outside of their usual cohort and the impact on their ability to support some of those individuals.

ACTION: Richard Vince to explore the possibility of looking into the differing experiences of prisons (in particular HMP Belmarsh) taking in prisoners from areas outside their usual catchment area.

7.7 Offender Management in Custody (OMiC) – Zoe Markham provided an update on the work of the OMiC team. She said that the work had paused and the Sophie Otter had also moved to another position within the department. She said that the Key Worker role had been suspended as of March 2020 although she hoped that this would be picked up as an Exceptional Delivery Model (EDM) package with the usual TU consultation. She said that Case Management and the Women's and Open Estate work had likewise been suspended.

ACTION: Zoe Markham to discuss the trade union consultation process for EDMs with Francis Stuart in line with agreed practice in order to provide time for TU comment and provide a response to the next meeting.

7.8 Facilities Management Update – David Bailes said that a good service was being provided across the estate. He said that asset capture was currently on hold however data was being uploaded where available.

7.9 In relation to Compliance he said that the first report had been completed with improved percentage scores recorded.

7.10 COVID-19 he said had impacted on the delivery of some but not all projects.

7.11 NTUS asked whether the 2 year extension could become 3 due to the impact of COVID-19. DB said that his team was working with providers however the survey could not be completed until current COVID-19 restrictions could be eased or lifted.

7.12 **Video Calling** – Tim Lloyd said that following a recent meeting with the trade unions they would be aware of the announcement around video calling in establishments that week. He said that risk assessments and equipment cleaning regimes were in place and that an interim policy statement would be signed off soon. Around 10 prisons have laptops available and technical issues would be dealt with if and when they arise. The next tranche would focus on the Women's estate and Youth Custody.

ACTION: Tim Lloyd to provide a response to a point raised by the POA regarding the safety aspects of using face recognition to access the video calling facility within prisons and custody units.

ACTION: Dave Todd (POA) to provide Francis Stuart with details of an issue raised regarding changes made by individual Prison Governors to the number of prisoners exercising together etc. This information to be relayed to COVID Gold by Francis Stuart.

HMPPS Operations Whitley Sub-Committee (Joint Bodies) 16 September 2020, 2 – 4:30pm, by Zoom Call / Dial-In

2. Opening Remarks

2.1 Richard Vince welcomed the attendees and thanked the Trade Unions for their collaborative working during Covid-19.

3. Minutes of the last meeting

3.1 Minutes of the 19 May 2020 meeting were approved as a true record.

4. Update on Actions Log

4.1 The POA were content with the draft guidance – this would shortly be shared with establishments.

4.2 The POA would consider further the draft guidance on the OSG Shadowing action and respond to the ER Team. The POA thought that since the Covid-19 emergency began lots of OSG staff were not being properly trained.

4.3 HMPPS explained that there remained no central funding for High Gear Suits and there was no solution around this for regional funding either. Richard Vince undertook to consider this further and asked ER Team for previous minute extracts. He thought we could discuss this issue in the Stocktake forum.

Action: ER Team to share minute extracts concerning High Gear Suits with Richard Vince and to remind him to raise as an item for the Stocktake meeting.

4.4 Concerning data requested by Trevor Jacquet, Trevor would write to Andy Heppell to explain

situation so far and to help take forward further.

5. Standing Items

5.1 Operational Update – Richard Vince

5.1.1 RV mentioned the variance of Covid-19 cases across the country e.g. higher positive rates in the North West including the Greater Manchester and Bolton areas. While this was not translating to establishments in these areas we needed to be mindful of this when considering any planning for transition from stage 3 to 2. RV covered the number of visits; unlock hours and consistency of regimes. Guidance would be shared shortly by which Governors would monitor and manage regime outlook. Key to this was resource planning to take into account the potential impact of the coming winter.

5.1.2 It was reported by Jagtar Singh Dhindsa (PCS) that non-essential workshops at the Mount were opening and he wasn't sure if this was permitted.

Action: Richard Vince would like ER Team to ask COVID Gold whether the Activities or Industries EDMs allow for non-essential workshops to open under Stage 3. The response should be fed back to PCS.

5.1.3 Andy Baxter (POA) asked if there would be any financial incentives for staff who needed to provide cover due to illness and or isolating during winter. RV thought this was a fine judgement – it was an option we would consider.

5.2 Offender Management in Custody (OMiC) – Richard Vince

5.2.1 Richard explained that Zoe Markham was unable to attend this meeting but advised that we had written to TUs on the 13th January to inform them of our intention to proceed with implementation of OMiC in both the Open and Women's Estate. The implementation had then been paused in March due to the Covid-19 pandemic. Rightly taking into consideration the potential impact of COVID on individual prisons, the OMiC Team wrote to all Governors in July asking them to complete a readiness assessment to enable a fair review of their position to re-start the implementation process. Once these have been thoroughly worked through, we would write to TUs with a summary of the assessments and our proposed way forward.

5.2.1 RV then asked the TUs if they had any issues to raise. Jackie Marshall (POA) did not think the issues had been resolved in the Open and Female Estates re OMiC. RV said this issue would be discussed further at the Stocktake.

5.3 Drugs Reduction Strategy update – Rachel Radice and Jane Trigg

5.3.1 RR mentioned that they were looking to introduce a dedicated resource at Band 7 in each establishment and had asked for funding in the Spending Review. This work had currently been delivered by the goodwill of staff so we were looking to formalise the role. Additional recruitment was taking place for 2 Band 9s, 2 Band 7s, 1 Band 8 and 1 Band 5.

5.3.2 The independent review by Professor Dame Carol Black into the misuse of illegal drugs in England was mentioned. Building on the initial phase commissioned by the Home Office, the next stage of the review would focus on treatment, recovery and prevention. The overarching aim will be to ensure that vulnerable people with substance misuse problems got the support they need to recover and turn their lives around in the community and in prison. It set out targets in relation to treatment and recovery including improved access to treatment for drugs and improved opportunities for employment and housing.

5.3.3 A new programme structure was being set up in HMPPS concerning Reducing Re-offending. Jenny Rees' Safety Team would be linking RR into the Safety Programme Board.

5.3.4 JT introduced herself – her role was to develop the Drug Strategy to take it through the gate for Prisons, Probation Service and the community. In making these considerations, JT was looking at the criminal justice landscape such as changes in sentencing policy. Early interventions would also be considered given staff often had to deal with the problems of people entering custody.

5.3.5 Re-tendering for MDT Lab Services was taking place and we were considering the introduction of waste water analysis which would not only give greater accuracy in knowing what drugs were being used in prison but also give an indication of disease.

5.3.6 JT said that a workstream in her area would also be looking at stakeholder analysis going forward and welcomed trade union engagement. Both RR and JT could be emailed with queries on any of the issues above on: rachel.radice@justice.gov.uk and or jane.trigg1@justice.gov.uk

5.4 Prison Safety Programme Update – Jenny Rees

5.4.1 JR mentioned that there had been regular discussions on prison safety with the TUs throughout the Covid-19 situation. During this time there had been a welcome reduction in assaults.

5.4.2 The Safety Programme was due to start again in October 2020 and we would be monitoring this over the next 12 months. This included OMiC, Drugs Strategy, Physical Safety (PAVA etc.) and managing risk to self-harm. The next Safety Programme Board was set for 30 Sept. The Safety Team would be consulting with TUs in due course.

5.4.3 TRiM training would start again so that TRiM teams could be put in-place in establishments.

5.4.4 JR said that dedicated meetings with the TUs would be set up to consider the learning we acquired throughout the Covid-19 situation and its impact on Safety. A Safety Learning Group would be set up.

Action: Dedicated meetings with NTUS and POA would be set up to consider the learning we acquired throughout the Covid-19 situation and its impact on Safety.

5.4.5 Self-Harm continues to rise, particularly for women – we were looking at why this was happening. JR mentioned that Alan Scott was leading a taskforce on Self-Harm which would oversee the work to address this issue. There had also been periods of increased numbers of self-inflicted deaths and we were exploring the factors around this too.

5.4.6 We were monitoring PAVA: in-addition to its introduction at agreed sites, there was also an exceptional deployment to a number of other sites during COVID-19.

5.5. Population Capacity Management and Reconfiguration Update – Stacey Tasker and Marian Mahoney

5.5.1 Stacey and Marian provided a set of slides covering the latest update on Population and Capacity, New Offender Flows, Video Capacity and Video Conferencing Centres. These slides can be found in the annex to these minutes.

5.6 Facilities Management Update – David Bailes

5.6.1 DB advised that Prison Maintenance Group (PMG) was moving to Ministry of Justice from 2 April 2021 under the Functional Leadership model. He also mentioned that a review was being undertaken on the intelligent client function.

5.6.2 Current national performance stats are Data from August 19 to July 20: Planned Maintenance – 91% pass rate; Reactive Maintenance – 80% pass rate. The Compliance figures (From SMC Level 1 audits across the 52 standard baselines) were: Statutory – up from initial 58% to 98%; and Statutory & Mandatory – up from initial 59% to 84%.

Statutory & Mandatory Compliance (SMC) standards 2nd Edition and Security System Compliance (SSC) 1st Edition would be released in September. This would increase the number of overall standards from the initial 52 to 130. These are now aligned with the new SFG20 (PMG) maintenance schedules and the move to the new CAFM system as part of the Estates Asset Capture Survey (EACS) project.

5.6.3 Update on current Level 2 audits – SSC 25 Security Locking Management showed 13 complete to date – average score of 85%. The new locking schedules would be issued post audit and would link into the national database in locking section.

5.6.4 There had been a High Voltage (HV) Commission and we were currently working with commercial colleagues to award a contract. There had been a slight delay to the award due to compliance and legal checks. HV audits were due to commence in October.

5.6.5 Work ongoing as part of EACS project, to produce a new technical manual to replace PSO 5900 & 5901. This was using the SFG20 industry standard as the basis to produce customised maintenance standards to meet HMPPS business needs.

5.6.6 Concerning the Temporary Accommodation project there had been 1064 spaces allocated across 29 establishments; 1032 delivered to sites; and 844 units handed over to operational use. Concerning Cat 'D' units, proof of concept at Kirkham continued to progress and planning had been approved. Concerning Video Conferencing Reconfiguration (consultation and court rooms), 6 pilot sites to provide legal services and increased capacity to judiciary. Nationally 1514 projects listed had been listed with 297 complete to date.

5.7 Ratio of Instructional Officers to Prisoners – Dan Billingham

5.7.1 This item was raised by NTUS (PCS) at the last Operations Sub-Whitley in relation to safety and asked it be made a standing item. Concerning the local ERMP around staffing and allocation, Scott Swabey (PCS) thought that we seemed to have improved the balance between numbers of prisoners and instructors in workshops and continued to meet the required production quotas. Was this something that we could continue as we emerged from Covid-19 restrictions? Otherwise we could find ourselves back in the situation where we had too many prisoners to instructors in these workshops thus creating a safety issue again.

5.7.2 DB acknowledged the exceptional circumstances brought about by Covid-19 however we needed to balance the requirement to give prisoners meaningful work against the available space in workshops. DB would be content to consider options further as a discreet piece of work outside this forum. Jason Errington (PSPI) added that it might prove difficult to produce a definitive guide around ratios but was content to be involved in any deliberations.

Action: Andy Heppell, ER Lead for NTUS, agreed to set a separate meeting between PCS and HMPPS to discuss further the issue of the ratio of prisoners to instructional officers in workshops. We would involve PSPI in this.

5.8 Video Calling – Tim Lloyd

5.8.1 For the May meeting the Vice-Chair of the POA asked that this be made a standing item during the Covid-19 situation. TL advised that video calling had now been made available in 101 establishments and that this included the training for use. Feedback from a number of sources has shown the positive impact that video calls during the pandemic had had on families. An independent researcher from Birmingham University has been approved to conduct detailed research on the relational impact video calling has had for both families and prisoners. There would be more feedback in due course. TL also advised that we were looking to test the facial recognition and nudity filter software further given the recent feedback on call quality. Any changes will be fully tested to ensure there are no unintended consequences for both staff monitoring calls and for those using it.

5.8.2 TL emphasised the point that video calling would not replace face-to-face visits. There was anecdotal feedback that its use had shown improved behaviour and outlook of prisoners. The POA advised their members had expressed positivity around the video calling project and the NEC praised the work HMPPS had done here.

6. Interim Items

6.1 Rehabilitative Culture Programme Update – Darren West

6.1.1 A great deal of RCP work had been paused or delayed due to Covid but some strands had continued.

6.1.2 Concerning the Rehabilitative Leadership toolkit progress, the self-assessment tool had been developed and used language that was applicable across the estate. The working party agreed to develop three Master classes for inclusion in the toolkit: Engagement; Procedural Justice; and Coaching.

6.1.3 The development of a Rehabilitative Culture guide had continued. The aim was to have an accessible product that everyone could navigate with ease on the Intranet. The guide had a number of tabs and hyperlinks taking the user to information that could help support and develop cultures that were rehabilitative. A compendium of good practice could be accessed in the guide.

6.1.4 The Rehabilitative Culture handbook had been updated with three new chapters (Procedural Justice, Resilience and the Use of Peer Workers). The milestone for publication of the completed update is 31st December 2020.

6.1.5 Following feedback from focus groups in the Region piloting the Incentives Policy Framework, Ruth Power, Head of Deregulation and Operational Policy, requested development of an incentivising positive behaviour training package. Once developed, the training would form part of POELT/Officer Apprenticeship training.

6.1.6 A business case for funding for the Rehabilitative Culture programme in 2020/2021 has been submitted but to date nothing confirmed. Costs for a permanent Head of Rehabilitative Culture have been included in the Business case. A job description had been written and submitted for evaluation. The evaluation process would determine the grade for this position. A B3 Administrative support secondment was advertised on 1 September 2020.

6.1.7 Whilst the current functions of the Safety and Rehabilitation Directorate would move to the new Central Operational Services, headed by Michelle Jarman-Howe, there was a strong suggestion that Rehabilitative Culture would move to Prison Reform, headed by Cheryl Avery, which would be taking

forward workforce reform, cultural change, developing a performance culture around a high reliability ethos, building further a rehabilitative culture and efficiency initiatives. We were currently awaiting confirmation of this Directorate change.

6.1.8 NTUS noted that they had not been aware of some of the work RCP had been doing during the Covid-19 crisis and asked for documents to be shared and perhaps a meeting to discuss. The meeting was arranged for 27th October.

7. TUS (Joint Bodies) Additional Items

7.1 Increased Production in workshops (PCS)

7.1.1. The PCS had asked for a discussion around the link between production results and numbers of prisoners in workshops. Please note, this issue was also covered at para 5.7 above but was an ongoing discussion here. PCS made the point that prisoners themselves were feeling safer in workshops under the Covid restrictions. They wondered if we could maintain the current balance of a quality working environment while giving the required numbers of prisoners the skills they needed. Jason Errington from PSPI advised that we reduced our offer by some 30% but had to be wary as demand had also reduced.

7.1.2 Jagtar Singh Dhindsa (PCS) thought that some prisoners were just being added to the workshops for statistical purposes only (e.g. those who were due to leave prison soon) and that some of these had little desire to be in these workshops and were therefore a disruptive influence. He felt this was demoralising for those inmates who were keen to work and learn. Additionally, re reiterated the point that safety was compromised when workshops were overly filled (e.g. larger workshops allowed for the smuggling of tools to occur more easily).

7.1.3 It was agreed that these issues would be discussed further at the meeting being organised at 5.7.2.

8. Any other Business

8.1 The Chair thanked Chris Poyner of NTUS who was due to retire shortly for his service on this forum and for his service to NTUS. Chris responded that it had been a pleasure to work with Trade Union colleagues and those colleagues on the official side also.

HMPPS Operations Whitley Sub-Committee (Joint Bodies) 16 December 2020, 2 – 4:30pm, by Zoom Call / Dial-In

2. Opening Remarks

2.1 The Chair welcomed attendees and expressed sincere gratitude to the Trade Unions for their continued collaborative working at speed during Covid-19. Disagreements had been few and far between. Their support had helped manage the pandemic in prisons and lives had been saved despite the losses. He hoped this would form a solid basis for how we tackled Covid-19 in the future. He apologised to NTUS explaining that he had to miss some of their meetings in-order to cover other meetings for Phil Cople who had been away.

2.2 The Chair of NTUS, and Joint-Vice Chair of the Operations Sub-Whitley, appreciated the thanks on behalf of Union colleagues and understood the situation regarding Richard Vince missing some of the meetings.

2.3 The POA Joint Vice-Chair wanted to provide his heartfelt thanks to members in the field during this difficult time. More and more work was being delivered by these staff and he warned that they would face burn-out if they did not receive a sufficient break. He thanked HMPPS for offering Facility Time to NEC and Branch officials.

3. Minutes of the last meeting

3.1 Minutes of the 16 Sept 2020 meeting were approved as a true record.

4. Update on Actions Log

4.1 It was agreed that High Gear Suits issue would be referred to the POA Stocktake.

4.2 The PCS remained concerned about the opening of non-essential workshops at The Mount.

Action: Jagtar Singh-Dhindsa (PCS) agreed to email details of the non-essential workshops opening at the Mount to Francis Stuart, Head of Employee Relations, for consideration.

5 Standing Items

5.1 Operational Update – Richard Vince

5.1.1 The Chair advised that the pandemic continued to dominate our attention with potential scenarios of a third wave (particularly during flu season), a mutation of the virus and the vaccine roll-out situation. We were using the lessons learned from the first lockdown and since so that we could look at the first quarter of 2021 and into the summer: we were considering future regimes with a level 1 commentary possibly. We would obviously consult with the Trade Unions. Additionally, we were monitoring the EU Transition at the end of this year.

5.1.2 The Chair mentioned new operating models for HMPPS that would include more use of digital technology for communications, a less London-centric approach to HQ staff accommodation and recruitment and considering how we could use the Regions more.

5.1.3 The prisoner population was currently low but this would likely not be sustainable. Staff recruitment and retention would remain difficult in the first quarter of 2021 and into the summer. There remained lots of business as usual activities that we needed to keep running, for example the £100m investment in security improvements and the Counter Terrorism Set-Up programme where there had been considerable investment following the London Bridge and Whitemoor incidents. We were working hard to reduce deaths in custody and violence and our learning over 2020 would inform our work on the Safety programme.

5.1.4 Covid restrictions had impacted training, for example how we address C&R and Spear training would need to be factored into our resourcing model. The Chair mentioned the up-coming Spending Review and that decisions on allocating budgets would be taken soon with positive signs for SOCT, Safety Team and Reducing Reoffending.

5.1.5 The POA made it clear that they did not want to see a return to pre-Covid regimes once we were clear of the pandemic. HMPPS would be in a difficult place with the Trade Unions if it tried to revert back.

The POA also made it clear they were unhappy with the Government's decision to reject PSPRB Recommendation 3.

5.1.6 The Chair explained that research was showing that prisoners felt safer with restrictions e.g. relationships were better as they were not exposed to illicit trading. However, we could not keep prisoners locked-up and we were learning how to help prisoners for the future. We recognised the POA position that regimes needed to be purposeful, meaningful and controlled. The POA agreed with this approach and wanted to work collaboratively to keep members safe.

5.1.7 The NTUS Chair agreed that there was a huge amount of business as usual work for Trade Unions

and establishments to do but that we should not lose sight of the quality of implementation. Trevor Jacquet of Prospect welcomed the low numbers of prisoners though would welcome a further reduction. Critically, despite our low population at the moment, we still had issues with overcrowding, not just with bed space but with facilities and on programmes also.

5.2 Offender Management in Custody (OMiC) – Zoe Markham

5.2.1 Zoe advised that an implementation plan for the Open and Women's Estate was being prepared and bespoke meetings with the Trade Unions were being organised, especially to consider Custodial Managers. Also, OMiC Team were producing guidance on the Band 4 roles and calls were being set up with the TUs to discuss these. Zoe explained that current operational staff would have first opportunity to apply for these roles before they were advertised nationally. Zoe also mentioned that Wellbeing checks would take place prior to rollout of OMiC in March / April 2021.

5.2.2 The POA asked to meet with Zoe before the Band 4 Guidance went out. Zoe confirmed this would happen the following week and would also speak to Dave Todd separately. Dave Cook mentioned that clear communications would be vital on the issue as some of his branches thought non-operational staff were being recruited into the Female and Open Estate Band 4 roles. Dave felt that Governors had not got the message that these roles were for operational staff.

Action: Zoe Markham and Dave Todd to discuss Band 4 Guidance (as Dave was unable to make the regular OMiC meeting next week) before the guidance went out.

5.3 Drugs Reduction Strategy update – Rachel Radice / Jane Trigg

5.3.1 Rachel advised that the protection of prisoners during the Covid situation had led to a reduction in the circulation of drugs and in drugs-related violence. When establishments eventually began to come out of lockdown there would be a risk of a spike in these issues. Rachel's team was working closely with the Safety Team all now under the umbrella of the Prison Reform Directorate. We and our providers had been learning lessons during lockdown for example, we were keeping helplines open for longer to cope with the fact that drug use had remained high (even with the reduced circulation).

5.3.2 Rachel said we were considering what enhanced offer we could provide. We had put a strong case forward for the up-coming Spending Review, including a request to fund Drug Strategy Leads in Cat. C establishments. The current restrictions meant that we would have a 10% underspend in our Drug Strategy MDT across establishments at any one time. We were running a pilot at Sudbury where men returning from ROTL would receive drugs testing, not for adjudication purposes, but purely on a voluntary basis for those prisoners seeking support in beating their addiction. We also had money available to spend on IPADs to support face-to-face appointments for counselling etc.

5.3.3 Jane Trigg spoke about the current strategy on drugs and alcohol. The team had approached the Prisons Minister with their strategy for Stakeholder Engagement. The new strategy would be based on best evidence (through CSEP). We were looking at how our testing could reduce supply and aid prisoner recovery. We were also working with DEFRA to develop waste water analysis. We were looking at the research evidence around addiction – the drivers that lead to drug taking, the debt this causes and the relationship between drugs and self-harm. We'd noted in the Men's estate, the photocopying of mail had helped reduce the circulation of drugs. A similar approach in the Women's estate to reduce availability of drugs seemed to have unfortunately led to an increase in self-harm.

5.4 Rehabilitative Culture Programme Update – Terry Williams

5.4.1 Please see **Annex A** for a full update.

5.5 Population Capacity Management and Reconfiguration Update – Stacey Tasker / Marian Mahoney

5.5.1 Please see **Annex B** for the slide pack presented for this item.

5.5.2 Jackie Marshall of the POA asked if we could bring forward agenda item 7.4 *The future of Bunkerbins post-COVID*. Stacey Tasker advised that one thousand Bunkerbins were being installed for up to a six month duration. It was under consideration with Governors whether HMPPS would keep these for longer.

5.6 Facilities Management Update – David Bailes

5.6.1 Concerning the Audit Update, David advised that the first round of Statutory and Mandatory Compliance (SMC) level one audits had been completed. Some of these audits were now 12 to 18 months old. Due to COVID and other work pressures, the current audit programme had been suspended. PMG were targeting the reintroduction of level one audits in April 2021.

5.6.2 To mitigate the current risk, an interim audit strategy had been implemented. This interim strategy would focus initially on level three audits (focus on a specific SMC standard at a specific affected property) from the current SMC Standards first edition (high risk standards like Fire Alarms; Fire Protection; Water Management; Control of Asbestos; High Voltage; Gas Management; and Emergency Lighting). This would remain in place until April 2021. A cross section of establishments would be audited across all service providers. Due to the restrictions, at this time it was only possible to complete one level audit per week so those of greatest concern will be prioritised.

5.6.3 Concerning the Level One Audit Strategy from April 2021 onwards, David advised that, as part of the Estates Asset Capture Surveys (EACS) project, we had developed new maintenance schedules based on industry standards. On completion of the EACS project all sites would then be audited against the SMC standards second edition which had recently been communicated.

5.6.4 David advised Prison Maintenance Group (PMG) were moving to the Ministry of Justice (MoJ) from 2 April 2021 under the Functional Leadership model.

5.6.5 Next Generation FM Update: HMPPS were now only looking at the two models options – TFM & GovCo whilst incorporating principles/elements of the Optimised Make & Buy (OM&B) model as possible.

5.6.6 PMG – Compliance & Technical Update: Commercial were negotiating an FM contract extension to May 2023 with Amey. An extension had already been agreed with Mitie Care & Custody. The preferred model sign off was now 28 January 2021 with sign off extension to 21 April 2021. NTUS reaffirmed their position that HMPPS should keep this work within the public sector.

6. HMPPS Additional Items

6.1 Resourcing Update – Alison Hamer / Jim Heavens

(In an Operational Context for Prison Officers – how we are filling those posts)

6.1.1 Jim Heavens advised that on recruitment, we had introduced measures for Winter Resourcing and for the long-term. The OSG Fast Track Scheme had seen 1,000 applications, 760 of which were eligible. Assessment Centres in the south of England had closed in November as per Government guidelines. However, there had been a 70% pass rate with 196 candidates allocated to prisons in the south. In the north of England provisional allocations would start from w/c 21 November. We were able to bring back to establishments 72 staff who had left the HMPPS; additionally we had a further 112 going through pre-

employment checks. For those long-term leavers coming back, they would need to go through POELT again. Covid safety restrictions meant that we could only host classes for 10 people at a time maximum.

6.1.2 Concerning business as usual recruitment, we had launched 57 campaigns with 360 applications on average per campaign. There was a seven to nine month gap from application to on-landing. The Covid restrictions had delayed the usual recruitment process but by June 2021 HMPPS should have filled the current gaps in staffing. There were some establishments hard to recruit to and where there were high attrition rates, but we were working to push the recruitment numbers up here. The POA asked what the percentage figure nationally was for attrition rates. Jim advised that this was 9.9% overall but this varied by grade. We were also aware that there had been on average 110 resignations per month for the last 10 months. It was important however to drill down into the quarterly workforce statistics as there were very wide variations at local level. Jim advised that the real concern was those new recruits who were leaving – the statistics from 30 September showed 1294 leavers had served two years or under. Alison Hamer sent these quarterly workforce statistics to the POA via the ER Team just after the meeting on 16 December.

6.2 Ratio of Instructional Officers to Prisoners (in-relation to Safety) – John Butler / Jason Errington

6.2.1 HMPPS had met with NTUS and discussed this issue. We arrived at the position that if issues could not be resolved locally then we would escalate these through the business as usual channels, make risk assessment changes or work changes. NTUS thought that a national regime should be rolled out instead. There had been a good discussion with Jason and John but the CU95 Tool needed change. John Butler advised that a national approach for each risk assessment and officer numbers would not work. We tailor our approach to the needs of each establishment and their workshops. The POA were supportive of NTUS particularly from a safety perspective where reduced numbers of prisoners in workshops had led to a reduction in violence and the production of weapons.

6.2.2 NTUS added that perhaps where they did not have a Health and Safety representative locally, then that would be where a national toolkit that staff and managers could use would be helpful. It was agreed between HMPPS and NTUS that this remained an ongoing discussion.

6.3 Video calling update – Tim Lloyd

6.3.1 Video calling continued to be seen as something positive coming out of Covid. There had been substantial interest from external stakeholders and a number of lunch and learn events have been held with the Prison and Probation Ombudsman (PPO) and Her Majesty's Inspectorate of Prisons (HMIP).

6.3.2 Video Conferencing was now available in all public prisons and we were expecting the remaining few privately managed prisons (PMPs) to be live from next week.

6.3.3 We were aware of connectivity issues affecting some sites. We had developed a workaround in response to this issue which essentially re-routed the service via the MoJ Official Network as opposed to the current Cloud Platform to allow unrestricted bandwidth to sites and improve end user performance. This, however, was not a fully tested solution as yet and in order to maintain as much flexibility and resilience we would have both solutions running for the next few weeks. In practice this meant that approximately half the laptops in each prison would be on one network and the others on the other network. We should have delivered this solution to all prisons by the end of this week.

6.3.4 There continued to be some aspects of the service that were not working as well as we would have liked particularly repeated pausing on some calls due to the over sensitive nature of the security features. A couple of solutions had been developed and tested which were not suitable but there was one in live test in five prisons (called live pause) which seems to be working well.

6.3.5 The interim policy framework was being updated to reflect some of the early learning. Will would be looking to share this with Union colleagues for comment shortly.

6.4 Prison Safety Programme Update – Jenny Rees

6.4.1 Concerning the POA request for HMPPS to consider using Hi Gear Suits as per the action log for this meeting, Jenny Rees advised that Andy Rogers (Deputy Director, Safety Group) provided briefing to the Chair. There were substantial costs in the region of £1 – 2m to buy these in and they could only be imported from abroad. Given that these suits were not considered as part of SPEAR training, we did not have the budget to buy them. The Chair and the POA agreed to discuss at the regular Stocktake meeting.

6.4.2 Jenny mentioned that the briefing note for the latest functional reports for October were shared recently with the NTUS/POA. This provided a useful breakdown of the MI on assaults, self-harm and self-inflicted deaths for the last quarter. The latest data on PAVA, covering BAU and exceptional deployment (ED) sites over the last two week period, had also been provided. The Safety Team were currently evaluating the pilot and this would feature as part of the monthly update to TUs. Jenny mentioned that we had to pause PAVA and SPEAR training under the Covid restrictions. A Readiness Assessment had been completed on these but we just needed to finalise a Training plan.

6.4.3 Concerning ACCT, the Board confirmed it was content with the roll out to start in the Women's estate and pilot sites from January. The TRiM work had also restarted but we had to juggle this at outbreak sites. The Safety Policy framework would replace *PSI 2011-64 Management of Prisoners at Risk of Harm to Self, to Others and From Others* and Unions would be consulted on this in due course. There had been lots of communications and feedback from Safety Week with virtual events and dial-ins from staff to experts to discuss various safety elements. The POA asked how many sites had passed the Readiness Assessments through the summer. Jenny said she would update the POA at the Friday meeting.

7. TUS (Joint Bodies) Additional Items

NTUS

7.1 Education Inspection Framework – Sarah Fitzgerald

7.1.1 The PCS advised this item was regarding the fact that consultation/progress to gain a national approach to the introduction of this framework has stopped for the past several months, and as such, some establishments were beginning to move forward unilaterally, which had an effect on most grades that had prisoners in a working environment.

7.1.2 Sarah Fitzgerald advised that the Covid pandemic had paused the work on the Education Inspection Framework (EIF). The last meeting with the PCS and PSPI had happened in February 2020. The PCS asked if this work could be restarted as the current situation put pressure on instructors. The PCS were aware that before the pause in this work a taskforce was being set up.

7.1.3 Sarah clarified that the Framework had been implemented in February but that there was a need to continue to work collaboratively. There was now a library of resources available on the Intranet for staff to use. Under the new Prison Education Service, the Criminal Justice Taskforce would work on the Government manifesto commitment of getting 30% of prisoners into employment within six months of release. Both Sarah and the PCS agreed that a follow-up meeting was needed to discuss how to move forward.

Action: A meeting would be organised between Sarah Fitzgerald and the PCS to discuss the Education Inspection Framework and how this work could move forward.

7.1.4 The PCS mentioned that some prisoners could not learn properly because they did not have the basic education needed such as English and Maths and that HMPPS should address this in the first instance. Sarah's view was that some prisoners learned better in a work environment than in a class room.

7.2 DHL Contract Compliance at New Hall – Jason Swettenham
(Below update provided by Jason Swettenham before the meeting and therefore was not in-attendance).

7.2.1 The POA were concerned at the failure of DHL to fulfil their contractual obligation to HMP New Hall with the supply and issue of the prisoners canteen and formally highlighted this significant issue with HMPPS and at the same time the Branch were making the National Executive aware of concerns and asking that they be raised at a National level. Jason Swettenham was made aware of this issue before this meeting and was able to resolve the situation to the POA's satisfaction therefore this issue was not discussed at the meeting other than to note the POAs' wishes that we record this in the Minutes.

7.2.2 Jason advised that on speaking to his team it would appear that the original change was made a few years ago and the MOU signed in June was merely a reissue. Jason advised that he would instruct DHL to revert to five staff as opposed to three. Given the proximity to the Christmas Break this may take a few weeks for them to recruit the additional staff but will hopefully be fully resolved as early as possible in the New Year.

7.3 Ordering staff volunteers to complete Covid related escorts / bed watches against their will

7.3.1 The POA advised that this item had come about because there had been an issue at Wandsworth. Dave Cook of the POA would send details to Francis Stuart.

7.4 The future of Bunkerbins post-COVID

7.4.1 This item was covered at paragraph 5.5.2 above.

HMPPS Operations Whitley Sub-Committee (Joint Bodies) 22 April 2021, 3 – 5:30pm, by Zoom Call / Dial-In

2. Opening Remarks

2.1 The Chair thanked the Trade Unions for their support, hard work and pace so far through the Covid pandemic. It continued to be a tough period.

2.2 NTUS appreciated the recognition and thought the close working relationship with HMPPS had been helpful. Members remained concerned that Governors would go too far too soon now that we were moving through the stages to re-open establishments. They were concerned around the reintroduction of HM Inspectorate of Prisons (HMIP) inspections from May and the additional pressure that this might put on prisons to open up more quickly.

2.3 The POA echoed the above, emphasising what they thought was the alarming rate that prisons were moving to Stage 3. Their view was that establishments should show stability at Stage 3 before moving to 2. The POA thought that violence levels were already increasing as we transitioned. This was difficult for new Prison Officers who had not yet experienced working on the wings with larger numbers of prisoners beginning to be unlocked.

2.4 FS assured the Unions that HMIP were engaged with Covid Recovery Teams and so understood the approach that HMPPS is taking. We were aware of the situation with new Prison Officers and we would continue to discuss the situation in the weekly Covid Recovery meetings.

3. Minutes of the last meeting – Andy Hewitt

3.1 The minutes of the meeting held on 16 December 2020 were agreed as a true record.

4. Update on Actions Log – Andy Hewitt

4.1 NTUS confirmed that the action concerning the Workshop at The Mount would not be discussed further in this meeting and agreed the action could close here but would then be taken forward by them in a separate forum as they did not feel it had been fully addressed. Additionally, NTUS asked that the action concerning Education Quality should remain open until they had received the promised Terms of Reference.

Action: Education Quality terms of reference to be provided to NTUS

5. Standing Items

5.1 Operational Update – Richard Vince

5.1.1 The Chair mentioned the current prisoner population was approximately 77,700. This was lower than pre-pandemic times. We had 97% occupancy in the adult male estate and 87% occupancy in the adult women's estate. There had been five self-inflicted deaths so far this year. Concerning stability, there had been five openings of Gold Command in the last few months; two hostage situations and one external incident at height. 91 prisons had moved through the Heat Map panel with 67 approved to go to Stage 3. 44 prisons had started implementing Stage 3 regimes. SOCT had published guidance to prisons on the intranet re monitoring stability and intelligence.

5.1.2 The Chair said that the Fishmongers Hall Inquest was in its eighth day and would run until the end of May. It would have a far-reaching impact in how we managed terrorist offenders. The Counter Terrorism (CT) Step Up programme was running and £25m additional funding had been provided to manage the CT risk. 2,600 places for frontline staff had been provided for Approved Premises Training. HMPPS was developing an advanced certificate in CT Training and we were setting up a funded assistance and disengagement programme with the Home Office. Our Intelligence Hub was now up and running. We had also completed recruitment re Search Teams and Analytical Staff. However, we were running behind on the CT Risk Process and we were looking at rehabilitation and interventions training. We had a budget of £100m for the Security Investment Programme and had introduced Body Scanners in 51 prisons. Enhanced Gate Security was rolling out across prisons including a response to perimeter threats and staff corruption.

5.2 Offender Management in Custody (OMiC) – Bronya Finnegan

5.2.1 BF said that OMiC was live in the Male Open Estate and case work had started there. It was also live in the Womens' Estate for Key Work and Case Management from 30 April. There was no expectation of full OMiC implementation while we were still operating the Exceptional Delivery Model (EDM). OMiC Team had met with HMIP to make clear that under the current situation we could not do too much. The POA made the point that they continued to have concerns with OMiC but that they would raise these at the dedicated monthly meetings.

5.3 Opening and Change of use of Workshops (NTUS Item 7.1 brought forward)

5.3.1 JE summarised that there were 120 Workshops running under the EDM process to support the necessary supply and demand situation. We had reduced the stock held at Branston. This normally ran at 93% full but under the current situation it was running at 80%. The PCS felt that there was a lot of spare kit on prison wings and that HMPPS should have a kit amnesty to collect it back in, clean and reuse rather than opening more workshops. JE advised that they had had time to look at the flow of orders and it was clear that while there were periods where orders were small there were some spikes in large orders. JE confirmed however that we would replenish worn out kit from the laundry. We would be running the laundry sector as a hotel function to level out the spikey profile.

5.3.2 The PCS advised that, as PSI 05/2014 was now very dated and rarely used (although PSPI have stated they are looking to update it), they were seeing establishments not submitting Annex As to the PCS union when making changes to workshops, most recently at Full Sutton. Therefore consultations were being missed. JE said that we had now revised and simplified the PSI and Unions would be consulted on before it was issued. The Chair thought it would be important to remind establishments of the need for consultation.

Action: JE and Andy Heppell to combine to issue a communication to prisons regarding a reminder to use the Annex A consultation process with the PCS when making changes to workshops which impact on instructors

5.3.3 The PCS also raised the point that at The Mount we had brought in a workshop where prison staff were replaced by outside staff to run it. The PCS thought that a verbal agreement had been reached that outside staff would set up this workshop but it would then be run by Instructional Officers. JE said that it was not unusual for external contracts to use outside staff if it was a specialist workshop. However, this was a coffee roasting workshop therefore not considered specialist. The PCS thought there had been some confusion around change of use versus new guidance and that it should have been considered as a change of use.

5.4 Drugs Reduction Strategy update – Rachel Radice

5.4.1 RR spoke about the upcoming Spending Review and how HMPPS was preparing 119 new Drug Strategy posts as part of the Spending Review request. Our worst case option would be that we had to leave the numbers of posts in the Drug Strategy Team as is and therefore rely on current staff to do this work as part of their jobs.

5.4.2 RR advised that we were hoping to publish a new Drug and Alcohol Strategy in August as part of a 10 year Government Drug Reduction Strategy. We would shortly be circulating a first draft for consideration. Discretion had been given to Governors to run Mandatory Drug Testing (MDT) and we were running a waste water pilot for drugs which had been funded until the end of June. The pilot had shown more evidence than MDT for the use of cocaine. This may be because cocaine was metabolised more quickly. However the waste water pilot was less good at picking up Psychoactive Substances (PS) therefore we needed to decide if we continued with it. We continued to carry out voluntary testing for men going on ROTL. A pilot using drones was also being considered to carry out drugs surveillance especially during social visits but we needed to assure households situated near prisons that their privacy was maintained.

5.4.3 RR also advised that we would need to re-compete for the Drugs Contract that ended in 2023. A new contract would last for five years. This needed to be flexible to keep up with technology e.g. instead of collecting samples, we could use breath tests. The POA asked what percentage of the Drugs Strategy Team were back in establishments and RR confirmed 100%. NTUS were interested in the waste water

pilot and asked if RR could spend longer on this issue at the July meeting. RR agreed to invite Alex Walker and Danny Templeton from the team to discuss.

Action: RR to liaise with ER and invite Alex Walker and Danny Templeton to the July Ops Whitley to brief in more detail about progress on the waste water and drones drug reduction initiatives

5.5 Population Capacity Management and Reconfiguration Update – Paul Hetherington / Marian Mahoney / Mary Bemment

5.5.1 Slides on this item were shared with the attendees before the meeting and are provided separately with these minutes.

5.5.2 The POA asked to be involved in the review of the National Allocation Protocol (only for the standard moves aspect) as this affected their members. They also asked to see any statistics around this. Prospect asked where the different areas of overcrowding were across England and Wales. PH advised the main areas were London where there was surge testing and in the West of England. Prospect also asked if any reporting on overcrowding could include details of in-cell sanitation. PH said we could look at this as it may be in the relevant Weekly Report on the Intranet and would reply to Prospect.

Action: Paul Heatherington agreed to provide Trevor Jacquet of Prospect with links to the appropriate Reports re overcrowding and would look into the situation re cell sanitation.

5.6 Prison Safety Programme Update – Jenny Rees

5.6.1 JR advised the Safety programme had been paused last year and we were looking for an October restart but it would be unlikely that we would meet our milestones therefore the programme would be extended to March 2022. The latest Safety Data showed a decrease in violence; self-harm in the male estate had reduced; self-harm in the women's estate had increased last year and now we were working to reduce this. There were also a number of self-inflicted deaths in 2021 so we were looking into this and we had reviewed from July 2020 to the present. This would be shared at the regular update meetings we hold with NTUS/POA. The next set of quarterly Safety in Custody Statistics were due to be published next week. JR said that Family Liaison would start up as we moved into recovery in consultation with the Unions.

5.6.2 We would be looking to restart TRiM Training. In the meanwhile we had been supporting establishments who were short of trainers. We would also be restarting PAVA and SPEAR training as part of recovery and would be discussing our approach to these. We would be looking at Prison Recovery and how this moved into the Reform space from a Safety aspect. The Programme Board agreed we would focus on Recovery, seeking staff views on safety issues and linking-in with Tim Gurrey (Ambassador for Prison Officers).

6. Interim Items

6.1 Facilities Management Update – David Bailes

6.1.1 DB's Prison Maintenance Group (PMG) Compliance & Technical update provided to the meeting is provided separately with these minutes.

6.2 Video Calling update – Tim Lloyd

6.2.1 TL advised that there had been positive feedback on the service delivery. Usage had been growing

and was well used over the Christmas period. Some 8,000 calls were made mostly from Stage 4 establishments. Additionally, we had not seen any drop in usage as we moved to Stage 3. The issue around facial recognition software had been fixed. By the end of next week we will have rolled-out Video Calling to all sites. The Policy Team were now considering Video Calling post-Covid: for example we were looking charging models linked to incentives. We were also doing research on resourcing, looking at capacity and what establishments were able to support, and how we could intergrate Video Calling with the Social Visits booking system. We would engage with Unions on these issues in due course. The POA thought that RMPs should be reviewed to incorporate Purple Visits. The Chair thought this was a valid point and wondered if we should be doing some work on this now. Some of it would depend on future regime type work e.g. smaller groups of prisoners in unlock. TL said that conversations with the Future Regimes Team had already begun on this issue.

Action: Richard Vince said he would discuss the idea that RMPs should be reviewed to incorporate Purple Visits at the next Recovery Board.

7. TUS (Joint Bodies) Additional Items

NTUS

7.1 Opening and Change of use of Workshops (see para 5.3 above)

7.2 DHL Contract Issues

7.2.1 The PCS said that members had consistently supported DHL and provided additional staff resources to assist with shortfalls in host sites mostly without any remuneration within their working week during the pandemic. The PCS felt failings from DHL to provide a full service had resulted in opening external contingency sites to fulfil contractual obligations. While the PCS understood the need for this to ensure stability across the prison estate, ultimately this had exposed failings to the contract from a private sector company which has resulted in higher costs to the tax payer. The PCS would like HMPPS to explore the benefits of bringing canteen services back in house when the contract expired. The POA added that they were fully supportive of the PCS position on this issue.

7.2.2 However, JE advised that the Retail Contract was now at evaluation stage and that there was no public sector bid being evaluated. Clearly, if there was no award at the evaluation stage, we would go back to the start. JE said that we thought any previous shortfalls would be addressed for the future.

POA

7.3 The Independent Review on Terrorism in Prisons

7.3.1 The POA advised they had raised this item out of courtesy to let HMPPS know that they have been invited to engage with Jonathan Hall QC's Review (see below invite). The Chair thanked the POA for the update.

As part of my annual report on the operation of the Terrorism Acts, I am undertaking an independent review of terrorism in prisons. Details were covered in the national press: for example in the Times, here: <https://www.thetimes.co.uk/article/the-times-view-on-extremism-in-prisons-terrorist-cells-tg5wh7n07>.

Further details of my review are on my website:

<https://terrorismlegislationreviewer.independent.gov.uk/review-into-terrorism-in-prisons/>.

I am making contact in case the POA would like to discuss any aspect that is relevant to my review. My

plan is to discuss matters confidentially in order to consider whether terrorism legislation operates effectively or, potentially, whether any changes to the law are required. If you, or any other member of the POA, is interested in speaking to me then I would be very grateful. I am separately undertaking a round of interviews with HMPPS, and prison staff, but would welcome your insights.

Meeting of HMPPS Operations Whitley Sub-Committee 26 July 2021, 1:30 – 4pm

Operational Update – Richard Vince

Covid is the priority at the moment. It is still unclear what the winter will bring. Receiving criticism due to the lack of regime progression. Intelligence indicated that there is some prisoner disquiet due to this.

27 sites have been cleared to move to Level 2, but this has now slowed down. It is hoped for HMPPS to be at Target Staffing Figures by the end of the year. Testing and Vaccinations is still at the forefront of strategy. Major staffing difficulties due to the 'pingdemic'. This is also affecting supplies to prisons.

Incidents have increased. 12 occasions of Concerted Indiscipline since the last meeting. Stability Reports are now completed weekly. The Razor Incident at HMP Swansea was discussed. Razors and Ceramics programme is now pushing ahead, particularly in the LTHSE estate.

The Digital Categorisation Tool was recently introduced and there is anecdotal evidence that this is not working correctly in all cases. Prisoners have been Categorised lower than what they should have been.

Further work is required.

The Lord Chancellor has announced to Parliament that there will be a Prisons White Paper published later in the year, which will set out the strategy for prisons for the coming years.

The POA asked about Training Figures and the link to progression of regimes. The POA believe that establishments should not be allowed to progress when PPE Training, C&R, RPE etc is in the 'Red State'.

Offender Management in Custody (OMiC) – Bronya Finnegan

OMIC Meetings have continued. Compliance is being checked. 28 Prisons are not signed off regarding Keywork delivery. Covid is influencing delivery of Keywork.

Changes to how OMiC will be delivered will be consulted on.

Safety in Custody update - Andy Rogers

The latest data will be published this Thursday. Establishment Support for self-inflicted deaths is taking place. The new version of ACCT (V6) has gone live. Work is taking place on razors and ceramics with a requirement to re-visit all Risk Assessments. A separate meeting will take place regarding this. The POA stated that they are not happy with the speed of the work on Razors and Ceramics.

PAVA Training is restarting. A separate meeting will take place to discuss this. The POA asked has any further work been done on the possibility of taking PAVA on escorts.

TRIMM has recommenced.

Segregation PSO is being reviewed.

Drugs Reduction Strategy update – Danny Templeton / Alexander Walker

A Wastewater Analysis for Drugs and Alcohol Pilot has been taking place in 13 Prisons in the Northeast and West Yorkshire. This is currently being used to check the prevalence of Covid in establishments. A

decision was made to use the same technology to check on drug use and alcohol use in establishments. This provides information on the prevalence of drug and alcohol use in establishments including what drugs are being taken, when they are taken etc.

The POA asked could the slides be shared, and HMPPS stated they will do this. The POA asked is there a possibility of this replacing MDT in the future. HMPPS stated that this is unlikely as Wastewater Analysis cannot be directly linked to individual prisoners.

Work is being undertaken for Drones to be used by HMPPS in the detection of throwovers. Pilot is taking place at HMP Holme House and the West Midlands.

Population Capacity Management and Reconfiguration Update – Stacey Tasker / Marian Mahoney / Lizzie Watts

The total population is approximately 6200 below pre-Covid levels (77,761 today compared to 83,957 on 6 March 2020). In general, the population has remained steady since the New Year, and dropped slightly further over the Easter weekend.

Headroom in the adult male estate is around 2100 places. However, accessing these spaces continues to be a challenge. This is primarily due to compartmentalisation as well as the increasing proportion of unconvicted and unsentenced prisoners (now c.2,200 higher than March of last year). Because of this, HMPPS had to take some difficult decisions about decants for major maintenance projects and the need to carefully sequence these.

HMPPS are keeping the compartmentalisation strategy under regular review and will adapt it as required in response to operational learning as well as evolving pandemic risks in the community.

With regard to the decommissioning of modular units, the custodial capacity team have been working alongside the decommissioning programme (MUDR), other existing expansion programmes, as well as Governors and PGDs at affected sites to ensure that losses are offset in the short term and discussing options for the medium and long-term. HMPPS are providing interim accommodation where population pressures require it, to plug the gap until potential longer-term expansion projects complete, whilst ensuring that such provision, and the demolition of the decommissioned units, doesn't hamper those projects in any way.

The Morton Hall conversion project remains on track for first prisoner to enter before the end of the year. The requisite work has now been done to physically and procedurally separate Seacole Unit from the main site (allowing it to remain under Home Office operation).

Inter Prison Transfers (IPTs) - Data shows that last month a total of 92% of IPTs were in line with the offender flows and 13 PGDs areas have made 90% or more correct moves. The average number of IPTs on a monthly basis is 3500.

Offender Flows - Second / Required Moves - As IPTs start to increase with the expected reduction in movement restrictions, the team are supporting the Prisons Recovery Programme and PMU by using our flows data sets to identify prisons with the most men in the incorrect cohort (training or resettlement). Where possible these prisons and men will then be given access to transfer drafts to improve this situation. It will take time to resolve this issue as the misalignment has been building over the last 12 months since restrictions first came into play.

E-Learning Training - Total completion by the end of March are at 3158.

High Down Court Switch - It has been agreed the court switch from High Down to Wandsworth will not take place before 30th September, due to the requirements of compartmentalisation. Having one less reception prison in London whilst restrictions are in place, and accompanying reduction in operational capacity, would cause unnecessary challenges and risk at this time.

National Allocation Protocol - to be reviewed in June 2021.

Foreign National Offenders - Ongoing work with Home Office colleagues continues to understand how to improve movement and maximise FNO places with the move to the new hub structure.

Since last summer, HMPPS have invested £10.2m to increase video conferencing capacity across the prison estate.

HMPPS have delivered an increase of over 50% of physical video end points in prisons that support the criminal courts. HMPPS are also increasing capacity in the training and resettlement estate, including installations in prisons with no pre-existing video equipment.

Despite challenges due to Covid-19 outbreaks and national restrictions, as of 12 April 2021 371 new video units have been deployed across the estate, with further installs planned over the coming weeks. HMPPS are projected to see an increase of approximately 80% by the end of the deployment phase.

Of the 48 public and private sector prisons with an identified reception function, 43 have implemented extended video operating hours or are satisfied that current capacity sufficiently meets demands. This additional capacity is having a real positive benefit in ensuring that people in HMPPS' care can maintain access to official visits with CJS professionals.

Throughout April/May HMPPS aim to deploy a further 94 new video units to reach completion of the uplift part of the project.

The POA asked about uplift of staffing in some establishments for CJS. HMPPS advised that this is so that prisoners can use the video services to contact their defence solicitors. The POA stated that this has been done without the Annex A process.

Facilities Management Update –

Statutory & Mandatory Compliance (SMC)

Standards audit update Level 1 & 2 audits remain on hold due to the Coronavirus. Service managers continue to instruct level 3 audits to be carried out across seven high risk standards. Current national SMC level 3 scores for overall statutory & mandatory compliance are:

- SMC 1.1 – Fire Alarms 88%, (55 sites)
- SMC 1.2 – Fire Protection 87%, (52 sites)
- SMC 2 – Water Hygiene 89%, (48 sites)
- SMC 3 – Control of Asbestos 91%, (43 sites)
- SMC 4 – High Voltage 88%, (22 sites)
- SMC 5 – Gas Management 84%, (45 sites) &
- SMC 7 – Emergency Lighting 90%. (48 sites)

Estates Asset Capture Survey (EACS) The EACS project has now officially closed on 31 March 2021. All surveys are complete with all sites 'live' on the new CAFM database.

Stage 1 – Pre survey activity – 100% completed.

Stage 2 – Site Surveys – 100% completed.

Stage 3 – 'Go Live' – 100% completed.

Stage 4 – Move to BAU - 98% completed with 2 sites to migrate to BAU by the end of April 21

Building Fabric Maintenance Survey PMG continue to support this survey, which includes the building fabric and critical/high risk asset and their condition rating to assist with Spending Review.

EACS data and processes have been shared to a consistent approach which aligns with the new refreshed CAFM system, and associated processes. Aecom have been commissioned to lead the surveys which are due to commence approximately 10th May.

High Voltage (HV) Professional Support Services (Interim) The HV audits continue and nationally there are 33 (28 prisons)/102 (32%) HV inspections completed to date. The audit reports highlights P1 remedial works which must be completed within 90 days and P2 works Asbestos Management PMG are developing a document which was produced as part of Estates Asset Capture Survey (EACS) to include Asbestos Management. This will include logging all Asbestos Containing Materials locations within the document and current risk assessment status. A trial document is being produced in conjunction HMPPS Health & Safety colleagues and service providers. Once approved this will be rolled out nationally to underpin the management of asbestos.

Fire Risk Assessment (FRA) Remedial Works PMG continue to work with Mark Simpson and his Fire Safety team. This includes the development of a process to log, monitor and track the progress of FRA remedial works to the built environment and progress of FRA funding bids through the CAFM system (Planet FM). Work has been carried out to clearly define roles and responsibilities to ensure all FRA remedial works are dealt with appropriately.

Next Generation FM Update On 19 January an evaluation panel including commercial, operational, programme and technical experts reached agreement on the preferred delivery model for prison FM in the future. The NGFM Programme Board ratified this recommendation on 29 January and asked the Programme Team to take forward more detailed work on the Blended Option for the Outline Business Case.

An evaluation of three shortlisted FM service delivery models was undertaken:

- Commercial Total FM (TFM): Outsourcing the majority of FM delivery in prisons under several regional contracts.
- GovCo: A not-for-profit government company which is a wholly owned subsidiary of the MoJ delivered under a single framework agreement
- Optimised Make and Buy (OM&B): Delivering some elements of prison FM via in-house teams where there are clear benefits to doing so and outsourcing the remainder to FM service providers either through local, regional, or national contracts. After an assessment of the current position, the Programme Board agreed in October that the programme would proceed with further development of the Total FM and GovCo model options, whilst incorporating as many principles/elements of the OM&B model as possible. This decision reflected concerns that had emerged over the implementation and deliverability of the OM&B model. It was also agreed that the programme would consider a sub-option (the "Blended Option") that would deliver a TFM model in some regions (likely Wales and the North, Midlands and Southwest of England) and GovCo in others (likely the South and South East of England). These options have been evaluated against several key critical success factors and business requirements. Also building a cost model to understand the likely costs of implementation which must be completed within 12 months.

Prepare the Outline Business Case (OBC) for Programme Board approval in April 2021. This work has been supported by colleagues across HMPPS and MoJ and HMPPS have undertaken extensive stakeholder engagement to ensure that the Programme delivers a solution that is fit for purpose and meets the strategic aims of HMPPS. This engagement has included close consultation with FM staff and prison Governors through the Programme's Governors Reference Group. The next stage of development of this option will be vital if we are to specify and deliver an improved FM service. This will include specification work to ensure that the future FM service fully meets the varying needs of the estate. The programme aims to have the OBC approved by Her Majesty's Treasury in the summer before issuing an

Invitation to Tender document to the market in July.

COVID Update (6 April data)

Temporary Accommodation – across 29 sites with 1,064 spaces

Contingency stages o Stage 1 – 81 sites

All required red PPMs to continue to be completed ♣ All reactive repairs to be prioritised

All other essential work to be completed on a risk / priority basis. o Stage 2 – 17 sites

All statutory red PPMs to be prioritised.

Reactive repairs to cellular accommodation and business critical areas to be prioritised o Stage 3 – 8 sites

Only PPMs on life critical equipment will be completed.

Reactive repairs to cellular accommodation and critical areas, i.e. catering, health, etc. will be completed.

Video Calling update – Tim Lloyd

The new contract (2 years) for Purple Visits has been agreed and this has been provided at a reduced cost. Usage of Purple Visits has dropped with just over 6000 calls per week. Unclear how the usage will continue in the future.

The POA asked why staffing was not included in the agreement of the new contract. HMPPS replied that they are now doing a piece of work which will consider staffing considerations.

Rehabilitative Culture Programme Update – Gill Attrill

Behaviours, relationships, and practises are being looked at. This is being investigated to look after the wellbeing of staff and they can feel supported. It is believed that this will contribute to safer prisons.

DHL and Canteen Services – Jason Swettenham

JS was invited to the meeting due to many Disputes at several establishments. The contract is currently being renegotiated.

The Disputes were discussed, and Rochester dispute has now been resolved. Lancaster Farms has been resolved. Isle of Wight has been resolved.

The Belmarsh dispute is ongoing as is Bullingdon.

The POA pointed out that there are no safeguards to prevent these problems with the ‘final mile’ in the future. The POA stated that DHL should be challenged and fined for their inability to meet the terms of their contract.

To be discussed further at a dedicated meeting.

Utility Vest Shirts

The POA asked

“With regards to the utility vests for staff, will HMPPS be reviewing the cotton shirts most of the staff wear? Such vests would be uncomfortable in what is a traditional shirt or blouse. Tied into this matter is that of the uniform being either male or female”.

The POA stated that they were willing to remove this from the agenda because of another meeting, but this meeting never took place, so the POA would like this left on this Agenda.

HMPPS stated that they would ensure that this meeting takes place. HMPPS to refer this issue to D&I Colleagues and the Uniform Committee.

HMPPS Operations Whitley Sub-Committee (Joint Bodies) 20 October 2021, 10am – 12:30pm, by MS Teams.

2. Opening Remarks

2.1 The Chair stated real challenges remained around Covid-19. He acknowledged the publication of the Prison Service Pay Review Body (PSPRB) report covering the pay award for 2021-22. He thanked the Trade Unions for continuing to work with HMPPS during the recovery.

2.2. NTUS said the consultation process had been very good though there had been problems with some establishments. NTUS thanked Chris Gunderson and his team for their support during this process. They continued to worry about the speed of moving to Stage 1. Concerns were voiced about rates of Covid going up in the community. NTUS felt the only reason rates had not gone up in prisons was due to the stricter measures which remained in-place and they remained concerned these would be lifted.

2.3 The POA echoed NTUS' concerns especially regarding the move to Stage 1. The POA had concerns about the pressure on staffing levels in such a move. Demand for Detached Duty was outstripping availability. In their view it was better for establishments to remain at Stage 2.

3. Minutes of the last meeting – Andy Heppell

3.1 The minutes of the meeting held on 26 July 2021 were agreed as a true record.

4. Update on Actions Log – Andy Heppell

4.1 Concerning action 1, refreshing policy framework document for *Process for Opening, Closing or Re-Designating Industrial Workshops*, NTUS advised they had not yet seen the document for consultation. Andy Heppell would follow this up with Jason Errington and get back to NTUS.

4.2 Concerning action 2, data on Video Calling, Tim Lloyd would be presenting this at the meeting. Concerning action 3, DHL performance, Jason Swettenham would be providing an update at today's meeting.

5. Standing Items

5.1 Operational Update – Richard Vince

5.1.1 The Chair began his update by paying tribute to two operational staff who had died from Covid. The POA agreed. This was a real shame given their long service and experience.

5.1.2 The Chair spoke of three areas that needed balance over the winter. The prison population was rising and was now above 79,000. The increase was steady as the Courts were processing more people. He assured the Unions that we were providing resources to meet the situation and would keep them informed of the situation. However, he also mentioned the high rates of attrition: some 350 staff had left the organisation at one point and the buoyant jobs market coupled with increased wages was negatively impacting our recruitment efforts.

5.1.3 The Chair advised we continued to track Covid infection increases in the community. In-addition, flu would be an issue to consider. We were monitoring the resourcing pressures during the steady shift from Stage 3 to Stage 2 and finally Stage 1. The Chair assured the Unions that Gold Command and Covid measures would remain in-place during the winter and the pressures that would bring.

5.1.4 The Chair said we were expecting an update from HM Treasury (HMT) by the end of the week on the HMPPS Spending Review (SR) bid. Once we had this, we would begin the internal allocation process.

5.1.5 The POA responded that we should not underestimate the unhappiness among members after the PRB announcement and especially in-light of the current recruitment and retention issues. They did acknowledge there were positives to take away from this. The POA also thought the current standard of recruitment was not as good as it could be. FS mentioned that we had engaged with the Trade Unions on the SR, and we would engage the Unions on the implications of the PRB announcement. The POA said there was some anxiety around the Market Supplement: staff recruited under this worried they would lose it which they could not afford. Therefore, how the Market Supplement was going to be addressed by the PRB was vital. NTUS advised retention issues remained a serious concern for them too.

5.1.6 The Chair made the point that there was more cause for optimism in the following year's pay settlement. He said we were aware of the POA concerns and that these would take time to address.

6. HMPPS Additional Item (brought forward)

6.1 DHL and Canteen Services update – Jason Swettenham

6.1.1 JS advised that site feedback from Rochester suggested this issue had now been resolved. The timings at Swaleside had been amended so that there were four members of staff available from DHL. Concerning Lancaster Farms, numbers of DHL staff had now been changed to two people for two hours rather than four for one hour. The Governor there was content with this approach. JS said that Bullingdon was on the Disputes Register – this workshop had closed temporarily.

6.1.2 The POA commented that at Lancaster Farms the DHL contract stipulated a cell drop but DHL were just leaving the products on the wing for staff to then distribute. The POA also thought Bullingdon remained a live dispute because the local committee had not said otherwise. JS agreed to contact the Governors at Lancaster Farms and Bullingdon to establish the latest positions. The Chair asked for these to be clarified for the 21 October POA Disputes meeting.

Action: Jason Swettenham to contact the Governor at Lancaster Farms to establish how the DHL canteen cell drops were operating there and whether the Governor was content with DHL's approach. Jason would also contact the Governor at Bullingdon to establish the situation regarding whether this was an ongoing dispute. Jason would feedback to Andy Heppell for the 21 October POA Disputes meeting.

7. Standing Items (continued)

7.1 Population Capacity Management and Reconfiguration Update – Stacey Tasker / Marian Mahoney

7.1.1 Please see details in the enclosed presentation:



Capacity and
Population Manage

7.1.2 MM advised Unions that they would welcome people to visit a Video Conferencing Centre (VCC) should they so wish.

7.1.3 The POA raised a concern around compartmentalisation and lock-outs due to Covid. What impact was this policy having on getting the right prisoners into the right prisons at the right time. MM conceded there had been an impact, but we wanted to make the first move the right one if possible. For those prisoners with shorter sentences (3 years or less) we would not have to move these again. MM noted that we still could not move men in the same numbers as before the pandemic.

7.1.4 ST advised that there had been a sharp increase in population during October. We had previously secured from HMT a good budget for maintenance of the estate during 2021/22, but this meant that more cells were temporarily unavailable while repairs took place. There had been more lockouts in the north of England than other areas and during October we had had to lock out every Monday (our busiest day), and to enact high numbers of redirections. We are currently working with Governors to ensure maximum flexibility in accessing places, including reception opening times, returning to pre-covid schedules. In some establishments this required reprofiling, and Governors were working with unions on this.

7.1.5 ST said that Morton Hall would reopen as a prison and that staff on detached duty would need to return by December when it reopened. The POA said that they had been advised that staff working at Leicester had been told they would not be returning to Morton Hall because Leicester remained a Red Site. ST said no decision had been made about staff not returning to enable Morton Hall to open on time. Whether all staff were needed, because of the staged ramp up of prisoners was a matter for the Governor to consider. At first, Morton Hall would only be opening 160 cells, but then more would come online in phase 2 next Spring. ST was grateful for the Trade Unions' support around this issue.

7.2 Safety in Custody update – Andy Rogers

7.2.1 AR advised that the Safety Programme as it was, would continue to run until April 2022 but PAVA, SPEAR and TRiM would go on into 2023. The Physical Safety work continued to rollout including rigid bar handcuffs. The contract for the next generation Body Worn Video Cameras (BWVC) was being bid for and version 6 of ACCT (Assessment, Care in Custody, Teamwork) was being supported. We were working with Learning and Development (L&D) Team regarding Safety Training. Additionally, AR advised we were working with Alan Scott, Executive Director of PSP North, regarding prisoner self-harm in the Women's Estate. We were also developing with L&D, Gangs Training for Women. We had secured resources to address self-harm clusters. AR said we had also secured funding to support staff and prisoners post self-inflicted deaths, and secured funding to run further pilots regarding the use of razors in prisons. The Chair added that due to Jonathan Hall QCs' Counter Terrorism Review, significant work on counter terrorism would take place in HMPPS. Trade Unions would be briefed on this.

7.3 Drugs Reduction Strategy update – Rachel Radice

7.3.1 RR spoke about a new Drug Testing contract for which we would be going out to tender in January 2022. This would be worth some £122m over five years. The new contract would be flexible to match whatever our policy in this area became. A review of the Mandatory Drug Testing (MDT) policy would follow. A crucial objective would be how we could use testing to stop people taking drugs. Jane Trigg, Head of Drug Strategy Development, would be working on this with a draft policy ready for publication by end of March 2022. Any work we did needed to be in-line with No.10 and the Cabinet Office. We were rolling-out laptops across a number of sites, including Holme House, to help inmates seek speedy health interventions, including for mental health issues. This initiative had not been tested yet therefore it was reliant on good communications with health providers. RR asked NTUS and the POA to inform us should they feel this initiative was not working well once installed.

7.3.2 RR advised that Drug Strategy Team were working with SOCT on diagnostic visits to prisons and on the issue of corruption. A superintendent from the Metropolitan Police had been seconded to HMPPS to visit prisons and provide support by linking-in with various police forces across the country.

7.3.3 The POA had learned that Governors were proposing Prison Officers wash clothing from parcels for prisoners coming into establishments in-order to destroy drugs in the clothing. The POA wondered why Prison Officers were being asked to do what should be a laundry service task. Additionally, they were concerned for the Health and Safety of Prison Officers and that they might be liable if clothing was damaged. The POA thought there needed to be a national consultation here. RR advised that this was a pilot and agreed a consultation was necessary and would happen. RR said concerning the aerosol issue, evidence showed secondary exposure to Spice was psychological rather than physiological. The POA held a different perspective here. RR advised that we had made it clear that any damage to clothing would be at prisoners' own risk. AR said that a more detailed update would be provided to the Trade Unions in due course.

7.4 Offender Management in Custody (OMiC) – Zoe Markham

7.4.1 Please see details in the enclosed presentation:



OMiC update
October.docx

7.4.2 The POA thought that Governors were carrying out a tick-box exercise around Key Work because when explored it in more detail, it was not actually Key Work. Their view was that if we had to move establishments back through the Covid Recovery Stages, Key Work would get dropped if there was not enough staffing because it was considered flexible work. The POA asked to be included in Assurance Visits – currently these were not linked to their local committees. ZM said she would share dates scheduled for the next three months with the POA OMiC Committee for the Women's Estate Assurance Visits (Askham Grange and Low Newton visits had already happened).

Action: Zoe Markham said she would share dates scheduled for the next three months with the POA OMiC Committee for the Women's Estate Assurance Visits.

7.4.3 The POA continued that Key Work was part of the safety mechanism in establishments therefore should not be dropped and this message needed to get to Governors. A proportion of Key Work needed to be located lower down in the Regime Management Plan (RMP) and should not be dropped. ZM agreed and said this was the target we needed to be aiming for. ZM said that Phil Cople also agreed it was important and we were trying to keep Key Work in the RMP. ZM said that more work was needed regarding the importance of Key Work and Safety.

8. Interim Items

8.1 Facilities Management Update – Elisabeth Goulden

8.1.1 EG advised attendees that the Prison Maintenance Group had moved into the MoJ Property Directorate earlier this year and had been renamed MoJ Property Services and the Director was Keith Maddison. Staff would continue to carry out the same work as before attached to establishments and there would be a greater focus on the clearance of clutter. EG said we would be considering the next generation of contracts when the current ones expire in 2023. We were also looking at a programme to bring all parts of MoJ Property Services under the Director: Prisons, Probation, Home Office, MoJ HQ, Judges Lodgings and Corporate Health and Safety.

8.2 Video Calling update – Tim Lloyd

8.2.1 TL shared with Trade Unions his presentation showing the levels of video usage compared to

physical visits across establishments. TL advised more research was being carried out on secure video conferencing. We continued to review usage of the service. TL noted VC was more popular in the Women's Estate due to the estate being more widely dispersed across the country and sites being physically harder to get to. Based on the research there was an ongoing need for both physical and VC visits. VC was reducing to once a month in those prisons that were moving into Stages 2 and 1 as physical visits were increasing. We were asking Governors to think about the need rather than just offering more calls.

8.2.2 The POA said that VC had been beneficial and were interested to see which Estates were using it more. TL confirmed that the Long-Term, High Security Estate and the Women's Estate utilised VC the most and agreed to share the data by establishment in due course.

Action: Tim Lloyd agreed to send NTUS and the POA data on Video Calling usage by establishment.

8.3 Rehabilitative Culture Programme (RCP) Update – Steven Pearson

8.3.1 GA sent her apologies but was needed in another meeting. SP was now leading the RCP. He advised that we were looking at culture in the round including how to improve collaboration in establishments and in HQ. There were ten behaviours that would define a good culture and had identified twelve establishments as pilot sites to trial this work. We would be involving the Unions also. Out of this, we would publish a strategy in January 2022. We were working with The Unacceptable Behaviours Unit (TUBU), Effective Practice and Service Improvement Group (EPSIG), Learning and Development (L&D) and Diversity and Inclusion (D&I) Teams looking at what was going well and not so well. NTUS asked if they could have a list of the twelve establishments where the RCP pilot was taking place. SP agreed to provide this and said it should be ready week commencing 25 October.

Action: Steven Pearson to share with the Trade Unions through Employee Relations Team a list of prisons where the Rehabilitative Culture Programme was being piloted.

9. TUS (Joint Bodies) Additional Items

POA

9.1 FMI Training - When will FMI Training recommence?

9.1.1. SD advised that prisons could start Five Minute Intervention (FMI) training now and we would recommend they do this. However, SD acknowledged that this was dependent on the availability of local trainers. We were carrying out more training for trainers which would help the situation. We wanted to reinvigorate with Safety Group the usefulness of FMI.

9.2 GEOAmev Contracts - There had been issues around late drop-offs at a few sites but mainly Durham, though Hull was also highlighted.

9.2.1 The POA said Governors had been using PP for staff who had been coming off duty late. They thought we should look again at the current contracts. RS said the Prisoner Escort and Custody Services (PECS) had been doing some work around contractual performance and generally the numbers were good e.g., in July out of the 628 prisoners escorted, only 18 were late. There was a wider issue around the Covid pandemic and the courts now having to catch-up with processing people. This has led to the displacement of prisoners and redirections as Stacey Tasker mentioned earlier.

9.2.2 The POA said the figures quoted were not a true reflection of the situation. More work was needed on how long prisoners spent in Reception otherwise the RMP needed to be looked at. These problems

were not new: there was not enough capacity in the current contracts, and it felt like saving money was HMPPS' main priority. RS said that we would hold the contractor to task when the issue sat with them but often the problems were outside their control and a consequence of wider systems issues. Where there were local problems, this should in the first instance be brought to the attention of the local PECS manager.

Action: Francis Stuart advised we were in the process of looking at Regimes. ER Team would relay the POA's point to Cheryl Avery and Stacey Tasker.

HEALTH & SAFETY

Health and Safety Sub Whitley Annual Report 1/1/19 – 31/12/21

Introduction

The NEC progressed Conference Policy adopted in May 2019 with the Department and other organisations. Reports on the progress of policy will be contained within the Annual Report Back Booklet which will be presented to Conference in May 2019. Further reports will be issued to the membership by way of circular.

Several key issues arose in 2018 which affected the wider membership of the Union.

Other policies subject to review which impact on Health & Safety are being dealt with through de-regulation.

The following agreed minutes set out the issues which have been progressed on behalf of the membership under the Whitley Structure.

Whitley Occupational Health and Safety Accommodation Sub Committee 8.28B, 102 Petty France, 5th March 2019, 11:00 – 13:00

KB agreed that the POA item on PSI 9/2007 would be taken first. Caroline Vine needed to leave to go to another meeting.

CV gave an update on the progress of the air quality testing and she explained the results would impact on the smoke free arrangements in Open prisons. CV said that Immigration Removal Centres were not subject to the prison rules and therefore the restrictions on smoking could not be imposed using those rules. The team was however looking at the relevant legislation as an alternative route.

3.2 JS said that he was concerned that prison officers in IRCs were being exposed to secondary smoke. CV said that prisoners were able to purchase tobacco products in open prisons and in IRCs but only allowed to smoke in the open air in designated areas. She said that open air quality tests would inform any future decisions re: Open Prisons & IRCs.

Action: Caroline Vine to take the concern expressed by the POA regarding the secondary inhalation of smoke by prison officers in the open estate and return to the September 2019 meeting to provide an update.

3. Update on Wellbeing in HMPPS

3.1 LT gave an overview of the HMPPS Attendance and Wellbeing and Retention Team which is transitioning into the HMPPS HRBP service. As a result of this transition LT is not aware that there will be a dedicated team within HR for Attendance and Wellbeing. This work is being delivered through the HRBPs.

3.2 LT gave an update following the What Is Wellbeing event and how the learning from that event is going to be used.

3.3 LT said that the Wellbeing and Personal Resilience POELT module has been reviewed and as

a consequence a series of Fresher Events are being run to remind POELTs of the services available.

3.4 LT said that there are over 350 Wellbeing Champions for staff across the estate who can raise awareness of health and wellbeing issues.

3.5 LT said that there was an ambition to provide further support for Care Team members.

3.6 LT spoke about the HMPPS Wellbeing Strategy which has been updated and is ready for publication.

3.7 LT spoke about the Civil Service published Financial Wellbeing Strategy she said was a useful tool for staff dealing with financial pressures.

3.8 PW confirmed that a HMPPS Wellbeing committee would be set up and was scheduled to meet for the first time in April 2019. This would link into the MoJ Wellbeing committee.

3.9 CP said that while he welcomed the work being undertaken he was disappointed at the lack of trade union engagement. He also raised the issue of education and discretion for managers. PW said that she would continue to push for a place on the Wellbeing Committee for trade unions. KB agreed that the TUS should have a place on the HMPPS Wellbeing Committee.

ACTION: PW to request that, as a result of the agreement from this OHSF Joint Whitley Meeting, key stakeholders including the trade unions be invited to the HMPPS Wellbeing Committee.

ACTION: LT to circulate revised HMPPS Wellbeing Strategy via the Chair for TUS comment.

4. Wellbeing and the Civil Service People Survey. KB introduced the topic to the meeting.

4.1 JM explained that he had been working on the CSPS and comparing it to the HSE Stress management Survey to identify the overlaps. JM had identified some questions that may be able to be used to indicate one of the HSE stressors. JM would like to check this with the HSE experts though before a direct link could be made.

4.2 AM gave an overview of the purpose of the CSPS and explained that he would like to increase the completion rates for the survey in HMPPS. AM explained that he would like TUS support to encourage HMPPS staff to complete the survey and was willing to work with them to see how this could be progressed. AM spoke about the proposal for new questions for the People Survey which are being considered in order to measure staff wellbeing and noted that it may be possible to add further questions for HMPPS should we think that beneficial. KB said that if we could get the CSPS to include relevant questions, that had been approved by the HSE, so that the CSPS could be used instead of the HSE stress management survey (i.e so the two surveys were effectively combined) she could see real benefits for HMPPS. This would reduce the number of surveys staff were asked to undertake and also the HR resources that are made available to analyse the CSPS could also do the HSE stress analysis, assuming the relevant questions were suitable and included. CP said that he would welcome a statement providing assurances to staff that the data would be used positively.

4.12 The Chair said that she saw a real value in this but having POA support would significantly increase the likelihood of an increased participation rate across HMPPS.

4.13 JS said that many POA members had no ready access to the on-line survey and the

outcomes of the survey, particularly around pay, don't reflect or have any impact on the reality. IC said that without tangible benefits for staff the POA would not support an endorsement. The Chair said that this would need to be carefully considered in any future discussions with the TUS on this issue. TUS agreed that they would be prepared to have preliminary discussions on what benefits to staff may result from an increased participation rate for the CSPS.

ACTION: JM to check with the HSE that the evidence gathered would stand up to scrutiny.

ACTION: AM/JM to arrange an initial meeting to discuss this further with the TUS.

5. Update on the HSE Stress Pilot.

JM said that the stress pilot group would be rolled out and would include Highpoint, Littlehey, Warren Hill and Norwich in the south and in the north would include Deerbolt, Durham, Holme House and Kirklevington Grange. The unions would be engaged at a local level.

6. OHSF Update.

6.1 PW said that the OH Assist branding has changed to Optima. She said that the OH policy was being published and that an Annex A would be sent to the unions in due course. CP said that he had understood from Martin Beecroft that deregulation would only apply to Ops. JS questioned the manner in which the Annex A process which he said put the union groups at a disadvantage. CP said that a joint protocol set out early engagement as a priority. PW said that the next step was the Data Protection Analysis completed and at that point an Annex A would be issued.

6.2 PW gave an overview of the Hep B and influenza vaccination clinics.

6.3 PW said that regional roadshows to support staff using the OH portal are being rolled out. The OH clinicians and advisors are being given training around the particular needs of prison staff. She said that the referral process was being upgraded to a telephone-based system which should improve overall performance. PW gave an update on the Wellness Together project launch dates.

6.4 CP said NTUS had recently submitted comments on an Annex A for Occupational Health. He said that NTUS did not believe that OH should transfer to MoJ Functional Leadership. PW said that there would be no lack of focus on Prisons and Probation and that interventions to help staff would continue to be put into place.

6.5 The Chair suggested that at a separate meeting footwear, radio earpieces and in-cell smoke detectors would be discussed. JS said that he would like the minutes to formally record the dissatisfaction felt by the POA at the lack of consultation prior to the changes to the in-cell smoke detection arrangements. The Chair noted that this may be a misunderstanding as there had not been a change, but that it would be discussed at a dedicated meeting which Mark Simpson had set up with the POA to take place on 21/3/19.

6.6 The Chair provided an update on behalf of Jim Noonan around the Psychoactive Substances pilot. JS said that the request was for PPE for staff until such time as the facts around psychoactive substances had been established. JM said that a Safe System of Work was in place to address this issue. Staff have been told that they must not enter a cell to intervene unless there is a medical emergency. JM said that this had been discussed fully with the POA in December and is being rolled out to include nursing staff.

6.7 The Chair said that there was space available at the forthcoming H&S Conference at Newbold Revel is TUS colleagues would like to have a stall or attend as guests.

6.8 The Chair said that she had shared current investigations with the HSE with the meeting attendees and gave an update. The meeting had a general discussion regarding a number of matters raised with the HSE.

Action: Perry Rudd to set up a meeting with the POA to discuss: radio earpieces; footwear & first aid (later POA item)

Action: TUS colleagues to get in touch if they would like to attend or have a stall at the HSF conference

7. Update from the Fire Safety Section

7.1 The Chair noted a typographical error and noted that the number of staff injuries should be 29 not 289. There were no questions on the fire safety report that had been shared.

8. Delivery of FM/GFSL

8.1 PR updated the meeting on the latest results from the SMC audits. Progress still needed to be made as performance remained unacceptable.

The Chair asked the meeting to prioritise the remaining agenda items as time was short. Outstanding items could be postponed to the next meeting or a dedicated meeting if necessary.

TUS Items

Band 4 H&S Fire Advisors Job Description.

A concern was raised that the latest version of the job description had not been consulted on.

ACTION: The Chair to ask Ian Oakes to provide a chronological account of the changes as she believed that the most recent changes were to reflect the change from NOMS to HMPPS so would not require consultation.

Transfer of OH to MoJ

Concern was raised that the OH provision to HMPPS would deteriorate as a result of the OH team moving into MoJ. The chair and PW said this would be closely monitored and was not something they were expecting.

Other items on the agenda were covered elsewhere or will have a dedicated meeting.

POA Items

RIDDOR Reporting of mental health issues

The Chair confirmed that mental health issues were not reportable under RIDDOR.

Violence

JS said that he would like to see this matter to be a standing agenda item again. He noted the delay in the roll out of PAVA.

Sick Absence

JS asked how HMPPS would be dealing with presenteeism. The chair suggested this should be raised with the HR Whitley.

Other items on the agenda were covered elsewhere or will have a dedicated meeting.

Whitley Occupational Health and Safety Accommodation Sub Committee, New Prospect House, London, 4 June 2019, 11:00 – 14:00

2. Minutes of the last meeting/action log

2.1 The Chair welcomed the representatives to the meeting and noted that it would be the last OHSF Whitley Sub-Committee meeting before the retirement of Barry Snelgrove and William Simpson. She thanked them warmly for their hard work and valuable contributions on behalf of their members. She wished both of them well in their respective retirements.

2.2 The minutes were agreed as a true record.

2.3 The Action log was worked through.

2.4 PW said that the Wellbeing Strategy would not be reviewed until the People's Sub-Committee is re-established.

ACTION: Chair to write to Ian Blakeman enquire about the re-establishment of the People Sub-Committee, since this was a pre requisite before the Wellbeing Strategy would be launched. Chair to note that the OHSF sub Whitley supports full engagement with the Tus regarding well-being.

2.5 Jason Morley updated the meeting regarding the potential for combining the stress survey into the Civil Service People Survey. There was a general discussion regarding the best method for engaging staff in the survey and the results. The POA maintained that their stance on the survey remains the same, that they would not support participation in the survey without time provided by the Department for staff to complete it. The Chair said that the pilot would run and asked for the support of the trade unions.

2.6 Consultation regarding Band 4 job description.

ACTION: Ian Oakes to make contact with PCS to take the matter regarding the Band 4 job description forward.

3. POA Agenda Items

3.1 regular and casual night workers.

JS provided the background to this agenda item and said that staff are working excessive hours. He said that some establishments were building more nights into their work profiles and he called for a reduction in the night shift hours.

3.2 There was a general discussion of the issue and the following actions arose:

ACTION: AH to check the capacity of InVision to provide information relating to hours worked.

ACTION: AH to request from BDG an update on their review of nights which considered the workload of officers and OSGs.

3.3 Local SSoW, Risk Assessments & Liability for the Employer JS said that Safe Systems of Work (SSoW) and risk assessments, in order to safely manage the regime, were being put together by untrained managers who are not working with the H&S staff. Furthermore, risk assessments and the resulting SSoW that came out of them, were not clearly displayed on wings and staff did not always have access to a computer to find them. It was noted that the POA had

written to Phil Copple about the management of regimes and that a meeting had been arranged to discuss this in more detail:

ACTION: POA to meet with BDG & HS staff on 25th June 2019 to discuss the recent letter from them to Phil Copple regarding RMP.

3.4 The POA confirmed that their agenda item regarding HMP Channings Wood had been resolved.

3.5 The POA asked for a copy of the joint action plans for establishments across the estate in order to inform their local and national representatives of the progress against each plan. KB suggested that the local POA rep ask for a copy locally and, if they are not provided, then the issue should be escalated. KB explained that the actions from the Joint Inspections were not necessarily going to be identifiable in a separate action plan but instead, may be actions across a number of different action plans. Local HSF Committees should be monitoring the progress against the actions agreed following a Joint Inspection.

3.6 The POA raised attendance at local H&S Whitley meetings as they didn't believe the correct people were always present.

ACTION: JS & IO to:

a. recirculate the relevant PSI identifying membership of local HSF Committees to their Governors and

b. to share the outcome of their surveys on membership and regularity of local HSF Committees.

3.7 The POA raised the question of in cell fire detection. MS said that MoJ had made a commitment to CPFISG and that he would be speaking to MoJ however the cost per establishment would be in the region of £2-3 million.

ACTION: MS said he would look into the costs in more details to see if it was possible to provide a more accurate figure.

4. NTUS agenda items

4.1 PW provided an update on H&S Policy Deregulation progress. JS said that OHSF sub-committee should have an input into the sick absence policy.

5. OHSF Teams Update Reports

5.1 OHSF Risk Overview - The Chair reported that she provided a Hot Topics report to the HLT (HMPPS Leadership Team) and for May 2019 these were: the threat of enforcement action, FM compliance against the SMCs audit action plans and the PS pilot. The most significant risks are: the assaults on staff, the built environment, and fire safety.

5.2 Fire Safety Section – paper 1: MS had circulated a report to the meeting. There was a general discussion and MS said that advice and guidance was being formulated for staff regarding the prosecution route for incidents of arson. A multiple approach was being taken to tackle arson including improving knowledge around prosecutions for arsonists in the HSF newsletter and via a number of campaigns on prison radio which were designed to highlight the risks to prisoners and the link to the use of drugs. Impact on families as a result of the death of prisoners, was also being used to try to deter prisoners taking drugs and/or setting fires.

5.3 OH/EAP/Structured Professional Support - PW provided an update which highlighted the poor attendance at immunisation clinics. She also reported a poor take up of mental health support training days for POELTs. PW went on to say that the take up of training for Governor group staff dealing with sex offenders etc. was again poor however the feedback from participants that had used the service had been good. PW reported that innovative ways of improving the take up of services are being used and she hoped that the picture would improve.

The support for Care Team members was discussed and it was agreed that this was very important.

ACTION: PW to produce a SMART survey for Care Team members to establish what support they require.

5.4 PS Pilot – JN provided an update to the meeting. He said that establishments in the women's estate now featured in the reports of second hand exposure. He suggested that he would welcome the trade union side's support in the next tranche of prisons in the pilot, which he hoped would include two women's prisons. JS said that clear communication was needed to get staff buy-in to the project. JN agreed to meet with the POA to ensure that communication on the details of the project were clear.

5.5 Footwear – PR said that he had been assured by procurement that the footwear for staff would meet the current high standard. A trial of the uniform, including the footwear, was going to be completed over the summer. Dates and locations would be shared with the POA and an update would be provided when the results are available.

5.6 Delivery of FM – That Chair said that the concerns regarding the delivery of FM have been flagged to the HLT and to MoJ. As a result of the continuing concerns, Phil Copple has arranged a "Maintenance Summit" to review where we are and to ensure that progress is being made. The CEO has requested that a "deep dive" into the position of maintenance in establishments takes place so that she is fully briefed on the position. JS reiterated that the union position is that FM should be brought back in-house.

Whitley Occupational Health and Safety Accommodation Sub Committee, Room 103 Southern House Croydon, 4 September 2019, 11:00 – 14:00

1. Introductions and Apologies for Absence

KB opened the meeting and thanked the membership for their attendance. Apologies were noted as above. The POA's concerns about the delayed distribution of the minutes was noted. KB apologised and confirmed that they would be sent out in a timely manner in future.

2. Minutes of the Last Meeting and Action Log

A factual accuracy check of the previous minutes took place. The following changes were made:

Page 2, 2.5 – The POA maintained that their stance on taking part in surveys remains unchanged. It was agreed that the section of the minutes as follows: "that they would not support participation in the survey without time provided by the Department for staff to complete it" would be removed.

Page 4, 5.5 Dave Todd as for the following sentence to be added:

The POA were concerned that there would not be a good cross section of data collected as the trial consisted of one or two items of uniform/boots in an establishment.

The action log was reviewed and update at the meeting. The update action log will be sent out with these minutes.

3. POA and NTUS Items

NTUS

Escorting – VS raised concerns that non-operational staff were being asked to escort prisoners. VS reminded the meeting that non-operational staff are not required to escort. VS reported that feedback from staff is that there is an increasing pressure being placed on them to escort prisoners from programmes. It was noted the POA stated that in order to escort, risk assessments should take place and staff should be in possession of a baton and whistle and be C&R trained, something that non-operational staff would not be. POA advised that this issue should be raised locally, and that Prospect should go into dispute with local management if necessary. POA offered support to Prospect with any individual cases they may have.

Action 9: Prospect to contact POA via Debbie at POA to set up a meeting with POA, Prospect and NTUS to discuss escorting issues for non-operational staff. Update at December meeting via agenda item.

POA

POA extended their thanks to John Guy for all the work he has done with the POA. The POA wish John Guy well in his new post.

Joint Health & Safety Inspection Reports – POA commented that inspections had happened on a national level not local level. It was mentioned that it takes a lot of time to put a national team together and that this should be a springboard for local and Band 8's to continue the work locally. It was agreed that regular inspections locally are required.

Excessive Hours - A request was made that Invision is looked at and in particular staff hours during the joint inspections in the next 6 prisons. It was agreed that the joint inspection checklist would be reviewed to include this for the next round of joint inspections.

Action 10: KB to revise the joint inspection checklist to include questions on the management of staff working hours.

Occupational Health Referral Questions – POA asked if health checks are done for night workers. It was noted that line managers should go on to the portal and make the referral. It was suggested that this is not always being done. VP will add to NORCET under wellbeing to cover this off.

Action 11: VP to add health checks for night workers under NORCET.

Hard Razors – DT raised the issue of hard razors not being issued on a 1 for 1 basis and this is leading to concerns at the rise of razors being hoarded and then used in assaults. DT said this had been raised with the Safety team but so far no action had been taken. KB confirmed that Jenny Rees' team are doing some work on this and this includes looking at the canteen list.

Action 12: KB will ask Jenny Rees for an update on razors highlighting the POAs concerns of the change in the management of razors.

Action 13: KB to highlight the committee's concern at the apparent lack of progress being made and request that the issue of razors be prioritised. KB to request that a directive to

establishments to remind them of the 1 for 1 process be issued.

Action 14: IO & JS to establish how razors are being managed in their establishments.

RMP review and further workshops – this was discussed as part of the action tracker update. KB will ask Mike Harrison to send RMP training session to POA again.

Boots and Shoes new contract update – this will be covered under the main agenda.

First aid review update – this will be covered under the main agenda.

Replacement earpieces – DT raised the issue that ear pieces for covert ops are not fit for purpose under short sleeve shirts. It was agreed that PR will discuss this further with DT outside of this meeting.

Action 15: PR to meet with DT to discuss the issue of replacement earpieces not being fit for purpose under short sleeve shirts.

4. Update from Smoke Free Prisons Project – Caroline Vine

CV gave an update on the SFP project. CV is chasing WSP for the results of their air quality tests. Report is expected later this month. Once received this will go to the Secretary of State. The issues around Morton Hall were discussed and it was noted that locally, they are doing what they can to manage smoking at this IRC. It was noted that IRC Gatwick which is run by G4S have an electric lighter function in the exercise yard. It was suggested that if this could be introduced at Morton Hall, it would assist with their management of smoking. CV to explore this option with the Governor of Morton Hall. CV to arrange a meeting with POA before December to discuss results of WSP report.

Action 16: CV to meet with Governor of Morton Hall to discuss electric lighter function.

Action 17: CV to meet with POA before December to discuss the WSP report.

5. Update on HSE Visits – Peter Collingwood

PC discussed the HSE visit to HMP Birmingham and the difference in the prison from what they witnessed during the previous visit in 2017. Big improvements have been made and extra resource has been given to Birmingham. PC felt the Governor had got a good handle on things and this was evidenced in the improvements. PC asked the meeting to consider what lessons can be learnt from the way that HMP Birmingham is being managed and how that best practice can be shared across HMPPS.

6. Updates from the OHSF Teams

OHSF Risk Overview – Kathryn Ball

KB noted that the significant risks remained unchanged and they were: violence, the built environment and fire. Hot topics include the potential for enforcement action to be taken against HMPPS once HSE investigations are complete re: Lincoln and New Hall. CPFSIG continue their programme of inspections, some of which have resulted in 28 day letters. MoJ have recently received CPFSIG notices as a result of works that have not been carried out on the estate, including on the NPs estate.

JS asked what is happening in terms of reducing violence as it would appear that nothing is being done to get violence figures reduced. POA requested it be noted that members want something tangible to be done that will actively show a reduction in violence. KB noted that of the 10 prisons project; violence in 7 came down, 2 stayed the same and 1 went up. Lessons learnt from this project will be shared. Kb also noted that the monthly safety meetings were still taking place where all of the work that is going on across the estate to reduce violence was shared.

POA suggested that a reduction of the time prisoners spent out of their cell would reduce violence. POA suggested that reducing the regime for 12 months would allow prison SMT's the time to deal with violence in their jails. KB suggested that the POA raised this with the Safety Team at the next meeting.

Fire Safety – Phillip West

PW presented the HMPPS Corporate Fire Safety Report issue 27th August 2019 which was circulated to the membership ahead of the meeting. Discussions around DSDs and the location of these took place in the light of the CPFSIG Notice service on Sodexo. HMPPS place DSD's outside of the cell whereas Sodexo place DSD's inside the cell. JS requested that MS provide him with more information on the location of DSDs. KB said that HMPPS was confident that the location of their DSDs was correct and that there was evidence available that they were able to detect fires.

The POA raised concerns in regard to the HMPPS Fire Corporate Fire Safety Report, where it demonstrated that the maintenance of fire-fighting equipment was sitting at Red/ Amber and Red. The POA stated that this was an unacceptable position and places their members, prisoners and visitors at risk. The POA made it clear that they did not expect HMPPS to accept these poor standards and that they expected HMPPS to rectify this failing urgently, further, that they would expect some enforcement action to be taken against the maintenance companies responsible for having failed to maintain fire safety equipment

Action 18: MS to provide JSi with information on the location of DSD's.

OH/EAP & Structure Professional Support – Priscilla Wong

Optima Health – brand changed from OH Assist but supplier remains the same.

OH / EAP Policy – thanks to PGA for checking through in April, one more checkpoint and hopefully will be signed off by Operational Policy Sub Board.

OH and EAP User guides are updated once every 2 months and these should be referred to for related queries in the first instance <https://hmpps.myhub.sscl.com/hmpps-connect/i-need-to-manage/staff-being-away-from-work/occupational-health>

Flu vaccines onsite prisons – rolling out in September, on track with vaccine delivery and flu clinic planning.

New PHE Blood borne virus guidance for emergency workers – due for publication in September 2019 and MOJ OH has been a significant contributor to the first guidance of this type. Priscilla has been part of the Task and Finish group for the development of this guidance and HMPPS/MOJ has received praise from the Consultant of Communicable Diseases (PHE) for having the BFE 24 hour helpline in place and being able to provide MI in an instant, plus using MI to promote improved practice i.e. effective first aid following potential exposure to a BBV. This is

being viewed as best practice for BFE management. Nobody else in the Task and Finish group had this service embedded in their OH/ H&S strategy and service delivery.

EAP

PAM Assist are due to launch their Computerised CBT service in September. Counsellors are being trained up as they will have interaction with staff before, during and at the end of the online CBT course. Further information/comms to follow.

PAM Assist have launched the PAM Life app across HMPPS and MOJ. The website can be accessed via laptop, tablet or smart phone. It contains a health self-assessment tool, articles and video content.

HS Data – Vanessa Prior

The HS Data report for the period 1st June 2018 to 30th July 2019 was circulated prior to the meeting however, due to the late arrival of these papers, The POA will take this report and review it outside of this meeting. It was noted that the POA will possibly request a further meeting on this if something arises.

Psychoactive Substances Pilot – Vanessa Prior

VP gave an update on the PS Pilot and listed the 7 prisons that were due to join the project starting in October. VP explained that every fortnight a telecom was held with all prisons included in the pilot. POA asked for facility time to be agreed for the POA to take part in the telecoms.

Action 19: AH to write to the Governors of the 7 prisons involved requesting facility time every fortnight for their POA Chairs to dial in to the telephone update. AH should copy Rob Pesci into this request.

Footwear and First Aid – Perry Rudd

PR confirmed that trials on footwear have commenced and an evaluation of the results will take place. KB raised with SOC and Ian Blakeman (SRO) the issue around retaining the safety standards of the current footwear. IB has assured KB that there will be no reduction in the safety standards of the footwear. KB remains concerned at the potential cost which she is concerned have not been adequately identified by the prospective suppliers. KB will update the meeting when any further information is received.

First aid joint reviews have been sent to all prisons and are due back on 16th September with a meeting arranged with the POA on 7th October 2019 to discuss the returns. Further updates will be given at the next meeting.

Delivery of FM/Maintenance Summit – Kathryn Ball/Perry Rudd

KB informed the meeting that, despite improvements, we are not where we need to be regarding the performance of the FM contractors. PC is aware of the poor performance. KB informed the meeting that the contract was being closely monitored and that we have now gone to “self-help” and appointed alternative contractors regarding high voltage issues in the East.

7. Any other business

JS asked how safe our electrical vehicle gates are. JS responded that extensive work has been done on this with all gates being reviewed. It was agreed that a request will be made to PMG to share the information about the safety work that has been undertaken on the gates.

Action 20: JN to request that PMG share with POA the safety work that has been undertaken on the gates.

Minutes of the Whitley Occupational Health and Safety and Fire Sub Committee Held on Thursday 26th march 2020 Via Teleconference

1. Introductions and Apologies for Absence

KB opened the meeting and thanked the membership for their attendance. Apologies were noted as above. This meeting was conducted via teleconference due to the restrictions currently in place as a result of Covid 19.

2. Minutes of the Last Meeting and Action Log

A factual accuracy check of the previous minutes took place. All agreed they were a true and accurate reflection of the meeting. Update received after the meeting from Peter Collingwood (HSE) was a change to page 4 of December's minutes. Paragraph reads:

“HSE will be in Cardiff in January which the HSE perceives as “Good” in terms of its management.”

This was changed to:

“HSE will be in Cardiff in January which **HMIP** perceives as “Good” in terms of its management.”

Updated December minutes will be sent out with these minutes for your records.

The action tracker was reviewed, updated and agreed. The updated action tracker will be sent out with these minutes.

3. Covid 19

KB gave an update on the current Covid position including an update on PPE issues. Covid processes which were already in place and agreed were also outlined. A lengthy discussion ensued and the following questions and issues were raised:

- Guidance to be more widely available including interim guidance. IO and KB discussed the guidance already produced and where this can be found on the Intranet. IO also confirmed that all Covid related comms are being sent out via the Senior Leader's Bulletin and HMPPS Communications. It was agreed that AH would look into setting up a weekly briefing meeting for POA/NTUS representatives. IO and JS would represent HS&F colleagues.

Action (38): AH to organise weekly POA/NTUS Covid Briefing.

- Use of alcohol hand sanitizer was discussed and KB gave an update on this in relation to stock and the process going forward. DT asked if there will be a regime put in place for staff to wash hands every 20 minutes which needs to be promoted in the interim guidance. KB

informed the meeting that portable wash stations are currently being sourced and will be available for prisons to procure shortly.

Action (39): IO to update Interim Guidance to promote regular hand washing.

- MP gave an update on cleaning guidance which had been issued in the week previous to this meeting.
- POA/NTUS felt that all comms issued should also be sent to them under separate cover however in light of the weekly briefings to be held, it was agreed that all comms issued would be discussed then and no further action on this was needed.

4. POA and NTUS Items

NTUS

Covid 19 – update was requested which has been covered in item 3 above

At this point the meeting had over run due to the lengthy discussions around Covid. It was agreed that the items raised by POA representatives would be answered outside of the meeting. For the purpose of the minutes, it was also agreed that questions and responses would be recorded here.

POA

First Aid: This was raised via formal letter to KB from JSi on 26th March 2020. Response was sent to POA on 14th April 2020. Please see attached.



H&S - Letter to KB re. First Aid



Norwich POA SIG Inspection Report -



H&S - Letter to JS re Leafy Update - First Aid Response



Aid Assessment Non

Locks freezing at HMP Verne and HMP Portland – Q: Verne and Portland report issues with locks seizing and would like to know who is responsible for the maintenance.

This has only started happening quite recently. Have the levels of checks changed?

This may be a unique issue due to being on the coast however this is a clear risk to Health and Safety as staff/prisoners could be unable to exit a building. Verne currently has 6 locks seize over a short period of time.

A: Paul Spooner, Senior Service Manager South confirmed that there are quarterly maintenance checks for locks and these are generated from the CAFM system at both establishments. They cover all classes of keys. The REM for that area has been instructed to arrange an assurance check at those sites to ensure compliance with the procedures within the PM task. Hayley Gethen (Principal Health and Safety Advisor) for that area, will visit both sites and will ensure this has been completed. There has also been reported across a number of sites that worn keys may also be causing some issues. This is being addressed.

Uniform Ordering Window 2020 – Q: I have been informed by various branches that the uniform ordering portal for 2020 has been closed due to coming to the end of the contract. We are shocked at the fact the service has no uniform for staff in 2020 and would ask when consultation

with this trade union will commence to come to an agreement as to what The DG Phil Cople wishes his uniformed staff to wear to work in 2020.

A: Peter Magee, Senior Project Manager from HMPPS Change Delivery Team confirmed the following:

Yes, the IT portal that served the previous uniform contract has been closed. However, through a successful competition the project has selected a new supplier for the provision of a replacement uniform service. The replacement service, which includes the provision of new PPE footwear, will be available to users towards the end of the year. The project is currently working on the transition to the new service to support its go-live.

It is important to note that the replacement service will no longer require officers to order their bulk uniform 6-9 months in advance of delivery. The replacement service will be an 'on demand' service with uniform orders delivered to establishments within 2 weeks of order placement. The uniform entitlement remains unchanged, but the new service allows officers to draw down on their entitlement on an as required basis.

At the point of service go-live, NDC Branston will no longer support the storage and distribution of uniform items. That service will be provided by the new supplier from its own premises.

The replacement service has been specifically designed to put the user at its centre and in addition to the change in the delivery mechanism and time-scales, the service will also introduce the following user benefits:

- A new and more user friendly IT ordering portal;
- Improvements to address quality of uniform concerns;
- An express (48hrs) delivery service will be available where there is a business requirement to do so.
- Post service go-live, frequent user group forums for officers to feedback on any aspect of the uniform to support continuous improvement of the uniform and the service that provides it.

The contract for the replacement service is expected to be signed in the coming days. As soon as that is done the project will issue comms to advise of the new contract and a high level overview of the replacement service. This will be followed by a series of comms pieces to establishments and users to provide further service details and updates to support the go-live of that service.

Reporting of Assaults – Q: The POA have been made aware that if our members have been injured recklessly during a C&R incident this is recorded as miscellaneous, it is our view, whether there is intent or not this should be recorded as an assault.

A: JN can confirm that there is no category of assault which can be recorded as "miscellaneous" on HMPPS Sphera accident recording system. We have worked over the years to add to its capacity to categorise incidents of various types. You may recall the work we undertook jointly some years ago on protective vests. That work led us to substantially increase the level of detail recorded on e.g. weapon / assault types and to include verbal assault. There are in the region of 80 or so classifications. I hope this clarifies the situation but JN is more than happy to explore in more detail if it would be of use.

5. Updates from OHS&F Teams

Due to the meeting over running, it was agreed that all papers submitted prior to the meeting would be reviewed and any questions arising would be recorded in the minutes

along with the responses. Papers to be reviewed were Fire Safety Report (Paper 1), OH/EAP Update (Paper 2) and HS Data (Paper 3). Any pressing issues can be raised with Health, Safety and Fire Team colleagues anytime between meetings.

Fire Safety Report – Q: Would it be helpful to identify with the prisoner their motive for setting a fire? This would potentially help our understanding of trends. I would hope this is questioned on the investigation and appropriate signposting/intervention is offered.

A: In answer to Dave’s question, we have collated the information below from the prison fire reporting system which sets out the ‘known’ or ‘probable’ (as not all causes can be clearly determined) for each fire event.

To give you a full view across a wide range of fire events, 2019 was chosen.

In addition we are intending to undertake risk profiling research work with Kent University which will link into the Arson Reduction Working Group- which you have an open invitation to attend as a standing member of the Working Group.

Please let me know if further information is needed.

Response to question

Fires by probable or known cause, 2019 – all PSP locations

Events: Fire - What was the cause of the incident A	Total
Endangerment of Other/s	160
Self-harm	93
To cause a diversion	52
To light an illicit substance	38
Unintentional	129
Wilful Damage to property	916

OH/EAP Update – no questions raised.

HS Data – no questions raised.

Minutes of the Whitley Occupational Health, Safety and Fire Sub Committee Held on Monday 22nd June 2020 Via Teleconference

1. Introductions and Apologies for Absence

KB opened the meeting and thanked the membership for their attendance. Apologies were noted as above. This meeting was conducted via teleconference due to the restrictions currently in place as a result of Covid 19.

2. Minutes of the Last Meeting and Action Log

The draft minutes of the previous meeting were circulated to TU’s for approval before final distribution to the meeting membership therefore a factual accuracy check of the previous minutes was not needed and all agreed they were a true and accurate reflection of the meeting.

The action tracker was reviewed, updated and agreed. The updated action tracker will be sent out with these minutes.

3. Footwear and Uniform Update – Peter Magee and Greg Riley-Smith

PM and GRS were invited to the meeting to give an update on the current position on the PPE Footwear and Uniform Contract. With regard to the Footwear, PM highlighted that the specification for the 5 star anti-slip has not been changed and H&S colleagues supplied the specification for this which enabled them to procure against. JSi asked who has been awarded the contract. JSi was informed that, at this stage, this information cannot be divulged. As soon as it was possible information on who the new supplier is will be released.

In relation to this contract, PM confirmed that the supplier who has been chosen scored very high in the trial that was carried out and confirmed that the style will not be changed but the uniform will be made of improved materials and quality. PM stated that they are currently working at risk with this supplier to get this service up and running at the end of the year. Staff will be able to draw down on demand and delivery will take place within two weeks. Comms will be issued in advance of go live date via Intranet article and follow up comms to all establishments. Stock will no longer be held at Branston and will come direct from the supplier. All current stock held at Branston will be moved to the new supplier.

AB asked if staff can access the ordering platform from any device or only from a work platform. PM confirmed that the ordering system is web based and so can be ordered from any device.

IC asked how the outgoing and incoming supplier systems will be “meshed” together as IC is already aware of problems with getting hold of uniform. PM confirmed that although the contract has expired, uniform stock is still being held at Branston and can still be ordered through business hubs. Existing stock will be transferred to the new supplier once system and processes are up and running and orders will then take place online.

JSi asked for a timeline of when new uniform will start to be issued by the supplier instead of the old stock which is of poor quality. GRS stated that this will all depend on demand for stock. High volume stock will run out quicker and whilst it is not entirely sure, they estimate it will be around 6 months before all of the old stock is used up.

Questions were raised about the Utility Vest. PM confirmed that for this to be considered by commercial the business has to put in a requirement. JK confirmed that as part of the Physical Safety Board, a survey was sent out in March to gather information from the field. Results of this are not yet known.

4. Covid 19 Update

PPE Supplies – KB reported that currently we are in a very good position and have a healthy supply of PPE stock. KB explained that our PPE stock is RAG rated up to a month in advance and reviewed weekly. All items are currently RAG rated green. We did have an issue with gloves but this issue has now been resolved and an order of 23 million through Greenham has been secured.

Medium Term Planning – KB confirmed that HSF are involved with this and are currently looking at parts of the regime coming back on stream with PPE requirements being fed into the current demand model.

Use of PPE across HMPPS – KB reported that use of PPE has been proportionate with some

queries over the volume of usage was required in APs. KB confirmed that APs are currently being provided with a “worst case scenario” number of FRSMs per week and usage over a 4 week period was being monitored. This would allow accurate demand data to be supplied to the HMPPS demand model and will also highlight any disparity in use which is being fed back to NPS for their consideration.

SOPs – A paper was circulated prior to the meeting. MP gave a current overview of the SOPs already issued and what is waiting to be published.

JSi asked if the SOPs can now be numbered to make them easily identifiable. It was agreed that when the SOPs are next reviewed, a numbering system will be applied. JSi also commented that whilst POA are giving feedback on SOPs, they are never informed on what has been accepted by HMPPS and never see a final draft. JSu confirmed that JSU and IO met last week and a new process has been put in place as follows:

- Initial view and review on draft 48hr turnaround.
- TU comments reviewed and accepted or rejected with comment.
- Final draft back to TU’s for comment
- Final review and approval sought before publishing

Action 40: When next revised, MP will number all SOP’s to make them easily identifiable.

PPE Awareness Training & Face Fit Testing – JK gave an update on the current status of PPE awareness training and discussed the most recent training figures which are reported on weekly at the H&S Covid Team meeting. With regard to the Face Fit Testing, we have identified 13 prisons (12 HMPPS and 1 Private) where we have potential for staff not to be able to move to a safe distance when AGPs are taking place. Each identified prison has a trained tester. There are currently 35 Face Fit test kits shared across the 12 prisons.

AB questioned that at the beginning of April, PPE training in some establishments was as low as 9%. JK confirmed that no region is now that low and the training figures are increasing week on week. AB asked for assurance that training is taking place in establishments which are low. JK confirmed that through our RSL’s, Governors and their PGD are being contacted to ensure they have courses available in their prisons.

JSu gave further assurances that the training figures are being raised with Executive Directors where necessary.

Use of Face Coverings – KB gave an update on the current status and informed the meeting that HMPPS was only providing face coverings where offenders/residents/service users needed to use them on public transport.

Updates of PH Advice – KB informed the meeting that all advice in relation to use of PPE in custodial and AP settings are being following. It is envisaged that there will be some updated guidance published by PHE shortly and we can confirm that the updated advice in the table is reflected in our SOP.

5. POA and NTUS Items

NTUS

No issues were raised.

POA

Joint H&S Inspections – KB confirmed that at present the joint inspections would not be taking place but this would remain under review. However to ensure that establishments were operating in accordance with national processes an assurance process was taking place. JSu outlined and gave the following assurance:

Management of the COVID-19 Pandemic requires a level of assurance to be provided within the Agency structure which will support Governors in monitoring local arrangements and ensure we are able to adapt to developing Government and Public Health guidance, move into recovery and strengthen our current processes and procedures where necessary.

We have decided to implement an assurance process which will be led by the HSFL Leads (North & South, LTHSP and Wales).

The expectation is that Establishment HSF teams will conduct a regular inspection of the workplace to assess activity and regimes to determine if there are any concerns with regards to COVID-19 management and controls, and submit a report to the appropriate level of management for action.

Each Principal HSF Advisor (and their teams) will discuss the assurance process with PGD's and Governors locally.

- Establishment Level: Senior HSF Advisor (or their assist) to provide the Governor, Deputy Governor, Head of Business Assurance, COVID-19 SPOC, Managers and Trade Unions a Summary Report with embedded Inspection findings. Documentation to be sent electronically to Principal HSF Advisor. (Weekly)
- Group Level: Principal HSF Advisor to provide Prison Group Directors and Business Support Team (North / South) Summary report with embedded Inspection findings for each Establishment. (Monthly)
- Executive Level: HSFL Lead to provide the Executive and Director General with a Summary report on compliance management. (Monthly)

PPE Footwear – this issue was covered under Item 1 above.

First Aid Update – this issue was covered under Item 7 below

Risk Assessments on COVID/PPE – IC raised the issue of completed High Risk/Vulnerable risk assessments being of very poor quality. The meeting was informed that there is an immediate escalation in place for this which should be used. If the member of staff is concerned with the risk assessment, they should escalate this to through their management chain. Health & Safety staff can also advise as can OH.

Information and Consultation on H&S Matters – JSi raised concerns that there appears to be a lack of information and consultation with members at establishment level and Governor's should be reminded that they have a duty to consult with their Health & Safety union colleagues on any changes. TU colleagues were asked to send individual examples to IO (North) and JSu (South) who can investigate this further.

Action 41: Examples of H&S union colleagues not being consulted on changes made by Governors to be sent to IO (North) and JSu (South) to investigate further.

SOPs – this issue was covered under Item 4 above.

Uniform – this issue was covered under Item 1 above.

The following items are H&S Annual Conference Motions which the NEC agreed to progress via the H&S Whitley:

Maternity Wear – JM raised concerns that current uniform trousers that are issued offer a level of fire retardancy however staff purchasing their own maternity wear trousers may not have the same level of protection. JM asked if information could be shared on what material would offer a similar level of protection to the standard issue trousers. It was agreed that data sheets on the uniform trousers will be shared with MS who will put together an information sheet on this.

Action 42: PM to share data sheet on trousers with MS who will put together an information sheet on best material to consider when purchasing maternity wear.

Utility Vests – this item was considered under Item 1 above.

Staff Mental Health Policy – this issue was covered under Item 6 below.

Removal of Ceramics, Tin Cans and Craft Knives from Prisoners – this issue was covered under Item 6 below.

Uniform Quality – this item was covered under Item 1 above.

6. Update on HSE Priorities – Peter Collingwood (HSE)

PC informed the meeting of the key updates from HSE. A safety alert was issued by HSE for KN95 masks a large number of which had been identified as fake. HSE have been successful in tracking this back to suppliers. KB confirmed that prior to the alert being released by HSE we had already quarantined 310k KN95 masks as they immediately did not appear to meet the standard we expected. KB confirmed that further detailed checks on all KN95 masks were being undertaken.

PC gave an update on Riddor in relation to Covid. Initially information was scant however this has been updated and there is more detail to it now. It was noted that a spit or a cough does not qualify as a Dangerous Occurrence under Riddor however it was still an assault and should be treated accordingly.

7. Updates from OHSF Teams

Fire Safety Section – the Fire Team paper was circulated prior to the meeting. MS gave a brief overview of the paper. No issues or questions were raised.

OH/EAP Update – the OH/EAP paper was circulated prior to the meeting. PW gave a brief overview of the paper. AB asked if they had seen a drop in demand for services such as EAP self-referrals and OH management referrals since Covid. PW confirmed there had been a decrease in usage however this has slightly picked up in the last two weeks.

PW confirmed there is Ministerial interest in the area of mental health support during Covid 19. A paper was submitted to SofS, Prisons Minister and Jo Farrar which highlighted work being undertaken namely:-

- a) Suicide Awareness and Prevention Campaign (Reaching Out Can Save Lives)
- b) Enhanced Pre-employment questions
- c) Increased Structured Professional Support in all prisons
- d) Next generation of occupational health and employee assistance contracts

Psychoactive Substances Project – the PS paper was circulated prior to the meeting. VP gave a brief overview of the paper. No issues or questions were raised.

Update from the Physical Safety Board – a PSB update paper was circulated prior to the meeting. JK gave a brief overview of the paper. DT asked if staff trained in SPEAR and PAVA as part of the Exceptional Deployment of PAVA Model includes POELTS. JSu confirmed that PAVA and SPEAR training was not being undertaken by POELTS. DC and others confirmed that they were not aware of this and would like to know why this decision has been made. AH confirmed he would investigate this further with Jon Collier and provide an update at the next meeting.

Action 43: AH to contact Jon Collier to find out why SPEAR and PAVA training is not being undertaken by POELTS.

IC asked for confirmation that all establishments had submitted a return in respect of the razor and ceramic information requested by PC. JSu confirmed that all establishments submitted a return via their PGD office.

DT reiterated that a 1 for 1 issue on razors should not be affected by Covid. JSu confirmed that the information gathered was being looked at along with the electric safety razor however this work has now been put on hold by Jenny Rees.

HS Data – the HS Data paper was submitted prior to the meeting. LS gave a brief overview of the paper. DT asked if type of injury and reason could be recorded under the Use of Force. DC asked if with can compare the number of staff injuries against number of Use of Force applied. LS will look at both suggestions ahead of the next meeting.

Action 44: LS to look at recording type of injury and reason under Use of Force and compare the number of staff injuries against number of Use of Force incidents recorded.

Footwear and First Aid – Footwear was covered under Item 1 above. PR gave a verbal update on First Aid and confirmed that the draft policy is being progressed. PR suggested a dedicated meeting on First Aid is held to discuss options.

Delivery of FM/Next Generation FM – PR gave a verbal update on this. No questions or issues were raised.

Minutes of the Whitley Occupational Health, Safety and Fire Sub Committee Held on Thursday 24th September 2020 Via Teleconference

1. Introductions and Apologies for Absence

KB opened the meeting and thanked the membership for their attendance. Apologies were noted as above. This meeting was conducted via teleconference due to the restrictions currently in place as a result of Covid 19.

2. Minutes of the Last Meeting and Action Log

The draft minutes of the previous meeting were circulated to TU's for approval before final distribution to the meeting membership therefore a factual accuracy check of the previous minutes was not needed and all agreed they were a true and accurate reflection of the meeting.

The action tracker was reviewed, updated and agreed. The updated action tracker will be sent out with these minutes. The following notes were recorded for the purposes of the minutes:

Action 3 – although this issue has not been resolved, KB confirmed that this action will now close as we have gone as far as we can with it in this forum. It was agreed however that KB will ensure that the meeting agreed to be held between Andy Hewitt, Dan Billingham and POA colleagues will be brought forward and takes place before the new year as previously suggested. POA colleagues asked for it to be formally recorded in the minutes that they were not content with closing this action however understood the rationale behind it.

Action 45: KB to ensure Andy Hewitt and Dan Billingham meet with POA colleagues to discuss Invision and other matters relating to detailing and profiling before the New Year.

Action 4 – Again KB confirmed that whilst this issue is not resolved, this action will also close as we have gone as far as we can with it in this forum. KB confirmed that Francis Stuart's letter to POA colleagues of 31st July 2020 clearly outlines the next steps POA colleagues should take. POA colleagues asked for it to be formally recorded in the minutes that they were not content with closing this action however understood the rationale behind it.

3. Footwear and Uniform Update – Peter Magee and Greg Riley-Smith

PM and GRS were invited to the meeting to give an update on the current position on the PPE Footwear and Uniform Contract. PM confirmed that the contract has been awarded to Coneen. The design has not changed however the quality of materials has improved significantly. The sample provided has been reviewed and the feedback received was that of a very high quality product. PM informed the meeting that new items have been introduced to the service which includes maternity wear trousers and blouses. These items also use the same material and quality as the standard uniform. These items will be available on request. Ordering of uniform using the new system will go live on 5th October 2020. PM informed the meeting that there is still a considerable amount of old stock in existence and this will have to be run down before the new uniform is issued but it is envisaged that old stock will be depleted by January 2021. PM was asked to find out how long it will take for maternity wear to be available. At the time of the next meeting, the Portal will be live and so PM and GRS will be invited to attend the next meeting to provide a further update.

Action 46: PM to look at how long it will take for Maternity Wear to be available to order.

Action 47: JF to invite PM and GRS to the December meeting to provide an update on Footwear and Uniform.

4. Covid 19 Update

A brief overview was given however weekly meetings with IO and JS are now in place and so all unions are fully up to date with the current issues. KB shared with the meeting a comment made by Phil Copple at the recent HMPPS Executive Sub Committee where he stated that he wanted to thank everyone for their work contributing to the HMPPS response to COVID. PC said that the health, safety and fire function had been exceptional and he was grateful for their hard work during this unprecedented period. KB would like to add her thanks to the TUs for working collaboratively.

KB confirmed that a live RA will now be available via the intranet.

GG commented on how well joint working on the extension of the flu vaccine programme has been with good consultation on SOPS.

5. Updates from the OHSF Teams

Fire – the Fire Team paper was circulated prior to the meeting. MS gave a brief overview of the paper. No issues or questions were raised.

OH/EAP - the OH/EAP paper was circulated prior to the meeting. PW gave a brief overview of the paper. No issues or questions were raised.

Psychoactive Substances Project – a comprehensive paper was circulated prior to the meeting. No issues or questions were raised.

HS Data – the HS dashboard report was circulated prior to the meeting. Under section 3. RIDDOR Summary, LS was asked to look into the loss of consciousness from head injury or asphyxia x 1 defence at The Mount (knocked unconscious during restraint of an offender). A discussion took place on whether there had been an increase in this type of injury due to the change in training when restraining a prisoner. It was agreed that LS would take snap shot of approximately 1 year either side of the training technique changing and report back to KB and JN. Should an issue be discovered, KB and JN to flag their findings to L&D immediately.

Action 48: LS to take a snap shot of RIDDOR data 1 year either side of restraining a prisoner training technique changed. Findings to be reported to KB and JN. Should an issue be discovered, KB and JN to raise this with L&D immediately.

First Aid - A date has now been put in the diary (16th November 2020) for a meeting with the POA to discuss the First Aid provision in prisons. The meeting will cover the following:

- Policy with more defined mandatory roles.
- First Aid Risk Assessments reviewed to reflect required cover.
- Options for provision of first aid that meets legislation.

PR is also in the process of discussing the first aid provision with the HSE to ensure that any new proposals meet legislation.

Delivery of FM/Next Generation FM - The Mitie extension to their contract has now been agreed (May 2023) with an option of an extra 12 months subject to the model option chosen and procurement route. The negotiation with Amey are due to start by the end September 2020 with a view to being completed by December 2020.

GFSL will continue a rolling Service level Agreement on a 12 months basis. The asset verification work has re-started be it slow due to the restrictions in place on access due to COVID.

If there are any issues with the delivery of FM can you please raise them with Perry Rudd who will raise them at PMG's Senior Management Board (SMB) which is held monthly.

6. HSE Crown Censure

KB gave an update on the HSE Crown Censure. The date of the hearing has been agreed as 26th November 2020. It was also noted that HMPPS has accepted all findings and will not be

defending the case.

7. POA and NTUS Items

NTUS - No issues were raised.

POA

Prisoner Kettles – DT discussed the increase in assaults where kettles have been used. It was agreed LS will analyse data and look for a trend on this and share his findings with the POA and JK. JK to raise these findings at the next Safety Board meeting.

Action 49: LS to analyse assault data involving Kettles to look for a trend on this and share his findings with POA. JK to share these findings at the next Safety Board meeting.

C&R Training – it was noted that C&R training has not yet recommenced and there is a concern that we will not have enough staff “in date” to respond as we are now coming to an end of the 6 month extension to staff “in date” for C&R. It was agreed that IO and JS will seek clarification on this point and will update TU’s in their fortnightly calls.

Action 50: IO and JS to seek clarification on C&R training and the issue around staff not being “in date” and will update TU’s on the fortnightly Health & Safety Call.

POA Annual Conference Motions

Uniform quality – covered under Section 3 above.

Maternity wear – covered under Section 3 above.

Utility Vests – update on this issue to be requested from the Programme Board.

Action 51: JK to request an update from the Programme Board on Utility Vests.

Staff Mental Health Policy – POA colleagues are not aware of a dedicated policy on staff mental health and feel that this is something we should definitely have in place so that staff are aware of what support is on offer. It was agreed that OH colleagues to look at this issue and send confirmation to POA colleagues the work which is being done on this.

Action 52: PW to look at the issue of a dedicated Staff Mental Health policy and to confirm to POA colleagues the work being done on this.

Removal of Ceramics from Prisoners – Work has paused on this. Update to be provided at the next meeting.

Removal of Tin Cans from Prisoners – Work has paused on this. Update to be provided at the next meeting.

Removal of Craft Knives from Prisoners – Work has paused on this. Update to be provided at the next meeting.

Action 53: JK to seek an update on removal of ceramics, tin cans and craft knives from prisoners from Robin Eldridge.

8. Any Other Business

The Chair and meeting membership noted that this was Chris Poyner's last meeting as Chair of NTUS following his retirement. Chris was recognised for his commitment and dedication to his members. KB thanked him for his positive contribution and wished him well in his retirement. Members of the committee also thanked Chris for his hard work and support.

Minutes of the Whitley Occupational Health, Safety and Fire Sub Committee Held on Thursday 15th December 2020 Via Teleconference

1. Introductions and Apologies for Absence

KB opened the meeting and thanked the membership for their attendance. Apologies were noted as above. This meeting was conducted via teleconference due to the restrictions currently in place as a result of Covid 19.

2. Minutes of the Last Meeting and Action Log

The draft minutes of the previous meeting were circulated to TU's for approval before final distribution to the meeting membership therefore a factual accuracy check of the previous minutes was not needed and all agreed they were a true and accurate reflection of the meeting.

The action tracker was reviewed, updated and agreed. The updated action tracker will be sent out with these minutes. The following notes were recorded for the purposes of the minutes:

Action 44 and Action 48 – it was agreed that these actions were complete and could be closed however it was agreed that a meeting will be organised with TU's, Jim Noonan, Jason Sunley and a representative from NTRG (who has detailed knowledge of the training including when changes were made) to discuss the findings of the UoF report and RIDDOR data.

Action 49 – It was agreed to record in the minutes that Dave Todd and POA colleagues were not content for this action to be closed despite the information requested having been shared. It was agreed that the data provided regarding the use of kettles in assaults could be included for discussion at the meeting being arranged to discuss actions 44 & 48, identified above.

Action 54: JF to organise a meeting with TU's and HQ representatives to discuss the UoF, RIDDOR (am) and assaults using Kettles data (pm).

Action 51 – The POA did not consider the update on the position ref: Utility Vests as an acceptable one. The POA noted that they had been requesting information on Utility Vests for a very long time and just wanted an answer. Whitley members agreed that this issue had been around for a long time. KB agreed to write to Andy Rogers to request an update on this issue.

The POA requested that any written updates from the Safety Board be provided approximately 4 weeks prior to the next meeting so they had a chance to adequately consider them. Given the large number of Safety Board issues KB would request that a representative from the Safety Board attends the Whitley meetings.

Action 55: KB to write to Andy Rogers to request an update on Utility Vests and to extend an invite to a representative of the Safety Board to attend the Whitley meetings to answer questions arising Safety Board issues.

Action 52 – It was agreed to record in the minutes that POA colleagues were not content with the update and felt that a dedicated Staff Mental Health policy was still very much need although it was noted that a lot is being done to support our staff. Nicola Spencer will feed this back to Priscilla Wong.

Action 56: Nicola Spencer to feedback to Priscilla Wong POA's comments regarding Action 52 and a dedicated Staff Mental Health policy.

Action 53 – whilst it was acknowledged that this particular action is complete the POA noted that issue is not resolved. It was agreed that Safety Board issues with a particular focus on: Ceramics, Razors, Kettles and Utility Vests will be a standing agenda item on the agenda until the issues with these are resolved.

Action 57: Janine Fuller to ensure Safety Board issues including: Ceramics, Razors, Kettles and Utility Vests are included as a standing agenda item for future meetings until the issues are resolved.

3. Footwear and Uniform Update – Peter Magee and Greg Riley-Smith

PM was invited to the meeting to give an update on the current position on the PPE Footwear and Uniform Contract. PM confirmed that the roll out of the first phase (new starters and essential replacement) went ahead on 5th October 2020 with no issues reported. Phase 2 (all remaining users) will be rolled out at the end of January 2021. Comms on this will be announced shortly.

DT informed the meeting that some members are reporting they cannot get access to uniform this year. PM clarified that the service went live for new starters and essential replacement in October however staff are still able to order uniform through business hubs. PM confirmed that this information was included in a series of comms which have been issued to all staff via the Intranet. DT noted that this message had not got through to staff. PM will send the comms to JF who will issue to TU's for onward transmission.

Footwear is available now for new starters and essential replacement only. New footwear will be available to order from January for all remaining staff, however, should staff need footwear before January, orders can be placed via business hubs. PM confirmed however that whilst there is stock of the old uniform and footwear still available this is what will be provided until that stock is exhausted.

Questions were raised about returns/replacement items and PM confirmed the supplier is based in the UK who will manage this.

Questions were raised around emergency stock being held by establishments so replacements can be provided immediately. PM confirmed that this is a local issue and is not something the project has mandated.

PM confirmed that the trial that had been agreed with the POA could commence once the new footwear is available. PM confirmed that the process would be one of verification rather than a trial. JSi said he would be content if the process included a survey that was issued with the new footwear for staff to complete so that feedback on the new footwear could be gathered and reviewed.

PM confirmed that once Phase 2 is successfully rolled out, management of this contract will move to the Senior Business Owner who is Janet Beckett. It was agreed that Peter Magee and Janet

Beckett to be invited to attend the March meeting to discuss the roll out of Phase 2 and any questions or issues arising.

Action 58: PM to send series of comms issued regarding the roll out of Phase 1 and 2 to JF who will forward to TU's for onward transmission.

Action 59: JF to invite Peter Magee and Janet Beckett to the next Whitley Meeting in March 2021 to update on the uniform roll out and plans for the footwear verification process/survey.

4. Smoke Free Prisons - Charlotte Wright and Caroline Vine

CW and CV gave an update on the air quality paper that was recently circulated to TU's and the issues around Morton Hall. POA raised concerns with the risk to staff from exposure to second-hand smoke at Morton Hall. CV will check with Morton Hall to ensure lighters and matches are not available via canteen. CW will raise with Phil Riley the concerns regarding the potential risk to staff from exposure to second-hand smoke at Morton Hall. CW to also ensure that Morton Hall is brought into line with other IRCs.

Action 60: CV to ensure lighters and matches are not available via canteen at Morton Hall.

Action 61: CW to raise with Phil Riley the concerns regarding the potential risk to staff from exposure to second-hand smoke at Morton Hall.

5. Covid Update – Kathryn Ball

Regular updates to TU's are provided by IO and JS via a fortnightly call. KB informed the meeting that a change in Government advice has seen a reduction in the isolation period from 14 days to 10 days. This is being considered in the prison context and any changes will be communicated via Gold in due course.

Comms for social distancing over the Christmas period have been shared and will be going up in prisons shortly.

The Escort SOP and HMPPS Cleaning Guidance SOP have been updated and are due to be published shortly. It was noted that PHE advice is that there is no longer a requirement to leave cells for 72 hours prior to/before cleaning. A number of questions were raised regarding cleaning and the membership were reminded that if they followed the guidance in the SOP they would be operating safely.

KB confirmed that all PPE was now being provided directly from DHSC. Where there were exceptional circumstances, and this couldn't be provided it was still be purchased directly and the costs reclaimed.

KB also noted that the PHE PPE Table for the Custodial Setting was also being updated to provide further clarity around AGP tasks and when the appropriate PPE should be worn. In essence the identification of PPE required will remain unchanged but the clarity around AGPs will assist us to explain our PPE use if questioned in other settings.

6. Crown Censure – Kathryn Ball

The meeting membership are aware that HMPPS received a Crown Censure on 26th November

2020. The Crown Censure was accepted by HMPPS and Claudia Sturt represented HMPPS senior management at the virtual hearing. It was recorded that HMPPS deeply regrets what happened to staff. JSi informed the meeting that he was also in attendance at the virtual hearing and was horrified by the number of mistakes that were made that day and the injuries that staff sustained. JSi is particularly concerned that an investigation has taken place which has not been shared with POA. It is understood by POA colleagues that currently there is no Tornado or C&R training taking place. JSi informed the meeting that until they have assurance that a competent Risk Assessment, SSoW and a report on how the mistakes are to be rectified, then no further training is to be undertaken at NTRG as it is considered an unsafe workplace by POA. JSi formally requested a copy of the investigation, RA, SSoW and a full report on how mistakes are to be rectified. JN informed the meeting that he will request a summary on **the current status of actions in relation to NTRG** and will share with TU's.

Action 62: KB to consider JSi request for a copy of the investigation, RA and SSoW in relation to NTRG.

Action 63: JN to request a summary paper on the current status of actions in relation to NTRG for sharing with TU's.

7. HSE Updates – Pete Collingwood

PC informed the meeting that following on from the Crown Censure, the HSE will be looking to revisit NTRG to ensure that the training provided is realistic and that lessons from the incident have been learned.

PC also gave a reminder regarding social distancing. PC informed the meeting that concerns had been picked up by HMIP on the lack of social distancing. Assurances were given that that this is being picked up by the day to day management however regular reminders are necessary.

JSi stated that middle management are not policing this correctly along with the use of PPE. JSi asked H&S colleagues to consider how we communicate important information to staff as not all members of staff have access to a computer. It was agreed that key information needs to be shared with staff following the daily briefing. It is understood that there are mechanisms already in place for this however if Trade Union colleagues have specific examples where they believe information is not being shared IO & JS will follow this up with the relevant establishment.

Action 64: POA to let IO and/or JS know if staff in particular establishments are reporting that information isn't being effectively shared, and they will follow this up.

8. Updates from the OHSF Teams

Fire – the Fire Team paper was circulated prior to the meeting. MS gave a brief overview of the paper. SR stated that it would be useful if a list of all current fire related work particularly relating to the units that are being decommissioned could be held in one place. MS said he could share information relating to the current fire safety work that was on going including the units being decommissioned and MS extended an invite to all TU's to attend a meeting to discuss this. TU's accepted MS's invitation.

Action 65: MS to meet TU's to discuss the current fire related work and the units that are being decommissioned

OH/EAP - the OH/EAP paper was circulated prior to the meeting. NS gave a brief overview of the

paper. A question was asked in relation to staff who are invited to have a Covid vaccination test in work time, will they be given paid time off to attend? Although this is a HR issue, NS agreed to seek an answer on this.

Action 66: NS to seek clarification on staff being given paid time off to attend a Covid vaccination.

An issue was raised with how staff can appeal the outcome of a RA completed for a vulnerable staff member. The meeting was informed that within the RA documentation there is a section on the escalation process. It was agreed that a copy of this will be sent to TU's for onward transmission.

Action 67: JF to provide TU's with the RA documentation detailing the escalation process for appeal.

Psychoactive Substances Project – a comprehensive paper was circulated prior to the meeting and many attendees had already received the paper as it was shared at the Expert Working group that the POA are represented on. Since the meeting was shortly due to finish, JN asked for any questions to be emailed to him after the meeting.

National Policy – the tracked changes of the national policy was circulated prior to the meeting. JK informed the meeting that it is our intention to republish this policy quite quickly as the changes were related to name changes. Despite this JK welcomed any feedback and comments. GG stated that usually any changes to policy are submitted on an Annex A for consultation. KB mentioned that as the changes were minimal and not directly changing the policy but simply updating references to staff i.e. Jo Farrar instead of Michael Spurr would an Annex A be necessary? As a result of GG's concerns, it was agreed that the paper would be shared via ER colleagues to TU's who will consider and respond by close of play 8th January 2021.

Action 68: JF to submit tracked changes to National Policy via ER colleagues to TU's.

Action 69: TU's to consider tracked changes to National Policy and return comments and feedback to Julie Kenney by close of play 8th January 2021.

Physical Safety Board – this was covered previously in the meeting. Nothing further to update.

HS Data – the HS dashboard report was circulated prior to the meeting. This report was not discussed due to time constraints. If TU's have any questions pertaining to this report, they should send these to Jim Noonan.

First Aid – KB informed the meeting that the draft policy has been produced and we are just waiting on the Annexes to be finalised. Once finalised, a meeting will be arranged with the TU's to discuss the draft policy and option for future training. Following those discussions an Annex A would be issued.

Delivery of FM/Next Generation FM – The options for providers going forward remain as we currently have (i.e.TFM) or GOVCO. A decision on the favoured option is due to be made early next year.

9. POA and NTUS Items

NTUS

A request for an update on HMPPS Digital Fire Risk Assessment was requested by NTUS colleagues and MS provided a paper prior to the meeting. GG thanked MS for the paper and confirmed that what was provided has been useful, all questions have been answered and NTUS colleagues have no further questions on this.

PKB raised an issue regarding who should be cleaning [RPE] hoods. JS and MS informed PKB that the trainer should be cleaning the hoods and that they were aware of how to do this safely. It was agreed that PKB would identify the region who raised the issue and report back to JS and MS for further investigation. As a result of this, there were then concerns raised by POA whether the hoods were actually being cleaned. PKB confirmed the hoods are being cleaned however the issue he had been asked to raise was on clarification of who should be cleaning the hoods.

Action 70: PKB to identify the region who have raised this issue and pass to JS and MS for further investigation.

9. POA

All POA items were covered in the main agenda.

Minutes of the Whitley Occupational Health, Safety and Fire Sub Committee Held on Tuesday 16th March 2021 Via Teleconference

1. Introductions and Apologies for Absence

KB opened the meeting and thanked the membership for their attendance. Apologies were noted as above. This meeting was conducted via teleconference due to the restrictions currently in place as a result of Covid 19. A variation on the running order of the agenda was agreed however the minutes will follow the original agenda.

2. Minutes of the Last Meeting and Action Log

The draft minutes of the previous meeting were circulated to TU's for approval before final distribution to the meeting membership therefore a factual accuracy check of the previous minutes was not needed, and all agreed they were a true and accurate reflection of the meeting.

The action tracker was reviewed, updated and agreed. The updated action tracker will be sent out with these minutes. The following comments were noted:

Action 62 – At the pre-meet held on 4th March 2021 with POA colleagues, Mark Fairhurst stated that a meeting with Glenn Knight was not required as the issue will be discussed with local committee. It was agreed that POA just required copies of RAs and SSoW in relation to NTRG. This action was completed on 12th March 2021 with RA's and SSoW sent to Debbie Davis. At the Whitley meeting, Dave Cook asked for the action to remain open until a meeting has been held with Glenn Knight. Action will remain open until POA colleagues advise us to close.

3. Update on the uniform roll out and footwear verification process/survey – Peter Magee, Sharon Gormley and Greg Riley-Smith

PM was invited to the meeting to give an update on the current position on the new Uniform Contract. The following highlights were noted:

- Go-live of initial (new starters and operationally damaged) uniform service successfully went live on 5th October 2020.
- Go-live of full (all users) service successfully went live on 27th Jan 2021.
- Replacement service is good and remains stable.
- Service now being managed by live service - Project to formally close in next few weeks.
- Commitment to support POA with assessment of new PPE remains in place.

SG gave an update on the PPE Footwear. The following highlights were noted:

- A sub-group has been set up by Greg Riley Smith, Head of Operational Implementation & Support Group OISG) and the POA NEC to enable a review of the PPE (boots & shoes) being supplied within the contract.
- A meeting between OISG and the POA NEC took place on 25th February 2021 where it was agreed a survey would be devised and sent to staff who have received the new style footwear.
- The survey will cover a 6-month timeframe and be separated into three parts. This will afford staff the ability to give full and comprehensive feedback. The POA NEC will draft questions and send to OISG for uploading to a proposed survey.
- Sample footwear has been sent to the POA NEC for trial purposes.
- The new footwear is the original footwear used as alternatives to the standard issue footwear and as a result other alternatives are being looked into.

It was agreed that this agenda item can now be removed whilst the sub-group are working on the review of the PPE footwear.

Action 71: JF to remove Uniform and Footwear from the Main Agenda.

4. Safety Update – Jenny Rees & Robin Eldridge

Ceramics & Razors – Robin Eldridge

In January the Safety Project Board approved a scope of work and action to build on the outcome of the earlier findings from the Ceramics and Razors Taskforce. Subsequent action has included:

Whitemoor pilot

- In the main it continues to present no significant operational issues, either from a safety or security perspective.
- Despite the horrendous attack on staff in early 2020, Whitemoor has historically had a low prevalence of razor related incidents - other items fashioned as weapons are said to have been more commonplace.
- There has been no formal evaluation of the pilot completed so far and in view of this it cannot be demonstrated that solely replacing wet shave razors has been transformative in terms of safety. The pilot is due to be extended to Frankland very soon.

DC asked if during the Whitemoor pilot, were wet shave razors removed from the canteen? RE confirmed that they were removed.

DC commented that pilots need to be realistic and should be carried out in the adult estate with high Op Caps.

PPAS re-visited the original data provide to the Taskforce and completed a fresh, more sophisticated search covering a period of two years September 2018-2020. The key figures are as follows:

- 60,824 assaults - 52 razor related, of which 17 caused serious injury.
- 55 assaults involved ceramics, of which 26 caused serious injury.
- 125,653 incidents of self-harm - 59,951 razor related, of which 87 caused serious injury.
- 639 incidents of self-harm involved ceramics, of which nil caused serious injury.

The Group Safety Lead (GSL) for LTHSE reviewed qualitative data and intelligence on the prevalence of self-harm and violence and specifically how ceramics and razors featured in such incidents.

SOCT carried out a review which looked at the broader issues and risks associated with razors and weapons; this may be particularly useful if this project expands to include a review of weapons generally.

A survey of all prisons was carried out in order to understand the application of policy and practice and the perception of risk associated with ceramics and razors by frontline staff and operational managers. 95 prisons responded, representing 79% of the whole estate. The headlines to note are:

- 40 prisons allow resident to have ceramics in possession (I/P); 55 do not. 1 prison (in the LTHSE) intends to stop access over time by natural wastage.
- 9 prisons said ceramics has been raised as an issue of concern at meetings with union representatives; 86 said it has not been raised. Primary concerns were general safety.
- 58 prisons control the number of prison issue razors held I/P; 37 do not.
- 50 prisons apply a limit on the number of prison issue razors allowed I/P; 45 do not.
- 29 prisons set a limit on how many razors can be bought through the canteen and held I/P; 66 do not.
- 45 prisons apply a 1 for 1 rule on prison issue razors; 50 do not. Limited assurance measures appear to exist in those prisons where the 1 for 1 rule is applied though.
- 77 prisons allow residents to have razors I/P all the time; 18 do not.
- 67 prisons said razors are predominantly used for self-harm; 4 reported a primary use for hurting others, threatening and illicit trading; 24 said razors are not an issue at their establishments.
- 10 prisons said razors has been raised as an issue of concern at meetings with union representatives; in 82 it has not been raised; it was raised in 3 other fora as well. Primary concerns were mixed e.g., 3 related to staff assaults, 4 about self-harm and 3 linked to a letter from Phil Copple.

Reviewed policy and practice at the three prisons reported by the Taskforce as exercising a higher degree of control over razors - each applies a similar approach i.e., razors are only allowed I/P for a tightly managed period and properly accounted for. In the case of Cookham Wood and Full Sutton they have been applying these controls for a long time, as such there was no hard safety related data by which to compare a 'before and after' scenario, either for self-harm or assaults. New Hall is different because its policy has led to a significant drop in the use of razors for self-harming since tighter control measures were introduced in July 2019 (24) and in July 2020 (3). Whilst overall the prison saw an upturn in self-harm during the same period, this appears to be directly linked to the COVID-19 lockdown and has no obvious link to the razor policy. Incidents of assault involving razors were not historically an issue at the prison and are therefore not commented on here. As expected, the survey also identified other prisons where higher control measures are in place, in respect of ceramics and/or razors.

A paper to the March Safety Project Board proposed two pilots; each for six months to test out the impact of applying greater controls i.e.

1. To replace the current prison issue razor with a better quality, safer alternative e.g., a Gillette Mach 3, supplied on a strict 1 for 1 basis. No option to purchase razors through the canteen.
2. To continue to provide the existing prison issue razors and allow personal razors to be purchased through the canteen, but all razors would be retained by staff and issued for a time bounded period.

The Safety Project Board accepted the proposed approach and work will now be done to do the groundwork to establish the most appropriate sites at which to run the pilots e.g., those with above average rates of razor related incidents and also sufficiently large enough to represent a realistic test of the practical implications resulting from applying these greater control measures. Other issues I recommend are pursued include:

- A clear reminder be sent through the operational line about the need to apply the basics of control measures e.g., 1 for 1 swaps of razors.
- Further work to review the policy position on the volume of razors which can be bought through the canteen and held I/P.

Further updates will be provided by Jenny Rees at her regular meetings with union colleagues however Robin agreed that he would be happy to keep TU's engaged with the pilots and would be happy to attend the June meeting to give a further update.

Utility Vests – Jenny Rees

JR acknowledged that this issue had been around for some time however JR stated that it had only been with the Safety Programme since the decision to roll out PARVA and Rigid Bar Handcuffs. It had been agreed that the Safety Team would work with colleagues from uniform and health and safety to work on this issue so that recommendations on ways forward could be made. A survey to inform this work had been agreed to go ahead and union engagement with this would be welcomed.

It was noted at the meeting that HMPPS had a new Uniform & Staff Kit Governance Board which was chaired by Kevin Reilly. This would provide a single forum for decision making and approval for purchase requests for uniform, staff kit and PPE which are outside of the current policy or contract parameters, and to ensure that public money is being spent appropriately. The POA had written to KB on this issue and it was noted that Kevin Reilly had responded on her behalf as the new Chair of the Uniform & Staff Kit Governance Board.

It was agreed that JR would be invited back to the next meeting to provide an update on this issue.

Action 72: JF to invite Robin Eldridge and Jenny Rees to attend June Whitley meeting.

Kettles – Julie Kenney

The Kettle project has not been progressed beyond the initial design with the project moved into the next year due to the number of other projects.

Jason Errington has not at this time had a clear steer on whether to proceed and would ideally need a formal "request to proceed form" from the operational contracts team.

A non-working prototype design will be circulated to stakeholders early in the next financial year.

A discussion on the data related to the issue of kettles being used as a weapon is due to take place with TU colleagues on 26th March 2021.

5. Covid Update – Kathryn Ball

KB gave an update and since the last meeting the following key highlights were noted as follows:

- All SOPs have been revised and reissued
- Establishments now have a contact trace lead in place with one of their main focuses being Covid Controls. On site assurance visits are taking place with this also being the main focus.
- 105 additional Battery Powered RPE sets have been ordered to reduce pressures on establishments when they have to send staff out on escorts.
- Interim Guidance has been updated and reissued.
- Establishments are still Stage 4 whilst YCS are Stage 3
- We currently have 65 OCT's in place. 19 establishments have 10+ service user cases and 22 establishments have 10+ staff cases. It was noted that an outbreak could be declared if there are 2 or more cases.
- Lateral Flow Testing has now been rolled out and is available in all prisons.

MF informed the meeting that the health authority for the Isle of Wight is insisting that before any member of staff can supervise a bedwatch, they must have a negative PCR (dip test). Mark agreed to forward the email to JS who will look into this and report back to Mark.

Action 73 : JS to investigate requirement of a negative PCR (dip test) for staff carrying out a bed watch (Isle of Wight)

FT, on behalf of PCS, raised concerns that Covid 19 assurance would be reduced to a Monthly Tour and report.

JS explained that this was a misunderstanding. The instruction was to continue with weekly Covid 19 assurance tours, continue to inform the Governor of findings for immediate action on a weekly basis, but to move to a monthly report sent to the respective business support teams summarising the weekly inspections.

DC raised concerns with the number of outbreak sites dramatically reduced from 92 to 65 quite quickly and what seems an unduly rush to get back to normality. KB will look into figure for the outbreak sites and ask for some clarity around the wording.

Action 74: KB to seek clarity on the figure provided for outbreak sites.

6. HSE Updates – Pete Collingwood

No updates to report at this stage.

7. Updates from the OHSF Teams

Fire – the Fire Team paper was circulated prior to the meeting. AD gave a brief overview of the paper. DC raised concerns with the number of DSD's still in use across the prison estate. KB confirmed that a submission has recently been sent to the Lord Chancellor which has highlighted all our fire related concerns including the number of cells without automatic fire detection.

OH/EAP - the OH/EAP paper was circulated prior to the meeting. DC stated that the position regarding staff not receiving left over vaccines as a result of insurance issues is not acceptable. Surely it would be better to use leftover vaccines on staff rather than dispose of them? DC asked how long offenders have been receiving Vitamin D supplements for? JG confirmed this has been

since November. JG also confirmed that Vitamin D supplements for staff will not be available until April.

Action 75: JG to feedback TU concerns raised around prisoners receiving their Vitamin D supplements well in advance of staff and around left-over vaccines not being given to staff. Further clarification was requested around the insurance reasons provided.

Psychoactive Substances Project – JN gave a verbal update. No further questions or issues were raised.

HS Data – the HS dashboard report was circulated prior to the meeting. No further questions or issues were raised.

First Aid - The draft first aid policy and annexes have now been completed. A meeting will be arranged with the TU's to discuss the draft policy/annexes and options for future training. Following those discussions an Annex A would be issued. No further questions or issues were raised.

FM Delivery - There is a lot of work going on at present with the Next Generation Team, this includes looking at the specification to ensure the statutory elements are in the contract specification going forward. The areas that HS were particularly interested in are as follows:

- Asbestos
- Gas Management
- High Voltage
- Water Management
- Fire

No further questions or issues were raised.

8. POA and NTUS Items

NTUS Items

Cleaning (Covid Related) - Prospect

Claire Dent raised an issue around the continued expectation at some, a minority of prisons that cleaners, (prisoners or contractors) are not available to properly clean toilets, rest areas, work areas that are only frequented by staff. Prospect are receiving complaints that local managers are saying, where toilets are only getting cleaned say once a week that the staff can do it themselves. At one prison where a complaint was made about lack of cleaning in office, the member of staff was provided with a vacuum cleaner. Prospect are also not happy about the language used in responses to their written enquiries either.

JS confirmed that this particular issue which had been raised at Durham has been discussed at Executive Director level and that this issue has now been resolved.

JS confirmed that an instruction has been issued to ensure the focus of the regular Covid Assurance visits would be cleaning controls. Following these Assurance visits, which the TUs are invited to join, concerns in the first instance will be raised by the H&S advisor on site to the Governor. If these concerns are not acted upon, these will then be escalated to the Principal H&S Advisor who will escalate further should the need arise.

It was agreed that this issue will be monitored by NTUS and a summary report on where cleaning had been raised as an issue in assurance reports to be produced and shared.

Action 76: JS to produce a summary report on where cleaning had been raised as an issue in assurance reports and share with TU colleagues.

Cleaning Regimes in Outlying Areas – Dave Vickers

This was covered in the issue raised above.

POA Items

Smoking in IRC Morton Hall

POA stated: The position is that, while the prison estate is now substantially smoke-free, IRCs operate under a somewhat different regime which has meant that, at Morton Hall IRC at least, detainees continue to smoke in confined areas, presenting a health risk to our members.

AH responded to this and confirmed the following:

- AH spoke to Karen Head, the Centre Manager at Morton Hall, who informed him that the local committee have not raised the issue of smoking with her at all.
- Karen has advised that they still get the odd detainee smoking inside the buildings, but assurances have been given that they are appropriately and robustly challenged by staff. Karen will also pick this issue up with the local committee.
- Karen also confirmed that lighters are not available to purchase on the canteen list.

The POA did not accept the response and stated that the issue of smoking remains a serious concern for both the local branch and the NEC. JM will take this back to the local committee. AH said he would also go back to the Centre Manager to reconfirm what he had been told.

Action 77: AH & JM to clarify the position at Morton Hall

Long Covid

IC asked if there is focussed guidance on how staff will be treated in terms of sick leave excusal for Long Covid.

AH confirmed there is currently some central guidance on this subject which details a recovery route. The guidance is currently on hold, but it is anticipated that this will be sent out soon. AH will forward to TU's once guidance is issued.

Action 78: AH to issue to TU's central guidance detailing recovery route and sick excusal for Long Covid.

Outbreak Sites/Regime Progression

This issue was discussed at a pre-meet held with POA colleagues on 4th March 2021 and it was agreed that JS would seek Gold's position on extending ERMP to level 3 where there is an outbreak declared. JS confirmed Gold's position on this at the meeting as follows:

- ERMP is a stage 4 model so will not be extended to the stage 3, as that model has its own specific EDMs. Prisons will not automatically be excluded from progression solely on the basis of having an outbreak, as each one will have unique factors to consider, such as scale and complexity and the degree of control that can be maintained during a specific outbreak scenario. In those circumstances a case-by-case approach will be taken with PHE support. No site with an uncontrolled outbreak will proceed to stage 3.

RMP/Regime Progression

This issue was discussed at a pre-meet held with POA colleagues on 4th March 2021 and it was agreed that JS would seek Gold's position on every prison having a BAU RMP in place and implemented before stage 1 can be declared. JS confirmed Gold's position on this as follows:

- The plan is that at Stage 1 Prisons are operating at BAU using their RMP established before the Pandemic occurred. In order to progress to this point each prison will need to satisfy the progression mechanism that they have local TU support to progress, as they will have done at each stage. If the local TU representatives are concerned that a prison shouldn't progress as there are issues with their RMP then this is something that could be flagged for resolution. A prison will not progress until such concerns are worked through.

POA raised concerns and stated that a review of existing RMPs needs to be completed before prisons consider going back to BAU as things will have changed. The introduction of purple visits was one example given. POA asked what national assurances would be given that prisons without an agreed RMP would be prevented from moving to BAU. JS agreed to pass these concerns to Gold for response.

Action 79: JS to pass the concerns regarding lack of BAU RMPs being in place to Gold.

C&R and RPE Training

This item was no longer considered an issue as this will be taken forward by Sarah Locke at a meeting scheduled to take place on 18th March 2021.

Minutes of the Whitley Occupational Health, Safety and Fire Sub Committee Held on Tuesday 15th June 2021 Via Microsoft Teams

1. Introductions and Apologies for Absence

KB opened the meeting and thanked the membership for their attendance. Apologies were noted as above. A variation on the running order of the agenda was agreed and for the purposes of these minutes they will follow the variation.

2. Covid 19 Update – Mark Poole (Item 3 on the agenda)

The National COVID picture continues to have improved in term of the number of staff/prisoner infections. Hospitalisations remain low in line with the community situation. At week 2 in June:

- 2 Prisons in outbreak (Preston & Leeds – both under control)
- 0 outbreaks in Approved premises
- Preston remains a red site in Stage 4
- 8 prisons will be progressing to Stage 2 having received approval
- Other sites are in Stage 3

The Delta variant has high confidence of now being the dominant UK COVID variant. There is also moderate to high confidence the transmissibility of Delta is 40% greater than Alpha (the previous UK dominant variant). The R rate is now estimated to be >1 (R = 1.2-1.4) with infection rates of 50.3 per 100,000 persons. NW has represented a significant area with the Delta variant and surge testing and vaccination is in place (case rate of 149.9 per 100K).

The vaccination appears to be holding well against Delta with recent patients being younger and with less severe illness requirements that within the first and second wave.

UK Stage 4 Roadmap -The 21 June stage 4 restriction lifting has now been delayed until no earlier than 19 July. Minor restriction liftings in weddings and mass events were announced yesterday.

HMPPS Stage 1 (Regimes and COVID-19 Controls) - Arrangements are being drafted to outline the operational guidance for Stage 1 reform regimes and the stage 1 COVID controls during this period. The time frame for Stage 1 in HMPPS is yet to be determined and we will receive specific guidance from PH colleagues on the right time we should proceed. Stage 1 will not progress unless it is safe to do so.

Key points of consideration:

- What role, if any, the Heatmap panel may have a role in Stage 1 SOP
- A single Stage 1 SOP is being drafted which has been designed to sit above/supersede all existing SOPs – TU consultation will commence at the point the UK roadmap restriction lifting announcement is made and the nature of HMPPS controls is confirmed
- Some existing COVID controls will remain during Stage 1 (although the exact nature of the controls is still under consideration, as is the case for the pending UK Stage 4 restriction liftings)
- Controls will be proportionate to the high-risk Prison settings but also legitimate within the context of the UK COVID restriction removals
- Wales Prisons and sites will not be removing social distancing measures for some time. There may be divergence in positions
- The Stage 1 SOP may align controls and assessments from the heatmap panel (Green – Remain COVID Alert/Amber – Prepare COVID Plans/Red – Respond and Protect)
- At Green baseline COVID measures will remain in place with surveillance and testing measures

Variants of Concern (VOC)

The global COVID pandemic is still active. VOCs will continue to emerge. Until all countries have population immunity VOCs will also spread. Vaccinations may need to be provided as boosters in the event COVID VOCs can defeat or evade the efficacy of the current Vaccination. The long-term durability of COVID vaccination is also unknown so it remains conceivable that further vaccination and boosters will form part of a longer term COVID strategy in a similar way as seasonal flu.

JSi asked how reliant is the service on Payment Plus to get to Stage 1 and as part of the Gold Command Unlock, are Governors putting down that they need PPE? AH confirmed there will be a meeting later in the week with colleagues from Gold Command, Chris Gunderson will be meeting with TU colleagues, and it is expected that these questions will be raised and answered at that meeting.

FT asked some questions around Stage 1 SOP and again AH confirmed that these will be raised and answered at the meeting with TU's and Chis Gunderson later this week.

MPi stated that establishments have said that prior to progression to Stage 1, one of the criteria for moving forward will be either 75% or 80% take up from staff and prisoners of the vaccination and MPi believes that TU's have not been made aware of this with any consultation nationally and is looking for confirmation on this. MPo stated that Public Health have given us a view on testing regimes, vaccinations, and a whole range of other controls and where they want us to be at various stages. This will all be considered and decided by POMC and HLT. AH confirmed that the Stage 1 papers has not yet been up to HLT yet. Comms with TU's will take place before the paper

is submitted to HLT or POMC.

DC asked what HMPPS' expectation is on when will most prisons be at Stage 1? AH stated that we do not have an expected date of when we will be at Stage 1 and confirmed that we are preparing the guidance and the paperwork for Stage 1 so that Governor's know what they must achieve to get to Stage 1. A timeframe can not be put on this as it will only happen when it is safe to do so.

3. Minutes of the Last Meeting and Action Log (Item 2 on the agenda)

The draft minutes of the previous meeting were circulated to TU's for approval before final distribution to the meeting membership therefore a factual accuracy check of the previous minutes was not needed, and all agreed they were a true and accurate reflection of the meeting.

The action tracker was reviewed, updated, and agreed. The updated action tracker will be sent out with these minutes. The following comments were noted:

Action 78: Guidance has been shared with TU's via the HR Committee however JSi asked for the guidance to be shared via JF to ensure this action can be closed off:

Further action arising – AH to share via JF the guidance issued detailing recovery route and sick excusal for Long Covid. JF to issue to the meeting membership.

4. HSE Updates – Pete Collingwood

PC mentioned that Jo Anderson who is the principal inspector within the team will be moving back to operational. Her role has not yet been filled but PC will update on this at the next meeting.

JSi mentioned that he has written to PC regarding equipment vests and has not yet had a response. PC will formally respond but confirmed that he has spoken with a specialist on this and there is limited research on the subject. PC confirmed that there has been no specific research carried out by HSE on this equipment.

5. Utility Vests – Kathryn Ball/Sharon Gormley (Item 6 on the agenda)

KB confirmed that HMPPS has done a literature review and have found very little in terms of any studies, as PC had just confirmed there is limited research in this area. There is no clear line on what should or shouldn't be done and research is usually bespoke to roles in particular environments. KB confirmed that she had discussed this with JSi and POA were keen for bespoke work to be done in our environment. It had been agreed that we would ask our OH provider who have a muscular-skeletal expert to produce a proposal and, if it is satisfactory, we will commission them to do a piece of work that is particularly about our staff in our environment and will look at the equipment we are asking them to carry. KB is waiting for the final proposal to be completed. Once received a meeting will be held with the provider's specialist and TU's to review the details of the project. A discussion ensued and it was agreed that TU's will forward any research they have got on this subject to Julie Kenney and Sharon Gormley who are working on this.

Action 80: TU's to share with Julie Kenney and SG any research they have got on Utility Vests so that this can be forwarded to the specialist for consideration.

Action 81: Once final proposal is received, meeting to be held with the provider's specialist and TU's to review the details of the project

6. Updates from the OHSF Teams (Item 5 on the agenda)

Fire – the Fire Team paper was circulated prior to the meeting. MS gave a brief overview of the paper. A discussion on the data ensued with several questions raised with only two resulting in further action.

DC raised a question in relation to Slide 5; Night Contingency within 12 months – 29 prisons at 27.1% and asked for a list of the 29 prisons to be sent to him.

Action 82: MS to send to DC the details of the prisons included in the data for Night Contingency within 12 months (Slide 5 29 prisons/27.1%)

JSi asked for sight of the new Fire PSI. MS confirmed that he would send this out via OPS for consultation with TU's as soon as it was finalised.

Action 83: MS to send Fire PSI out to TU's via OPS for consultation.

OH/EAP - the OH/EAP paper was circulated prior to the meeting. JG gave a brief overview of the paper. No further issues or actions arose.

Psychoactive Substances Project – JN gave a verbal update.

JSi thanked JN for his report and confirmed that the POA agree with him that although the toxicology reports have shown no adverse affects to their members, there is something in the workplace that is making them feel unwell. JSi confirmed that the POA fully support this project being moved through HLT and for HMPPS to continue this important work.

HS Data – the HS dashboard report was circulated prior to the meeting.

DC raised a question in relation to the accuracy of 4.05 PS Exposure by affected persons which shows 11 staff and 2 offenders. The expectation is that the offender exposure to be higher. JN said this reflects the pattern of reports received, since these records began. There has always been a massive disparity between the reports of ill health from employees and those from prisoners. Nevertheless, JN confirmed he will check this data and report back.

Action 84: JN to review the accuracy of the HS data in section 4.05, PS Exposure by affected person and report back to TU's.

FT asked in terms of RIDDOR if there is any data that shows if these end in litigation claims. JN confirmed that we do track all accidents and litigation on Sphera, whether it is a RIDDOR case or not. FT asked if RIDDOR related litigation data could be included in this report. MPi feels that a cautious approach should be taken in relation to sharing litigation data linked to RIDDOR reports as individuals may be able to be identified by this data. Ian Oakes to consider this as the litigation lead for PSP.

Action 85: IO to consider including RIDDOR related litigation data in the report to the Whitley.

MPi asked if the data in relation RIDDOR reporting its shows 7 incidents of ill health at Littlehey, is this Covid related. JN confirmed that he would seek clarification on this and report back.

Action 86: JN to seek clarification on 7 incidents of ill health at Littlehey is in relation to

Covid.

First Aid – PR gave a verbal update.

A trial of the Draft First Aid Policy and Risk Assessment is to be run and, subject to agreement it is proposed to take place at the following establishment Risley, Swaleside, Sudbury and IOW as selected by the POA, 4 additional establishments in the south will be selected by HMPPS to balance the trial and give a better cross section of prisons. (Closed, open, High Security). Timings and finer details of the trial to be confirmed.

FM Delivery - We continue to work with the Next Generation Team to ensure going forward those Statutory requirements including roles and responsibilities of various parties are detailed in the next contract. KB added that PMG have now moved into the MOJ, and an intelligent client is being set up. The ICF is being designed to provide HLT with assurance and to hold MoJ Estates to account.

7. Safety Update – Jenny Rees

JR gave a verbal update on the current position. In addition to the work that they have been covering in the Safety Programme, they have developed a recovery workstream which focuses on staff capability and wellbeing. JR also confirmed PAVA, and SPEAR training are restarting and are working with NTRG to get this up and running. Work on body worn video cameras continues. JR's team are now linking with SOCT on the work around staff safety.

With reference to ceramics and razors, Robin Eldridge has now left the team and unfortunately this work has not been picked up. However, as of yesterday, this position has now been filled and so work started on this will now be taken forward as a priority.

TUS will be updated at the regular meetings that will now be reinstated. KB asked if HS colleagues could be included in the meeting invites, please.

Action 87: JR to liaise with ER colleagues and reinstate the regular Safety Team/TU meetings.

8. POA and NTUS Items

NTUS Items

Band 4 Health and Safety specialist role steering group.

The banding of the Health and Safety Specialist was raised at the National Whitley in 2019 and a steering group put together. However, the pandemic started, and NTUS believe the issue was put aside. NTUS would like discussions about the job description to restart with a view to coming to a suitable agreement for PCS members who work in this area. IO confirmed that this did not stall because of Covid. IO confirmed that this work commenced in August 2019 and TU colleagues were invited to a meeting which was held in Leeds and was attended by POA colleagues only. IO did contact Chris Poyner after the meeting to confirm there were no NTUS colleagues in attendance. At the subsequent Whitley meeting, Chris Poyner asked members to contact IO if they required another meeting. No contact was made from NTUS colleagues and so the action was closed.

GG stated that although she was not involved with this issue at the time, she is currently involved with the JES team on a matter that does include the Band 4 and Band 8 Health & Safety roles and

they are looking at those JDs currently. It would be helpful if they could have support from this Committee in relation to this issue. AH confirmed this is a wider piece of work that is being undertaken in relation to the outcomes of the job evaluation review and suggested that, if a meeting takes place, a colleague from the JES team should also be invited. AH suggested Colin Bryant and Andy Heppell. KB agreed to write to Collin Bryan and cc in members of this committee to see whether the Whitley committee can offer any support in this process.

Action 88: KB agreed to write to Collin Bryan and cc in members of this committee to see whether the Whitley committee can offer any support in this process.

Governance Document.

NTUS stated that the above document, recently issued by Jason Sunley, to all Health and Safety staff is in their view unreasonable and is expecting duties to be carried out that do not comply with the current Band 8 and Band 4 Job descriptions. This document adds significant duties on which there have been no consultation with PCS.

IO confirmed that this document was created with the H&S community and was sent out to TU's for consultation before it was published. FT requested this document be withdrawn and reviewed again. KB suggested that FT be specific and highlight the parts of the governance document that he has received concerns about and then for a meeting to be set up to discuss this. FT said he will do tracked changes on the governance document and sent to IO's with comments. This can then be discussed at a dedicated meeting to address these issues.

Action 89: FT to send to IO tracked changes to the Governance Document highlighting the issues and concerns raised by PCS members. Once received a meeting will be set up to discuss the issues raised.

POA Items

- MSD risk assessments - JSi confirmed POA are happy with what is being done under the MSD and the engagement of a specialist in relation to utility belts.
- RIDDOR and COVID – JSi agreed that the issues outstanding relating to this have been responded to via letter outside of this meeting and that the POA will now consider their position.
- Violence in the Workplace – JSi was content with JR's update and POA look forward to the publication of the document around Staff Safety in the workplace and the reinstatement of the regular meetings.
- Health and Safety Visits – it was agreed that visits should restart as soon as it is safe to do so. POA have asked national executive for two prisons in each area who they would like to visit. They will share with KB once finalised and a decision will be made depending on the infection rates/number of prisons that are outbreak sites.
- Staff Covid Vaccine – POA have asked Phil Copple whether this was going to be mandatory for staff to have. POA are encouraging members to have the vaccine however there will be members who will not wish to be vaccinated. POA would like to know what is being done to (a) protect staff in the workplace and (b) what is going to be the reaction of the employer to POA members who have not had the vaccine. KB stated that she is not aware of any mandating in terms of the Covid vaccine for staff. Staff are being encouraged to log their vaccine status on SOP but again this is voluntary and is only to allow the organisation to see the level of protection available to help with decision making. AH confirmed that this will not be mandated or made compulsory, and there will be no link with vaccinated staff and the work we take forward.

Minutes of the Whitley Occupational Health, Safety and Fire Sub Committee Held on Tuesday 14th September 2021 Via Microsoft Teams

1. Introductions and Apologies for Absence

KB opened the meeting and thanked the membership for their attendance. Apologies were noted as above.

2. Minutes of the Last Meeting and Action Log

The draft minutes of the previous meeting were circulated to TUs for approval before final distribution to the meeting membership therefore a factual accuracy check of the previous minutes was not needed, and all agreed they were a true and accurate reflection of the meeting.

The action tracker was reviewed, updated, and agreed. The updated action tracker will be sent out with these minutes.

3. Covid 19 Update – Kathryn Ball

Mark Poole was unable to join the meeting to give an update however he did provide a written update which KB shared at the meeting. A copy of the update will be sent with the minutes.

Action 90: A copy of MPs update will be sent out with the minutes by JF.

The following issues were raised:

FT asked if we are now dropping the use of face coverings. A lengthy discussion ensued, and it was noted that the use of face coverings and FRSM's still remains in place, depending on the activity that is being undertaken. JSu commented that Stage 1 has 3 levels the most important being Workplace Risk Assessment which need to be monitored for changes in the risk factors in the local environment. It was agreed that the workshop currently being delivered by Mark Poole and Chris Gunderson to Governors regarding Stage 1 would also be useful to be delivered to TU's.

Action 91: KB to arrange for Mark Poole and Chris Gunderson to deliver the Stage 1 briefing which is currently being delivered to Governors to TU's.

DC commented that the update given needs to be prison and prison estate specific and not focus so heavily on the national picture. DC would like to see more graphs particularly around the outbreak sites which will give a clearer indication of what direction the prisons are going. Similarly, it would be helpful to see a map of where the hot spots are in relation to the prison estate. POA would like to see vaccination rates in graph format.

Action 92: KB to speak to MPo and ask for a more detailed update for the next meeting.

4. Updates from the OHSF Teams

Fire – the Fire Team paper was circulated prior to the meeting. PW talked through the headlines. The following questions were raised:

JSi discussed the domestic smoke detectors replacement programme and asked how many establishments, since the programme began, have gone from DSD's to In-Cell Fire Detection? AD confirmed he will investigate this further and report back to JSi on this.

Action 93: AD to confirm to TU's how many establishments have gone from DSDs to In-Cell Fire Detection.

IC stated that once the new version of Cedric is developed, he would like a demonstration of how it is applied ahead of any roll out to prisons AD confirmed that this can be arranged as the training manual will also need to be re-written so they will do this together before anything is re-rolled.

Action 94: Fire Team to ensure TUs are given a demonstration of how the new version of Cedric is applied ahead of any roll out to prisons.

DC commented on the failure of the Vape Pen trial and this continuing with a survey on how we can deal with this situation and how long the survey will take. AD explained that essentially the new product was inhalation only with no button however the prisoners simply snapped the pen in half, sucked paper through it and the fire started easily. AD confirmed that we have gone back to the supplier to see if there is any other alternative, but this is currently with the change team who are trialling a series of Vape pens. This is a work in progress, and everyone is aware that this is the most prevalent way of starting a fire in a prison.

DC also asked why there has been a reduction in the 28-day notice of inspection to 7 days. AD confirmed that we received a letter from the Chief Inspector of CPFSIG saying that historically they have always given 28 days notification but from 1st September we will only be given 7 days notification.

OH/EAP - the OH/EAP paper was circulated prior to the meeting. JG gave a brief overview of the paper. The following questions were raised:

In relation to over the phone OH referrals, FT asked if face to face appointments are available. JG stated that the reason they are not doing face-to-face OHA appointments as standard is because OHAs do not do a physical clinical examination. Initially they ask questions and assess you, based on what is said, which can be over the phone. If it is a complex case and/or an individual wants a face-to-face appointment for a particular reason, the line manager can discuss this with Optima Health and then a decision would be made. This is done on a case-by-case basis.

IC asked if OH are having any input into Personal RA for staff returning to work after a period of working from home. PW confirmed that OHAs can input to individual risk assessments if necessary and recommendations for Personal RA will be highlighted to line managers for vulnerable staff, as necessary.

CD asked for details of the reflective sessions that had taken place. JG agreed to send CD the data on the sessions.

Action 95: JG to send details of Reflective Sessions to Claire Dent.

JSi asked for data to be provided on the number of referrals made to OH over a 3-year period and include a breakdown of type of referral i.e., IHR, Medical Inefficiency or general OH.

Action 96: JG to provide data on the number of referrals made to OH over a 3-year period and include a breakdown of type of referral.

Psychoactive Substances Project – JN gave a verbal update and presented a summary of progress on Psychoactive Substances secondary exposure in prisons.

JN confirmed that he is due to circulate his next steps draft report to OHSF Sub Committee, POMC and HLT .

A discussion took place on the report and the overall feeling from POA colleagues was they did not accept the findings within this report and do not support it. Further discussions on this will take place with TUs in other forums however, at POA request, their feelings on the report are recorded here.

HS Data – the HS dashboard report was circulated prior to the meeting. This was not discussed in the meeting and members were requested to raise any questions arising from this report via email to Janine Fuller to ensure these are recorded in the minutes. At the time of writing these minutes, no questions or issues have been raised.

First Aid – Unfortunately Perry Rudd was unable to attend the meeting however an update submitted by Perry will be sent out via email. Any questions arising from this update should be sent to Janine Fuller to ensure these are recorded in the minutes. The update sent was as follows:

It has been agreed that the draft First Aid Policy and Assessment of needs is trialled in the following 7 sites:

Prison
HMP Exeter
HMP Coldingley
HMP Sudbury
HMP Risley
HMP I.O.W.
HMP Swaleside
HMP Wetherby

The pilot will run from 04th October 2021 to 10th January 2022.

At the time of writing these minutes, no questions or issues have been raised.

FM Delivery - Unfortunately Perry Rudd was unable to attend the meeting however an update submitted by Perry will be sent out via email. Any questions arising from this update should be sent to Janine Fuller to ensure these are recorded in the minutes. The update sent was as follows:

Work continues with the Next Generation Team; this has focused on the specification to ensure legislation compliance and has looked at the required competencies and the direct Roles and Responsibilities for future FM Providers.

The areas that have been covered:

- Asbestos
- Gas Management
- High Voltage
- Water Management
- Fire

At the time of writing these minutes, no questions or issues have been raised.

5. Utility Vests/Carrying Aid Project – Julie Kenney

As part of the Carrying Aid Project a visit to Swinfen hall took place on the 23rd of August. The purpose of the visit was to enable the Optima Clinical operations lead (MSK) involved in the project to speak with a range of operational staff and to also observe them in the workplace.

To capture input from staff working in a range of prisons, six prisons have been invited to take part in 10 minutes interviews with the Optima Clinical operations lead (MSK) have been arranged for the 16th of Sept.

There will be some standard questions such as:

- What type of utility belt are you wearing i.e., nylon, leather?
- What items do you carry on your belt?
- What is the most frequent item you use on your belt?
- Have you used any other carrying aids besides the utility belt?

These questions will then be followed by open ended questions, as all staff may have different issues/concerns etc.

Feedback will be collated and reported in the final project report as common themes across all responses.

JSi asked if the NEC representative for Swinfen Hall was invited to the visit? JK confirmed that the NEC representative was not invited but the Prisons Ambassador was present. JSi was aggrieved with this and would take this forward in another forum.

JSi stated that because this affects the Health & Safety of their members they are formally requesting a copy of the final project report as soon as it becomes available and wished for it to be recorded here that should we fail to make the report available to POA, they will be going forward on an employment tribunal on the failure to produce a report that affects the Health & Safety of their members. KB said the request was noted.

6. Safety Update – Jenny Rees (Kathryn Ball)

Unfortunately, Jenny Rees was unable to attend the meeting however an update submitted by Jenny will be sent out via email. Any questions arising from this update should be sent to Janine Fuller to ensure these are recorded in the minutes. The update sent was as follows:

The Safety team had a dedicated meeting with the POA on 17 August to discuss razors given the concerns raised at one of the regular safety meetings. The meeting was attended by the following POA colleagues: Andy Baxter, Dave Cook & Ian Carson.

A note of the meeting has been sent to the POA and several actions were agreed including that we will work with SOCT colleagues to discuss security and searching strategies relating to razors and that the Safety team will share the copies of the risk assessments that prisons have completed following Phil Copple's letter. The national team would join up with the national H&S team on this too and would continue to engage with the POA as the ceramics and razors work progressed via the usual regular meetings (NB – as you will be aware Paul Baker has already joined up with Julie on this). The team would also invite the lead (Paul Baker) for this work to attend any future meetings to discuss razors in more depth.

Andy Hewitt also attended the meeting with the POA.

At the time of writing these minutes, no questions or issues have been raised.

7. POA and NTUS Items

NTUS Items

Health Safety, Fire litigation Governance strategy - PCS have supplied the documents with their comments on but there does not seem to have been any response to that. This was discussed as part of the update to the action tracker.

Band 4 Regrading issue- whilst Kathryn Ball has written to the JES team offering assistance, nothing more seems to have been progressed. This was discussed as part of the update to the action tracker.

POA Items

Fire Contingency Exercises (Dave Cook) - 47 Establishments have completed Fire Contingency Exercises despite us previously being informed that there were only 12. The POA have concerns with HMPPS reporting on this and the fact that local Branches have not been involved in this. There are also concerns with the lack of Night-time Fire Contingency Exercise which have taken place. It was agreed that Dave Cook would have a separate meeting with Andy Davies on this and will report back to this meeting.

Action 97: Dave Cook and Andy Davies/Mark Simpson to hold a meeting to discuss Day/Night Fire Contingency Exercises concerns and report back to the meeting on this.

Violence Policy for Staff (Joe Simpson) - The POA believe the current safety policy does not give enough information to staff as to how the employer will protect them in the workplace and the POA would like a separate policy for staff.

GG stated that this is something NTUS would also be very interested in seeing a dedicated policy put in place. It was agreed that this would be shared with the Safety Programme, for them to note, via these minutes.

Action 98: JR to flag to Safety Programme colleagues the TUS support for a separate violence reduction/staff safety policy for staff.

Removal of all Razor Blades from Prisons (Joe Simpson) – Whilst POA appreciate that this issue is being dealt with in another forum, JSi feels that because this issue is not being discussed here, this issue is losing momentum. Razor Blades play a small part in the issue that our prisons face with bladed weapons however POA feel this is an item that can easily be removed or restricted. POA are looking for an assurance from the employer that this matter is going to be dealt with as a matter of urgency. JSi asked for an agreed response on what action is going to be taken on the removal of all razor blades from prisons within 6 weeks from the date of this meeting. KB noted that she had received a letter from JSi regarding this and that she would be liaising with the Safety Team and responding in due course.

Minutes of the Whitley Occupational Health, Safety and Fire Sub Committee Held on Tuesday 14th December 2021 Via Microsoft Teams

Attendees Official Side:

Kathryn Ball (KB)	Head of Occupational Health, Safety & Fire (Chair)
Janine Fuller (JF)	HMPPS Secretariat
Ian Oakes (IO)	HMPPS HSF&L Lead (North)
Jim Noonan (JN)	HMPPS National Lead - Health & Safety
Andy Hewitt (AH)	HMPPS Employee Relations
Jo Gordon (JG)	OH & EAP Representative
Jason Sunley (JSu)	HMPPS HSF&L Lead (South)
Julie Kenney (JK)	HMPPS Senior Health & Safety Advisor
Andy Davies (AD)	HMPPS Senior Fire Safety Advisor
Perry Rudd (PR)	HMPPS H&S
Collin Bryan (CB)	Guest Speaker - HMPPS JES Team Lead

Attendees Trade Union Side:

Joe Simpson (JSi)	POA DGS
Dave Cook (DC)	POA NEC
Ian Carson (IC)	POA NEC
Geoff Willetts (GW)	POA NEC
Ginnette Gantschuk (GG)	NTUS Chair
Dave Vickers (DV)	NTUS Joint Secretary
Peter Kenyon-Brodie (PKB)	PCS
Francesco Cavaliere (FC)	PCS
Claire Dent (CD)	Prospect
Farhi Taherinia (FT)	PCS

Apologies:

Pete Collingwood (PC)	HSE Prison Lead
Mark Simpson (MS)	HMPPS Fire Safety Lead
Phillip West (PW)	HMPPS Fire Safety Advisor
Mark Poole (MPo)	HMPPS Principal Advisor (Covid 19)
Jenny Rees (JR)	Guest Speaker
Jackie Marshall (JM)	POA NEC
Niall McCormick (NM)	FDA
Kev Newton (KN)	PCS
David Anderson (DA)	Prospect
Mick Pimblett (MPi)	POA FTO
Dave Kirby (DK)	PCS
Steven Littlewood	FDA
Caren Evans (CE)	Unite the Unions

1. Introductions and Apologies for Absence

KB opened the meeting and thanked the membership for their attendance. Apologies were noted as above. A variation to the agenda was agreed and for the purpose of these minutes we will record them as per the variation.

2. Minutes of the Last Meeting and Action Log

The draft minutes of the previous meeting were circulated to TUs for approval before final distribution to the meeting membership therefore a factual accuracy check of the previous minutes was not needed, and all agreed they were a true and accurate reflection of the meeting.

The action tracker was reviewed, updated, and agreed. The updated action tracker will be sent out with these minutes. The following points were noted:

In relation to Action 87, it was agreed to close this however for the purpose of these minutes, it is noted that POA colleagues commented Safety Meetings are only based on prisoner statistics. Staff safety should be discussed at the Whitley OHS&F Meeting with Jenny Rees or a member of her team in attendance. It was agreed that it would be noted this is the second meeting Jenny Rees has been invited to but not attended. KB will follow this up with Jenny Rees.

Action 99: KB to follow up with Jenny Rees regular attendance requirement at this meeting by either herself or a member of her team.

In relation to Action 89, it was agreed this action could now be closed however, for the purpose of these minutes, it is noted that NTUS colleagues reserve the right to reopen this action after the review of the Governance Strategy in 2022 should the need arise.

3. BAS HSF Advisor Role Assurance Proposal – Collin Bryan

CB gave a verbal update on the current position regarding this BAS HSF Advisor Role review. It was agreed that the JES Team would carry out an independent review on behalf of the directorate by way of assurance. This process involves talking to job holders via discussions groups and includes conversations around whether the JD is fit for purpose. Part of the process includes reporting their findings to a specific group or groups. The assurance visits will start in late January 2022 across all prisons and HQ and where possible focus groups will also be held.

FT stated that the post has changed considerably and there have been lots of complaints from members. JD version 7 is now in circulation where most post holders have only seen version 2. FT confirmed that Terms of Reference are required by NTUS for this process and that full consultation with TU's should take place for all changes to JD's. IO and CB confirmed that even small changes are subject to version control, and it was noted that the changes made are more housekeeping rather than changes to the role for example, one version change was NOMS to HMPPS. Another was DDC's to PGD's. There was another when the structure moved from the DDC structure to the Executive Director structure and so wording was changed, and the final change was success profiles were added to the JD's. All of these are very minor changes and reflect organisational changes rather than changes to the role itself. Every revision has been completed in close consultation with CB and it was confirmed that no consultation was required due to the nature of the changes. FT stated that he did not agree with this and there should be consultation with TU's. IO reiterated again that despite previous attempts to engage with NTUS colleagues on this in the form of meetings, no representatives from NTUS have attended the meetings.

The actions from this discussion were agreed as follows:

Action 100: Standard Terms of Reference to be drafted by Collin Bryan. This will be a 6-month review and representatives should include KB, IO and JS and TU's colleagues. ToR to reflect that this review will be progressed through the JES meetings and updates will be provided to this meeting. Start date proposed for January 2022.

Action 101: IO and JS to set up Band 4 focus groups of between 6 and 12 members. North and South Business Support Teams to liaise with Collin Bryan on this.

4. Safety Update (Paper provided by Jenny Rees)

Unfortunately, Jenny Rees was unable to attend the meeting however the report was circulated to the meeting membership ahead of the meeting. Questions and issues arising from the paper were noted as follows:

- JSi requested a plan from HMPSS on how they are going to roll out PAVA and Rigid Bar handcuffs along with the SPEAR training for POA members as it is imperative that this training is undertaken. POA would like to also know when this training is due to commence and when it will be completed .

Action 102: Jenny Rees to provide POA colleagues with information on how they are going to roll out PAVA, Rigid Bar Handcuff and SPEAR training along with when this training is due to take place and when it will be completed.

- DC stated that he does not accept the report that has been produced for this meeting as there are several areas within this report that causes the POA some concern that need further discussion and it was agreed that these concerns should be discussed at a regular meeting which is dedicated to staff safety. It was agreed that KB will write to Andy Rogers to ask him to commit to sending a representative to every meeting going forward with Staff Safety remaining on the agenda with a written update provided for each meeting.

Action 103: KB to write to Andy Rogers to ask him to commit to sending a representative to every meeting going forward and producing a written update on Staff Safety in advance of each meeting.

- DC raised the issue with Razors and the issues with the pilot sites and it was agreed that Paul Baker who is leading on the razor pilot would be invited to attend the next meeting to give an update on the razor pilot.

Action 104: KB to write to Paul Baker and invite him to attend the next meeting to give an update on the razor pilot.

5. Carrying Aids Project Update – Julie Kenney

JK has been giving regular updates to TU colleagues and gave a further verbal update concerning the report. It was agreed that the report was due to be presented at the beginning of December however this was cancelled due to the report writer being unavailable due to ill health. This meeting will be rearranged for the beginning of January 2022. No issues or actions were raised on this matter.

6. Covid 19 Update – Kathryn Ball

Mark Poole was unable to join the meeting to give an update however he did provide a written report which was circulated prior to the meeting. KB talked through the data which was up to November 2021 however it was noted that Gold Comms issued a statement end of last week (10th December) which confirmed we will be staying in the National Framework.

IC raised the issue with Risk Assessments for vulnerable staff and the ability of those people writing these reports is in the main unacceptable.

IC also raised the issue of Prisons not being RAG rated in terms of high usage areas for PPE and vulnerable areas and suggested a location-based risk identification model. JN suggested he and

IC have a further discussion on this.

Action 105: JN and IC to meet to discuss a location-based risk identification model for Prison RAG rating in relation to Covid 19.

JSi raised the issue of Influenza getting into our prisons and the possibility of giving Tamiflu medication to our pregnant staff and nursing mothers and it is unclear as to who the “practitioner” is. JG confirmed that Tamiflu is only given to staff and there is a certain criteria that can have this. If there was an outbreak in the prison, whoever fitted the Tamiflu criteria they would contact the OH Tamiflu line who would speak to a Tamiflu clinician who would ascertain if they fit the criteria and then they would be issued with the medication. JG to send this information out with these minutes.

Action 106: JG to provide Tamiflu medication process to the meeting membership.

7. HSE Priorities & Update – Pete Collingwood

Unfortunately, PC was unable to attend the meeting.

8. Updates from the OHSF Teams

Fire – the Fire Team paper was circulated prior to the meeting. DC raised the issue on the fire contingency figures at 48% for day contingencies and 46% for evening which means less than 50% of our establishments have carried out their requirements of the fire contingencies over the last 12 months which is a serious concern to POA. AD confirmed this is a rolling figure over a 12-month period.

JSi discussed whether the domestic smoke detectors would be replaced as some of them had been in place for many years and may be passed their expiry date. AD explained that detectors should be replaced regularly as and when they are damaged or for other reasons, as necessary. As automatic fire detection systems are installed DSDs will be removed. The fire safety improvement programme runs for a 10-year period so, if the programme runs as planned, DSDs should all be replaced within that 10-year period. JS asked if the number of cells covered by DSDs could be included in the Fire report.

Action 107: AD/MS to include information on the number of cells covered by Domestic Smoke Detector in the Fire Report.

OH/EAP - the OH/EAP paper was circulated prior to the meeting. JSi commented on the “Reach out Save Lives” campaign and noted that it does not have any union colleagues involved. JSi would like to be involved with this project. JG confirmed Caroline Sheldon is leading on this and will ask her to get in contact with POA and NTUS.

Action 108: JG to ask Caroline Sheldon to contact POA and NTUS colleagues regarding involvement in the “Reach Out Save Lives” campaign.

Psychoactive Substances Project – JN gave a verbal update and presented a summary of progress on Psychoactive Substances secondary exposure in prisons. Figures have remained flat and very low compared to previous years. JSi confirmed POA are looking forward to working on the next chapter of this with JN and his team.

HS Data – the HS dashboard report was circulated prior to the meeting. JSi raised a question around the Manual Handling data and asked for clarification on this as it is confusing. JN to check

this.

Action 109: JN to check the data on Manual Handling for December's report as it would appear there is a figure missing and it is confusing and unclear.

First Aid – the First Aid paper was circulated prior to the meeting. DC raised a concern that out of the 10 pilot sites, 2 were deemed to not have any First Aid Coordinators (FAC) in place. PR confirmed that the issue of FAC is being addressed.. It currently stands at only 1 establishment is now without a FAC which is Swaleside and is due to long term sickness.

FM Delivery – Perry Rudd confirmed that NGFM meetings have been suspended whilst the approach is being reviewed. This is now being led by MoJ PS rather than HMPPS. The meetings are expected to recommence in the New Year.

9. POA and NTUS Items

NTUS Items

BAS4 specialist re-grading proposal- PCS

This was covered in Item 3 above.

Governance document issues / anomalies-PCS

Meeting to discuss this took place on 7th December 2021.

Band 4 Specialist Job description V.7-PCS

This was covered in Item 3 above.

Arrangements for increased footfall in HMPPS Buildings- PCS

This was superseded by the announcement by the Government recently regarding working from home.

POA Items

- PAVA – Update required on how many establish have PAVA. This was covered in Item 4 above.
- Rigid bar handcuffs - Update required on how many establishments have rigid bar handcuffs. Covered in Item 4 above.
- C&R training – what is the percentage for each prison for C&R training. This is being dealt with by Andy Hewitt who is waiting on some dates from Glen Knight.
- Violence in the workplace - Staff Policy – Update on producing the policy. Covered in Item 4 above.
- Issuing of Razors – Are you going to remove razors? Covered in Item 4 above.
- Equipment Vest/ Carrying Aid – Covered in Item 5 above
- Health and Safety Visits – When will this resume? It was agreed to defer this to the next meeting

- First Aid Policy - Pilot Scheme – Update - Covered in Item 8 Above
- Conveyancing Policy Framework V1.6
The requirement to have a “Radiation Protection Supervisor on duty at all times.”
Also, The Radiation Protection Advisor – establishment or Area Resource?

JK confirmed that she has looked at the Conveyancing Policy and confirmed that the RPA is a contracted service and is covered nationally.

JK confirmed that the RPS role is not required 24/7. JK will respond to POA on this policy and all the issues raised.

Action 110: JK to write to POA colleagues on the issues raised around the Conveyancing Policy Framework V1.6 and what this means for its members.

8. Date and time of next meeting

The date of the next meeting was agreed as Friday 25th March 2022 at 11am.

There being no further business to discuss, the meeting ended.

EQUALITIES

Equalities Sub Whitley Annual Report 1/1/19 – 31/12/21

Introduction

Since the last POA Conference in 2019, the POA has worked hard on your behalf to support those with protected characteristics covered by the Equality Act. The Covid pandemic has been a challenging time for our members, particularly for those with protected characteristics, during which the POA has sought to ensure that the Employer afforded our members the right amount of protection.

- The POA has negotiated both collectively and on behalf of individuals with protected characteristics, primarily impacting upon our disabled members, those with caring responsibilities, those with a disability and pregnant workers. The POA negotiated with the Employer so that members would not be required to work in a front-line position and would continue to receive full payment.
- During this period, racism and its impact have come to the fore, with the Black Lives Matter campaign gaining momentum. The POA received a number of concerns from black members regarding their treatment by colleagues and the Employer. In response to this, the POA has made it clear to the Employer that the POA would deal with members who behaved in a racist manner, including racist statements on social media, under the rules of the POA which allow the POA to expel members where required, and called on the Employer to act accordingly using the disciplinary code of conduct. The POA, in the spirit of partnership, has publicly made joint statements at the highest level [General Secretary/Chair and DGS] with the Employer making it clear that there is no place for racist behaviour in HMPPS or the POA.
- The POA has challenged the Employer on fitness testing and the unequal impact that this has on women members due to the menopause, and has repeatedly requested Equality Impact Assessments. The Employer has repeatedly been challenged to ensure that women members are not discriminated against in respect of the fitness test and the Union, as per Conference Policy, is working to have the fitness test abolished and replaced with a well-being test, as occurs in Scotland.
- The POA is committed to supporting female members returning from having a child, ensuring that they receive the appropriate support, training and flexible working arrangements. The success of this varies between establishments and is dependent on individual governors accepting that it meets the business case. It is only in the past few months that, due to poor recruitment and retention rates, the Employer is looking to accommodate those who require flexible/part-time working in terms of recruiting part-time workers and enabling part-time POELT courses in close proximity to the prison where new recruits are expected to work [Pilots Portland/Wayland and latterly Onley]. The POA, while supporting these initiatives, continues to make it clear that these must not be at the expense of current members, both in terms of those who have requested and been refused flexible working and ensuring that full-time staff do not end up working less-popular shifts to accommodate part-time/flexible working of other members.
- The POA also works to ensure that members are not discriminated against in terms of age, and this work has focused on ensuring that members approaching retirement age are enabled to do so by supporting members who wish to take the option of flexible working and ensuring that they are able to access their pension at the best time and in the best possible way. [Phased Retirement/legal action against the Employer in attacks on current pension arrangements]. In terms of young members, this is an area of development for the POA in terms of the recruitment and engagement of young members and increasing their presence on local committees.
- The POA continues to support disabled members, including those who acquire a disability during their employment, whether mental or physical. The Employer

continually requires holding to account under the Equality Act as our disabled members face resistance to obtaining reasonable adjustments [shift patterns, reduced hours, or re-location/re-deployment as examples] in the workplace to enable them to continue working for as long as they are able to do so. The POA also supports members in exiting the organisation with the best possible package should they not be able to continue to work. In supporting disabled workers, what is evident is that individual establishments can refuse a member reasonable adjustment, which is illegal, with no consequences for either the establishment or the individual governor.

- The POA has a commitment to all those with protected characteristics and this includes our members who are LGBT plus. The Employer has a poor reputation in respect of these employees and, in light of the Plaistow case, the POA needs to reach out and support these members. In making small steps the POA accepted an invitation to have a stall at the first Bridlington Pride in 2020, which unfortunately had to be cancelled due to the pandemic. This is due to take place in 2022.

The POA whilst committed to Equality at a senior level and the existence of the Equality Consultative Group which historically has met regularly has not met since June 2019. The delivery of equality and representation at local committee level in consultation with members with protected characteristics is not as strong as the POA would like. The TUC has specific structures for women, BAEM, disabled and LGBT plus members, and many trade unions have member groups within their union who engage with the different TUC Committees in order to progress equality within their individual trade union. In enabling those members to play an active part in the trade union, the POA took the decision to support members to attend the 4 Equality Conferences this year.

Moving forward, consideration is being given to the establishment of a similar structure within the POA in order to progress engagement by women, black, disabled and LGBT plus members within the Union in order to ensure that their voices are heard within the POA and the wider trade union movement.

**Minutes of the POA Equalities Sub-Whitley Meeting Held on Monday 20 May 2019, 3 – 5pm
Room 8.29A, 102 Petty France**

Attendees

HMPPS

Francis Stuart (FS)	Head of Employee Relations (Chair)
Tanya Robinson (TR)	Head of Equalities and Lammy Delivery
Jessica Fairbairn (JF)	Head of Prison Equality
Wincen Lowe (WL) (Dial-In)	Staff Equalities Report Lead
AbdurRahmaan Anderson (AA)(Dial-In)	Senior Equality Manager
Nichola Turner (NT) (Dial-In)	Interim Pride in Prison and Probation (PiPP) Staff Network National Lead
Harsha Savani (HS)	People Diversity and Inclusion Manager
Horace Carter-Allen (HCA)	Senior BAME Staff Development Lead
Saima Rafiq (SR) (Dial-In)	BAME Workforce Resourcing Lead
Rob Pesci (RP)	ER Admin (Minutes)

POA

Dave Cook	NEC National Officer
Jackie Marshall (Dial-In)	NEC National Officer
Glyn Travis	FTO

Apologies

Kate Jones	Senior Equality Manager
Carol Wheeler	HR Policy Lead
Andy Hewitt	Senior Employee Relations Manager
Stephen Davies	Disability, Advocacy, Wellbeing Network (DAWN) National Lead
Florence Barwe	Senior BAME Staff Development Lead
Jamil Bostan	Senior BAME Staff Development Lead
Dave Todd	POA National Vice-Chair

1. Apologies for absence were received as set out above.
2. The Minutes of the last meeting held on 21 June 2018 were approved as a true record.

3. Matters Arising - Actions Log (Francis Stuart)

3.1 Concerning action 3.5, the Equalities Analysis on the Fitness Test, the Chair read out an update from Jim Fraser, HR Policy Lead for this work:

“As you are aware the Staff Fitness Testing Policy is currently being reviewed and updated. A draft updated policy and Equality Analysis was sent to the POA with an Annex A on 2 April 2019 and after a short agreed extension the HR Policy Team received the POA response on Friday 10 May. The HR Policy Team will be in touch with the POA to arrange a suitable date to discuss the POA concerns with the draft policy and the equality analysis.”

The POA felt that the policy was being imposed on them and that the data showed this Policy would impact women and staff between the ages of 55 – 68 negatively. Additionally, the POA wanted to know if it was HMPPS’ intention that this policy would cover all operational staff or would some groups be excluded?

Action: Jim Fraser to meet with the POA to discuss their Annex A response on the proposed updated Staff Fitness Test policy and within that discussion to respond to their particular assertion that the policy is disadvantageous to women (who are going through the menopause) and older staff (male and female) between the ages of 55 and 68).

Action: Jim Fraser to confirm to the POA whether all operational staff will be covered by the policy or whether some will be excluded.

3.2 Concerning closed action 3.2 on flexible working, the POA asked that there should be two forms in the Flexible Working PSI (and not one): one on Work-Life Balance and one on Flexible Working.

Action: Harsha Savani to follow-up with Ben Smith in MoJ HR the possibility of incorporating into the Flexible Working PSI two forms: one on Work Life Balance and one for Flexible Working. Ben to respond accordingly to the POA.

3.3 The POA asked that closed action 3.5 concerning Fitness Testing for Physical Education Instructors (PEIs) be marked as on-going.

Action: ER (Andy Hewitt) to follow-up progress on developments in the work on Fitness Testing for PEIs and particularly from an Equality perspective – e.g. the Equality Analysis and to update the POA and the action log accordingly.

3.4 HCA asked for clarification regarding what the change to the adjusted Fitness Test had been. The Chair confirmed that the walking treadmill test had replaced the bicycle.

Standing Agenda items

4. Equalities Update (Jessica Fairbairn)

4.1 JF advised the *Advancing Equality for Service Users* PSI was in its final stages and would hopefully be put out to Trade Union consultation in June. This would replace PSI 32/2011 *Ensuring Equality*. There were now four Senior BAME Staff Development Leads in place. Additionally, recruitment for Band 6 BAME Coaching Leads would launch in June. A National Equalities Lead event would happen on 18th June bringing together regional leads, establishment leads and other stakeholders for a best practice workshop.

4.2 JF advised the quarterly workforce statistics were being finalised by the Data Analysts. Data sets would be collated by HMPPS Equalities Team and reported internally every quarter.

4.3 The POA raised the issue of improving the numbers of BAME staff in establishments in parts of the country where there was less diversity among the population. They felt that while HMPPS had focussed on increasing numbers of Prison Officers they had lost sight of the gender and BAME aspect of this. Instead, HMPPS should consider a more targeted recruitment approach and perhaps offer incentives for BAME staff to relocate to establishments where representation was low. JF advised that the information packs on the workforce data would be provided to PGDs to show a breakdown of statistics by area. With this awareness HMPPS would be looking to address the BAME representation disparities moving forward and that this was part of the national strategy.

4.4 The Chair noted under Lammy recommendation 28 we had a target that 14% of those we recruit (in-line with the current 14% of the working population) should be of BAME ethnicity. While the high levels of Prison Officer recruitment had in the short-term helped meet this target, as recruitment returned to normal levels we were seeing the 14% figure reduce meaning that we would need to look afresh at what more we could do to attract BAME members of the public to HMPPS. The Chair added that we would be looking at recruitment and development good practice across the regions, in the National Probation Service (NPS), Local Government (Bristol City Council) and the Private Sector (Unilever). AA added that the Equalities Team were working with HR to improve BAME staff representation where it was needed but that it would take time to be able to show we could consistently maintain the 14% figure then improve on it.

4.5 JF advised that in-relation to the Talent Pipeline, declaration rates on HMPPS systems were low and we were looking at improving these. HCA thought that a discussion with the POA on this subject would be welcome. One of the issues was that initial declarations did not transfer automatically to the SOP system therefore staff had to repeat this action and inevitably the numbers reduced. The Chair thought the POA had a role to play encouraging staff to declare but the POA felt that this should not just be a tick-box exercise. They pointed out that HMPPS could do more to keep in-touch with BAME applicants who dropped out of the process as it progressed and entice them back. Additionally, they thought HMPPS needed to work on improving senior BAME representation as this would give Prison Officers the managers and leaders to look up to. The Chair pointed out that Caroline McLean, leading on the recruitment and retention programme, did adjust the recruitment process to capture those who dropped out from the process. JF advised that an independent review of the assessment process was due for Governor and Deputy Governor Recruitment as there were no successes from HMPPS BAME staff even in the London region (where BAME staff representation is much higher). HS pointed out that this was a Civil

Service-wide issue and not just in HMPPS.

4.6 JF advised that as part of the Gypsies, Travellers and Roma Action Plan, the third stakeholder meeting would take place in June. JF also mentioned the launch of the Workplace Adjustments Passport. The POA were aware of this and wanted to thank those in the organisation who had worked on this – they considered it an excellent piece of work.

5. Staff Networks Update (Nichola Turner)

5.1 NT said that Fari Taherinia had become the new National Lead for the Racial Inclusion and Striving for Equality (RISE) Network replacing Craig Simpson in this role. NT advised that the National Network Leads would meet in the near future to discuss how they would move forward together. Additionally, there would be workshops where the Network Leads would pair-up with HRBPs. The POA were already part of the Equalities Committee and NT thought that their involvement had been valuable – their support in the POA *Gate Lodge* magazine had been very welcome.

5.2 The POA mentioned what they saw as the confusion in HMPPS' policy over what titles staff should use (Miss, Ms, Mrs, Mr etc) when addressing Transgender Prisoners. The guidelines needed to be consistent across the estate, e.g. the policy must match the guidelines from top down and vice versa. NT advised that there was a draft Transgender Policy being produced and the POA could feedback their concerns through the consultation process to Kate Jones, the Senior Equality Manager leading on this work.

Action: Nichola Turner to send ER Team the Transgender Toolkit for forwarding on to the POA.

6. Fitness Test update (Francis Stuart). This standing item and POA item 9, *Fitness Testing, Equality Impact Assessments*, were covered at item 3.1 above.

HMPPS items to raise

7. Annual Staff Equalities Report 2017/18, Lammy Review, Equalities Strategy (Tanya Robinson and Wincen Lowe)

7.1 WL advised that the Annual Staff Equalities Report was published in November 2018 with a focus on protected characteristics for staff in-post, joiners, leavers, grievance or conduct cases and absences. The tables in this report covered operational grades and 2016/17 data was included for comparison. It should be noted that the joiners' information related to the information on SOP but the recruitment annex of the quarterly HMPPS Workforce Bulletin presented information on Prison Officer recruitment using Oleo data which had much higher declaration rates.

Action: ER Team to send a copy of the Annual Staff Equalities Report 2017/18 (published on Gov.UK website) to the POA.

7.2 The Chair pointed out that the report highlighted important issues, for example, the disparity in performance markings for BAME and Disabled staff compared to other staff: BAME and Disabled staff received the highest proportion of "Must Improve" markings. The POA suggested that this was also down to a policy of guided distribution where only a certain number of staff could achieve the higher box markings. TR said she was gathering performance markings data at mid-year and end-year and this would be sent to PGDs as part of the information packs on the latest workforce statistics to give them a better understanding of this issue and what needed addressing. PGDs

had developed an Equality Strategy for each of their areas but as this was the first year of this work we were only in the early stages of progress.

7.3 TR referred back to the POA idea of incentivising BAME staff to work in regions of poor representation. There was some legal consideration to take into account – this could be considered discriminatory to other staff who might also wish to avail themselves of such incentives. Government Legal Department were considering the issues and HMPPS was meeting with the Metropolitan Police to consider how they approach this with their staff. HCA reiterated the importance of considering regional placements as part of a wider national strategy. The messaging of any such strategy needed to be absolutely right highlighting the benefits to all staff of such an approach given the probable resistance. TR pointed out that white staff that her team had spoken to staff at Newbold Revel who had said they would feel negatively impacted. The POA cited “RESPECT” as a good example of an approach that was resisted in some quarters when launched but was now embraced across HMPPS.

8. Introduction of the new Senior BAME Staff Development Leads (Harsha Savani)

8.1 HS advised that the new Leads would be embedded with the most senior staff across the organisation and would have access to PGDs, Heads of Local Delivery Units and the Agency Board. Craig Simpson had been allocated to PSP North and High Security Manchester, Peninah Achieng-Kinberg to PSP South and YCS Bristol, Jamil Bostan to National Probation Service and Horace Carter-Allen to HQ and Wales.

8.2 The POA asked for introductory meetings with the new Leads. They also offered to invite them to attend their Trade Union conferences concerning the issues discussed in 7.3 above.

Action: Harsha Savani to supply contact details for the new Senior BAME Staff Development Leads for ER Team to organise a meeting to seek POA support in encouraging their members to complete their personal ethnicity declaration and further views on targeted recruitment issues. The POA would then also be able to advise their members about these new roles.

POA items to raise

9. Fitness Testing, Equality Analysis. This item was covered at item 3.1 above.

10. Period Poverty

10.1 This concerned a lack of access in Establishments to sanitary products, washing facilities and waste management for female staff. The POA advised that the TUC had signed up to a national campaign to tackle Period Poverty. The POA had found that female staff in establishments thought that facilities were poor and that the employer should provide free sanitation and improve the accessibility of facilities across the estate. JF thought this might be an issue for the Equalities Action Plans.

Action: The Chair requested the POA write to Priscilla Wong, National Lead, Occupational Health and Employee Assistance Programme, concerning the issue of Period Poverty in HMPPS. The letter should also be copied to Kathryn Ball, Head of Occupational Health, Safety and Fire and Jessica Fairbairn, Head of Prison Equality.

11. Race at Work Charter

11.1 The POA provided the Chair with a copy of the Charter at the meeting. The Charter promoted

Equality and Diversity in the workplace. HS advised that she was aware of this Charter through her role as Non-Executive Director of the Civil Service Race Forum. She confirmed that the Civil Service supported this Charter and that the MoJ were already signed up to this.

Action: Dave Todd, Vice-Chair of the POA, to write to Francis Stuart, Head of HMPPS Employee Relations with details concerning the Race at Work Charter and would like the employer to sign-up to this. On receipt of this, HMPPS would consider.

Any Other Business

12. The Menopause

12.1 The POA asked if HMPPS had a national policy on the Menopause and how we treated our staff. The idea was triggered by the recent BBC campaign to raise awareness. Some Governors overlooked the issue and some staff might have difficulty talking about it. The POA thought a policy / awareness programme was required. JF thought that perhaps this could be linked to any work around Period Poverty and perhaps a wider strategy.

Action: The POA to add to their letter on Period Poverty to Priscilla Wong their suggestion that consideration should be given to a policy, strategy and or awareness programme on the menopause.

The meeting ended. The next meeting takes place on 9th September 2019 between 2 – 4pm in 102 Petty France.

Minutes of the POA Equalities Sub-Whitley Meeting Held on Monday 30th Sept 2019, 1 – 3pm Room 1.19, Southern House, Croydon

Attendees

HMPPS

Francis Stuart (FS)*	Head of Employee Relations (Chair)
Jessica Fairbairn (JF)	Head of Prison Equality
Stephen Davies (SD)*	Disability, Advocacy, Wellbeing Network (DAWN) National Lead
Fari Taherinia (FT)*	Racial Inclusion & Striving for Equality (RISE) Staff Network People Diversity and Inclusion Manager
Harsha Savani (HS)	Staff Equalities Report Lead
Wincen Lowe (WL)*	Senior BAME Staff Development Lead
Peninah Achieng-Kindberg (PA)*	Senior BAME Staff Development Lead
Horace Carter-Allen (HCA)	BAME Recruitment and Progression Lead
Saima Rafiq (SR)*	Senior BAME Staff Development Lead
Craig Simpson (CS)*	Senior Employee Relations Lead
Andy Hewitt (AH)	Employee Relations Support (Minutes)
Rob Pesci (RP)	

*These attendees dialled-in

POA

Joe Simpson	POA Deputy General Secretary
Dave Cook	NEC National Officer
Jackie Marshall	NEC National Officer

Apologies

AbdurRahmaan Anderson

Jim Fraser

Nichola Turner

Jamil Bostan

Senior Equality Manager

HR Policy Lead

Pride in Prison and Probation (PiPP) Staff Network National Lead

Senior BAME Staff Development Lead

4. Apologies for absence were received as set out above.

Action: It was agreed that a meeting should take place to introduce Nichola Turner, the PiPP Staff Network National Lead to the POA.

5. The Minutes of the last meeting held on 20th May 2019 were approved as a true record.

6. Matters Arising - Actions Log (Andy Hewitt)

3.1 Concerning action 3.3, where HMPPS had provided a progress update, the POA questioned why PEIs needed to be tested for fitness (particularly in-light of the increase to pension age) when it was their knowledge that they were employed for. They felt that this fed into a wider debate around an aging workforce.

Action: We agreed to forward the POA enquiry about why PEIs need to be tested for fitness in the same way as prison officers, particularly in-light of the pension age, to Daniel Cooper to consider whether an Equality Analysis for PEIs was required (as these have a separate standard of fitness level to Prison Officers).

Action: Separately, we would also consider the POA request that there should be an age cap for advanced C&R training and for Dog Handlers. Any such consideration would involve Fari Taherinia (RISE), Diane Caddle (Acting Executive Director, Safety and Rehabilitation) and Mark Adam (Director of HR Operations – MoJ).

3.2 Concerning action 8.2, it was clarified that a meeting should be organised between the POA NEC, the Senior BAME Leads and the BAME Recruitment and Progression Lead to discuss engagement for the future and declaration rates. This meeting would also involve staff networks.

3.3 The POA were concerned over the Socio-Economic Background Survey on SOP because they had not seen this before it went live. AH clarified that this was a Civil Service-wide survey therefore HMPPS had no control over publication. However, we would investigate whether or not the survey was compulsory.

Action: AH to ascertain if the Socio-Economic Background Survey on SOP was compulsory to complete for all HMPPS staff and feed this back to the POA.

3.4 Concerning actions 10.1 (period poverty) and 12.1 (menopause), it was confirmed that an initial meeting was due to happen on 1st October between Phil Copple, Sarah McKnight, Steve Gillan and Mark Fairhurst to discuss issues that affect Women in the Workplace. This meeting would feed into the the CEO and Board. It was confirmed that Phil Copple was now Gender Co-Champion. The outcomes from the above meeting would be discussed through the Equalities Sub-Whitley. The Chair made the point that work around these issues was still in its early stages but acknowledged the importance of following-up on 10.1 and 12.1 as mentioned above.

3.5 Related to above, the Chair was able to confirm recent statistics that out of the 20,000 staff who took the Fitness Test, 21 of them had failed it three times and therefore had to be re-graded (or lost their job). 16 of these staff were women which was considered a disproportionate number.

Action: Francis Stuart to raise the issue of women being disproportionately affected by the Fitness Test with Jim Fraser who is Policy Lead for this area. Andy Hewitt advised that Jim was considering the issue as part of the Equality Analysis work.

3.6 HS advised on action 11.1 (Race at Work Charter) that a meeting with MoJ was happening this week to discuss a seamless process between MoJ and HMPPS considering the possibility of HMPPS signing-up to this Charter. An update would be provided to the POA at the next meeting.

Standing Agenda Items

4 Equalities Update (Jessica Fairbairn)

4.1 JF advised that BAME candidates made up 21.1% of all Prison Officer Applicants, and 12.7% of formal offers accepted between July 2017 and June 2019, up from 11.8% between April 2017 and March 2019. To support BAME staff to progress into more senior roles, HMPPS launched a new coaching programme in June. Of those applicants successful in securing a place on the Senior Leadership Programme, 33.3% were BAME and 67% Female. Additionally, the most recent Unlocked Graduate Cohort benefitted from 18% BAME representation, 73% female, 6% declared disabled, 11% Lesbian, Gay and Bisexual. Concerning SOP declaration rates, HMPPS had reached all of our 2020 target rates by end of June 2019.

4.2 The POA asked why the statistics above remained low and wondered if HMPPS was comparing its rates alongside the diversity statistics of other uniformed services. JF said to her knowledge across the last six months she had been in post we had not. FT agreed that we needed to continue to improve our outreach and that the Lammy Review work was helping with this. On the question from the POA about whether HMPPS had attrition data, WL advised that we would have to extract BAME leaving rates from data held in-order to get this.

4.3 The POA questioned the two thirds success rate of female staff in the recent selection of Senior Leaders. JF confirmed there was no targeting of staff and that the selection process was carried out "blind" therefore successful candidates were simply the strongest ones. JF noted the success rates of females on the scheme was in line with the percentage of females that applied. It may have been however that a larger percentage of applicants had come from the National Probation Service (NPS) which traditionally employed more women. The Chair reminded the meeting that women remained under-represented in senior positions of the Prison Service.

4.4 JF mentioned that the size and capacity of the Equalities Team had reduced temporarily due to staff being drafted to EU Exit departments. The Team had recently completed an Equalities Infrastructure exercise across HMPPS so were now more aware of everyone working on Equalities issues across the estate. There would be quarterly events in PSP north and south to provide guidance and support to prison staff: the first event took place in Kirkham with the next event was taking place in High Down. A digital directory had been set up to share best practice.

4.5 An update of PSI 2011/32 (*Ensuring Equality*) was in progress with a first draft of the policy framework expected in 2020. This had been due for consultation in early 2020 however this work had been delayed due to staff moving to EU Exit departments. JF would update unions on timescales accordingly.

4.6 JF advised the readiness assessments for PAVA now included assurance on the monitoring and addressing of disproportionality in Use of Force. The context for this was that in the past there had been a legal challenge regarding the Equalities Analysis in place for PAVA. Therefore seeking all suitable assurances through the readiness assessments would smooth the PAVA rollout.

4.7 JF advised of the pilot work of the Climate Assessments, this work was modelled on similar done in MoD FS linked this to the new *Speaking Out* Cabinet Office campaign which had been launched in-order to give a voice to victims of discrimination and bullying. The POA expressed doubt in above given their view of the current Grievance policy which they felt was weighted toward the line manager. The Staff Networks advised that they had requested that grievances should not be put to line managers. The POA said it would be better to update the Grievance policy than introduce this *Speaking Out* campaign. The Chair made the point on the Grievance policy that the issue would be more about finding out how the policy was being applied locally rather than changing the policy itself.

Action: The POA asked who Prison Officers were able to approach regarding the “Speaking Out” campaign in order to receive support. They also asked to see a Terms of Reference concerning this Campaign.

4.8 JF advised that there were two ongoing Justice Select Committee inquiries considering the needs of older and younger prisoners respectively. The Equalities Team had fed in to both calls for evidence and were now awaiting any outcomes/recommendations. JF advised there was a new Fast Streamer in her team leading a year-long project on older prisoners which would link closely to any resultant recommendations from JSC older prisoners’ inquiry.

4.9 JF also advised that Nichola Turner was recently made permanent as the Pride in Prison and Probation (PiPP) National Lead.

5. Staff Networks Update (Fari Taherinia and Stephen Davies)

5.1 Nichola Turner sent her apologies and provided a written update concerning PiPP which is enclosed at Annex A to these minutes.

5.2 FT of RISE (BAME) network advised that they had started a dialogue with all unions involved in Prison and Probation for inter-sectional work. These unions were: PCS, NAPO and Unison. They had also requested dialogue with the POA and were awaiting their response. There were areas that RISE and the POA could work together more closely on than was currently the case. RISE was also developing some fundamental training packages for its officials and was speaking to L&D team to validate these. RISE diary engagement would be completed by December and they were currently working on National strategy plan.

5.3 FT mentioned that a development programme for all Staff Networks had been launched. Additionally, access to taking a Cambridge Master’s degree had been made available to BAME senior leaders. This was in conjunction with the university and it had now been passed on to Craig Simpson (Senior BAME Staff Development Lead).

5.4 SD advised that DAWN had been shortlisted for the *Outstanding Diversity Network Award 2019* by the organisation *Inclusive Companies* for its work on the Disability Passport led by Paul Meekin (NW Area Disability Lead) and local branches. Additionally, SD said he had completed the TUC Accessibility Audits training. He completed an audit at Kirkham with a report and recommendations that were well received by Governors there. SD thought that by DAWN taking this task on, they have been able to save HMPPS money. SD said that the network would like to see an update to the Fitness Test policy as it was not fair that staff who failed it three times were

either re-graded or lose their jobs: these staff should be able to take the adjusted test.

5.5 Please find enclosed at Annex B an interview with the Staff Network Leads for National Inclusion Week 2019.

6. Fitness Test (Jim Fraser)

6.1 As JF was unavailable to attend this meeting the Chair requested that a dedicated meeting between JF and the POA be organised to discuss the Fitness Test.

Action: A dedicated meeting between JF and the POA to be organised to discuss the Fitness Test.

HMPPS Items to raise

7. Lammy update (Harsha Savani)

7.1 HS confirmed Saima Rafiq, BAME Recruitment and Progression Lead, was taking the work forward on the Workforce resourcing for recommendation 28 of the Lammy Review (*The prison system should be expected to recruit in similar proportions to the country as a whole. Leaders of prisons with diverse prisoner populations should be held particularly responsible for achieving this when their performance is evaluated*). A number of stakeholder meetings had been held with Government Departments about sustaining and improving representation and recruitment. SR was also working with the Analytical Team regarding diverse interview panels, capturing applicants' experience of these panels and their views on how to improve the marketing of roles. A mapping exercise was taking place in 2020 to ensure the right recruitment initiatives were in-place.

7.2 Concerning recommendation 29 of the Lammy Review (*The prison service should set public targets for moving a cadre of BAME staff into leadership positions over the next five years*), the Senior BAME Development Leads had taken up posts on a two year secondment. Monthly forum meetings were organised by Lammy Accountable Officers to check progress on this. These Success measures had been developed to measure their progress and had been agreed by their Line Managers. Meetings with the CEO and other senior officials have happened and consideration was being given to the issue of low declaration rates and how these could be improved. Draft proposals had been submitted to Sarah McKnight about supporting career advancement for BAME staff. Additionally, BAME Leads were working with the Learning and Development teams to identify Talent and develop learning and development products. The BAME coaching programme launched in July by Jo Farrar would be evaluated to measure its success. We were working closely with HRBPs who were supporting the work on Lammy recommendations 28 and 29 regionally.

8. Women in the Workplace (Jessica Fairburn)

8.1 We discussed some elements of this above (paragraph 3.4). JF pointed out that work in this area was being led by Sarah McKnight (Women in the Workplace Group) and it might be worth inviting Sarah to a future Equalities Sub-Whitley meeting.

POA Items to raise

9. Menopause

9.1 This item was noted as per paragraph 3.4 above. Additionally, please see Annex C regarding

World Menopause Day.

10. Transgender policy – prisoners and staff

10.1 The POA were keen to see a policy concerning Transgender staff. HMPPS advised that the Security, Order and Counter Terrorism unit (SOCT) were working on a specific Searching policy. Jim Fraser, HR Policy Lead, was working on the overall Transgender Staff policy and that this might mirror that introduced by the MoJ. A meeting was already in-place with HMPPS (Francis Stuart, Jim Fraser, Stephen O'Connell, and the Unions) but that a further meeting should be arranged after that with the POA (Jackie Marshall) to discuss the issue. The POA made it clear that the POA would not accept any policy whereby a female prison officer would have to search a transgender woman with male genitalia.

Action: HMPPS to organise a meeting with the POA (through Carol Strahan of the POA) on Staff Transgender policy to include Jackie Marshall, Jim Fraser, Sue Roberts, Andy Hewitt, Harsha Savani and Nic Turner.

The meeting closed.

Annex A

Nichola Turner, Pride in Prison and Probation (PiPP) Staff Network National Lead sent her apologies (ref 5.1 in the above minutes) and provided the Staff Networks written update below:

- I started full-time in the PiPP national lead role on 02/09/19, there have been a couple of weeks where IT was an issue due to a quick release from HMP Leeds and refusal to allow me on site to use computer/phones there – this is due to ongoing issues with a SMT member there & a grievance submitted, POA national committee are aware of it (Ian Carson, Jackie Marshall)
- Within this month I've completed a Gender Identity toolkit for staff which will be getting released to all along with the Trans Policy Framework guidance and e-learning (which I helped produce too)
- I have had September visits booked in with; York Probation, Sheffield Probation, HMP Liverpool, HMP Stocken, attended 2 HMPPS Equality Sub Committee meetings and delivered Banter workshops to the Business Strategy & Change team and mixed PiPP/Spirit members groups at Birmingham's Office of the Public Guardian during inclusion week. On 26/09/2019 myself and PiPP exec members attended a LGBTI+ networks conference to look at building better, empowered and sustainable LGBTI+ networks, which was helpful and some really good advice and information was given by speakers and panel members.
- The reason I can't attend today is due to being at the PiPP national executive meeting, where we'll be discussing and (hopefully) ratifying the; new network ToR, 2020 communications plan, 2019-2021 network strategy, new area lead and local lead job descriptions and PiPP accountability documents I've wrote throughout this month to with an aim to bring consistency throughout the networks service delivery.
- Recently PiPP advertised all of the area lead roles out for interested members to express interest, as we do annually. There has been mixed results of this, 4 expressions came through from members, 2 were in areas where there were existing area leads (who are both going to be stepping down) and 2 came from areas where we have been struggling to recruit area leads for 18 months due to a lack of management support, in both of these cases the issue is again management support for facility time, I have emailed managers for both these individuals, HMP The Verne's governor has stated he can't support facility

time for a SWSC prisons area lead due to staffing, the manager of the individual in Midlands probation signed the SLA form but also wrote the following commentary on it “still seeking clarification of how much facility time exactly is needed - not 4-days a month” I have emailed this manager clarifying that it is 4 days a month facility time and offering to discuss the area role further with them, I have received no response as yet.

- Since the closing of the EoI period in which no elections were necessary due to sole candidates coming forward for roles, I have been informed by a further 2 executive members on the prisons side that they are having to step down from their area lead roles – one due to being loaned for Brexit and the other who has exhausted all options to try and change their governor’s decision to cease providing them with 4 days a month facility time for the area lead role to instead make them undertake band 6 equalities advisor work (they’re a band 3) in their equalities team for 4 days a month with that time instead.
- Recently the organisations prisons area boundaries have changed into 15 separate geographical regions and the probation regions are changing from 7 into 11, I’ve been mapping out these new regions in relation to the existing networks regions and have found that by realigning some of our boundaries for those areas we can still deliver network services using our 7 regions model, as well as scaling down the size of some regions which have been causing us problems, e.g. South East & East prisons on the current networks boundaries has 37 prisons in it and workplaces haven’t been happy about funding T&S for an area of that size, 8 of these are actually in the North & East Midlands, so putting them into the Midlands region (which is also in the PSP North area) brings them in line with the organisational boundaries and spreads prisons more equally across the regions. I’ve submitted a proposal to the EIOPG & fellow network leads to implement this change.

Kind regards,

Nic



Nic Turner [My pronouns are: they/them]

National Lead - **Pride In Prisons and Probation (P.I.P.P)** LGBTI+ staff support network

HMPPS Equalities, Interventions and Operational Practice Group

Safety and Rehabilitation Directorate

1.21 – 1.25, Southern House, Wellesley Grove, Croydon, CR0 1XG

✉ PiPP@justice.gov.uk / nichola.turner@justice.gov.uk

📱 TBA

🐦 Twitter: @HMPPS_PiPP 📘 Facebook: PiPP (closed group)

Annex B

National Inclusion Week: interview with the Staff Network leads



This week the DAWN staff network, which supports people with disabilities in HMPPS, was shortlisted for the Outstanding Diversity Network award at the Inclusive Companies Awards19.

Send us your Black History Month stories

Let us know about any events or activities you are doing for Black History Month by emailing hmppscmunications@justice.gov.uk and we'll feature them on the intranet.

We finish off our celebration of National Inclusion Week by speaking to the three network leads about their work.

What do the words inclusivity and diversity mean to you?

Nic Turner from PiPP: To me, diversity and inclusivity are far more than just words. They're about valuing everything which makes people the unique individuals they are and welcoming the wealth of experiences and knowledge this gives them. As a network, PiPP fully believes in inclusion, in fact our first vote as a network committee in 2016 was to provide equal membership status to LGBTI+ and ally members. It made us stronger as a network, by giving those who wanted to be more involved the opportunity to do so.

Stephen Davies from DAWN: Diversity are the things that make us different, and inclusion is what brings us all together. These two words carry a massive weight and one that we should embrace and hold as high as we can.

Fari Taherinia from RISE: Firstly, promoting and supporting diversity in HMPPS is an important aspect of good people management – our aim must be about valuing everyone in the Organisation as an individual.

To reap the benefits of a diverse workforce, it's vital to have an inclusive environment where everyone feels able to participate. It helps our staff grow and learn, tackles misrepresentation of skills by enabling people to reach their full potential, improves decision-making, boosts engagement and innovation, and enables the Organisation to better meet the needs of a diverse population.

What would your ideal HMPPS inclusive workforce look like/ behave like?

Fari: It would be a working environment that values the individual and group differences within its workforce. An inclusive workforce makes diverse employees feel valued, welcome, integrated and included, instead of isolated. There are variety of reasons as to why we currently are not meeting this target. Offering personal opportunities, building on personal skills and profiles, networking, mentoring, and sponsored opportunities, will target the shortfalls and offer invaluable benefits to inclusivity and diversity of our Organisation.

Nic: Ideally, it would be one where everyone is valued and treated in a fair and equitable manner.

People have differing issues. It's important to recognise that this doesn't mean they're performing to a lesser standard, just that a different approach may be required to enable them to achieve their best or overcome an issue.

Having a friendly and welcoming approach towards colleagues, communicating with them, acknowledging their contribution and sharing knowledge and information of the workplace/role goes a long way to help people feel valued.

The absolute ideal inclusive behaviour is to ensure no one is treated unfairly or isolated. If you see it happening, speak up and offer support to the person. It makes the world of difference to someone to know they're not facing things alone.

Stephen: It would be one that embraces diversity and inclusion, and no one feels that they are being treated differently because of their disability or other protected characteristic. I would like to see disabled staff in more senior positions.

What's your proudest moment as network lead?

Stephen: I'm proud of the introduction of the workplace adjustment passport which was two years of engagement and influencing senior staff to support this idea, holding meetings, and completing the passport and surrounding guidance. This one document will make a massive difference for staff with disabilities and managers alike.

Nic: I've been a local lead, area lead, deputy national lead and now national lead of the network, I can honestly say that I've not got an overall proudest moment. However, at all levels of leadership in the network the proudest moment of each has always been knowing how I've made a difference to someone.

From some of the incredibly touching messages and emails I've been sent, I've found it's the little things such as giving a warm welcome at a meeting, being a friendly ear, ensuring everyone in a group is introduced to each other, accommodating needs for involvement, patiently answering questions and giving helpful advice, which have the biggest impact on people.

Fari: The best moments are providing advice and guidance to our members, seeing the Organisation making every effort to positively change the workplace culture, and when networking and career progression is on offer regularly.

Annex C

World Menopause Day: how do we work through it?



Support at work: to mark World Menopause Day 2019, senior members of HMPPS staff have discussed how we can better support women in the workplace

Starting the conversation

[Watch the video \(or read the transcript\)](#) to hear some of our senior leaders discuss the menopause.

Taking part in the conversation are (pictured above left to right):

- Janet Thomas, Head of Public Protection NPS
- Sonia Crozier, Chief Probation Officer and Executive Director for Women
- Louise Hubbard, Head of Public Protection and Partnerships, Public Protection Group
- Helen Clayton-Hoar, Project Manager for Clean and Decent Project
- Steve Johnson-Proctor, Probation Divisional Director for NPS South East and Eastern

Today (18/10/19) is World Menopause Day and HMPPS is determined to break the taboo of talking about the menopause.

Senior leaders from across HMPPS have spoken out for the first time about the effect the menopause has at work and want to encourage you to do the same.

To help those conversations, a new toolkit has been created to support women – it has advice and information for individuals, and also for colleagues and managers.

What is the menopause?

The menopause is a natural phase of life when women stop having periods and experience hormonal changes. It usually occurs between the ages of 45 and 55 and typically lasts between four and eight years – although it can last longer.

Everyone experiences the menopause differently. Disability, age, race, religion, sexual orientation or marital/civil partnership status can all have a bearing on how the person is affected by it – physically and mentally.

Working through the menopause

Menopausal symptoms can leave colleagues feeling less confident. Some may feel like people think less of them and worry that they are doing a bad job. They will then overwork themselves to make up for their perceived shortcomings.

Managers should be aware that women who are trying to keep their work life separate may hide how they are really feeling for fear of it looking like they can't do their jobs properly or because, among other reasons, they don't want to be seen as unprofessional.

Support at work

Women make up 53.9% of the Civil Service so it is extremely likely that we will all work with

someone going through menopause during our working lives. Here are some places you can go to for more information:

- read the [new HMPPS toolkit about the menopause](#)
- contact the [Cross Government Menopause Network](#)
- use the [employee assistance programme](#) by either calling **0800 019 8988** , visiting the website or PamLife app. (use Firefox – Username: HMPPS - Password: HMPPS1 to access [the Pam Assist website](#))
- join the Championing Women in the Workplace group - set up to support and empower women in HMPPS. Email olivia.thomas@justice.gov.uk for further details.

Minutes of the POA Equalities Sub-Whitley Meeting Held on Tuesday 14th January 2020, 2 – 4pm Room 1.19, Southern House, Croydon

Attendees

HMPPS

Tanya Robinson (TR)	Head of Diversity and Inclusion (Chair)
AbdurRahmaan Anderson (AA)	Senior Diversity and Inclusion Manager
Wincen Lowe (WL)*	Staff Equalities Report Lead
Nic Turner (NT)	Pride in Prison and Probation (PiPP) Staff Network National Lead
Stephen Davies (SD)	Disability, Advocacy, Wellbeing Network (DAWN) National Lead
Jim Fraser (JF)	HR Policy Lead (MoJ People Group)
Harsha Savani (HS)	People Diversity and Inclusion Manager
Peninah Achieng-Kindberg (PA)*	Senior BAME Staff Development Lead
Saima Rafiq (SR)*	BAME Recruitment and Progression Lead
Dawn Orchard (DO)	Senior Employee Relations Lead
Rob Pesci (RP)	Employee Relations Support (Minutes)

*These attendees dialled-in

POA

Joe Simpson	POA Deputy General Secretary
Dave Cook	NEC National Officer
Jackie Marshall	NEC National Officer

Apologies

Francis Stuart	Head of Employee Relations
Jessica Fairbairn	Head of Prison Diversity and Inclusion
Andy Hewitt	Senior Employee Relations Lead
Fari Taherinia	Racial Inclusion & Striving for Equality (RISE) Staff Network

7. Apologies for absence were received as set out above.

8. The Minutes of the last meeting held on 30th September 2019 were approved as a true record.

9. Matters Arising - Actions Log (Dawn Orchard)

3.1 The Action Log was considered by the POA attendees and no issues arose for discussion.

Standing Agenda Items

4. Diversity and Inclusion Update (Tanya Robinson / AbdurRahmaan Anderson)

4.1 TR explained that HMPPS Equalities Team had been re-named Diversity and Inclusion (D&I) Team. Similarly, HMPPS Equalities Sub-Committee, which supported the HMPPS Leadership Team, had been renamed Diversity and Inclusion Sub-Committee (DISC). DISC would be chaired by Helga Swidenbank, Executive Director of the Youth Custody Service and would report directly to HMPPS CEO Dr Jo Farrar.

4.2 TR advised that D&I Team had recently recruited a new Band 9 role to oversee D&I HQ staff policy. It was confirmed that D&I policy staff would return from the Department for Exiting the European Union which meant that the programme of D&I work for 2020 that had been paused could now move forward.

4.3 AA advised the Equalities Report 2019 was published on 28 November and attendees were asked to let AA know if they had any queries around this. Additionally, the HMPPS Strategy had launched in November and the D&I Team would be involved in delivering aspects of this. The Strategy had been well received at a recent Governing Governors Forum. Two Equality Adviser events had taken place in 2019 and four more were planned for 2020 to cover PSP North and South.

4.4 AA also advised that a new D&I Policy Framework was being developed and consultation with the Trade Unions would begin before summer 2020. HMPPS would also aim to engage with the Unions informally as soon as possible. More detail would be available at the next Sub-Whitley meeting. AA asked if someone from the POA could be identified to provide early engagement.

Action: The POA to suggest NEC members that HMPPS D&I Team can contact for early engagement concerning the development of a new D&I Policy Framework.

4.5 AA said there would be new resources to lead on Urgent Notifications and Special Measures establishments to see how better to support on D&I issues there. D&I Team would also be launching a new directory of good practice on D&I issues that could be used by establishments. There would soon be a launch of the new Care and Management of Individuals Transgender Framework (concerning prisoners). Separately, a draft Staff Gender Identity policy was being developed and we had written to Ministers requesting the go-ahead to consult with Unions.

4.6 Concerning the care provision for older prisoners, there had been visits to establishments to see where good practice needed to be developed. TR advised that the definition of an older prisoner had been set at 50 years of age. The POA asked why this age had been chosen as defining an older prisoner when a prison officer's retirement age had been set at 68 and could we not do similar work to take care of our prison officers. The POA asked if HMPPS held data on prisoners by age across the estate.

Action: Tanya Robinson would find out why the definition of an older prisoner had been set at 50 years of age and would establish what data HMPPS held on prisoner ages across the estate.

4.7 TR advised that Jessica Fairbairn, Head of Prison Diversity and Inclusion, now sat on the National Use of Force (UoF) Committee and had visited Kidlington regarding the D&I element of UoF. A review of the UoF Manual had been completed and Jessica was now visiting a number of

establishments to provide support here.

4.8 Other D&I work that had taken place included: supporting the Operational and System Assurance Group (OSAG); working with the LTHSE; providing guidance on Adjudications and concerning Mother and Baby Units; supporting Black History Month and Faith events; and input into the Rehabilitation Handbook and Prison Officer Guide for D&I updates.

4.9 The POA reiterated a point they had made in the past that HMPPS needed to develop a strategy to manage an older workforce. There were any number of issues affecting staff as they aged (e.g. C&R, Fitness Testing, personal life issues like taking on caring responsibilities) therefore HMPPS needed to take on a “reasonable adjustments” approach around such issues. Additionally, the POA made the point that Governors struggled to accommodate staff who needed to work part-time.

5. Staff Networks Update (Nic Turner / Stephen Davies)

5.1 SD advised he was due to meet the HMPPS Director General of Prisons to discuss Disability issues for staff across the Prison Service. Concerning the issue of downgrading and regarding staff (prison officers and OSGs) with a disability, the issue remained around what would happen to salaries once the two year Pay Protection came to an end. The POA pointed out that Governors downgraded staff but they rarely moved them across or even upgraded these. Additionally, after the two years ended Governors were advising downgraded staff that because of a lack of vacancies they could not go back to their previous grade. SD advised that a development plan for such staff was being produced and that this would help them into roles that ensured they would not be disadvantaged.

5.2 SD advised he was also meeting with Helga Swidenbank to discuss the issue of time off for disabled-related illnesses. The POA were prompted by this to say that in their experience Governors were using discretion to issue sickness warnings when the policy was for line managers to use their discretion. Also, the POA thought it was not fair for Governors to issue such warnings and then withdraw them as that created unnecessary stress for staff. SD agreed that the discretion lay with line managers and not Governors.

5.3 The issue of how Fitness Testing Equipment was calibrated was discussed and the action was for Jim Fraser to investigate this further.

Action: Jim Fraser to investigate the calibration of Fitness Testing Equipment and report back at the next Sub-Whitley meeting.

5.4 NT advised that the draft Staff Gender Identity policy work continued and NT was content to keep working with the POA on this. NT had met with the HMPPS CEO to discuss progress and would be linking into the recently set up Tackling Unacceptable Behaviours Unit (TUBU) with this work. The POA asked if the HMPPS Networks had input into the Transgender policy work for prisoners because they believed that staff affected by this policy had not been adequately consulted. TR advised that consultation on the operational guidance to the policy certainly took place across the country and this would have been the key element for staff to have been made aware of.

5.5 NT had also met with the Director General of Prisons concerning LGBT and the staff experience in HMPPS. Also discussed was how temporary staff were treated. In the future HMPPS would develop its own marker of progress separate from the Ministry of Justice. NT also mentioned that “Banter” workshops were being rolled out and the POA were welcome to join

these.

5.6 The POA asked if HMPPS could introduce an Equalities Representative into establishments but doing this without the need for Facility Time. Such a Rep would not necessarily need to be a Union member. TR advised that most establishments had an Equalities Lead and the D&I Team supported them as required e.g. in interpreting guidance and policy etc. Additionally, AA mentioned the Best Practice directory would help establishments. The POA acknowledged this but noted the Equalities Lead roles should not only be held by managers: B3s and 4s should also hold such roles.

5.7 NT mentioned that at the recent AGM, there was some confusion in the understanding of Maternity and Paternity policy for LGBT staff as well as around Surrogacy. Additionally, some POA local branch members at the AGM mentioned their lack of LGBTQ knowledge and a gap in their training. The POA said they would be happy to pay for NT to attend the next event they held so that NT could provide a presentation to Branch Officials.

5.8 SD mentioned that he had been trained to carry out Accessibility Audits – in 2019 the TUC had provided training to some 14 HMPPS staff. Most recently SD had carried out a review at Kirkham with requests also coming in for Audits at Newbold and Werrington. This was a far cheaper option than using an external provider.

6. Fitness Test in relation to Equalities – Age and Disability (Jim Fraser)

6.1 A meeting had been diarised for 28 Jan and action 3.1 (Fitness Test for PEIs) would be considered at that meeting with the POA. The POA suggested they might also raise the issues around Menopause and Fitness Testing there. The POA also thought that HMPPS needed to consider locations/buildings where the adapted Fitness Tests for disabled people would take place ensuring they were easily accessible. JF said he would pass this feedback to those responsible for organising these.

Action: Jim Fraser to pass on to the organisers of the adapted Fitness Test the POA comment that locations/buildings for these tests needed to be carefully chosen to ensure they were fully accessible to people with disabilities.

HMPPS Items to raise

7. Lammy Update (Tanya Robinson / Harsha Savani)

7.1 TR advised that due to the Diversity and Inclusion Sub-Committee (DISC) changes, the Lammy Board had now been integrated into the Diversity and Inclusion Working Group (DIWG). Saima Rafiq, BAME Recruitment and Progression Lead, would be presenting to DIWG about Lammy recommendation 28 concerning the increase of BAME staff representation and recruitment. HS advised that concerning Lammy recommendation 29 (BAME increase in Senior Leadership) the senior BAME Staff Development Leads were now meeting regularly and working together across the country.

7.2 HS said that in September 2019 the Senior Leader Programme (SLP) was launched by Dr Farrar, HMPPS CEO. For this SLP we utilised an anonymised, structured selection process to assess applicants against core criteria, this process led to an increase in successful applicants from BAME backgrounds, with 5 out of 15 (33%) being offered a place on the Senior Leaders Programme.

In order to develop the BAME internal Talent, the four BAME Staff Development Leads and the Resourcing Lead and HS were part of the Leadership Task Force. They were exploring be-spoke materials for BAME career advancement with Matt Jenkins, Head of Talent Development.

7.3 TR said that considerations were currently being made to develop a core communication strategy for recommendation 29 and made the point that it was important that people did not see BAME staff as “shoe-ins”. HS mentioned that the uptake for the Cambridge Masters programme in this latest year had improved on the year before.

8. The New Diversity and Inclusion Sub-Committee (DISC) and Diversity and Inclusion Working Group (DIWG) (Tanya Robinson / Harsha Savani)

8.1 TR gave an explanation of the DISC Terms of Reference slide pack setting out the new Governance structure for the Diversity and Inclusion Sub-Committee and related HMPPS Strategy. The slides would be included alongside these minutes. TR said that she would be content to receive email queries on any aspect of the slide pack.

9. Update on work regarding Staff Gender Identity HR Policy (Jim Fraser)

9.1 A draft policy on Staff Gender Identity was being developed and ministers were due to be briefed shortly. After that we would approach the Trade Unions. The POA asked if any union input had been sought before now. NT advised that HMPPS had discussed some of this with Jackie Marshall. However, the POA wanted to make the point that engagement with Unions should begin well before the formal 28 day process.

POA Items to raise

10. Menopause Related Sickness

10.1 The POA asked that HMPPS recognise ‘Menopause Related Sickness’ and the management of this within the sickness absence policy. POA advised that some Police Forces were doing this. DO mentioned that Sarah McKnight and the Tackling Unacceptable Behaviours Unit (TUBU) were taking forward work on this issue.

The meeting closed.

Minutes of the POA Equalities Sub-Whitley Meeting Held on 22 September 2020 2:15 – 4:15pm, by Zoom

Attendees

HMPPS

Francis Stuart (Chair)	Head of Employee Relations
Jessica Fairbairn (JF)	Head of Prison Diversity and Inclusion
AbdurRahmaan Anderson (AA)	Senior Diversity and Inclusion Manager
Wincen Lowe (WL)	Staff Equalities Report Lead
Felicity Chilver (FC)	Senior HR Policy Advisor, Ministry of Justice People Group
Nic Turner (NT)	Pride in Prison and Probation (PiPP) Staff Network National Lead
Stephen Davies (SD)	Disability, Advocacy, Wellbeing Network (DAWN) National Lead

Harsha Savani (HS)	People Diversity and Inclusion Manager
Peninah Achieng-Kindberg (PA)	Senior BAME Staff Development Lead
Saima Rafiq (SR)	BAME Recruitment and Progression Lead
Luna Frank-Riley (LFR)	MoJ Diversity and Inclusion Recruitment Lead
Ian Tune (IT)	Staff Fitness Strategy Delivery Manager
Joanne Middleton (JM)	Deputy Head, Tackling Unacceptable Behaviours Unit

Andy Heppell (AH)	Senior Employee Relations Lead
Rob Pesci	Employee Relations Support (Minutes)

POA

Ian Carson	NEC National Officer
Dave Cook	NEC National Officer
Jackie Marshall	NEC National Officer
Angela Montgomery	Full-Time Officer

Apologies

Jim Fraser	Head of Prison Diversity and Inclusion
Andy Hewitt	Senior Employee Relations Lead
Cheryl Saint Luce	Racial Inclusion & Striving for Equality (RISE) Staff Network
Joe Simpson	POA Deputy General Secretary

10. Apologies for absence were received as set out above.

11. The Minutes of the last meeting held on 14 January 2020 were approved as a true record.

12. Matters Arising - Actions Log (Andy Heppell)

3.1 It was noted that the Dying at Work charter issue remained ongoing. The Chair thanked the POA for their involvement in this – they had been instrumental in moving this forward.

Standing Agenda Items

4. Diversity and Inclusion Update (Jessica Fairbairn / AbdurRahmaan Anderson)

4.1 JF said she was moving to a new role at the end of October and that there had been a number of changes to the D&I Team since March.

4.2 JF advised that a Race Action Programme was being developed with guidance for this having gone out last week. ER Team would invite Tanya Robinson to the next Equalities Sub-Whitley to speak to the POA about this.

Action: ER Team to invite Tanya Robinson, Head of D&I Team, to the next Equalities Sub-Whitley to discuss the Race Action Programme with the POA.

4.3 The Chair thanked JF for her contribution to this forum and wished her all the best in her new role.

5. Staff Networks Update (Nic Turner / Stephen Davies)

5.1 SD of DAWN advised that a survey had just been completed regarding the Workplace Adjustments Passport. A new version of this in HMPPS would align with the Civil Service

Passport. Additionally, DAWN were undertaking a survey re Covid-19 and Lockdown and a further update would be provided once done.

5.2 DAWN were working to continue to raise awareness in HMPPS through the upcoming Disability History Month (18 Nov to 18 Dec) whose theme this year was *Access: How far have we come? How far have we to go?* DAWN were also involved in promoting the International Day of People with Disabilities which this year was 3 December with the theme *Not all Disabilities are Visible*.

5.3 The POA said that concerning workplace reasonable adjustments, PGDs and Governors should be introducing workplace impact assessments. Disabled staff who were not ill should not have their issues discussed at meetings by the sickness monitoring teams. SD agreed that this should definitely not be happening as this was not part of the MoJ / Civil Service-wide guidance. Such discussions should be between the individual and line manager.

5.4 The POA added that if a member of staff refused a reasonable adjustment, they should not have to go through the sickness process or workforce planning. The Chair asked SD if we would be putting something out on the Intranet making the situation clear. SD advised that there would be a complete re-launch during Disability History Month with D&I Team getting the message out.

Action: SD to share with the POA the updated guidance concerning workplace reasonable adjustments which will be launched during Disability History Month.

5.5 NT mentioned PiPP involvement with National Inclusion Week, designed to celebrate everyday inclusion in all its forms sharing, promoting and inspiring inclusion practices and culture. The theme for National Inclusion Week 2020 was *Each One, Reach One*, about the opportunity that we all had to connect with someone else, or another organisation, to help them understand the opportunity of inclusion. NT was also working on a package for Black History Month. Additionally, NT was also working on a survey looking at how HMPPS could better support Disability History Month.

5.6 NT said that the PiPP Members Survey report 2020 showed that in 2018, 100% of respondents had experienced/witnessed LGBTI+ discrimination in the workplace. This has reduced by 26% since 2018. However, prevalence remained high with 74% of respondents in the 2020 survey continuing to experience/witness LGBTI+ discrimination. NT said she would be happy to share the full survey with attendees to this meeting (this was shared at the time).

5.7 As Cheryl Saint Luce, RISE Lead, was unable to attend this meeting, the Chair asked that we seek a written update from Cheryl for the POA concerning the recent work RISE had been doing.

5.8 The Chair and the POA said there was an open invitation to the Networks to attend the POA Conference next time it took place.

6. Fitness Test in relation to Equalities – age, disability and gender (Ian Tune)

6.1 IT advised that a new policy would be in-place soon. The current test was from HMPPS' perspective age and gender neutral. We considered each individual case in-order to make appropriate adjustments. The POA mentioned the BBC survey – *Women and the Menopause* where 30% of women did not fully recover their physical abilities. They thought HMPPS needed to provide better resources to support women doing the Fitness Test.

6.2 The POA pointed out that female staff made up 70% of test fails from the 2018 impact assessments which contested the idea that the Fitness Test was gender neutral. Additionally, the

POA were not content with the Chief Medical Officer's position and wanted dedicated meetings to discuss further. The POA were of the view that the current Fitness Test should be replaced by a Health Assessment.

Action: It was agreed to hold a meeting to discuss the Fitness Test Equality Analysis and to involve AbdurRahmaan Anderson (D&I Team) and Stephen Davies (DAWN) also.

6.3 PA asked if there was any data supporting the change to the Fitness Test that had needed an EA. If so, could this data be shared? (A report was subsequently shared with attendees after the meeting on 22 Sept).

HMPPS Items to raise

7. None due to ongoing COVID-19 situation.

POA Items to raise

8. Equality Impact Assessment - Fitness Testing. This item was covered at Item 6 above.

9. Statistics regarding infection and death rates of staff by gender, age and ethnicity

9.1 The POA had been asking for Covid-19 statistics covering age, ethnicity and gender for the last five months and wondered where they were? WL advised that there were quarterly Service User statistics and Staff statistics around Covid-19 and he promised to send these to the POA. A link was subsequently sent after the meeting showing the latest HMPPS workforce bulletin, which included for the first time some statistics on COVID-19 and HMPPS staff (as a separate annex): <https://www.gov.uk/government/statistics/her-majestys-prison-and-probation-service-workforce-quarterly-june-2020> (please see the 7th and 8th documents).

9.2 However, this data was only be broken down by ethnicity. Therefore WL said he would seek to get age and gender elements also for the POA.

Action: Wincen Lowe to provide age and gender data to the POA concerning HMPPS quarterly workforce statistics June 2020 regarding Service Users and Staff during the Covid-19 pandemic.

10. Re-introduction of compulsory race training

10.1 The POA thought that there had been a discussion with HMPPS advising that race training, which used to be a compulsory but was halted in 2008/9 due to the recession, was going to be reintroduced. AA did not think this was the case. An establishment had independently begun something like this. Tanya Robinson would be invited to the next Equalities Sub-Whitley to speak on the Race Action Plan.

11. Requests for flexible working and reasonable adjustments

11.1 The POA asked to see figures on why staff were refused their requests for flexible working. The POA said that staff needed to reduce their working hours to 19.5 before a job share could be found which to the POA did not seem very flexible. FC advised that flexible working policy was being considered as part of the HR Transformation review especially in-light of the Covid-19 situation. FC said she would take this forward with the Workspace Adjustments Team to see what could be done.

Action: The Chair asked that Flexible Working be an agenda item at the next meeting. We would invite Felicity Chilver and Dan Billingham to support. In the meanwhile, Felicity would provide feedback on progress with the flexible working policy in-relation to the HR Transformation work.

12. Tackling Unacceptable Behaviour Unit (TUBU)

12.1 The POA advised that they did not receive an invite to the TUBU launch and asked for an overview; they were concerned that there were more investigations re equality issues. JM advised that the investigations strand had not launched yet, we will be looking to do this in early 2021. TUBU were exploring external Investigation training that will offer formal accreditation and or a BTEC level 7 qualification that some of our staff will be able to attend to enable them to take on or assist in more complex investigations. We will be working with colleagues in HR policy, the HPCCT and L&D to inform the Investigations strand of work.

12.2 The POA said they would like a level playing field around investigations with some lessons learned. They did not want to attribute blame to managers and were just asking for fair and equal treatment. JM said we were starting to look at the data including that for investigations and hearings and would be working with D&I and L&D Teams in relation to training. PA asked how TUBU had helped staff since it launched. JM said that through the helpline we were able to signpost staff to the Networks and other helpful resources. Additionally, we could intervene to help staff if they did not have the confidence themselves. TUBU worked with HR, L&D and D&I. As of yesterday TUBU had received 73 calls from across HMPPS covering issues like bullying and harassment. We were developing MI to share with senior managers and then the Trade Unions.

Action: ER Team to organise a meeting between POA and TUBU (Jo Middleton) to discuss TUBU progress since its launch.

The meeting closed.

Minutes of the POA Equalities Sub-Whitley Meeting Held on 20 January 2021, 2 – 4pm, by Dial-In

Attendees

HMPPS

Francis Stuart (Chair)	Head of Employee Relations
Tanya Robinson (TR)	Programme Director – Race Action
Sonia Brooks (SB)	Head of Prison Diversity and Inclusion
AbdurRahmaan Anderson (AA)	Senior Equality Manager
Wincen Lowe (WL)	Staff Equalities Report Lead
Stephen Davies (SD)	Disability, Advocacy, Wellbeing Network (DAWN) National Lead
Cheryl Saint Luce (CSL)	Racial Inclusion & Striving for Equality (RISE) National Lead
Jim Fraser (JF)	HR Policy Lead, MoJ People Services
Felicity Chilver (FC)	Senior HR Policy Advisor, Ministry of Justice People Group
Mete Ahmet (MA)	Senior HR Policy Advisor, Ministry of Justice People Group
Harsha Savani (HS)	People Diversity and Inclusion Manager
Peninah Achieng-Kindberg (PA)	Senior BAME Staff Development Lead
Luna Frank-Riley (LFR)	MoJ Diversity and Inclusion Recruitment Lead
Dan Billingham (DB)	Senior Resource Management Lead

Andy Hewitt (AH)
Rob Pesci

Senior Employee Relations Lead
Employee Relations Support (Minutes)

POA

Ian Carson
Dave Cook
Jackie Marshall
Angela Montgomery

NEC National Officer
NEC National Officer
NEC National Officer
Full-Time Officer

Apologies

Joe Simpson
Saima Rafiq
Nic Turner

POA Deputy General Secretary
Senior BAME Staff Recruitment and Progression Lead
Pride in Prison and Probation (PiPP) Staff Network National Lead

13. Apologies for absence were received as set out above.

14. The Minutes of the last meeting held on 22 September 2020 were approved as a true record.

15. Matters Arising - Actions Log (Harsha Savani)

3.1 SD confirmed the action re guidance concerning workplace reasonable adjustments remained ongoing.

3.2 WL explained that providing gender and age related data as part of the quarterly Covid-19 Workforce Statistics would mean linking back to SOP information. This would be difficult to do – a lack of resource and time prevented us from doing this in the near future. The Chair and the POA agreed that this action should remain on-going for the time being.

Standing Agenda Items

4. Diversity and Inclusion Update (Sonia Brooks)

4.1 Sonia Brooks became Head of Diversity and Inclusion (D&I) on 4th January, having taken over from Tanya Robinson who was now Head of the Race Action Programme. SB advised there had been a resource increase to the team with new members joining shortly.

4.2. Two policy frameworks previously paused, one for staff and one for residents, would now launch in the spring. We were working with POA representatives to develop the guidance for the resident policy framework in three sections. The first would be released with the policy framework in the spring. The staff policy framework would be released at the same time to provide a comprehensive D&I package.

4.3 We were updating the Equality Analysis PSI to a policy framework which we hoped to release later this year and, as a prelude to this, we were offering some Equality Analysis Clinics to Regional Equality Advisers with the hope that they would be able to cascade their knowledge to Equality Advisers and others within their regions and prison establishments. Due to a number of queries that we had received regarding the new Discrimination Incident Report Form (DIRF) process for residents launched in September 2020, we would be updating and clarifying the guidance to coincide with the launch of the policy frameworks.

4.4 The POA asked how a Line Manager could raise a concern in the workplace as currently they

must focus on using the grievance process. AA advised that they could also contact TUBU. The POA thought that was helpful as not all staff wanted to submit grievances - some did not believe this route worked effectively. SB added that in the second phase of our work, we would be looking at the Grievance process.

4.5 Planning for the *Let's Talk* events continued with the next series set to cover LGBTQ in February. Events had been planned and notification would go out to the field and Trade Unions later this week. Further *Let's Talk* events were planned regarding belonging, intersection and faith.

4.6 The D&I Strategy would be launched in April: our focus would be assisting the front line recovery and we would not be looking to create extra work at this stage. We were also leading on an action plan to deliver the recommendations identified in the HMIP Thematic – 'A thematic review of minority ethnic prisoners' experiences of rehabilitation and release planning'.

4.7 We continued to support delivering Lammy recommendation in preparation to cross-over to the Race Action Programme, with Lammy 24 (Incentives) and Lammy 25 (Use of Force) being priorities. We were also working on reviewing how we implement and procure work place adjustments, along with MoJ, and also re-launching the Workplace Adjustments (WPA) passport. We were developing HMPPS specific training around WPA. There had been a call for evidence around neurodiversity, the support we give across HMPPS to service users. We were reviewing the feedback from the *Let's Talk* Disability to see what we can learn from that.

5. Race Action Programme update (Tanya Robinson)

5.1 The Race Action Programme had been launched on the intranet and we were now considering the training packages around Diversity and Inclusion and how these could be delivered e.g. better support for line managers in briefing teams, the use of digital technology, full classroom learning. There would be a training project to support the Race Action Programme. We were also carrying out a gap analysis of training: out of the 117 packages we looked at, only 17 seemed to now fit with what we were doing.

5.2 We were looking at the structures around how we implemented national policy across the estate. TR thought that in the process of making this more relevant locally there had been some misrepresentation of what was originally envisioned. This had somehow missed the point and we would look at and base-line outcomes by protected characteristics from here on to measure progress over the next three years.

5.3 TR also spoke about how we were considering how best to support staff who felt they did not have a voice in the organisation. Additionally, we needed to consider how best to support line managers in facilitating such conversations. During the *Let's Talk* sessions on Race, a number of line managers felt they needed more guidance to make this effective. The Race Allies also needed to be better equipped. Therefore we were looking to develop toolkits to help them – these were in the early scoping stage at present.

5.4 We were looking at Recruitment, Promotion and Talent Management in-relation to Lammy. As a national organisation we needed to look at our various geographical locations and targets. We also needed to explore why HMPPS was not the employer of choice in some communities. There was a need to continue supporting staff development for minority groups. TR advised that we were looking at Talent Management as it was felt there were inconsistencies in the 9-Box Grid.

5.5 TR said that we were doing work to support Prison Officers in BAME client engagement as this was patchy across the estate.

5.6 Ian Barrow had been appointed as the SRO for the Race Action Programme. Ian would make an announcement at the end of January about who would be on the Programme Board – a cross-section of senior leaders. Additionally, we had appointed a Prison Strategy Implementation Lead. The first Board would be held at the end of February.

5.7 PA asked what other support structures for staff were available outside of the *Let's Talk* initiative. TR said this was about providing a safe space for staff and that we were encouraging conversations to continue outside of this initiative - the right people would need to be on hand to take issues away to facilitate a resolution. The next phase of this work could include the use of mentors and coaches.

6. Staff Networks Update (Stephen Davies / Cheryl Saint Luce)

6.1 SD thought the *Let's Talk about Disability* event was a success and received good feedback. In the future, we aimed to incorporate the prisons-side more into these events but this would depend on improved IT. We were concerned to improve how we got information out to Prison Officers on the front-line.

6.2 We were looking to re-launch the Work Place Adjustments Passport and would be coming to establishments with publicity. SD reminded attendees that the Passport would be confidential and owned by staff only as per Civil Service and HMPPS guidance.

6.3 SD said that we were looking to update the Disability page on the HMPPS Intranet. When the Covid situation permitted, we would be visiting prisons again to provide face-to-face support to staff and managers alike.

6.4 The POA felt that the current support for disabled staff in establishments was not working and that this was perhaps down to training more than anything else. The POA's view was that Governors were not utilising the expertise that was available, for example around how they managed grievances. They thought the Networks themselves were doing a very good job but that establishments must utilise the expertise on offer more - for example, when someone was looking for a reasonable adjustment. SD advised that he had had lots of conversations with senior management teams and thought the Network was working well. DAWN could be used as an advocate but people did need to approach them in-order for them to take issues forward. SB thought this might be more about the confidence of managers who were afraid to ask staff what they might need. Training was fundamental and perhaps more work needed to be done around this. We might be able to use the Business Disability contract with MoJ to provide support around this. This work is high on our agenda and is a feature of our Strategy document.

6.5 CSL spoke about Black History Month and how this event had to be delivered by Teams / Skype due to Covid. We were conscious that, as with DAWN, we could not reach more staff in establishments because of the various different IT systems. We were considering how we could reach staff in the future e.g. using minute briefings. There was a piece of work underway with Learning and Development Team to get more support into the prison estate with materials that could be used now. We had also begun a new series of events entitled *In Conversation With...* using MS Teams. This would be a monthly conversation covering a different key issue each time including: the Menopause; Disability; Mental Health. We hoped to be able to share this with prison staff as a recording.

6.6 The POA noted that the Covid-19 pandemic situation would be likely be ongoing for quite some time. They echoed HMPPS' concerns about how we could keep staff in establishments included and engaged in the work of the Networks without face-to-face access to support groups.

The POA would like us to consider solutions for the future. FS agreed and mentioned that this was part of the Wellbeing agenda and would be raised when they met next. SB thought it was important that we considered weaving Wellbeing into other areas.

7. Fitness Test - Equality Analysis (Jim Fraser)

7.1 JF advised that there had been no Fitness Testing since March 2020 and that HMPPS had been reviewing and updating the policy for the Fitness Test. Jackie Marshall of the POA advised that she had been asked by HMPPS to participate in the Equality Analysis and thought a further meeting was needed between POA and Jim Fraser to meet this promise. AA and SD asked to be invited to this meeting also.

Action: ER Team to organise a further meeting with the POA to discuss the Equality Analysis for the Fitness Test. The meeting should include Jackie Marshall (POA), Jim Fraser (MoJ Policy Lead); Ian Tune (Staff Fitness Strategy Delivery Manager); A Anderson (D&I Team); and S Davies (DAWN).

HMPPS Agenda Items to raise

8. Flexible Working and Reasonable Adjustments (Felicity Chilver, Mete Ahmet and Dan Billingham)

8.1 FC explained that due to the Data Protection Act and because reasons for refusals are not held centrally, HMPPS could not access/share data for the figures on flexible working refusals and the reasons for the refusals. However, it was usual for employees to have open conversations with their managers on this issue. We continued to work on harmonising HR between HMPPS and Ministry of Justice and would be considering innovative approaches. MA said we would be re-evaluating smarter working policy but post-Covid we would also be looking to incorporate issues of Wellbeing and the choices staff had around how and when they worked. We had drafted principles, e.g. a framework for discussions, which would go out to Trade Unions and other stakeholders in February/March.

8.2 The POA thought that the flexible working policy seemed to fit better for non-operational staff than operational. Childcare was the only area where operational staff received appropriate support. The POA also said that where operational staff asked for flexible working, this should be seen as something that could be provided as a reasonable adjustment under the Equality Act e.g. for a reduced working week. This might require training for Governors in-order to understand the situation better. The current situation seemed to be that Governors were asking staff who wanted flexible working to cut their hours down to 19.5 per week. The POA advised that this was too low - there needed to be more flexibility.

8.3 SD said that we had to separate out Reasonable Adjustments and Flexible Working under the legislation. For disabled staff an employer could be more flexible compared to non-disabled staff. But SD agreed that training and the Networks were there to support the correct understanding.

8.4 FS asked the POA to let us know which establishments they thought were struggling to provide flexible working as he would be content to discuss this further with Governors. The POA maintained their point that flexibility in in prisons remained an issue – it was SMT mind-sets that needed to develop so that the thinking became “why would we not agree to these requests?” This should be the focus.

8.5 FS thought there were issues here for MoJ People Group to include in their Harmonisation considerations. MA agreed that there was a culture change to address here hence the package of

measure being considered for HMPPS Smarter Working – we wanted to be flexible by default. We also hoped this would help improve retention rates. We would be consulting on this with Trade Unions by end of February. FS also thought there was something here about helping Governors consider differently shift patterns and regime delivery.

Action: ER Team to add Flexible Working as an agenda item to the next POA Equalities Sub-Whitley meeting.

8.6 DB added that challenges continued to exist but lack of flexibility in work patterns was a key factor in staff leaving. We were looking to replace the *My Detail* tool at some stage. DB also said that Detail Offices did have Work/Life Balance committees. Sometimes there were misconceptions about why staff were wanting a particular day off or wanting to go part-time: if staff went part-time they would still be expected to work different times/shifts within their part-time hours. DB felt there was some nervousness in agreeing to flexible working because these decisions could not then be easily changed in the future if necessary. OMiC Key Work may help here once it was more established.

8.7 The POA mentioned that David Wheeler in MoJ People Group had developed a helpful guidance document for Governors based on employment law but seemingly not used much now. Could this be issued/re-issued?

Action: Andy Hewitt said he would contact David Wheeler to see if his guidance document on flexible working could be issued/re-issued.

POA Items to raise

9. Pay Protection under the Equalities Act

9.1 The two year pay protection given to staff under the Equality Act was now being directly impacted for those staff requiring treatment/operation from the NHS, before the Covid outbreak staff requiring operations to overcome their medical condition were normally treated within the two-year period but this was not the case during Covid.

9.2 Ollie Saunders could not attend the meeting but AH provided the following update on Ollie's behalf which suggested that we would be treating staff impacted by COVID on a case by case basis. The POA welcomed this and the action below.

Action: Ollie Saunders of HMPPS Pay and Reward Team was taking this forward. We would be treating staff impacted by COVID on a case-by-case basis with a view to extending the pay protection period where staff were able to evidence that unforeseen changes in healthcare provision/COVID restrictions had detrimentally impacted their ability to return to appropriate levels of fitness within the current pay protection period. The POA asked if HMPPS Pay and Reward Team could write to them formally on this basis, so that they could respond to any queries they might receive from affected members. In addition, colleagues requested that this letter be shared with Governors and HRBPs for clarity.

The meeting closed.

Minutes of the POA Equalities Sub-Whitley Meeting Held on 29 April 2021, 1:50 – 3:50pm, MS Teams

Attendees

HMPPS

Francis Stuart (Chair)	Head of Employee Relations
Tanya Robinson (TR)	Programme Director – Race Action
Sonia Brooks (SB)	Head of Prison Diversity and Inclusion
AbdurRahmaan Anderson (AA)	Senior Equality Manager
Stephen Davies (SD)	Disability, Advocacy, Wellbeing Network (DAWN) National Lead
Cheryl Saint Luce (CSL)	Racial Inclusion & Striving for Equality (RISE) National Lead
Nic Turner (NT)	Pride in Prison and Probation (PiPP) Staff Network National Lead
Peninah Achieng-Kindberg (PA)	Senior BAME Staff Development Lead
Saima Rafiq (SR)	Senior BAME Staff Recruitment and Progression Lead
Tim Gower (TG)	Change Lead, HR Services
Mete Ahmet (MA)	Senior HR Policy Advisor, Ministry of Justice People Group
Harsha Savani (HS)	People Diversity and Inclusion Manager
Andy Hewitt (AH)	Senior Employee Relations Lead
Rob Pesci	Employee Relations Support (Minutes)

POA

Joe Simpson	POA Deputy General Secretary
Dave Cook	NEC National Officer
Jackie Marshall	NEC National Officer
Geoff Willetts	NEC National Officer
Angela Montgomery	Full-Time Officer

Apologies

Wincen Lowe	Staff Equalities Report Lead
Jim Fraser	HR Policy Lead, MoJ People Services

1. Apologies for absence were received as set out above.

2. The Minutes of the last meeting held on 20th January 2021 were approved as a true record. The POA asked if there was a date when the Grievance Procedure would be published. This related to para 4.4 from the January minutes:

“The POA asked how a Line Manager could raise a concern in the workplace as currently they must focus on using the grievance process. AA advised that they could also contact TUBU. The POA thought that was helpful as not all staff wanted to submit grievances - some did not believe this route worked effectively. SB added that in the second phase of our work, we would be looking at the Grievance process.”

Action: ER Team to find out from Colin Turvey if there was a date for the grievance procedure to be published.

3. Matters Arising - Actions Log (Andy Hewitt)

3.1 The Action Log was approved.

Standing Agenda Items

4. Diversity and Inclusion Update (AbdurRahmaan Anderson / Sonia Brooks)

4.1 AA advised that around Disability work there were three major areas we had focussed on: support for staff; Workplace Adjustments (WPA) and related Passport; and that we had achieved Disability Leader Confidence Accreditation. The "Let's Talk" sessions had taken place in February during LGBT History Month. A toolkit for the May "Let's Talk" events (on Intersectionality) would be shared with the Trade Unions in due course and AA would welcome feedback on this when it went out. AA also mentioned Mental Health Awareness week was coming up in May.

4.2 AA advised that the D&I Team hoped to complete the Discrimination Incident Report Form (DIRF) guidance in May and that we would be consulting imminently with the POA on this. We were also working with regional D&I contacts on De-Biasing and Equality training. We were in the early stages of collaboration with the UN Prisons Team and were working on seven common areas of D&I deficiency e.g. how BAME staff were treated, data collection, DIRFs.

4.3 SB advised the WPA Service had been launched following a grievance case. There were some systemic failures that had to be addressed. We had re-launched the intranet page, publicised a telephone number and organised case management. We needed to look at the take up of service and monitor how it was being used. The WPA Passport would be linked into this and awareness training to help staff and managers would be provided.

4.4 SB said we had a 12 month D&I Road Map coming out of the Covid pandemic. We would be conducting an Equality Analysis of Workstreams and this would be linked into Cheryl Avery's reform work. The Road Map would be shared today with the TUs but no wider.

4.5 After the summer an Older Offenders Strategy would be launched for the over 50s. Policies for older staff were also being considered. The aim was to be an age friendly employer. The POA said they were asking the Health and Safety Team what plans they had for an ageing workforce. The retirement age of prison officers was high and problems came with that, including caring responsibilities – it was hard to get time off when needed. The POA did not think HMPPS had given enough thought to these issues so far. SB said Social Care was important and D&I Leads were looking at this. We were aiming to add to SOP a declaration re caring responsibilities and were listening to staff re what adjustments could be made.

4.6 The POA asked about the review of the Grievance process in phase 2 and when it was due to start and could the POA be involved. SB had raised this with the relevant team doing this work and would speak to the lead concerning the consultation stage and timing. The POA would welcome a timetable here. The POA thought the current grievance process, in the way it was implemented and managed, was seen as discriminatory to members. The POA asked for a full consultation (please see action at paragraph 2 above).

4.7 The POA asked if HMPPS had a Bullying policy. SB said yes we had "Raising a Concern" set up by TUBU. The POA didn't think this was an actual policy and they believed some of their members were being bullied. A further discussion took place around the 2 Stage Grievance Procedure and the POA said they would like to negotiate a new one. The POA also said TUBU investigations were not yet fully up and running and would like to see specialist input in the process so that the policy was correctly monitored. They wondered what had happened to the Bullying cases reported to TUBU so far and thought grievances concerning bullying should be heard by an independent staff member (not who the grievance was about nor a lower grade).

Action: to link to action 2 above the POA request about timing of the review of phase 2 of

the Grievance process. The POA asked to be involved in this process and asked that HMPPS provide a timetable to the POA around this work.

4.8 The POA asked to see a paper copy of the Workplace Adjustments Passport (the POA do not have easy access to the HMPPS Intranet).

Action: D&I Team to provide a standalone example of the Workplace Adjustments Passport.

5. Race Action Programme (RAP) update (Tanya Robinson)

5.1 TR said the RAP timeline had been provided and the HMIP recommendations were being linked-in to the RAP. The next phase was the Five Projects. A RAP Board had been set up and we would be consulting with TUs in due course. We were looking to develop a Talent Database and where it sat with Performance Management. We continued to look at the Lammy recommendations around recruitment in the regions e.g. it would be difficult to meet targets in the North East. Therefore we were looking to ensure targets were fit for purpose and reflected the community. TR said that additionally we were investigating how we could tap into other local organisations regarding recruitment drives.

5.2 How to create safe spaces for staff to have conversations was also discussed. The “Let’s Talk” events in 2020 showed us that line managers needed to boost their confidence in facilitating these and we had developed a package of support. TR mentioned that we were looking closely at Harmonisation between MoJ and HMPPS to ensure policies were not watered down (e.g. around Grievance): local interpretation was sometimes different to what was intended when developed nationally. It was important to develop operational guidance to manage this.

5.3 TR said that relevant Learning and Development packages were being reviewed and a gap analysis was being carried out so that D&I was better embedded. Additionally we were looking for “Recruitment Buddies” to help staff with their confidence so they could go for promotions. TR mentioned that we were holding an event with the Third Sector for networking. We were also working with the Home Office on the Windrush Scandal. TR said that the RAP was being held up by the Cabinet Office as an exemplar.

5.4 The POA continued to argue that starting pay for prison officers was not good enough and that we did not market HMPPS well enough for people to want to apply. Given the retirement age, the POA said it no longer felt like a career to be a prison officer. Young people would look at other employers who were more competitive e.g. Fire and Police. Additionally, violence rates in prisons needed to come down and safety needed to improve. The POA felt the difficult working environment was not reflected in the training new prison officers received.

5.5. TR said that the Race Ally-ship Charter was being presented to the Senior Leadership Team (SLT). We would then be able to share this with the TUs before it was launched in June. TR said that we needed to talk to those staff who still needed to engage with our work. SR said that we were working with the Occupational Psychology Team concerning bias including with new staff.

5.6 The POA asked who was on the RAP Board. TR said she would send the POA a list of members. The POA thought it would be good if former Prison Officers were on the Board given their experience.

Action: Tanya Robinson to share the list of the RAP Board Members with the POA.

POA Items to raise

6. The Report of the Commission on Race and Ethnic Disparities was brought forward. TR advised the Government would respond to the Report in June.

Action: It was agreed to hold a dedicated meeting with the POA and to include Tanya Robinson and George Barrow, Policy Lead for Race and Ethnic Disparities Team.

HMPPS Agenda Items

7. Flexible Working and Reasonable Adjustments was brought forward – Mete Ahmet and Tim Gower

7.1 TG advised that we were doing on-going work shaping a new employee offer. This was a holistic look at the employment offer with three strands – prisons being one. This was just a proposal at present looking at flexible contract types. We were also looking at how to utilise technology and the rostering tool – My Detail – and how we could improve this. This work might help improve the offer to reduce the recruitment gap. This would also involve training reforms to help those who want to work more flexibly and have flexible career progression and into retirement. We would need to measure how we organised ourselves to improve resourcing and utilising workforce. TG said there was a need to revisit some of our policies on Resource Management.

7.2 MA provided an HR Policy perspective on the Smarter Working Vision and Toolkit. The Toolkit was there to encourage flexibility and wellbeing. MA said he would welcome TU feedback on the product and had already presented at the POA HR Sub-Whitley and the Smarter Working Toolkit had been shared with the POA on 29 April. The POA said they would discuss with the NEC before we go ahead and organise a dedicated meeting to discuss further.

Action: Once the POA confirm what Whitley Flexible Working should sit on, ER Team to organise a dedicated meeting to further discuss Shaping the New Employee Offer.

Standing Agenda Items (continued)

8. Staff Networks Update (Stephen Davies / Cheryl Saint Luce / Nic Turner)

8.1 CSL advised that concerning the RISE network, area leads were assisting SR in recruitment. CSL also mentioned the Black Lives Matter agenda regarding BAME prisoners. It seemed that some prison officers did not want to get involved. RISE also wanted to explore why some BAME prison officers had not wanted to sign up to the POA. CSL and the POA were in-contact around this work.

8.2 NT advised concerning PiPP that LGBT “Let’s Talk” events had run in February and these had received good feedback and had increased awareness. Eleven events had run in-total with approximately 1,000 attendees. NT thanked the POA for their help in finding 12 new local leads. NT mentioned that in some places the “Let’s Talk” events did not run due to a lack of confidence from managers in facilitating these. Therefore we had put together a guide to provide help. NT also advised of the progress made on the LGBT Mentoring Scheme – we now had 15 mentors to match up to mentees.

8.3 SD of DAWN thanked the D&I Team and those in HMPPS involved around the Disability work carried out recently. SD was looking at the casework from the WPA Passport and Service and it seemed very encouraging. Concerning the Covid-19 Survey, a working party had been formed to look at the relationship between line manager and staff member. The aim was to see how we

could improve that relationship.

8.4 The POA mentioned that a lack of coherent IT across HMPPS had caused some communications issues and wondered if HMPPS was changing its IT and approach to Assistive Technology (AT). The Chair said that Cheryl Avery was the SRO re IT and Digitalisation. SD agreed with the POA that some of the IT issues had not been fully addressed. NT said that a guide to Quantum was available. SB added that communications going out now would be AT compliant.

9. Fitness Test - Equality Analysis

9.1 The Chair advised Jim Fraser, who would usually attend this meeting, sent his apologies due to a clash with another meeting. Currently there was no update due to no fitness testing taking place. Additionally, HMPPS had recently shared the updated policy products and equality analysis with the POA as part of the formal consultation. HMPPS had received the POA feedback and were currently working through it before formally responding. We would be offering a bespoke meeting to discuss our response. This action sat on the HR Sub-Whitley.

POA Items to raise (continued)

10. Updated Copy of HMPPs Gender Breakdown 2020

10.1 This item had been discussed on the HR Sub-Whitley and a dedicated meeting had been organised to discuss it in detail.

11. Disability Connect Reverse Mentoring Scheme

11.1 The POA wondered if HMPPS had considered using the Third Sector Charity: Disability Connect Reverse Mentoring Scheme. Managers could get a disabled mentor to help them understand better the relationship with their disabled staff. There were a range of mentors to offer organisations. SD advised that not heard of this charity and that there already was a cross-Civil Service Disability Mentoring Scheme. SD advised that while this organisation sounded positive he would welcome more information about them from the POA and he could feedback at the next Whitley meeting. He would need to discuss this with SB.

Action: Angela Montgomery of the POA to send Stephen Davies of DAWN information about the Disability Connect Reverse Mentoring Scheme. Stephen would feedback at the next Whitley meeting. He would need to discuss this with Sonia Brooks of D&I Team.

12. The Workplace Adjustments Service. The POA were content that the WPA item had been covered above and they would contact SB direct if further questions arose.

Any Other Business

13. Nic Turner of PiPP said that we should discuss Transgender, Intersex and Non-Binary policy at the next meeting. The Chair agreed to have this as an HMPPS item that would be covered by NT and Tricia Reynolds, Transgender Lead.

Action: ER Team to add Transgender, Intersex and Non-Binary policy to the agenda as an HMPPS item for the next POA Equalities Sub-Whitley in July. ER Team to invite Tricia Reynolds, Transgender Lead, as well as Nic Turner of PiPP to update the POA.

The meeting closed.

The next POA Equalities Sub-Whitley is set for 29 July, 1:45 – 3:45pm.

Minutes of the POA Equalities Sub-Whitley Meeting Held on 29 July 2021, 1:45 – 3:45pm by MS Teams

Attendees

HMPPS

Francis Stuart (Chair)	Head of Employee Relations
Sonia Brooks (SB)	Head of Prison Diversity and Inclusion
AbdurRahmaan Anderson (AA)	Senior Equality Manager
Stephen Davies (SD)	Disability, Advocacy, Wellbeing Network (DAWN) National Lead
Cheryl Saint Luce (CSL)	Racial Inclusion & Striving for Equality (RISE) National Lead
Nic Turner (NT)	Pride in Prison and Probation (PiPP) Staff Network National Lead
Peninah Achieng-Kindberg (PA)	Senior BAME Staff Development Lead
Kieran MacLean (KM)	Statistician, Corporate Data and Statistics
Harsha Savani (HS)	People Diversity and Inclusion Manager
Andy Hewitt (AH)	Senior Employee Relations Lead
Rob Pesci	Employee Relations Support (Minutes)

POA

Joe Simpson	POA Deputy General Secretary
Jackie Marshall	NEC National Officer
Sarah Rigby	NEC National Officer
Angela Montgomery	Full-Time Officer

Apologies

Tanya Robinson	Programme Director – Race Action
Saima Rafiq	MoJ Head of Inclusive Recruitment
Wincen Lowe	Staff Equalities Report Lead
Jim Fraser	HR Policy Lead, MoJ People Services
Dave Cook	POA NEC National Officer
Geoff Willetts	POA NEC National Officer

1. Apologies for absence were received as set out above.
2. The Minutes of the last meeting held on 29th April 2021 were approved as a true record.
3. Matters Arising - Actions Log (Andy Hewitt)
 - 3.1 Concerning action ref. 13 from 29th April meeting, it was agreed that ER Team would organise a dedicated meeting to discuss Transgender, Intersex and Non-Binary policy. The POA requested briefing / guidance / training be provided to them on this subject. This would be reflected in the updated action log.

Standing Agenda Items

4. Staff Networks update – Stephen Davies / Cheryl Saint Luce / Nic Turner
 - 4.1 One of the actions from the April meeting was to consider the POA suggestion that HMPPS

make use of the Third Sector Charity, *Disability Connect Reverse Mentoring Scheme*. SD from the DAWN Staff Network advised that the Senior Civil Service and Civil Service had already produced a Disability Mentoring Programme. There was a question therefore as to whether we needed to pay for an additional scheme. Concerning our own scheme, we were rolling out an email to recruit more area leads as these were needed in the prison estate particularly. AH asked the POA if they still wanted us to take this suggestion forward. The POA thought it would be useful to see the information on the current Civil Service Disability Mentoring Programme.

Action: It was agreed to share with the POA Equalities Committee information on the current Civil Service Disability Mentoring Programme.

4.2 CSL from the RISE Staff Network spoke about the concerns that had arisen where some prison staff had been putting a particular status on their Facebook pages that could be considered as discriminatory. The POA asked if there was any detail that they could discuss with the rest of the NEC. CSL said that what was key was that we all needed to have a conversation around what our personal social media was saying. CSL also advised that RISE were looking to recruit more staff to the Race Allyship Programme which would be launched shortly.

4.3 NT of the PiPP Staff Network mentioned the news story concerning public sector organisations withdrawing their support for *Stonewall*. There were a lot of upset staff because of this but NT was grateful to Phil Copple for his support throughout the situation. NT advised that PiPP had taken action to align with other MoJ Diversity and Inclusion groups, were holding some listening meetings and would be establishing a working group to consider a way forward. NT advised that we had recruited Senior Civil Service LGBTQ+ Champions including Alison Clarke and Sally Hill. The Chair thanked NT for all the hard work in the last few months and how this had inspired staff.

5. Race Action Programme update – Sonia Brooks

5.1 SB advised that she was covering the Race Action Programme (RAP) update item for Tanya Robinson who sent her apologies. SB spoke of the up-coming launch of the Race Allyship Programme and Charter on Tuesday 3rd August. Alana Ajani, Head of Prisons Strategy and Implementation for RAP, would be meeting with the POA to discuss more on RAP and would be engaging with Trade Unions on consultation. The POA said that this still needed to be placed in their calendars.

Action: ER Team to ensure a meeting including Sonia Brooks, Alana Ajani, Harsha Savani and the POA takes place in due course to discuss the Race Action Programme in more detail.

6. Diversity and Inclusion Roadmap update – AbdurRahmaan Anderson

6.1 AA advised that the report on *Neurodiversity in the Criminal Justice System – A review of evidence* was published on 15th July. HM Inspectorate of Prisons and HM Inspectorate of Probation were commissioned by the Lord Chancellor to review the evidence into neurodiversity in the criminal justice system. This report made a number of recommendations: cross-department working; the use of a common screening tool to make sure that necessary adjustments and extra support are provided for individuals as they progress through the criminal justice system; screening data should be systematically collected and aggregated to provide a more accurate assessment of the prevalence of neurodivergence to inform needs analysis and service planning; a programme of awareness-raising and specialist training should be developed and delivered to staff working within criminal justice services; adjustments to be provided to meet the needs of those with neurodivergent conditions. AA advised that the MoJ would be responding to this report

in due course.

6.2 AA mentioned that the National Autism Strategy and the National Disability Strategy were launched by MoJ on 28 July. The next “Let’s Talk” sessions were still being planned: the next one in September would be on Age; Faith in November; and Neurodiversity in January 2022. The D&I Team would be encouraging as many people to attend these as possible.

6.3 AA said that the Diversity and Inclusion (D&I) Policy Framework was being put back until September. Once we received the go-ahead concerning section 2 and 3 of the guidance, we would meet with the Trade Unions to discuss further. AA also advised that the time limits and formulas on the Discrimination Incident Reporting Form (DIRF) guidance were being updated. D&I Team had re-started prison visits for Urgent Notification sites; four visits had been completed so far and another three visits were planned by the end of the year. AA made the point that data was showing a disproportionate use of PAVA against prisoners across protected characteristics. SB added that there was a particular interest in data regarding the use of PAVA especially at some sites, e.g., was this down to just a few individuals affecting the data or was it wider.

6.4 SB mentioned that there had been some negative social media around the May “Let’s Talk” event on Intersectionality. The staff feedback suggested that the session was too long (3 hours) and felt like a “tick-box” exercise. The session felt too theoretical and more “real-world” material was needed that tried to capture a sense of belonging. The toolkits were available on the HMPPS Intranet for those who were unable to join the training for those who were facilitating the sessions.

6.5 The POA asked to see the data D&I Team held concerning the PAVA issue mentioned above, especially by establishment, as the POA felt they could help here. SB said that D&I Team had only joined the working group during the last four months looking at data on PAVA. This working group was part of the PAVA Committee. It was agreed that AbdurRahmaan Anderson would write to Sarah Daniels of the PAVA Committee advising that the POA would like to be involved.

Action: AbdurRahmaan Anderson to write to Sarah Daniels of the PAVA Committee advising that the POA would like to be involved in the working group considering PAVA data.

7. Fitness Test: Equality Analysis – Francis Stuart

7.1 The Chair advised that the Equality Analysis on the Fitness Testing had resumed now that the Test itself had restarted. Once a body of data had built up again, we could meet with the POA to discuss this further. The Chair noted that reasonable adjustments (in respect of longer time to take the Fitness Test) were being made for staff suffering from the long-term effects of Covid or who had been seriously ill due to Covid.

7.2 The POA asked in the context of an ageing workforce how many staff between the ages of 60 and 67 were having to do this test and what support was in-place for them. The POA maintained that originally the Fitness Test was only agreed to the age of 60 with them. The Chair said that we did look at this issue in-relation to Disability Discrimination. He mentioned the example of a prison officer with an artificial leg who passed the Test when prior to the introduction of the test such individuals would not have had the chance to prove their physical fitness for the role. The Chair also mentioned that Age Discrimination legislation meant that we could not discriminate against staff on the grounds of age.

7.3 Related to the above, the POA asked what the HMPPS plans were for coping with an ageing workforce and hoped we could provide a response at the next Sub-Whitley meeting. AA advised

that Age was being considered as part of the D&I Roadmap. The Chair thought we could have this as a specific agenda item at the next Sub-Whitley.

Action: ER Team to include “Update regarding an Ageing Workforce” as an agenda item on the next POA Equalities Sub-Whitley meeting. This would be addressed by Nicola Stephens in the D&I Team.

POA items to raise (brought forward)

8. Equality issue regarding a distinction being made between the definition of “Soft” and “Unisex” uniforms

8.1 The POA said that the equality issue regarding a distinction being made between the definition of “Soft” and “Unisex” uniforms was a branch enquiry. This issue was also raised at the Occupational Health, Safety and Fire Sub-Whitley. The POA were bound by Conference policy to call aspects of the uniform “blouse”, “trousers” “shirts” etc though they were aware that some staff had been asking if it could be renamed “Gender Neutral Uniform”. SB said that D&I Team had also picked up on this from staff. It was clarified that the term “Soft Uniform” applied to the Youth Custody Service whereas “Unisex” applied to the Adult Estate. SB said that the D&I Team had taken these suggestions on-board to consider alternatives in certain circumstances e.g., for disability adjustments, maternity etc. SD noted that disabled staff struggled to get the right boots and that this was an issue that also needed to be looked at. The POA agreed that there should be alternative foot ware. SB thought this related to the referral service and she was looking into this separately. SD said it might be useful to look across at what the other uniformed services were doing regarding uniforms.

HMPPS Agenda Items

9. Statistics were presented regarding Covid infection and death rates of staff by gender, age and ethnicity – Kieran MacLean

9.1 The Covid infection and death rates of staff by gender, age and ethnicity statistics were shared with attendees prior to this meeting and were an extension of the published quarterly Workforce statistics. For GDPR reasons, there is only so much detail which can be provided. The next publication of the HMPPS quarterly workforce data would be at the end of August and would include data up to the end of June 2021.

9.2 KM explained that these additional statistics included the numbers of positive tests and the numbers of deaths. The current data was showing an overrepresentation of male staff in the Adult Estate and YCS - these were more likely to be testing positive. KM said it was very hard to make any definitive statements regarding data around the deaths of staff given the relatively small numbers.

9.3 SD thought this was a useful piece of work and asked KM if there was any data on disabled staff. KM said he thought we could provide this going forward and the Chair agreed this would be helpful. AA wondered if the data could be further broken down by operational/non-operational staff. KM said that this could be found in the published workforce data. The POA asked to see updated statistics once the next quarterly workforce data was published. KM said that this published data would not include the gender, age and ethnicity data we had been discussing here but he could provide updated statistics after this.

Action: Kieran MacLean would provide an update for the POA on the Statistics regarding

Covid infection and death rates of staff by gender, age, ethnicity and disability once the next HMPPS quarterly workforce data was published at the end of August.

The meeting closed.

The next POA Equalities Sub-Whitley is set for 17th November 2021, 2 – 4pm.

Minutes of the POA Equalities Sub-Whitley Meeting Held on 17 Nov 2021, 2 – 4pm by MS Teams

Attendees

HMPPS

Francis Stuart (Chair)	Head of Employee Relations
AbdurRahmaan Anderson (AA)	Senior Equality Manager
Peter Shaw (PS)	Project Lead - Race Action Programme
Stephen Davies (SD)	Disability, Advocacy, Wellbeing Network (DAWN) National Lead
Nic Turner (NT)	Pride in Prison and Probation (PiPP) Staff Network National Lead
Jim Fraser (JF)	HR Policy Lead, MoJ People Services
Christopher Casanovas (CC)	Statistician, Corporate Data and Statistics
Nicola Stephens (NS)	Senior Diversity & Inclusion Manager
Harsha Savani (HS)	People Diversity and Inclusion Manager
Rob Pesci	Employee Relations Support (Minutes)

POA

Joe Simpson	POA Deputy General Secretary
Dave Cook	NEC National Officer
Jackie Marshall	NEC National Officer
Geoff Willetts	NEC National Officer
Angela Montgomery	Full-Time Officer

Apologies

Alana Ajani	Programme Director – Race Action Programme
Cheryl St Luce	National Lead for HMPPS RISE Network
Andy Hewitt	Senior Employee Relations Lead
Sarah Rigby	POA NEC National Officer

1. Apologies for absence were received as set out above. Also, Joe Simpson of the POA said he would have to leave the meeting at 3pm.

2. The Minutes of the last meeting held on 29 July 2021 were approved as a true record.

3. Matters Arising - Actions Log (Rob Pesci)

3.1 The POA asked for HMPPS to share the Transgender, Intersex and Non-Binary policy and Toolkit.

Action: Francis Stuart to share with the POA the Transgender, Intersex and Non-Binary policy and Toolkit.

3.2 AA advised that the Disproportionality PAVA User Group (in the context of providing an

equality analysis into the use of PAVA) would be meeting soon and he would follow-up on the ongoing action with Sarah Daniels regarding the POA request to be involved with the work of that committee.

Action: AbdurRahmaan Anderson to liaise with Sarah Daniels regarding how the POA might contribute to and be involved in the work of the Disproportionality PAVA Use Group and to then advise the POA accordingly.

Standing Agenda items

4. Diversity and Inclusion (D&I) Roadmap update – AbdurRahmaan Anderson

4.1 AA advised that the D&I Framework would launch fully in January 2022 in Prisons and the Youth Custody Service. AA asked if the POA could assist with the blogs we were preparing regarding how D&I Team would improve the situation. The POA said they were keen to help.

Action: AbdurRahmaan Anderson agreed to let ER Team have a form of words to share with the POA and to link-up with Dave Ferguson in D&I Team.

4.2 AA advised that there had been 13 prison visits by the D&I Team looking at issues of Diversity and Inclusion. This was organised on the request of establishments. There would be a minimum of two visits per month from January 2022 (subject to the Covid situation). We were looking to organise in each establishment an Equality Officer who linked into the Senior Management Team and D&I Team.

4.3 Concerning Use of Force and PAVA, we had started a *Disproportionality PAVA Use Group*. As mentioned at paragraph 3.2, we were enquiring about POA involvement in this. The group expected to meet on a quarterly basis and more often if necessary. The POA made the point that in their experience Black, Asian and Minority Ethnic staff might not always have confidence to approach the official D&I contacts in prisons and sometimes this was due to the individual being from a White ethnic background. Therefore, we needed to ensure we got the appropriate staff in these roles and that this was properly funded.

4.4 AA said that the Equality Analysis PSI was being made into a Framework next year. He mentioned that there seemed to be challenges between Governors and the POA around D&I issues. The D&I Team were considering how we support the situation to achieve better outcomes. The POA said they would be happy to talk through the issues and had started this process through the Information Day they had held in London recently. The POA made clear that they did not stand for any sort of discrimination.

Action: AbdurRahmaan Anderson and Joe Simpson to meet separately to discuss how to improve local POA committee and Governor join-up on progressing Diversity and Inclusion issues.

5. Race Action Programme (RAP) update – Peter Shaw

5.1 PS advised that the RAP was moving into its delivery phase. We had some funding that still needed to be used for research around D&I in third sector organisations. We would utilise expertise in these organisations to design line manager training around cultural complexities. We were developing a new strategy regarding engagement with operational staff. We would be having *Lived Experience panels* to help transform and drive this work.

6. Fitness Test: Equality Analysis – Jim Fraser

6.1 JF said that the Equality Analysis (EA) for the Fitness Test had been shared with the POA last week. We agreed to meet them regularly to consider the data that was now being recorded on SOP. JF would advise when the data would be ready next year, and the first meeting would be arranged. JF advised that we were commissioning further specialist advice regarding the Fitness Test and the new Occupational Health (OH) contract. JF would share the Fitness EA with the Staff Networks.

Action i): Jim Fraser to advise ER Team when the SOP Data on Fitness Testing was ready so that a meeting could be organised with the POA to discuss.

Action ii): Jim Fraser to send the Staff Networks a copy of the Fitness Testing EA.

6.2 The POA did not think the EA was fit for purpose. They did not believe it to be age or gender neutral. They thought there was a 100% failure rate in the third part of the test for women between the ages of 45 and 60. Additionally, they wondered why there was no Fitness Test data for the over 60s. They made the point that the Fitness Test had been brought in before the age of retirement for prison officers had changed to 68. The POA remarked that the test was sufficient for people up to the age of 60 in line with the pension age when it was introduced, but was, in their opinion, inadequate above that age. JF said he would check the statistics quoted above re 100% failure rate as he did not think this was correct. If it was correct however, then more analysis of this age group would clearly be needed.

Action: Jim Fraser to check (and update the POA) on the Fitness Testing statistics for women between the ages of 45 – 60. Was it the case that there was a 100% fail rate in part three of the Fitness Test for this group.

6.3 The POA thought it was wrong that Governors did not need to take the Fitness Test. They wanted staff who were 60 and above to be exempted from the Fitness Test. Their view was that for these staff testing should be based on C&R or OH assessments only. Additionally, the POA made the point that as staff aged, there were a variety of lung capacity issues that could arise. These issues were currently considered as part of the Fitness Test. The POA thought that Sick Absence and the Fitness Test were subjects that should sit under the OHSF Sub-Whitley rather than the Equalities one.

POA items to raise (brought forward)

7. The Fitness Test and side-effects of the Menopause

7.1 The POA thought better consideration should be given to staff doing the Fitness Test when they were suffering effects of the menopause. With an ageing workforce this issue would become more pronounced. Also, they said the MoJ guidance mitigating the effects of the menopause was too generic and could not always be used in prisons. It was confirmed that the POA had been invited to attend the *HMPPS Menopause working group*.

7.2 JF said HMPPS was commissioning further specialist medical advice to ensure the Equality Assessment (EA) for Fitness Testing remained valid, and to consider what further support could be offered to menopausal staff in general and specifically in relation to the fitness test. At present staff could defer doing the Fitness Test for up to six months and elements of the test could be changed to make it more comfortable for women who request it. The POA thought that six months deferral was not enough as symptoms could last a long time. Also, staff were not comfortable doing the changed elements of the test outside of the gym because they could become visible from prison

cells. The Chair said he thought free sanitary products would now be available at all establishments, but we would check this with Kat Law, HR Services Manager, leading on this work and confirm with the POA.

Action i): Jim Fraser to share the specialist medical advice that has been commissioned into the fitness test with the POA once this becomes available.

Action ii): ER Team to seek an update for the POA from Kat Law, HR Services Manager, on the work to provide free sanitary products to staff in establishments across the Prison estate.

Standing Agenda items (continued)

8. Staff Networks update – Stephen Davies / Nic Turner

8.1 SD for DAWN advised that 3rd December was the International Day of People with Disabilities (IDPWD). James McEwen, MoJ Chief Finance Officer and Disability Champion would facilitate panel events on that day.

8.2 SD was looking at the procedures around staff moves to ensure these were made easier for staff with disabilities. He was also working with Amy Rees, Director General of Probation, Wales and Youth, on Reasonable Adjustments. SD agreed to share information on Workplace Adjustments with the POA.

Action: Stephen Davies agreed to share with the POA guidance on the Workplace Adjustments Service and an update on the Disability Passport.

8.3 The POA asked if we had any further update on the Disability Passport. SD said he would discuss this with the POA outside of this meeting and likewise any other issue SD could help with.

8.4 NT for PiPP advised a guide to address Transgender discrimination would be published shortly and had been shared with stakeholders and the POA. a list of up-coming PiPP events would be provided to the POA. A strategic and communications plan were being worked on for 2022.

8.5 Cheryl St-Luce, National Lead for the HMPPS RISE Network, was unable to join this meeting and sent her apologies. Instead, a short update would be provided to the POA Equalities committee after the meeting. This update is also provided in the annex to these minutes.

HMPPS Agenda Items

9. Age-Friendly Employer update – Nicola Stephens

9.1 NS talked through the presentation provided below with attendees. This was provided to attendees before the meeting and again to the POA after.



Age Friendly POA
17.11.pptx

9.2 NS made the point that there had been less focus on age in the past when considering protected characteristics. There were up to five generations working together in HMPPS with the majority of employees being in the 50+ category. The under 30s group had the highest turnover.

We therefore wanted to consider how we could help the workforce across the ages. NS had surveyed the workforce and had reached out through the various Networks and people across the ages had responded.

9.3 NS advised an Age Working Group had now set up to consider the needs of the and to put a plan together to meet those. NS said it was important to look closely at the data for decision making. Areas such as fitness testing, menopause and recovery from injury would be considered. We would also be looking at the mental health of younger staff working in prison. The working group had only met once so far. NS said the working group could feed into Jim Fraser's Fitness Test EA work if that would be helpful. We agreed to involve the POA in the Age Working Group. The POA thought we should focus on the workforce rather than on prisoners. NS' view was that HMPPS was also being scrutinised concerning the prisoners entrusted to our care. Therefore, it was important that we focus on both areas. This fed into how HMPPS was perceived. ER Team agreed to share POA contact details with NS regarding joining the *Age Working Group*.

Action: ER Team agreed to share POA contact details with Nicola Stephens regarding inviting the POA to join the Age Working Group.

9.4 CC mentioned that the *HMPPS Annual Staff Equalities Report 2020 - 2021* would be published on 25 November. We agreed to share the link with the POA and would organise a dedicated meeting to discuss the report further.

Action: ER Team to share a link with the POA re *HMPPS Annual Staff Equalities Report 2020 – 2021*. ER Team would organise a dedicated meeting to discuss.

9.5 NS said that there would be *Let's Talk* sessions on Age every three or four months and a Toolkit was being published later this month. The POA asked to be involved beforehand. This was agreed.

The meeting closed.

The next POA Equalities Sub-Whitley is set for 21 February 2022, 2 – 4pm

Annex

Cheryl St-Luce, National Lead for the HMPPS RISE Network, was unable to join this meeting. Instead, a short update is provided here:

“October had been an extremely busy month for the RISE Executive attending various prisons around England and Wales. From the feedback from our members, we would now be putting in place RISE members meetings starting 2nd December in Liverpool. An email will be sent to all Prison and Probation staff in the North-West region inviting them to attend. The meetings will be held in prisons and probation offices. A list of dates and venues will be shared with members and allies once we have confirmation from the Room Booking Matrix for the dates in 2022.”

NATIONAL COMMITTEE FOR SECURE HEALTH CARE SERVICES

National Committee for Secure Health Care Services Annual Report 1/1/19 – 31/12/21

Introduction

Since the last POA Conference in 2019, the POA recognises that Health members have been at the frontline during the pandemic and have worked throughout, despite the unknown risks that Covid presented to them. The impact of Covid on our members has left many becoming ill, in the process of recovery or being diagnosed with Long Covid. Shortages have meant that staff have been placed under pressure to work additional shifts, and this has created a situation where staff burn-out is a real possibility.

1. During this period, the POA made a successful bid for additional funding from Tik-Tok to support those who require assistance having contracted Covid. This covers all staff who work within healthcare as well as those working in Special Hospitals and regional secure units, both public and private. During the past 18 months the POA has benefitted approximately 5 healthcare members. The prevalence of Long Covid has had an impact on members, many of whom have struggled to get back to good health and fitness, and ultimately back to full-time work, and local Committees have supported members to access this money and to ensure that Hospital Trusts continue to pay members. The POA would like to thank all branches for ensuring that there is a good take-up. The General Secretary is determined that the money is spent by August 2022 as we will have to return any funding that has not been spent.
2. During this period, the POA has supported numerous members to ensure that employees have access to the correct PPE and that there are safe systems of work to minimise the risks of transmitting Covid 19 within healthcare settings. They have raised their concerns both locally and nationally and ensured that members are given the correct PPE. Throughout lockdown there have been regular meetings by Zoom initially and then by Teams to ensure that there has been the required support. The POA has supported members through capability, disciplinaries and grievances during what has been a demanding time. This has been a challenge that local Committees have addressed. There have also been collective negotiations during this time, where local committees have supported members.
3. Compulsory Vaccination for NHS workers has been raised as an issue and the POA, along with all the health unions, continue to support voluntary vaccination as this has resulted in 92% of all NHS workers being vaccinated. The Health Trusts were divided over this and at the eleventh hour the Government reversed its position on compulsory vaccination for NHS staff, and it looks as if this will also happen for those working in social care. This is a good example of the POA working collectively with the 13 other health trade unions to achieve a positive result.
4. The POA is one of the 14 health unions who work together under Agenda for Change to negotiate terms and conditions, including pay. The POA currently has Observer status and during the last two years we have contributed to ensuring that our

members' voice is considered in all negotiations. There is to be a review of Staff Council Membership in 2022 and the POA has requested Full Membership for 2023 upon completion of the Review.

5. You will be aware that the NHS was offered 1% and this was increased to 3%, and imposed quickly with no consultation or negotiations following the recommendations of the PRB. The Special Hospitals in England were balloted and failed to meet the statutory threshold, as did every other trade union, where turn-out has been around the 20 to 30% mark, with some much lower than that. Some health trade unions are continuing to ballot on what has been an imposed pay deal, but most have accepted that ship has sailed.
6. There has been significant planning regarding 2022 pay negotiations and reflection on what had occurred during the previous pay negotiations, where there were a number of pay claims from different trade unions. During our indicative balloting, the POA asked the question of whether there should be a single pay claim by all 14 trade unions, to which the answer was yes, and whether members should be balloted for industrial action on an offer less than 5%, to which the response was yes – with the nature of that industrial action to be identified.
7. The current position was that all 14 unions signed up to the collective call for an urgent NHS retention package with an inflation-busting pay rise at its heart. This package, which aims to help the NHS hold on to increasingly disillusioned staff, formed the basis of the joint union evidence submitted to the NHS pay review body last month. Disappointingly, the RCN, having voted for this proposal, have gone ahead with their own pay claim. Early indications are that the NHS are unlikely to achieve more than a 5% increase. It is only through working together in unity that we will achieve the best for our members and all those who rely on the NHS.
8. Bullying and Harassment has been a long-standing issue within NHS workplaces, and during the pandemic there is evidence that this has continued. All Branches have supported individuals who have been at the receiving end of poor managerial behaviour.
9. Pension Cap. The POA facilitated a presentation by Ivan Walker on the Judicial Review of Pensions, resulting in a number of health trade unions expressing an interest in joining PCS, GMB, FBU and the POA.

ANGELA MONTGOMERY
Assistant General Secretary

MINUTES OF THE NATIONAL COMMITTEE FOR SECURE HEALTH CARE SERVICES

Thursday 10th January 2019 - Linden House

Present:

Andy Hogg	Chair
Mick Pimblett	Assistant General Secretary
Nick Cardy	Rampton
Karen Henry	Rampton
Sean Farrell	Rampton
Allan Connor	Carstairs
Bobby Hunter	Carstairs
Lorraine Lewis	Ashworth
Helen Whitaker	Minutes

The Chair opened the meeting and welcomed Mick Pimblett, new Assistant General Secretary, who will now be part of this committee.

1. Apologies:

Steve Gillan	Annual Leave
Duncan Keys	Annual Leave
Trevor Chaplin-Smith	Broadmoor Hospital Business
Tony Lynch	Ashworth POA Business

2. Minutes of Previous Meeting – 17th October 2018:

Accepted as a true record.

3. Matters Arising:

AP Broadmoor's attendance – Suggested arranging a visit to Broadmoor for Mick, Dave Todd etc to support the committee and the membership. HW advised the committee that Trevor will not be attending conference this year due to personal circumstances. The committee asked if anyone else will be attending from the Broadmoor branch?

AP1: HW to contact Trevor to arrange a visit to Broadmoor.

It was again stressed that if branches cannot attend a written report should be provided for the meeting.

4. NHS Staff Side Council:

SF attended the last meeting in December. He gave an update to the committee. Not a lot was applicable to the POA, the main topic was pensions. Banding was discussed, learn from Scotland.

Pay submission recently circulated by NHS Staff Council. Send to committee for info.

AP2: HW to circulate pay submission to committee.

AH updated the committee on STAC, mainly contracts and contractual positions, holiday pay issue.

AH asked what the position is in England for holiday pay.

Rampton have overtime, Ashworth don't, they use bank staff, so you must sign up to the bank.

AP3: MP to look at.

Ashworth – Flexible rostering. Average versus actual. Looking at going to Thompsons. Looking at lead pay equivalent for bank staff. If there's an incident bank staff won't step forward as they don't get sick pay. They leave it to substantive staff.

DK and Lorraine are attending the NHS Staff Council meeting on Monday next week. Need to look at future attendance of national and lay officials. Who will be taking over from Duncan? Mark Fairhurst is updating the structures document at the moment. SF is happy to attend for the foreseeable future if required. AH doesn't know if that would be an option with Sean being retired and no longer representing the POA. Defer to April meeting.

AP4: HW Agenda attendance at NHS Staff Council Meetings for our April meeting.

5. Annual General Meeting/Annual Conference Motions:

The Chair asked if there are any motions from the committee. Rampton emailed one through for GT to draft a motion. Debate motion on funding and cuts.

AH suggested this as a doing motion rather than a debating motion for the NEC to pursue.

CQC came in to Rampton before Christmas back again in next couple of weeks. 40 staff came in. AH suggested using the solicitors for some of these issues, several grievances.

Ashworth reported an increase in the severity of assaults. Not the amount, just the severity.

The committee discussed subjects for motions.

Rampton have one, Ashworth potentially have 2 motions. Carstairs none, different T&C's.

MP suggested and drafted a motion.

AP5: HW Invite Josie Irwin's replacement to attend conference. Chase up other speakers. Chase up Steve Newton, Deputy Operations Manager at Ashworth, also covers HMP Liverpool.

6. Pension Challenge:

AH not really got an update on pensions other than FBU success and our challenge which is ongoing.

7. Current Position at Each Hospital:

Carstairs:

- Sickness for October was 8.8% - long term 5.1% and short term 3.79%. Industrial injuries were 1.1%. the year to date figure is 8.98%.
- Received the feedback from the External Critical Incident Review which started in July, very little regarding accountability.
- Currently have 1 member suspended and 1 member sacked in December.
- Ran short on 68 occasions for the month of November which has resulted in patients/wards being locked up on a regular basis.
- Financial difficulties continue with an overspend of £289k, blaming nursing sickness and clinical activity.
- Company called Meridian came into the hospital, they lasted a couple of months and the Government questioned it and they are now gone.

- 6 new staff started in November, also 7 part time workers on 22.5hr contracts. Looking at a further 10 part time staff.
- Numerous grievances ongoing at the moment which we can't appear to win as the system is generally flawed.
- New Security Director. Due a new Chairman and Chief Executive in the next 3 months.
- Ministerial review next Monday.
- External review outcome.
- POA Diaries - Raise a complaint regarding the diaries, delay and date distributed is not acceptable, not happy.

Ashworth:

- Membership creeping back up now 383. Committee now in place bar one, co-opted committee members for specialist areas, ie policies etc.
- Books, finances, bank account, got signatories etc now sorted.
- Sickness fluctuating between 9% and 14%, increase of work-related stress and work-related incidents.
- 35 cases on the books at the moment. 5 major cases in and out of court.
- In April Merseycare acquired a new trust which took sites to over 200 and staff to 11, 000.
- Going through a harmonisation programme at the moment. Different policies, cherry picking and creating one policy for each thing. Introduced Just and Learning Culture. At the moment it's a good piece of work moving forward.
- Stuart Eales' policy document from Lorraine. Helen to circulate to the committee.
- Thanks to Duncan, he's been a brick, supporting and helping the committee and the branch.

Rampton:

- Sickness around 6.2%, everyone encouraged to have the flu jab.
- 1 suspension, disciplinary hearing on 31st January.
- CQC visited Rampton in October, coming back on 24th January, made some recommendations in October, hopefully adhered to recommendations.
- New Chief Executive started in January, Dr John Brewin qualified psychologist.
- Pretty quiet, lots of sickness meetings, stage 1 and stage 2.
- Staffing remains an issue on a daily basis.
- YouTube film on Ashworth.

8. Any Other Business:

No other business.

The Chair formally acknowledged Sean's input and insight to this committee and the local branch at Rampton. Also thanked him for attending the NHS Staff Council meetings and contributing to that structure and providing consistency of representation. Pleasure to have met you and thank you for everything.

9. Date of Next Meeting:

Thursday 18th April 2019.

MINUTES OF THE NATIONAL COMMITTEE FOR SECURE HEALTH CARE SERVICES

Thursday 18th April 2019 - Linden House

Present:

Dave Todd	Chair
Andy Hogg	Assistant General Secretary (Minutes)

Duncan Keys	Assistant General Secretary (Retired)
Nick Cardy	Rampton
Karen Henry	Rampton
Allan Connor	Carstairs
Bobby Hunter	Carstairs
Lorraine Lewis	Ashworth
Tony Lynch	Ashworth

The Chair opened the meeting and welcomed the attendees, noting with thanks the presence of Duncan Keys at his final committee meeting following his retirement.

1. Apologies:

Steve Gillan	Association Business
Mick Pimblett	Association Business
Trevor Chaplin-Smith	Broadmoor Hospital Business
Helen Whitaker	Annual Leave

2. Minutes of Previous Meeting – 10th January 2019:

Accepted as a true record.

3. Matters Arising:

AP Jan 2019 Broadmoor's attendance. It was reported that there had been a number of attempts to contact the Broadmoor Rep with no response. All recognised the importance of supporting Broadmoor and rebuilding the membership base. It was agreed that determining what level of committee involvement continued to operate was necessary and in order to raise the profile of the POA in Broadmoor a Special Hospitals committee meeting should be held there. A full discussion took place on a strategic approach to rebuilding the membership base at Broadmoor including writing directly to each of the current members inviting them to meet the committee. Potential venues and the need for specific promotional materials to be made available was discussed. It was noted that the next committee meeting was not due until July and this would likely be too early to make the arrangements and have materials ready and the following meeting in October was too far ahead and action was required before this. It was agreed therefore that an extraordinary meeting would be arranged to be held during August.

AP1: Dave Todd/Mick Pimblett to write to both Trevor and to the Employer to make arrangements to hold an additional special NCSHCS meeting at Broadmoor in August.

AP Jan/19 Circulate pay submission to committee. Response. Sent to Committee 11/1/19.

AP Jan/19 Holiday pay/overtime/bank staff. Response. POA Circular.

AP Jan /19 Agenda attendance at NHS Staff Council Meetings for the April meeting. Response. On Agenda.

AP Jan/19 Invite Josie Irwin's replacement to attend conference. Response. Checked with RCN 7/3/19 no replacement for Josie Irwin. Pursue Invitation to Steve Newton, Deputy Operations Manager at Ashworth, also covers HMP Liverpool. Response Steve Newtons confirmed.

4. NHS Staff Side Council Update and Future Attendance at Meetings:

LL and AH have attended meetings held since the last Committee meeting in January. Of principle interest

was the reaction to the implications for public sector pensions arising from the judgement in favour of the firefighters and judges' pensions. It was clear that many unions felt this would have a devastating impact on the NHS scheme and could pose a lot of problems if the agreed provisions required to be revised. Some suggested it may be necessary to formally position the NHS trade unions to dissuade from the requirement to amend the scheme. POA made it clear that it could not support this position as we also had claims that would favourably impact on our members working in the NHS if the pension outcome is successful and we could not support a position that is deemed to be unlawful by the court. Areas of direct interest included discussions around the buying and selling of annual leave. It was generally felt by the committee that this was not a good thing and is likely to be a cover for the inadequacies of workforce planning. It was also considered against trade union principles to be giving away hard won improvements in terms and conditions. It was reported that the Staff Council also noted the progress being made on Child Bereavement and Parental Leave policies. The provisions within the policies are designed to set out a minimum national standard of leave and pay in these circumstances. These provisions do not however prevent employers from exercising their local flexibility to provide leave and pay beyond these provisions.

In respect of future attendance at meetings it was agreed that for the purposes of continuity Lorraine Lewis should continue attending as the lay official with Mick Pimblett, now Duncan's replacement as FTO, and Andy as substitute for Mick.

5. Annual General Meeting/Annual Conference Motions:

Two motions received from Rampton and supported by the committee.

- 1. Conference accepts that the staffing levels in our secure hospitals need to be increased due to the levels of violence and workloads.*
- 2. In light of the recent announcement by the Prime Minister that the NHS budget is to be increased, Conference mandate the NEC to enter into urgent negotiations with the Health Minister to secure additional funding to increase the local budget and staffing levels in all our secure hospitals.*

The AGM material has been circulated.

As previously reported Steve Newton, Deputy Operations Manager at Ashworth, will address the Conference.

A discussion around violence in the hospitals and reporting tools took place including the idea of adding this as a standing item. It was agreed that this would not be necessary at this time.

6. Pension Challenge:

No update available. It was agreed that an update would be sought from Steve Gillan.

AP2: DT to seek a pension update from SG and circulate to the committee.

7. Current Position at Each Hospital:

Carstairs:

- A review of Forensic Services is going to be carried out over the next 6-9 months, this will include Carstairs. Clinical model review taking place with different options, no decisions taken yet.
- New Chief Executive, Gary Jenkins in post from the start of April. Current Chairman Terry Currie is being allowed to stay in post to allow the Forensic Services Review to be carried out and support the new CEO (exceeds the 8-year maximum term) New Employee Director in post from Unison.
- New sickness guidelines in post from STAC to be in place from 1 April. Three main changes: reduce sickness absence by 0.5% each year to achieve an overall NHS Scotland average of less than 4%. The right of appeal of the process not being followed still exists at all stages however at Stage 1 it will be

paper based only. Triggers are now 4 separate episodes of short term or a total of 8 or more days within a rolling 12-month period.

- 2 Members dismissed. 1 lost appeal the other appeal is pending.
- Sick absence for Feb seen a decrease of 3.19% to 6.06% long term = 3.70% and short term = 2.36% industrial injuries were 1.1%. The year to date figure = 8.51%.
- Hospital ran short on at least 44 occasions for the month of March which has resulted in patients/wards being locked up on a regular basis.
- The hospital was able to balance the books for the financial year, but substantial savings require to be made.
- Personal Attack Alarms system appears not to be fit for purpose and a review is required.
- Continue to recruit new members and many are joining from Unison.

Ashworth:

- Membership continuing to grow and now up to 391 members.
- Couple of assaults but severity of the assaults is becoming an issue.
- Change of culture within the trust with more openness and less hiding of issues. Having Collaborative meetings with other divisions.
- Sickness. Work related stress is the highest generator of sick absence. Musculoskeletal absence is an issue but is helped by having access to own physio. Injuries registered through HR27 are automatically discounted from sick system.
- Following Merseycare trust acquiring Liverpool Community Health a harmonisation programme has been underway with best payments being achieved in NHS AfC.
- A full discussion took place around the Trusts use of ex-Gratia payments to staff who had suffered an injury. All felt it to be a positive contribution.
- The Committee were given a comprehensive and interesting brief on the Health & Safety issues impacting across the trust.

Rampton:

- Sickness around 7.0%. Long term sickness an issue. Some management meetings aimed at providing a 'shot across the bows' without formal action are having a desired effect.
- Sexual harassment case representing gross misconduct resulted in dismissal with appeal rejected. Now with solicitors.
- Ward closed for cost improvements.
- Recruitment remains an issue with 20-30 being inducted, staying for around 3-4 weeks and leaving. Management seeking access to universities further afield, 2.5K bounty payment with £500 referral bonus for staff for a successful applicant.
- Facility time around 1 day a week and 1 day for H&S work.
- Business as usual with the committee keeping everything going.

Broadmoor: No report.

8. Any Other Business:

Ashworth raised a question to the committee in respect of their knowledge of those staff retiring and returning to the workplace and the extent that this included those staff working on full facility time. All agreed that this was inappropriate use of the facility and no-one had heard of this being misused in this fashion.

The Chair took the opportunity to formally acknowledge the role played by Duncan Keys to the committee and the sound advice he had provided over the years. A significant contribution on behalf of the POA was also provided by Duncan's input to the NHS TU leads meetings following achieving access to this important group. Duncan responded, reflecting on the good times spent working with the committee over the years and also the challenges he met alongside individual branches which although challenging was always a

rewarding experience. He wished the committee good luck for the future as did the committee to him on presenting Duncan with a signed retirement card and a token of their gratitude and esteem.

9. Date of Next Meeting:

Wednesday 17th July 2019.

MINUTES OF THE NATIONAL COMMITTEE FOR SECURE HEALTH CARE SERVICES

Wednesday 17th July 2019 - Linden House

Present:

Andy Hogg	Chair
Allan Connor	Carstairs
Bobby Hunter	Carstairs
Lorraine Lewis	Ashworth
Helen Whitaker	Minutes

1. Apologies:

Steve Gillan	Association Business
Mick Pimblett	Association Business
Dave Todd	Association Business
Nick Cardy	Rampton - Annual Leave
Karen Henry	Rampton
Trevor Chaplin-Smith	Broadmoor

2. Minutes of Previous Meeting – 18th April 2019:

Accepted as a true record.

3. Matters Arising:

AP1: MP/DT not in attendance to report back. Email DT for update, possibly look at September for special meeting at Broadmoor, too late now for August.

AP1: Email DT for an update.

AP2: DT not in attendance to update. It was reported that there have been a number of pension circulars sent out recently. SG gave an update at the Private Sector meeting yesterday which the chair relayed to the committee.

Ashworth - GT sent an email asking for a name from the Special Hospitals for the pension challenge. An Ashworth member put himself forward as a test case. Passed on his details, no one has contacted him.

AP2: Email GT to see if anyone has contacted Dave Warley, Ashworth.

4. NHS Staff Side Council:

Lorraine gave a report back on the recent meetings. The main issue on the agenda is the selling of holidays (annual leave). It was agreed that the selling of holidays will happen but haven't yet settled on the criteria on how that will happen. Can't touch mandatory leave, 20 days. Still work to be done on the criteria. Bereavement leave for parents when a child passes has gone into the agenda for change handbook. Waiting for updates to AfC handbook.

Ashworth are struggling to get POA reps on training courses at Ashworth, other unions don't have a problem, equality issue against the POA.

NHS TU Leads 2-day strategy meeting 31st July/1st Aug – Mick Pimblett attending – for national officials only not lay officials.

5. Annual General Meeting:

Steve Newton, this year's guest speaker, didn't make it to the lunch as he got lost after leaving the stage. Ashworth asked if we can invite him to the AGM and lunch next year (as an observer).

AP3: *Invite Steve Newton to AGM and lunch next year.*

The chair suggested the committee start thinking about motions, speakers for next year, discuss at October meeting.

AP4: *Agenda for October meeting.*

Ashworth suggested it would help if we knew what the theme was going to be for conference 2020.

6. Pension Challenge:

Discussed under matters arising.

7. Current Position at Each Hospital:

Ashworth:

- Membership creeping up slowly. 2018/2019/2020, will lose a lot of members due to MHO status.
- Asked Dave Todd at the last meeting for promotional materials, posters etc. Ashworth have 3 inductions per month, about 70 staff per induction, nothing to give them.

Carstairs do a slideshow at their inductions. Will send to Lorraine to adapt.

**AP5: *Carstairs to send slideshow to Ashworth.
Chase up Dave Todd for posters/photo from conference for inductions.***

Discussed the Secure Healthcare Services information pack which was used for recruitment a number of years ago. Revamp and update to be used, along with posters, leaflets, pens etc.

AP6: *Email committee for comments, info, contact details etc to update the booklet.*

48 organisational changes taking place over the next 12 months. One of the biggest is the new build on the Maghull site. Medium secure unit, then will be another new build low secure unit all will be on the Ashworth site. Sitting down in partnership at the moment to look at all policies, cherry picking each policy to put together one policy for all staff.

Carstairs:

- A review of workforce planning taking place which incorporates the new legislation under the Health and Care Staffing Act (2019).
- New Chief Executive, Gary Jenkins, in post from the start of April – appears pro partnership working.
- New TOIL policy from STAC – giving us grief.
- We currently have 2 members suspended, numerous disciplinary hearings and grievances ongoing at the moment.

- Sickness for May was 5.34%, long term 4.38% and short term 0.96. The lowest sickness has been in 5 years.
- Ran short on at least 14 occasions for the month of June, which has resulted in patients/wards being locked up at times.
- Band 6 senior staff nurses will be going on pay protection from April 2020 as this job becomes obsolete.
- Lots of operational issues.

Rampton: No report.

Broadmoor: No report.

8. Any Other Business:

Union learning – Nicky Volley attended the Private Sector meeting yesterday regarding resilience training. Suggested we invite her to our next meeting in October. Ashworth already have this training in house. Carstairs have lots of in house training like this. Nicky will be doing a presentation for the NEC.

AP7: *See who the training is for, is it for the members or POA committees?*

9. Date of Next Meeting:

Wednesday 16th October 2019.

MINUTES OF THE NATIONAL COMMITTEE FOR SECURE HEALTH CARE SERVICES

Wednesday 16th October 2019 Linden House/Cronin House

Present:

Steve Gillan	Chair
Mick Pimblett	Assistant General Secretary
Dave Todd	National Vice Chair
Andy Hogg	Assistant General Secretary
Allan Connor	Carstairs
Bobby Hunter	Carstairs
Karen Henry	Rampton
Martin Handley	Rampton
Lorraine Lewis	Ashworth
Helen Whitaker	Minutes

1. Apologies:

Tony Lynch	Ashworth - Sick Leave
Trevor Chaplin-Smith	Broadmoor

2. Minutes of Previous Meeting – 17th July 2019:

Accepted as a true record.

3. Matters Arising:

DT - Posters printed and distributed to branches.

DT - AP around Broadmoor, everyone knows the details of the visit.

SG has asked Steve Lewis to do a mapping exercise for Broadmoor.

4. NHS Staff Side Council:

Lorraine gave an update on the NHS Staff Council – Discussion around the buying of annual leave, can't touch 20 days mandatory.

2 day away day that Mick attended was all about pensions. RCN and UNISON in favour of retirement age of 67/68, unhappy that FBU won their case. Other issue discussed was buying of annual leave.

The committee discussed the issue of selling annual leave. As a trade union don't think anybody should be selling their annual leave, disagree with this. SG happy to take to the General Council and write to them. Duncan Keys made great inroads at NHS TU meetings and they listened even though we only had observer status.

DT suggested an article for the Winter Gatelodge.

AP1: Steve Gillan to take this issue to the General Council.

5. Annual General Meeting:

SG speakers and ACM's to be in by 31st January 2020. Any ideas for speakers. SG will see if he can come up with anyone in the political spectrum.

AH reported that there is a review of forensic network and mental health in Scotland, concluded by the end of the year, have a look at report when completed.

6. Pension Challenge:

SG updated the committee on the pension challenge. Remedy hearings taking place between now and the end of December. Reinforce our position for argument of retirement age of 60. Unison and other health unions have fears around this. SG updated the Minister yesterday on our mandate from conference, mandatory retirement age of 60 for all. As soon as Steve gets an update, he will circulate it.

7. Current Position at Each Hospital:

Ashworth:

- Membership – balancing membership under 400 mark, as soon as they get new members, other members retire.
- Just and Learning update.
- 52% of the workforce trust wide going through changes.
- Got a seat on the working group that looks at work related stress and work-related injuries.
- Special Hospitals audit this week. Safe staffing levels, only 4 staff short this week!
- Management looking at changing fixed shifts to flexi rostering. Look at balloting staff.
- HMRC fining MerseyCare for staff working a full year of nights in their last year. SG seeking legal advice. Will share with the committee when received. Affects all branches.

Rampton:

- Sickness running at 7%, really good for Rampton.
- CQC report came out today, Rampton inadequate.
- Disciplinary and sickness ongoing.
- Fighting for facility time.
- SG agreed to an open day at Rampton on 7th November, promote the POA, recruitment, Thompsons solicitors for surgeries, banners, memorabilia. SL, SG, HW attending. If any other branches want this facility let us know. Happy to do each of the hospitals if required.

- Same problem as Ashworth with membership yo-yoing, 486 September now 477 members. Have arranged field organisers to pass on info, hand out diaries etc, develop a newsletter once a month. Can send to Ashworth if helpful. Aim to get things back to where they were in Steve Oxby's day. Martin – seemed to have a problem with communication with the POA, Starting a monthly newsletter, POA email address for better communications with members. Carstairs have a group email address for the committee and a group email address for all POA members.

Carstairs:

- A review/negotiation of our protocols regarding annual leave, TOIL and shift swapping has been taking place over the past 2 months – almost completed, however, has not been easy getting to an agreement on it.
- Sickness for July was 5.13%, long term 3.82% and short term 1.31%. Year to date figure is 6.81% and industrial injuries is 0.64%. Ran short on 28 occasions last month.
- Still having issues over AFC and the Governance arrangements within this.
- Looking at potentially having recruitment and retention issues, especially male trained staff, around 15 trained staff short at the moment. Looking at recruiting in October and early Spring (newly qualified). New starts on a new shift system of 7.5 hrs which we disagree with.
- Currently have 1 member suspended, numerous disciplinary hearings and grievances ongoing at the moment.
- Delay in the Once for Scotland policies, now 31/03/20??
- Appear to have an underspend, so far this year minus £112k.
- Forensic Mental Health Review continues – Andy Hogg is attending for Carstairs.
- All staff received their individual holiday pay claims update, which was quite significant and welcome, this was backdated till August 2017 (we think) and we are still taking forward from before this date.
- 2 members of staff at tribunal.

8. Any Other Business:

In raising the profile of all the specials, we can do open days on a regular basis with national input, bringing lawyers along. Want to see a regular input into Gatelodge from the special hospitals so it appeals to all members. It has been suggested to get a professor to do a critical analysis of Gatelodge, need approval from the Finance committee for cost of professor.

Carstairs - Minutes of this meeting go on the public side of the website, managers at Carstairs have been looking at these, can we move it to the members only section?

AP2: Move minutes to members only section on the website (HW).

AH asked if they will be looking at printed info versus digital as many articles are out of date by the time they are published in Gatelodge.

DT if the branches want the posters personalised for each hospital let us know. Also, if postcards etc are required.

SG thanked Ashworth, Carstairs and Rampton for their nominations and support and thanked their members. The committee wished Steve good luck in the forthcoming GS election.

9. Date of Next Meeting:

Thursday 9th January 2020 at Linden House.

MINUTES OF THE NATIONAL COMMITTEE FOR SECURE HEALTH CARE SERVICES

Thursday 9th January 2020 Linden House

Present:

Steve Gillan	Chair
Mark Fairhurst	National Chair
Andy Hogg	Assistant General Secretary
Phil Fairlie	Scottish National Chair
Allan Connor	Carstairs
Chris Slavin	Carstairs
Karen Henry	Rampton
Martin Handley	Rampton
Helen Whitaker	Minutes

1. Apologies:

Dave Todd	Vice Chair - Association Business
Andy Baxter	Assistant General Secretary – Association Business
Tony Lynch	Ashworth – Nights
Lorraine Lewis	Ashworth - POA Business
Trevor Chaplin-Smith	Broadmoor

The Chair has asked Steve Lewis to contact Trevor to arrange for him to attend Broadmoor.

Action: Steve Lewis to contact Broadmoor to arrange a visit.

2. Minutes of Previous Meeting – 16th October 2019:

Accepted as a true record subject to a minor amendment from Dave Todd.

3. Matters Arising:

Item 4 Staff Side Council – obtained observer status after years of campaigning but we want a full seat. SG took this to the last general council meeting. He will be writing to all unions for a full seat. If not agreed will take back to general council. It has been mentioned that we haven't got enough members in the special hospitals but there are other unions with a full seat who have less members than us. Will keep the committee informed of any developments.

Carstairs moved a motion to get a full seat on the Scottish Council, as they have observer status, any progress we make will help Scotland with their seat.

Discussed national and lay official attendance at Staff Council Meetings. The Chair informed the committee that Andy Baxter will be taking on the role of secretary to the Special Hospitals as new AGS.

4. NHS Staff Side Council:

AH attended in November, with Lorraine, gave an update to the committee. Main discussion was the General Election in December. Pay, terms and conditions, training and development, Brexit, tackling staff shortages. RCN NI balloting, took action for the first time. Buying and selling of annual leave was discussed, stopped for the moment, haven't agreed a rate for selling leave back to the employer. POA made clear that we wouldn't be signing up for this or agreeing to it as we don't agree with it, not something the POA would support. It will be an opt in at each area. We are in year 3 of the pay deal, what does year 4 look like?

5. Annual General Meeting:

There will be an AGM pending conference motions.

Andy suggested writing to RCN to invite to speak to conference. Leave with SG.

Ask Gary Jenkins, new Chief Executive at Carstairs. AC will pass on email address to write to him.

Rampton will check with a couple of people and pass on contact details to Helen.

Mark suggested inviting a psychiatrist to speak about how they support staff, mental health, support mechanisms.

Carstairs have a debrief after an incident, closed forum with the staff involved to discuss what happened, could they have done anything differently. Best practice session every 6 weeks, away from the ward. AH asked if Carstairs have a policy on this, can we circulate it to the other branches.

6. Pension Challenge:

The Chair updated the committee on the pension challenge, circular went out in relation to this, not going to be resolved overnight, it's something that will drag on. Our members have always been clear that we didn't accept the changes to pensions on both schemes. Expecting a battle on this one. A circular will be going out shortly inviting applications once Joe Simpson has discussed this with the solicitors.

7. Current Position at Each Hospital:

Carstairs:

- Annual Leave protocol not yet agreed.
- The October 2019 sickness level was recorded at 5.91% with the long/short term absence split being 4.49% and 1.42% respectively.
- Currently have 2 members suspended.
- Continue to have an underspend at the moment.
- Forensic Mental Health review continues – Andy Hogg is attending for us.
- Nursing staff are currently unhappy with a lack of access to their single annual leave days and TOIL, morale down. New staff are leaving because of altered shift pattern.
- New clinical model target date is April 2020, loads of work streams to attend.
- Holiday pay claims
- Committee changes - Allan is resigning as Branch Secretary next week, Bobby is resigning as Chair in May as he has 18 months left until retirement.
- Members are unhappy with TOIL from STAC.
- Annual leave protocol coming out with regards to safe staffing levels, comes into effect in April.

Rampton:

- Sickness is 7%, but probably went up over the Christmas period.
- CQC inadequate, been back in, report is with senior managers, not been published yet.
- No suspensions.
- Sickness and disciplinaries ongoing.
- Open day went really well, thanked Steve Gillan for attending. Hoping to do another one in a couple of months.
- Martin has set up an email address for members.
- Newsletter is going well.
- Members wanted better communications with the committee.

- Introduced field workers/operatives to circulate info in their area. 4/5 on board, helping to recruit as well.
- Spoken to JS today about H&S, will he come and have a look how they do things, assist with help/advice. Asked him to visit Rampton. SG suggested Joe could also do a pension surgery.
- Bank staff have mentioned a lower POA subscription fee as they might only work 1 shift a month, if it was lowered, they would join.
- Negativity, someone is telling POA members that they should join RCN as the POA are rubbish. No-one of a high standard any more to deliver a good service.

8. Any Other Business:

The Chair reported that Andy Hogg is retiring in April, his wisdom is second to none. He is highly thought of and regarded in the trade union movement and will be dearly missed, his experience will also be missed. On behalf of this committee thank you very much for everything you have done.

Andy thanked Steve for his comments. Biggest learning curve is this arena as most national officials are more aware of the prison setting, had a great relationship with Carstairs, Allan and Bobby are now also moving on. Andy thanked Allan for everything he has done at Carstairs and pass on thanks to Bobby. Keep on fighting the good fight and keep going.

The Chair wished Allan and Bobby all the best and thanked them for all their hard work on behalf of the POA. Allan will be staying on the committee in the background.

Carstairs stated that Andy is a sad loss to the POA and will be missed.

Arrange PCU presentation for April meeting.

9. Date of Next Meeting:

Thursday 23rd April 2020.

MINUTES OF THE NATIONAL COMMITTEE FOR SECURE HEALTH CARE SERVICES

Thursday 23rd April 2020 Via Skype/Dial-in

Present:

Steve Gillan	General Secretary
Andy Hogg	Assistant General Secretary (Chair)
Angela Montgomery	Assistant General Secretary
Phil Fairlie	Assistant General Secretary
Richard Nelson	Carstairs
Karen Henry	Rampton
Martin Handley	Rampton
Lorraine Lewis	Ashworth
Helen Whitaker	Minutes

1. Apologies:

Dave Todd Vice Chair - Association Business

2. Minutes of Previous Meeting – 9th January 2020:

Accepted as a true record.

3. Matters Arising:

AP1. Contact with Broadmoor was made and a visit was set up but cancelled due to COVID-19.

4. COVID-19:

The Chair asked for an update at each hospital. Keep on as a standing agenda item.

Rampton – Had issues. 4 cases on one ward, LD ward, this was managed brilliantly, all stayed on the ward, had PPE, came out of the other side. 2 cases on another ward, PD ward, not having the same experience as the other ward. Still having lots of staff movement, which is concerning, cross contamination. The virus must have come into the hospital from staff carrying it. Quite a lot of staff self-isolating, staff are coming back that have been off. As a whole at Rampton the staff are adapting very well. Set up Rampton POA advice on social media which has alleviated a lot of anxiety. The Chair asked about uniform, taking it home, leaving at work. Rampton don't have a uniform, although staff have recently been issued with 3 polo shirts each but no where to get changed. PPE is wonderful, goggles that fall off your face, one size fits all, holding them on whilst trying to restrain. Martin explained about the visors they have that do not work. Raised at H&S meeting with management. Is there enough PPE? Yes, but a fair amount is inadequate. Karen has asked managers to send out a guide for all staff, needs to be the same for all staff. Not sent out clear guidance. It was suggested this is raised with H&S today at the meeting this afternoon, if no joy raise with NHS staff council. Public Health England have been in about the first outbreak. Opened Nightingale ward this week in Nottinghamshire, in Rampton on one of their wards.

Ashworth pointed out that every NHS Trust including the Special Hospitals have had to identify a ward or the amount of beds available for COVID overspill.

Carstairs commented on the concerns raised about PPE and its use. Possibility that it is not being used properly, check guidelines to see if it is being used properly.

Ashworth – PPE; do not have a problem with it. Did have an issue at the weekend over social distancing in the key lobby but sorted now. Masks and gloves available at door entry building for all sites as they are queuing up to draw keys. Daily strategic meetings at 10am, tactical meeting at 2pm, 10pm staff side update and report from Lorraine and Trust update from Amanda Oates. Sad to report 2 staff deaths and 4 staff in intensive care.

The Chair asked Lorraine to pass on the committee's sincere condolences to the families, staff and colleagues. There is a rumour that 3 of the staff in hospital, 2 in intensive care, one on a normal ward, are POA members, seeking clarification. Issue will be staff who are refusing to come back to work, will be marked as unauthorised absence and may be subject to disciplinary. A panel has been put in place this week to look at if staff should be at home, be at work, staff using occupational health and counselling to help their anxiety, going against Public Health England guidelines. Set up In-kind procedure – looking at staff who are not clinical staff and if agreeable training them to get them on to the wards. A third of the workforce are working from home but this will dry up eventually. Looked at training a receptionist, if they want to (voluntary), to train them to work on a ward. Training framework has been developed, first 10 staff who have volunteered are starting training.

Rampton asked Lorraine to send to them to look at. Look at difference between Rampton and Ashworth's policies. Send to Helen to circulate.

AP1: Send policies/guidelines etc to Helen to circulate to the committee.

Carstairs – Sickness 76 overall, 15 self-isolating, 28 staff who are sick. Sickness is the best it has looked in 4 years. 8 confirmed patients in total, tested and come back as negative. Night shift concerns raised. Brought in a new policy, clinical operating policy, POA has had a lot of input, a work in progress.

Management structure of gold, silver, bronze command.

A few issues with testing for staff. If they have a negative result they return back to work straight away. Have had a lot of false negatives in Scotland, some people refusing to be tested and refusing for their children to be tested. PPE issue with large beards, being asked to shave them off. PPE within the hospital, no issue with, relatively good stock, any issues etc, follow guidelines. Staff uniform, all staff at Carstairs wear uniform. Normally travel to work in uniform and travel home in uniform. Now being asked to travel in normal clothes then change into uniform at work, same when leaving. Staff without uniform have been asked to travel in one set of clothes then get changed into another set on arrival, supplying polo shirts to non-uniform staff but having trouble with deliveries of polo shirts as they come from Pakistan. Shortage of paper towels in the hospital, problem getting more stock. Only tested in Scotland if showing signs or symptoms. Testing is at Glasgow Airport which is a long way for someone to go who is ill, travelling distance is too far, need to be available at hospitals/closer sites. Phil informed the Committee that this has been discussed about having more testing sites for prison officers, will widen to Carstairs staff.

Discussed escorts to and from hospital to general hospital. Plans are discussed prior to leaving, liaise between hospitals to sort out what equipment is needed. General hospital sorts out food/meals for staff and Rampton reimburse the general hospital.

Ashworth have their own testing team in house.

Rampton have to go to Nottingham, 40 miles away for testing.

Angela asked, in terms of support for staff who are ill or hospitalised, are management supporting staff?

Phil asked in terms of uniform is this being enforced; do you have enough space for staff to socially distance and change before leaving shift. Yes, they do. Scottish Government are making an announcement on social distancing at 12.30pm today, will be now be termed as physical distancing.

Steve Gillan joined meeting. Thanked Andy for chairing. Can he have information so he can put out an update to the membership as only covering prisons at present, so the Hospitals are included.

5. NHS Staff Side Council:

Andy asked Angela to provide an update on the last Staff Council meeting. There have been a number of meetings, twice a week, mainly about Covid, access to testing raised every time, not enough testing, other issue is access to PPE. Some Trusts are struggling to get PPE.

Rampton are the central resource for the Trust so it is sent out from Rampton.

At Ashworth one of the biggest issues is oxygen and how to transfer it, not used to it, how do we get it from one site to another? Storage of oxygen and mobility of it.

Angela asked how many have tested positive for COVID.

Angela informed the Committee that TickTok have given 5 million pounds to support health care staff who have frontline contact.

6. Pension Challenge:

People who have retired and are now returning to work in prisons, there is a pension issue which is awaiting approval.

Steve raised the issue about abatement rules. If it still applied, it wouldn't be in peoples interests to come

back. Abatement rules have been set aside by Cabinet office.

Issue with age of certain of people being asked to stop at home then being asked to come back to work.

Pension challenge is still ongoing, but it takes time.

Judicial review and legal challenge on the freezing of the cost cap. Sharing costs with other unions, waiting for UNITE to make a decision. Circular will hopefully be going out on Friday.

7. Current Position at Each Hospital:

Ashworth:

- When this is over, what kind of work will be coming our way, underlying illnesses after having COVID, sickness policy in the future.

Rampton:

- Same discussions at Rampton re sickness policy.
- Ongoing suspension.

Ashworth asked if we can have a dial in meeting before July to catch up. Suggested one in May and one in June, keep July as a regular quarterly meeting. Agreed by Steve Gillan.

AP2: Set up monthly COVID update meetings for May and June.

Carstairs:

- Nothing from Carstairs.

8. Any Other Business:

Ashworth asked if we have any information on tax relief for staff working at home? She will look into this and will let us know. Once we have the information, we could then put out a circular. Tax relief is also available for staff laundering their own uniforms at home.

AP3: Lorraine Lewis to look into tax relief.

9. Date of Next Meeting:

Thursday 30th July 2020.

MINUTES OF THE NATIONAL COMMITTEE FOR SECURE HEALTH CARE SERVICES

Thursday 30th July 2020 Via Skype/Dial-in

Present:

Steve Gillan	General Secretary
Phil Fairlie	Assistant General Secretary
Angela Montgomery	Assistant General Secretary (Minutes)
Karen Henry	Rampton
Anthony Wragg	Rampton
Lorraine Lewis	Ashworth
Tony Lynch	Ashworth

In attendance:

Mark Fairhurst	National Chair
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Dave Todd Vice Chair

1. Apologies:

Trevor Chaplin-Smith	Broadmoor
Laura McCaffrey	Carstairs
Richard Nelson	Carstairs
Helen Whitaker	Annual Leave

2. Minutes of Previous Meetings – 23rd April 2020 & 21st May 2020:

The minutes of 23rd April 2020 agreed by PF as a true record.

The minutes of 21st May 2020 agreed by KH as a true record.

3. Matters Arising:

None.

4. COVID-19:

KH reported that Rampton had managed well through Covid-19 and that wards were isolated where there were suspicions of Covid-19 and this had stopped it spreading. Anti-body testing had taken place, but this was only 70% accurate. Covid-19 testing came back within 48 hours with no patients testing positive and the odd member of staff testing positive. KH stated that the isolation of the hospital with most staff living in local villages would have been a factor. Staff who were shielding had been supported back to work with the employer providing appropriate staff.

There was no update from Carstairs.

LL reported at MerseyCare there were 520 staff who were off and 280 staff who were shielding under the Government Guidelines. Risk assessments were being completed by managers with staff and if the staff were not happy then there was a panel to review the decision. Staff were returning to work as normal or PPE was being worn or staff were being re-located and/or having a staggered start and finish time. At this point 3 members of staff been hospitalised with Covid-19 with 2 members of staff needing intensive care. One member had died. The issue is having compatible PPE and there was little agreement about what amounted to suitable PPE between the Trusts. SG advised that this was also happening with prison staff. TL said that he would be taking the issue of cross infection up with management. MF thanked individuals for their contribution and expressed concern about the number of staff who were off and shielding and advised that the issue of PPE should be pursued as this was a concern.

5. NHS Staff Side Council:

LL raised the issue that local allowances had been cut and while pay deals were negotiated nationally local trusts were reducing enhancements so that in terms of the 3 year pay deal the benefits had not been felt. It was acknowledged that the process for negotiating pay in Scotland was different. AM advised that the POA had observer status so was able to have an input but could not have a vote. SG confirmed this saying that he was pushing for a full seat on the Council. The RCN were supportive of this and when the General Secretary elections for Unison and GMB were completed SG would be contacting them for support. AM reported that in respect of pay negotiations there were discussions regarding an early and substantial settlement and AM would contact individual branches as required.

6. Pension Challenge:

SG advised that the POA would be making a legal challenge in respect of proposed changes and that a circular would be sent out. MF stated that he would be looking for NHS staff to have the same arrangements to retire at 60 and thanked everyone for their efforts at what was a difficult time and would be looking for the public appreciation to be converted to hard cash in subsequent pay negotiations. SG noted that NHS staff had not received any Covid bonus and so would be expecting that their efforts would be rewarded in the new pay deal. AM reported that the NHS staff are concerned that their efforts are not being rewarded for the risk going forward and this applied to all grades, cleaners through to doctors. There was support at the meeting for going in quickly to secure a one year pay deal rather than waiting for the PRB process to commence. DT advised the meeting that he would be visiting all the Special Hospitals. PF stated in Scotland that there was a similar discussion taking place in terms of capitalising on the public's goodwill. PF stated that the health trade unions were standing together in respect of a pay increase. PF raised the issue whether a similar allowance to the PP Bonus Scheme needed to be negotiated for health care. DT advised that there had been no negotiations in respect of the PP Bonus Scheme and that it was a government offer which individual members signed up to. AM advised that healthcare trade unions were reluctant to negotiate a bonus scheme but wanted a substantive pay settlement for Christmas.

7. Current Position at Each Hospital:

Rampton:

Rampton Hospital reported back that there had been a change of Senior Manager for Forensic Services and there was currently one suspension. There were concerns that members and non-members were saying that the POA was in the pocket of management. SG advised that the POA should rise above this negativity and educate members and it was important that members understand the need to engage to get the best result. Members need to understand that you can disagree with management but continue engaging and that they are better in the POA than not in the POA. KH advised that they had now got a full committee and that Joe Simpson would be doing a pension surgery. Staffing numbers on the wards had been quite healthy but were starting to go downhill. KH raised the issue that since lockdown there had been no national training and was re-assured that training would be made available on the premises if required and this had occurred.

Ashworth:

Ashworth Hospital reported that a new medium secure unit was being built on the Ashworth site and would be opened in October and would result in the amalgamation of other units and this would impact on 700 staff and there would be POA involvement. LL confirmed that there was a no redundancy policy and there were increasing numbers of patients requiring medium secure facilities.

8. Any Other Business:

SG raised the fact that monthly returns needed to be done and this needs to be done every month and requested that this happens. It was agreed that any queries regarding the completion of the forms should go to AM. SG updated the meeting on the Emergency Workers Consultation 'Protect the Protectors' advising that Thompsons had done an excellent job of responding on behalf of the POA. The closing date for consultation is 7th August. The number of assaults on members had decreased but their severity had increased. SG asked for this to be put on the next agenda. PF advised the meeting that in respect of Carstairs that the holiday pay claim had been rejected and consultation had been extended to 9th September.

9. Date of Next Meeting:

Thursday 22nd October 2020.

MINUTES OF THE NATIONAL COMMITTEE FOR SECURE HEALTH CARE SERVICES

Thursday 22nd October 2020 via Microsoft Teams

Present:

Steve Gillan	General Secretary
Karen Henry	Rampton
Lorraine Lewis	Ashworth
Richard Nelson	Carstairs
Helen Whitaker	Minutes

In attendance:

Dave Todd	Vice Chair
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1. Apologies:

Phil Fairlie	Annual Leave
Angela Montgomery	Association Business
Trevor Chaplin-Smith	Broadmoor

2. Minutes of Previous Meeting – 30th July 2020:

Accepted as a true record.

3. Matters Arising:

No matters arising.

4. COVID-19:

Rampton:

Karen is currently self-isolating. No patients with Covid-19. Quite a few staff self-isolating, no staff members positive at the moment.

Ashworth:

Highest sickness rate in the country, looking at special measures. Lots of work being done to support staff with sickness, self-isolating, school runs etc. Biggest impact was schools reopening, staff being called to pick kids up. Currently 3 outbreaks on the wards, medium secure, rehabilitation and one of the community wards, 11 patients Covid positive, being isolated, 15 staff tested positive. Introduced across the Trust a self-swabbing system. Trust looking at swabbing 5000 staff over the next 10 days. Result will be text to the individuals' phone. No problems with PPE, got tons of PPE. Problem with one particular mask that is fitted. Got fit mask teams out fitting staff for masks. Members of the POA committee are trained for this, being released from duty to fit masks. A POA member has just come out of intensive care, in talks with Angela Montgomery to see if we can help him with some of the Covid funds. 2 deaths since the last meeting, both vulnerable to Covid but death certificate doesn't say Covid is the cause of death. Trust are looking after the wellbeing of staff, encouraging staff to take leave and look after themselves.

Carstairs:

163 staff tested since Covid began 16 positive results, 16 members of staff absent, 6 are symptomatic, 5 isolating due to family members, 5 shielding. ACAS agreement, work to at all times, management can't reach this, working on a grievance from the joint staff side, to have open doors on night shift. Scientific and Technical Advisory Group, get a lot of information through there. Don't have any patients with symptoms at present. Had 8 patients tested positive in total, 73 tested.

Broadmoor:

Update from Trevor via email.

No patients currently showing or confirmed COVID-19.

Staff – Still have people isolating due to having symptoms or living with someone who has positive case.

Tier 2 being announced in nearby areas so contingency plans being put in place.

5. NHS Staff Side Council:

SG – We are continually seeking a full seat on the Staff Side Council. Had commitment from affiliated unions to support us. Asked Angela Montgomery to raise at Staff Side meeting today that our patience has worn thin with unions to agree to a full seat for the POA on the Staff Side Council. We understand we are a small trade union in the scheme of things compared to other unions. We have got Unite on side. Had promises that we will get a full seat on the Staff Side Council. We have RCN on side. Will raise at next General Council meeting, won't be treated in the manner we have been treated, have been kept from having a full seat, push into a decision by May next year.

Carstairs reported that we only have observer status at STAC as well. Also need to push for a full seat on this committee.

SG - Will tackle NHS Scotland as well with STAC, will speak to Phil when back off leave.

6. Pension Challenge:

SG – The consultation is now closed, POA response has gone in, covers Civil Service Pensions and NHS pensions. Circular will be sent out shortly.

7. Violence Against Emergency Workers:

Started as a member's bill, got cross party support, became law, law strengthened from 1 year to 2 years. Challenging prosecutions through judicial reviews so our members get justice when assaulted rather than just an occupational hazard. Will keep a watchful eye on this and report back to members any updates.

8. Current Position at Each Hospital:**Rampton:**

Ticking along, don't know current sickness levels, got 1 suspension ongoing, got a disciplinary this afternoon, hoping for a final written warning. Staffing quite good, changing with tier system. Would like to thank Dave and Angela for coming and doing a walk round at Rampton. Would like them to come again. Hopefully Joe Simpson is coming in December to do pension surgery.

Ashworth:

Massive sickness levels at the moment, working closely with the Trust. New medium secure centre will open on 16th November, medium secure and learning disabilities, mobilisation of over 700 staff. Different organisations and terms and conditions. Pushed back as Scott Clinic has some Covid positive patients. In talks over North West Burrows, coming on board from 1st April, push staffing levels to between 12,000 and 15,000. Still recruiting and taking part in induction and apprenticeship programmes.

Carstairs:

Violence and aggression has risen quite a lot, patient to staff assaults, noting too serious. Incident management structure, gold, silver and bronze command. Richard has a seat on this committee, looking at moving away from this. Succession planning for staff retiring, concerns for nepotism, would like to stay involved. One staff suspension this weekend, will bring Phil in for this.

SG will try and visit each hospital depending on Covid rules and progression. Grateful that Dave and Angela

went to Rampton, members get to see and speak to NEC/FTO's in person.

9. Any Other Business:

No other business.

ACTION: HW to email committee for availability in November, December, January and set up monthly meetings for Covid updates.

10. Date of Next Meeting:

To be arranged.

MINUTES OF THE NATIONAL COMMITTEE FOR SECURE HEALTH CARE SERVICES

Thursday 7th January 2021 via Microsoft Teams

Present:

Steve Gillan	General Secretary
Phil Fairlie	Assistant General Secretary
Karen Henry	Rampton
Lorraine Lewis	Ashworth
Richard Nelson	Carstairs
Helen Whitaker	Minutes

In attendance:

Angela Montgomery – Annual Leave
Trevor Chaplin-Smith - Broadmoor

2. Minutes of Previous Meetings – 22nd October 2020, 19th November 2020 & 17th December 2020:

22nd October - Accepted as a true record.
19th November - Accepted as a true record.
17th December - Accepted as a true record.

3. Matters Arising:

22nd October - No matters arising.
19th November - No matters arising.
17th December - No matters arising.

4. COVID-19 Update:

Carstairs:

Absence figures - slight increase due to staff shielding, 50 last week, now 71 this week. 29 staff off with COVID-19.

Turning back to a more restrictive model.

Vaccinations underway, running smoothly. Concerns over 2nd dose moving to 12 weeks. 1st dose is 90%.

275 doses administered so far; more being delivered next week. Staff who had opted out of wanting the vaccine have now changed their minds and want the vaccine.

Concern over people who have tested positive, they then have to wait 4 weeks before they can have the

vaccine. Vaccinating finishes next week, concerns over the staff who have to wait not getting the vaccine.

Started staff testing, lateral flow, phased in over this month, voluntary. Government looking for it to be done by end of January.

8 confirmed patients since onset, all recovered pretty well.

Currently don't wear face masks on entering, now making this compulsory.

PPE is fine, conversations about face fit masks rather than fluid resistant face masks.

SG raised concerns over 2nd vaccine moving to 12 weeks instead of 28 days.

Ashworth:

From yesterday the whole of MerseyCare Trust went into business continuity. Ashworth have gone into major incident. Taken advice from Joe Simpson this morning.

Absence over 18% last night.

70 patients positive as of yesterday.

Put out communication, copy us into it. Get together with NHS staff side to put out together.

Email gone out this morning. Need to have 2nd jab within 21-28 days. Email gone out today to book staff in.

Trying to start vaccination process as soon as possible.

Asking OSG staff to take staff temperatures on arrival.

Borderline between voluntary and compulsory.

Rampton:

Last update was positive, had turned a corner. Everything has now changed.

As from the start of lockdown gyms have been closed, on ward facilities closed, not taking patients shopping, shopping is being delivered to wards. Professional visits cancelled again, doing by purple visits.

Quite a few wards been in isolation awaiting test results, come back negative.

Mental health ward, 14 staff tested positive on one ward and 2 patients tested positive. Staff not adhering to PPE. Management looking at taking action if staff don't wear PPE. Use masks, visors and sanitiser.

SG asked about the age range – what is the youngest age of patients you have – age 18.

Carstairs have hub gyms for patients to use. Standard operating procedures for cleaning.

SG young prisoners are being treated differently to adult prisoners in prisons, with regards to education and gyms.

Broadmoor:

Update from Trevor via email.

Please pass on my apologies as we are under a lot of pressure working in the hospital.

Current position at Broadmoor:

Covid-19 ward now has 12 confirmed patients in it and a second ward is being opened to take more patients.

1 patient currently hospitalised due to Covid-19.

Over 100 hundred staff off with confirmed Covid-19.

Broadmoor have closed all health and fitness, central services ie café and education all closed and staff relocated to fill shortfalls on the wards.

Looks very bleak here along with everywhere else!! Stay safe everyone.

5. NHS Staff Side Council:

Steve will ask Angela for an update when back from leave. If any update will ask Angela to send out a written update.

6. Pension Challenge:

No update at present.

8. Current Position at Each Hospital:

Carstairs:

No update other than Covid. Staff member suspended, Phil came in, now ended and member back at work.

Ashworth:

Nothing other than Covid which is dominating everything.

Rampton:

1 suspension, hearing next week, being going on for nearly a year. Investigations going on, dealing with in a just culture way.

Phil raised Pensions – not been able to get into Carstairs, have asked members for a list of queries, will go through this with Joe and answer all questions.

Plan to continue with education across the board.

9. Any Other Business:

Steve referred to the POA circular – hoping to have an Annual Conference in November, moved deadline for annual conference motions to 30th June.

Helen has diared monthly Covid update meetings for February and March.

Ashworth - New unit has opened.

CHSA funding send forms out to branches today so members can complete and return.

10. Date of Next Meeting:

Thursday 22nd April 2021

MINUTES OF THE NATIONAL COMMITTEE FOR SECURE HEALTH CARE SERVICES

Thursday 22nd April 2021 via Microsoft Teams

Present:

Steve Gillan	General Secretary
Angela Montgomery	Assistant General Secretary
Karen Henry	Rampton
Martin Handley	Rampton
Chris Tyack	Ashworth
Helen Whitaker	Minutes

In attendance:

Mark Fairhurst	National Chair
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1. Apologies:

Phil Fairlie	Assistant General Secretary
Dave Whalley	Ashworth
Lorraine Lewis	Ashworth
Trevor Chaplin-Smith	Broadmoor

2. Minutes of Previous Meetings – 7th January 2021, 11th February 2021 & 12th March 2021:

7th January - Accepted as a true record.

11th February - Accepted as a true record.

12th March - Accepted as a true record.

3. Matters Arising:

7th January - No matters arising.

11th February - No matters arising.

12th March - No matters arising.

4. COVID-19 Update:

Rampton:

5 staff off with long covid. Things moving forward, no longer need to wear visors unless in red area.

Purple visits still going ahead, still looking at how to introduce visits.

Most of staff on with having 2nd jab, all shielding staff are back at work.

MF asked what are they down as for sick leave? Rampton – getting logged as long covid. No half pay because it is logged as COVID.

Ashworth:

MerseyCare NHS England sent out an email to all trusts regarding sick leave. All staff with long covid will get full pay and enhancements. 42 staff off with long covid, if any of them are POA members we are putting in applications through the charitable fund. Developed a 3-month report. All staff remain wearing surgical mask, POA H&S guys trained to fit mask testing FFP3, only full-time team, set up a satellite area for testing. Trying to get more time, not in POA facility time, that's for other things. Fit mask testing in the near future will come under mandatory training. Chris is on the Covid-19 panel for work related covid.

ACTION: Chris to email report to Helen on H&S issues, testing etc, so Steve can get something out to the membership.

5. NHS Staff Side Council:

Angela reported that the NHS stance is that covid related sickness won't be counted, will get full pay, but it won't be forever. Pay discussion yesterday, going to mount a campaign, been meeting with Tory MPs to get support on pay offer. Will get an offer better than 1%, don't think it will be 4% like Scotland. Any info we get will be put on website, Twitter etc.

Diversity - Sign up for training – will circulate to committee.

Steve asked if the 14 health trade unions are looking at taking action, will keep a close eye on it.

6. Pension Challenge:

Steve reported that the update is as per POA circulars, still a long way to go, still challenges, will update as and when we get more information from the Government.

7. Current Position at Each Hospital:

Rampton:

- 2 disciplinaries ongoing, 1 suspension, 3 investigations, might be another investigation coming their way.
- Sickness for rolling 12 months 6.7%.

Ashworth:

- No disciplinaries, challenges with secure division, making decisions before going through due process. Will be speaking to Deputy Director of Workforce.
- Agenda for change and organisational change at the moment. Contracts/policies etc.
- The committee are interested in the People's Assembly March in London, going by train, looking at funding. Looking at regular training for committee and co-ops, TUC 1 day a month for refresher, Wellbeing and Challenging Conversations, good teambuilding. Sharing experiences and knowledge. Had a number of crisis calls within 72 hours. Had a suicide within Ashworth (member of staff). Member been sectioned in severe crisis.
- Legal support – is it possible to speak to Thompsons, is there a direct line for some advice 10 min conversation. Figures for assaults, will get to us, assaults have gone up.

Steve will raise with the finance committee for expenses for the People's Assembly March, but branches would need to take out a cancellation policy because of Covid so we can get refunds on train tickets.

Legal – is it personal injury, criminal law, employment issues? Will go through Mick Pimblett.

Invite Thompsons in to do legal surgeries at the branch on a regular basis so members can put questions to them.

Angela informed Steve that Lorraine has sent an email saying she will confirm the numbers today for the People's Assembly.

Mark thanked the branches, we appreciate all your hard work, you are all a credit to the POA and should be proud of yourselves.

8. Any Other Business:

No other business.

9. Date of Next Meeting:

19th May 2021

MINUTES OF THE NATIONAL COMMITTEE FOR SECURE HEALTH CARE SERVICES

Wednesday 21st July 2021 via Microsoft Teams

Present:

Steve Gillan	General Secretary
Angela Montgomery	Assistant General Secretary
Phil Fairlie	Assistant General Secretary

Nick Cardy	Rampton
Lorraine Lewis	Ashworth
Chris Tyack	Ashworth
Richard Nelson	Carstairs
Cheryl Monteith	Carstairs
Helen Whitaker	Minutes

In attendance:

Mark Fairhurst	National Chair
Dave Todd	Vice Chair

1. Apologies:

Karen Henry	Rampton
Trevor Chaplin-Smith	Broadmoor

2. Minutes of Previous Meetings – 22nd April & 16th June 2021:

22nd April - Accepted as a true record.

16th June - Accepted as a true record.

3. Matters Arising:

22nd April - No matters arising.

16th June - No matters arising.

4. Items referred from H&SCC Meeting (Chris Tyack):

- **Admission of inappropriate patients into standalone units.**
Chris Tyack and chair attended a meeting to update the protocol. Will be looked at, updated and brought back to a meeting but not heard anything. Eventually got something back called Policy, still not had a meeting to agree and ratify.
- **Lack of search training for staff throughout local division MCT.** Although we keep on eairing, Mersey Care keep promising they will get something in place, rest of local division haven't had search training. Weapons, lighters etc coming in, Ongoing, not yet implemented it.
- **Increase of assaults and behaviours (physical, verbal, racist, and sexual) from patient on staff.** Still ongoing, from POA H&S position we have asked for it to be documented and dealt with. 2 black colleagues assaulted by a patient on a ward. High level especially on nights, where is the support etc. Passed to police liaison to take forward to CPS. Staff are being verbally abused daily.
- **Minimum staffing levels.** At the moment all areas of the trust are suffering staffing levels. Going through organisational change. Looking at rosters.
- **BAME members are suffering increased racial aggression and abuse.**
- **Uniforms.** Finally made a decision on uniform, going to continue with existing uniform until 2022 then go to staff side to discuss new uniform.
- **Staff suffering stress related illnesses and anxiety due to roster changes.**

Liaise with H&S committee on some of the issues (JS) to take to H&S Executive to take forward. Verbal, racist behaviour cannot be tolerated and needs to be taken forward. Lorraine informed the committee that the

police liaison said this is the patient's home and they can do what they want, we need to enforce these issues, zero tolerance on abuse. The chair stated that everyone has the right to be protected in the workplace and we won't tolerate abuse. Ask Police Liaison if this case is going to be prosecuted, if not we will get Thompsons to send a letter before action to the Police. Not acceptable. New legislation has just gone through on emergency workers, will take a robust approach on this.

Will be able to deal with most of these issues off the table with Angela Montgomery assisting but assaults and abuse we need to deal with.

If they are not taking any notice, you have the right to ballot for industrial action.

The National Chair stated that not being able to arrest them in their own home is not the case. Advised Ashworth to put out a notice to members to report any racial abuse, phone 101 and get a crime number, contact local MP to make them aware, this will then highlight police liaison lack of action.

On the H&SCC, NEC getting in touch with Mersey Care, hasn't happened with COVID etc.

The vice chair commented that there are common themes between NHS employer and prison service employer regarding police liaisons. Put violence data as a standing item on this agenda. Tackling within the workplace but employer not listening so go above them and raise with ministers. Gather data and put it out there.

Chris informed the meeting that they question data in divisional meetings and trust meetings. At the Chair and NEC request started collating data for chair and sec to share at meetings. Chris is staff side chair and the POA are leading on everything. Male and female staff have been grabbed in inappropriate areas and racist name calling. Staff have not been trained in Datix, so they don't know how to fill in.

5. COVID-19 Update/CHSA Welfare Fund:

The Chair thanked Ashworth and commended them for putting so many applications in, that's what the fund is for, pressure on us to spend it, if not we have to give it back.

Angela Montgomery thanked Ashworth for putting in the hard work to get applications going but need to keep the momentum up, nearly halfway through and haven't spent 50% yet. Fire Fighters contract has been renewed so we can use funds for this. Prison health care staff can also apply for this.

Ashworth asked if they could have a copy of the Fire Fighter's charity leaflet. The Chair informed them that there will be a circular and info coming out this week in relation to this.

6. NHS Staff Side Council:

Angela reported on the pay award. Pay Review Body announcement is imminent, 1% is what the employer has offered, rejected by all unions. Challenge on judicial review on pensions cap, POA were asked to organise a presentation to health unions, Ivan did this for us, went down well, very clear, will be discussed today. Flexible working, the handbook has been changed to allow flexible working from day one. Large numbers of health staff have been diagnosed with long covid, significant issue, looking for it to be accepted as an occupational illness, been actively pursued.

Discussed calculation of pay whilst on annual leave. Angela will raise at the meeting this afternoon. On NHS Employers website and ACAS website.

Judicial review result 30th July on holiday pay and overtime, large amounts of money being thrown around.

7. Pension Challenge:

The Chair has covered some of this, other legal challenges going on, no update at this time.

Carstairs asked Phil to arrange a catch up with Joe on this, various questions being asked. The Chair suggested that Joe Simpson could do a surgery at Carstairs to answer any questions from members.

Angela mentioned outstanding challenges from Scotland – could Richard and Phil stay on after meeting.

Rampton reported that Joe did attend Rampton on 13th July for a pension surgery, very well attended, everyone went away happy. Joe is happy to visit Rampton whenever needed.

8. Current Position at Each Hospital:

Rampton:

- Sickness figures 10.3% for June, haven't got July figures. 89 staff as of yesterday afternoon been pinged to self-isolate. If double jabbed, you can come back to work. 141 staff off sick, 76 absent due to being pinged, 100 on leave. Running very low numbers on wards.
- Currently have 6 disciplinaries within the last month. Night staff sleeping on nights and not doing observations, no one been dismissed.
- 10 new members since last covid meeting a month ago.
- All training halted because of staffing issues until September.
- General Manager and Forensic Deputy Director have been in contact re staffing levels and what can we do to help, shuffling staff around short term.

Carstairs:

- Cheryl just joined the committee, invited to this meeting but has had to leave.
- NHS Scotland 30th September.
- Major staffing issues over last few weeks.
- Test and protect and isolation test. Negative PCR test but positive lateral flow test so still having to isolate. From 8 one day to 26, caused ward closures.
- 26 spaces for training staff, recruitment issues.
- Management wants to bring in a staff bank, don't currently have one. POA have always fought against it, ongoing discussions.
- Sickness absence has risen, long term 5.35%. Short term 1.29%.
- 1 ward sitting at 19% sickness absence
- Total sickness to date is 66.
- No positive patients at the moment.
- Still working to an interim model, patient activities reopened.
- Lateral flow testing twice a week, only 14% registered results, pushing staff to log test results, work ongoing.
- Small rise in employee relations activity in last couple of months. POA has concerns, risen from 0 to 9 in last 6-8 weeks.
- No suspensions at present.
- Going though security upgrade at present – all CCTV has been installed, blind spots within the grounds which will have cameras mounted.

The Chair commended Lorraine and the branch as Ashworth branch was going downhill and members were leaving in droves. Since Lorraine has taken over the membership has gone up by over 100, one of the fastest growing branches in the country. Done a terrific job. The membership at Rampton and Carstairs have always been steady.

Ashworth:

- Sickness across all 5 divisions sitting at 15% at the moment. Short staffing, staff working long days, becoming a normal shift now 7am till 9pm and 6/7 days on the bounce is becoming normal.
- Track and trace don't seem to have an issue. Issue with the schools, if a big school sends a whole year home to isolate this affects the staff at Ashworth which means parents (staff) then have to go home. Having to mobilise staff to get wards covered.
- Disciplinarys – don't tend to have many disciplinarys in Mersey Care because they use Just and Learning approach.
- Huge shoutout to Dave Todd for attending a branch meeting the other day. Organised change paper to move from fixed shift patterns to flexible rostering. Loss of earnings on average will be about £600 per year. Branch meeting poorly attended due to shifts. Lorraine sitting on 22 organised change committees at present.

The Vice Chair has requested legal advice on shift patterns and whether this can be a term and condition. Waiting for this to come back. Enjoyed the day and was good to engage with the membership.

9. Any Other Business:

The National Chair asked what systems do the branches have in place for issuing patients with razors for shaving?

Ashworth – high and medium secure issued with disposable, item in the hand back and disposed of. Low secure and local division allowed to use their own items, not considered as a security item, have a lot of self-harm in those areas.

Rampton – supervised, allocated 1 disposable razor, hand back in then put back in a sharps bin, no patient keeps their own razor, allocated 1 to one, and checked.

Carstairs – risk assessed, counted out hospital issue Bic razor, only allowed to shave in the morning, handed out then counted back in. If risk assessed supervised by 2 staff or not allowed to have one.

Rampton – did trial on an electric razor on a wire some years ago. H&S after a while said it wasn't really working. Back to Bic razors 1 in 1 out, don't take our eyes off them when shaving.

Ashworth raised application forms for people to become POA members. When people go online and complete application forms the branch get an email but with just a name not where they work. Got over 200 sites, need more than just the name off the application form, need specifics. The Chair will raise this with the membership dept to ensure they make clear what site they work in. Seem to have stopped receiving remittance letters from HQ. Will look into this and report back to Lorraine. Is there any training available for POA reps for challenging conversations and suicide conversations? Happening regularly. Ask Angela to feed in to training committee.

Angela to liaise with Steve Lewis about reports of leavers and joiners.

Rampton have not received a remittance for months on members. Not being told if the new member has any outstanding issues prior to joining.

Discussed the new membership system.

Angela will chat to Steve Lewis to see if we can add date of joining to report so if date of incident is before date of joining the branch will see that.

10. Date of Next Meeting:

21st October 2021

MINUTES OF THE NATIONAL COMMITTEE FOR SECURE HEALTH CARE SERVICES

Wednesday 21st October 2021 via Microsoft Teams

Present:

Steve Gillan	Chair
Lorraine Lewis	Ashworth
Karen Henry	Rampton
Helen Whitaker	Minutes

In attendance:

Mark Fairhurst	National Chair
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1. Apologies:

Dave Todd	Association Business
Angela Montgomery	Annual Leave
Phil Fairlie	Association Business

2. Minutes of Previous Meeting – 21st July 2021

Accepted as a true record.

3. Matters Arising:

No matters arising.

4. COVID-19 Update

Ashworth: Had a JNCC meeting yesterday, not had any covid cases for quite some time, reported 2 confirmed patient cases and one confirmed outbreak (2 patients or more on the same ward). No confirmed staff cases, lots of staff confirmed long covid. Vaccine centre, all staff going through vaccination process, if vaccines left over will offer to family and friends.

Rampton: No patients positive, on Women's services 1 ward 8 or 9 staff positive for covid, still doing lateral flow test, if positive going for PCR test. About 71 staff off sick at the moment.

5. CHSA Welfare Fund:

The chair reported that this is going reasonably well, good applications from Ashworth every month. Up to now we have spent about 28,000.

Ashworth have asked Angela Montgomery if the branch could apply for a portion of money for wellbeing sessions. Lorraine took a husband and wife to a session, had really good feedback from them, had a good night's sleep afterwards. The chair will come back to Lorraine with an answer.

ACTION: SG to look into funding for wellbeing sessions.

6. NHS Staff Side Council:

The chair was provided with a brief update from Angela on staff side issues which was relayed to the committee. Discussed the pay award and the ballot.

Ashworth wanted to record big thanks to Steve Lewis for supporting Ashworth with their ballot. Ashworth were the only union that balloted members in Merseycare, no other union did this.

ACTION: SG will make enquiries.

Rampton – Some members weren't interested. RCN and Unison did a ballot electronically at Rampton.

7. Pension Challenge:

The chair reported that the pension challenge is still ongoing. A date has been set for detriment cases on 18th January 2022, will take time to get to the other end, very frustrating. Smiler is the test case, think it may be settled before January.

8. Annual Conference Motions:

This is a reminder to think about possible motions for conference, call branch meetings to discuss, deadline is 31st January.

9. Current Position at Each Hospital:

Rampton:

- Full vaccination drop-in clinics available for all staff.
- Sickness figures today 14.29%, 10.4%, 13.42% 12.37%.
- Lone working on nights becoming very regular now, used to just be every now and again. 1 qualified is having to look after 2 wards, where does accountability lie. SG asked about risk assessment and safe systems of work. Liaise with JS over health and safety issues.
- 1 disciplinary adjourned as witnesses didn't turn up.

Ashworth:

- Sickness in secure division 32 staff down 2.5 staff per ward missing.
- 1 qualified between 2 wards.
- Asked for a risk assessment – appreciate support nationally from POA.
- Lone working – had an incident short staffed on medium secure, alarm bell was pulled and no one to respond.
- 14.6% sickness and possibly higher.
- 1 ward in medium secure with 1 patient on, recruitment and retention payment of £250 per month extra to work on that ward.
- Issues with payroll, raised at JNCC yesterday, meeting with deputy director of workforce today.
- Running on bank shift and agency – if they get injured, they don't get sick pay, so they are taking a step back.

ACTION: AM and JS to liaise with Rampton and Ashworth over lone working/safety issues/risk assessments.

10. Any Other Business:

Ashworth branch are dealing with a number of emails from nurses asking what is the POA position on the imposition of the covid vaccines? Can the POA draft a template letter for members to send to their MP's? The chair clarified the position of the union is we recommend that everyone is double vaccinated but the POA is opposed to mandatory vaccinations.

ACTION: Look at a template letter, put before our solicitors first.

The Staff Side Council will have a joint statement on this issue which hopefully we can sign up to once we have seen the wording and put it before the NEC.

MF we encourage members to be double vaccinated as it seems to be working. It should be a choice not mandatory.

The National Chair and General Secretary thanked the branch reps for everything they are doing on behalf of the POA and our members and reminded them to take time out to look after themselves. Look forward to seeing each other face to face on the 9th November.

11. Date of Next Meeting:

To be arranged

PARLIAMENTARY

Parliamentary Annual Report 1/1/19 – 31/12/21

Prepared by Solidarity Consulting

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Summary and overview

The political landscape has changed dramatically since the last POA conference in May 2019 but members still face the same challenges of poor pay, harsh terms and dangerous conditions – now with the additional threat of Covid. To advance union campaigns over the past three years, the POA have continued to co-sponsor the Justice Unions Parliamentary Group (JUPG – @JusticeUnions on Twitter) alongside sister unions Napo, PCS, UCU and the Police Federation of England & Wales, with secretariat support from Solidarity Consulting. Over 100 cross-party Parliamentarians are currently members of the JUPG, which meets regularly and is co-chaired by Liz Saville Roberts, MP for Dwyfor Meirionnydd and Westminster leader of Plaid Cymru, and Labour's Shadow Justice Minister Lord Ponsonby of Shulbrede. These MPs and Peers make up the bulk of the POA's parliamentary support and have made numerous interventions on behalf of the union – including written and oral questions, Early Day Motions, debates, select committee sessions, legislation and letters to ministers (highlights detailed below).

When Boris Johnson won the leadership of the Conservative Party in July 2019, one of his first announcements was a massive expansion of the prison population – pledging £2.5 billion (which soon rose to £4bn) to house at least 10,000 extra prisoners. When Parliament returned in September from summer recess, Shadow Chancellor, honorary POA life member and JUPG co-founder John McDonnell (Lab, Hayes

& Harlington) challenged his counterpart Sajid Javid on the issue, asking: “Are they the same 10,000 prison places promised by previous Justice Secretaries in 2016, 2017 and yet again in 2018? Can he answer how many suicides and how many assaults on staff have taken place because of the Government’s cuts to prison staff over the past nine years? Will he, or someone in the Government, ever apologise to the Prison Officers Association for ignoring its warnings about the effect of staff cuts on safety in our prisons?”

No Government minister has yet apologised to the POA for ignoring their warnings against austerity cuts to staffing, which JUPG vice-chair Gordon Henderson (Con, Sittingbourne & Sheppey) insisted to MPs the following month had “contributed to a vicious cycle of prison violence – because fewer officers on landings led to more assaults, which caused more staff to leave, leading to more violence and so on”. Despite this, law and order featured heavily in the Conservative manifesto for December’s General Election, which saw a landslide victory for the party on the back of Johnson’s promise to “get Brexit done”. JUPG member Robert Buckland (Con, South Swindon) continued in the roles of Lord Chancellor and Secretary of State for Justice, having been promoted from Prisons Minister the previous July after his predecessor, David Gauke, lost the Tory whip for defying new boss Johnson over Brexit. Buckland lasted until September 2021, when he was replaced by a demoted Dominic Raab (Esher & Walton) – who became the eighth Justice Secretary in just 10 years.

Replacing Buckland as Prisons Minister in 2019 was Lucy Frazer (South East Cambridgeshire), followed by Alex Chalk (Cheltenham) in March 2021 and Victoria Atkins (Louth & Horncastle) in September. On the Labour benches, David Lammy (Tottenham) followed fellow JUPG member Richard Burgon (Leeds East) as Shadow Justice Secretary under Keir Starmer’s new leadership in April 2020, replaced by Steve Reed (Croydon North) in November 2021. Lyn Brown (West Ham) replaced Imran Hussain (Bradford East) as Shadow Prisons Minister after the change in leadership, replaced by Ellie Reeves (Lewisham West & Penge) in December 2021, all JUPG members. In the House of Peers, Lord Wolfson of Tredegar was appointed Justice Minister in December 2020 after Lord Keen resigned over Government plans to break international law with new Brexit legislation. Lord Ponsonby was appointed as a Shadow Justice Minister in April 2020, serving alongside fellow JUPG member and former Justice Secretary Lord Falconer of Thoroton. The Justice Select Committee has seen several JUPG members come and go over the past three years, including Richard Burgon, Paula Barker (Lab, Liverpool Wavertree), Kenny MacAskill (SNP then Alba, East Lothian), Marie Rimmer (St Helens South & Whiston) and Kate Hollern (Lab, Blackburn), come and stay – Maria Eagle (Lab, Garston & Halewood) and Diane Abbott (Lab, Hackney North & Stoke Newington) – and is still chaired by member Sir Bob Neill (Con, Bromley & Chislehurst).

Support from the JUPG, Labour front bench and Justice Committee was critical during the Covid crisis, with lockdowns inside and outside of prisons starting in March 2020. A well-timed Westminster Hall debate on Prison Staff Health and Safety on March 18 was almost cancelled after the MP who had secured the debate, JUPG member Grahame Morris (Lab, Easington), was forced to self-isolate, with Kenny MacAskill stepping in at the last moment. Parliamentary participation soon moved to a “virtual” and then “hybrid” model, with many Parliamentarians contributing via Zoom. In April amid reports that some prisons were taking Covid restrictions less seriously than others, JUPG member Sharon Hodgson (Lab, Washington & Sunderland West) railed against “rogue governors” putting staff and prisoners’ lives at risk, as did Paula Barker and Richard Burgon at June’s Justice Committee grilling of Secretary of State Robert Buckland and HMPPS CEO Jo Farrar. Peers, too, have highlighted the extra risks facing everyone living and working in prisons, with an April debate hearing JUPG member Lord Balfe (Con) demand priority testing for prison officers, greater urgency in providing officers with PPE and clarity over keyworker status. “A number of supermarkets, for instance, have refused to recognise prison officers as key workers,” he revealed, asking: “Can the Government make it very clear that they are key workers?” At the same debate, Lord Ponsonby explained that “a significant worry for prison officers is bringing the virus back to their home from the workplace and infecting vulnerable members of their family”, asking: “Will the Minister join me in congratulating the hotel chain Center Parcs on offering free accommodation to prison officers during this outbreak, and will he urge other hotel chains to do the same?” (See Campaigns: Covid below.)

On top of Covid dangers, prison officers’ pay, terms and conditions continue to cause major concern for

JUPG members. After the Government's decision in December 2020 to ignore the Prison Service Pay Review Body's advice to boost the pay of Band 3 officers on Fair & Sustainable conditions by £3,000 – on the grounds that it was “unaffordable” – Shadow Justice Secretary David Lammy and Shadow Prisons Minister Lyn Brown tweeted their disgust at the way officers were being treated, especially in light of the major sacrifices made by them throughout the pandemic. At another well-timed Westminster Hall debate in December on Financial Reward for Government Workers and Key Workers, JUPG members Grahame Morris and Mary Kelly Foy (Lab, City of Durham) condemned the disgraceful decision. Morris exploded the “unaffordable” myth, explaining that “the Government have earmarked around £4 billion for a new generation of private prisons yet claim to have no money to pay prison officers” and pointing out: “This is an abuse of power and an insult to people's intelligence.” Kelly Foy highlighted how the decision would lead to more violence because “prison officers will vote with their feet and leave the service they love. We will lose valuable knowledge and experience at a time when we need it most. As experience goes down, violence goes up, leading to more officers leaving and so on. It is a vicious cycle.”

Richard Burgon immediately tabled EDM 1274 (Recommendations on Prison Officer Pay), which “questions whether the recommended award is genuinely unaffordable at a time when billions of pounds have been budgeted to build a new generation of private prisons, and calls on the Government to accept the PSPRB's recommendations in full”. Other JUPG members, including Labour's Rachel Hopkins (Luton South), Mary Glindon (North Tyneside) and Marie Rimmer, JUPG co-chair Liz Saville Roberts and Shadow Prisons Ministers Lyn Brown and Ellie Reeves have all raised this pay betrayal – and the following year's decision to ignore the PSPRB's advice yet again – numerous times at Justice Questions (JQs), the regular scrutiny sessions at which backbenchers can question ministers directly. With the Justice Secretary legally liable for ignoring the PSPRB, Ministers refuse to reveal who in Government actually made these decisions. In March 2021, Mary Kelly Foy explained that “we heard at last month's Justice Questions that rejecting this expert advice will undermine prison safety and is, in fact, a false economy, because once tax receipts and staff retention are taken into consideration this pay rise practically pays for itself, so what is the real reason for denying prison officers pay justice? Is it because the Treasury is worried it will encourage other public-sector workers to demand a decent pay rise too?” And at the next JQs in May, Grahame Morris cut straight to the chase when he asked: “Will the Secretary of State confirm whether it was the Chancellor himself who vetoed the fair pay rise for frontline prison officers that was recommended by his own experts?” (See Campaigns: Pay Justice below.)

A critical mass of outrage is building in Parliament over this issue, with MPs of all parties understanding that poverty pay is fuelling the current recruitment and retention crisis. But terms and conditions are also dire for prison officers, who face an unrealistic and cruel retirement age of 68 – that's if the normalised workplace violence doesn't drive them out beforehand. Throughout the past three years, the POA have continued to campaign on both these issues, among others, with parliamentary allies from across the political spectrum raising key concerns with ministers at every opportunity, having been thoroughly briefed by the union directly and via the JUPG.

In the period covered by this report, Gordon Henderson has secured two well-attended Westminster Hall debates, in October 2019 and November 2021, on the Pension Age of Prison Officers, and raised the issue directly with Prime Minister Theresa May in June 2019, shortly before her ouster. Henderson raised it again at JQs in October, while at Cabinet Office Questions later that month Mary Glindon explained that “the Government's previous offers to reduce the pension age of prison officers have included unrelated changes to their terms and conditions, such as a derisory three-year pay deal”, asking Minister Oliver Dowden if he would “agree to sit round the table with the POA union to negotiate this issue solely on its own?” Under pressure, Dowden agreed, but this was delayed due to the General Election, after which he was soon shuffled to a different post. Other JUPG members raising this issue in Parliament include Liz Saville Roberts, John McDonnell, Kenny MacAskill, Rachel Hopkins, Grahame Morris, Richard Burgon, Mary Kelly Foy, Lyn Brown, Ian Lavery (Lab, Wansbeck), Imran Hussain (Lab, Bradford East), George Howarth (Lab, Knowsley), Jo Stevens (Cardiff Central), Marion Fellows (SNP, Motherwell & Wishaw), Bambos Charalambous (Lab, Enfield Southgate), Karl Turner (Lab, Kingston upon Hull East), Dan Carden (Lab, Liverpool Walton) and Martyn Day (SNP, Linlithgow and East Falkirk), who tabled EDM 654 (Prison Officers' Retirement Age) in

June 2020, along with Patricia Gibson (SNP, North Ayrshire & Arran), Greg Knight (Con, East Yorkshire), Gregory Campbell (DUP, East Londonderry) and Ronnie Cowan (SNP, Inverclyde).

Under pressure from Saville Roberts during the November 2021 debate, Prisons Minister Victoria Atkins agreed to sit down with the union: "I will happily meet the POA, of course, and I would be delighted if my hon. Friend the Member for Sittingbourne & Sheppey (Gordon Henderson) would join me in that meeting. I want to be frank, though. I do not want there to be any claims of inadvertently misleading people. I cannot commit today to discussions on pensions per se, but I am very happy – as I have said in the past, in fairness – to listen to the Prison Officers Association and its members. I am very keen to do so." This was confirmed the following month during questions in the Chamber about the Government's new Prisons Strategy White Paper, when Kenny MacAskill highlighted the existing strategy that requires officers "to work until 68 or, in some instances, until they drop", asking if "perhaps they could have their pensions levelled up" instead. Minister Atkins replied: "I have agreed to meet the Prison Officers Association to discuss the pension age," adding: "I want to listen to officers on this point and I am very happy to be meeting my hon. Friend the Member for Sittingbourne and Sheppey (Gordon Henderson) and the Prison Officers Association to do so" – although no such meeting has yet taken place. When the White Paper was debated in the House of Peers the following week, Lord Ponsonby pointed out that "key drivers of violence and instability, such as widespread squalor and the collapse in staff retention, morale and experience, are glossed over and ignored" in the paper, condemning "the current recruitment and retention crisis and the lack of ministerial interest in the reasons behind the record resignations – from poverty pay to an unrealistic and cruel pension age of 68". (See Campaigns: 68 Too Late below.)

Through the JUPG and Shadow Justice Team, the POA continues to campaign in Parliament for urgent steps to improve safety in prisons. Alongside fellow JUPG unions UCU, PCS and Napo, POA is part of the Joint Unions in Prisons Alliance (JUPA), which also includes RCN, BMA, Unite, Unison and the GMB. In June 2019 Jo Stevens tabled EDM 2492 (Safe Inside Report on Prison Staff Safety) and Grahame Morris raised the campaign at JQs the following month, asking: "Does the Minister agree that everyone working in our prison system, whether as a prison officer, an educator, a nurse or anything else, should have an absolute right to a safe workplace, safe from violent assaults? Will he support the joint trade union 'Safe Inside' campaign to secure that objective?"

A JUPA Safe Inside report was released the following day at a mass prison staff parliamentary lobby and rally, co-chaired by Richard Burgon and Mary Glendon. In a packed committee room overlooking the Thames, trade unionists from across the UK spoke vividly about the ultra-violence they face at work, moving many MPs to tears. Prison managers were heavily criticised, with union members giving countless examples of callous and reckless decision-making undermining safety, security and dignity. In February 2020 JUPA formally launched the Safe Inside Prisons Charter at GMB headquarters in London, with speakers including Lord Ponsonby, Imran Hussain and Liz Saville Roberts, who tabled EDM 215 (Safe Inside Prisons Charter) welcoming the charter's launch. Earlier that day at JQs, Hussain challenged Minister Lucy Frazer to adopt the charter, revealing that "this afternoon trade unions representing the wide variety of staff working in our prisons to keep us safe will meet to finalise the Safe Inside Prisons Charter, which has been drawn up by those facing violence in prisons first hand on a daily basis. Will the Minister adopt the charter and put the safety of staff first – yes or no?" Frazer claimed not to have seen the charter, despite it being sent to her office by JUPA the previous week, but pledged to "look closely at the document the hon. Gentleman mentions."

Although the Covid crisis derailed this prison safety campaign shortly after launch, prison health became an immediate priority – and the collaborative relationships between the JUPA unions formed by Safe Inside were immensely valuable in the new and urgent fight to protect prison staff and prisoners from the virus. At the well-timed Westminster Hall debate on Prison Staff Health and Safety on March 18, shortly before the first lockdown, MPs used POA and JUPA briefings, along with extensive testimonials from prison staff, to draw attention to the serious risks and dangers in the workplace – even before Covid. The Commons Library also prepared a briefing for the debate, which highlighted JUPA's Safe Inside campaign and charter. JUPG member Wendy Chamberlain (Lib Dem, North East Fife), highlighted a key multi-union safety demand,

explaining that “the Safe Inside Prisons Charter, recently launched by the Joint Unions in Prisons Alliance, suggests some ways to help relieve the burden on staff. Primary among them is a proposal to introduce a single reporting system for violence in prisons, as the current system is very fragmented. Staff need to feel they can report any incident, and we need to make it easier for staff to do so. A new system should be accessible both internally and externally so that staff can report incidents away from the workplace.” (See Campaigns: Safe Inside below.)

Clearly, the multiple crises and challenges facing prison officers are all connected, with high levels of violence, a retirement age of 68 and poor pay all undermining retention, which has contributed to the collapse in experience – further fueling violence and insecurity. Answering a written question (175812) by Grahame Morris in April 2021, Minister Alex Chalk admitted that over 86,000 years (and rising) of cumulative prison officer experience had been lost since 2010. Debating pension age at JQs that September, Rachel Hopkins asked: “With serious violence against staff still plaguing our prisons, does the Minister accept that the message received by prison officers is that they will have to wait until one of their own is killed in the line of duty before their safety concerns are taken seriously?” And at the following February’s JQs, JUPG member Abena Oppong-Asare (Lab, Erith & Thamesmead) told MPs: “Prison officers and other justice staff go into work to protect us, but the Government are failing to protect them at work”, asking: “Can the Minister tell us what the Government are doing to tackle the recruitment and retention crisis?” At the same session, Grahame Morris asked Minister Atkins whether she would “back the provisions in my Bill to reduce violence, including the obvious step of counting all kinds of violence, not just the most serious cases, against prisoners or staff as key performance indicators or management targets for every prison?” Morris also tabled EDM 949 (Prison violence) promoting the key elements of his Bill, which fell when Parliament prorogued in April. However, it’s hoped that this Bill – or a version of Earl Attlee’s anti-potting amendments to the Police, Crime, Sentencing and Courts Bill – will be adopted by a supportive MP who is successful in the next Private Members Bill ballot at the start of the new parliamentary session in May. (See Legislation below.)

Campaigns: Covid

On 18 March 2020, just days before the first Covid lockdowns, MPs gathered inside an increasingly deserted Palace of Westminster to debate the Health and Safety of Prison Staff. The topic had been chosen weeks earlier by Grahame Morris against a backdrop of soaring prison violence, but the pandemic had brought a new dimension to the debate. And with Morris himself in self-isolation, fellow JUPG member Kenny MacAskill had stepped into the breach to open the debate, highlighting the “criteria being put down about social distancing, working from home and self-isolation”, and asking: “How can that be done by prisoners, let alone prison officers? There is a specific need there, and my request to the Minister is this: can we get some guidance and assurance about testing and about the safety and security of staff and of prisoners?”

JUPG co-chair Liz Saville Roberts asked Minister Alex Chalk, himself standing in for a self-isolating Lucy Frazer, “whether an unused wing in Berwyn might be put into use as an isolation ward to deal with the Covid-19 crisis? If that is the case, it could be of support to other prisons. Also, can he confirm that all necessary personal protective equipment and training for staff is being provided?” Chalk replied that “the issue of whether specific prison wings can be used is a matter, quite properly, for consultation with the governor. That may be the appropriate thing to do, but it is not a diktat from Whitehall” – although two weeks later HMPPS brought in its “reverse cohorting” strategy for reducing infection rates in prisons, which had by then become “epidemiological pumps” for Covid, according to professor of public health at the London School of Hygiene and Tropical Medicine, Richard Coker. Leading for Labour on the debate, shadow minister Bambos Charalambous had a number of questions for Chalk:

Bambos Charalambous: *With the growing spread of coronavirus across the country, there are also significant concerns for the health of prison officers and prisoners, who are locked up in a closely confined space in which viruses can spread like wildfire if not effectively controlled. I know the Government published a statement on their preparedness for dealing with Covid-19 in prisons last Thursday, but I would be grateful if the Minister, in his response, could set out what measures are in place to ensure a safe staff-to-prisoner ratio in prisons if prisoners are hospitalised or forced to*

isolate, and how many prison officers and prisoners are currently isolated due to Covid-19, including how many have tested positive. With prisons still operating normally as of last Friday, including allowing visitors, do the Government have any plans to change this? If so, by when? What are the contingency plans in place should a significant number of Covid-19 cases emerge in prisons? We would also welcome regular updates from the Minister on the number of prisoners, prison officers and other staff who have isolated or tested positive for Covid-19, and on how the MOJ is responding to the situation.

Chalk replied that “the most careful thought and planning has gone into preparing our prisons” for Covid – while “prevention is of course better than cure, and basic hygiene practice has been rolled out in prisons, as one might expect. For those infected, prisons are well prepared to take action whenever cases or suspected cases are identified. Plans include isolating where necessary.” He insisted:

Alex Chalk: *Public Health England supports our desire to maintain normal regimes for as long as we can” and that “we are moving swiftly to make additional staff available to establishments so that, if current staff are unable to work because of infection, we can continue to run as normal a regime as possible. Some contingency planning may include the need to ask staff to work in a different place and potentially do different tasks; that will be to ensure that we can maintain frontline operational delivery to protect the public and robustly manage risks. In addition, as and when required, operational staff currently working in headquarters will be redeployed to prisons to support the service to maintain minimum staffing levels. May I take this opportunity to thank the unions, which are engaging proactively and co-operatively in this national endeavour? We are hugely grateful for that support.*

The following month Peers also debated Covid in Prisons, with Lord Balfe saying “a few words on behalf of what I consider to be the forgotten public service. The Prison Officers Association is the trade union that covers prison officers. It has some 37,500 members, of whom 7,000 – roughly one in five of the membership – are self-isolating. Four of its members have died of coronavirus and 231 have tested positive for the virus.” He continued:

Lord Balfe: *I want to ask the Minister to consider three issues which the Prison Officers Association regards as a high priority. First, testing should be made available for all prison officers. Apart from anything else, a number of those 7,000 who are self-isolating would be found not to be carrying the disease and could be back at work, which would help the service. Secondly, there is a great lack of PPE equipment. Most officers in most prisons do not have access to a full range of equipment; much of it is inadequate and much of what is supposed to be there is missing. Can the Minister assure us that the same priority that is being given to NHS outlets will be given to prison outlets, so that prison officers can be properly protected? The third issue is recognition of key workers. A number of supermarkets, for instance, have refused to recognise prison officers as key workers. Can the Government make it very clear that they are key workers?*

Shadow Justice Minister and JUPG co-chair Lord Ponsonby of Shulbrede provided some context to the crisis and posed a number of questions to the minister:

Lord Ponsonby: *Since 2010, thousands of prison officers have been axed by the Conservative Government. This has driven a crisis in our prisons, exacerbating the level of violence and affecting prisoner care. Even before the pandemic started, prison violence was out of control, with 33,000 assaults recorded annually – double the level of 2010. There were over 10,000 assaults against prison staff in the last 12 months, which is more than triple what it was 10 years ago. I want to pick up on a point made by the noble Lord, Lord Balfe, regarding prison officers, and ask a question of the Minister. A significant worry for prison officers is bringing the virus back to their home from the workplace and infecting vulnerable members of their family. Will the Minister join me in congratulating the hotel chain Center Parcs on offering free accommodation to prison officers during this outbreak, and will he urge other hotel chains to do the same? Secondly, I understand that it is*

practice for some prisoners to be sent to care homes when they are near death – that is, for the last days and weeks of their lives. Can the Minister tell me whether prisoners sent to care homes to die are having the coronavirus test beforehand?

At Justice Questions the following week, Sharon Hodgson told MPs that, “while most prisons are taking every precaution to prevent the spread of Covid-19, union sources report that some rogue governors are attempting to return to business-as-usual practices, such as unlocking large numbers of prisoners and restarting training courses”, asking the Secretary of State to “condemn that reckless behaviour and agree that all governors should be following official guidance, without exception”. Justice Secretary Robert Buckland replied that Hodgson was “right to point out the danger of over-enthusiasm going ahead of the guidance. It is clear that the work that has been done by governors, staff and, indeed, the prisoners themselves in our institutions has helped to minimise the sort of explosive outbreak that we were quite rightly worried about. My advice – my instruction – to everybody involved in this is to stick to the guidelines. We are not in a position yet to change that regime. Please follow the guidelines that have been set out clearly by HMPPS.”

JUPG co-chairs Liz Saville Roberts and Lord Ponsonby wrote to Buckland in June urging him to adopt the JUPA “Covid recovery strategy” before lifting regime restrictions, including calls to: incorporate full union involvement in risk assessments; establish a “know your rights” campaign and whistle-blowing hotline alongside a commitment to intervene to prevent contractors or governors enforcing unsafe working practices; offer full protection to staff from Covid-19; and pay special consideration to the increased risk for BAME staff. After receiving a non-committal response the following month, they wrote back to say: “We are more convinced than ever of the need for the unions’ safety measures, especially the whistleblowing hotline and know-your-rights campaign.”

At June JQs, JUPG member Alex Norris (Lab, Nottingham North) asked about the adequacy of PPE for prison staff, with Buckland insisting that “there is currently adequate stock and forward supply of PPE, in accordance with public health advice. We have stock in the hundreds of thousands for aprons, coveralls, eye protection, pairs of gloves, respirator masks and fluid-resistant surgical masks. However, we are making continued preparations and keeping demand for PPE under regular review as we move into the next phase of managing this outbreak.” Following up, Kenny MacAskill highlighted the tragic toll of the virus, telling MPs that “10 prison staff have died from covid-19. As in the health and social care sector, it is not medals that staff want, but decent pay and conditions.” And he asked Buckland directly: “Will he commit to adopting the best practice demands of the unions for a safe working environment, and will he authorise the additional financial compensation to families who lose a loved one to Covid-19, as applies in the health sector?” Buckland replied: “The hon. Gentleman knows that in response to this outbreak we took particular measures agreed by the Treasury to ensure that those working in the prison system were rewarded financially in terms of incentives and extra pay to deal with the pressure they were facing. That regime continues to exist, and we continue to engage regularly with prison representatives and the unions to discuss the issues he has raised. It is an ongoing discussion, but he can be assured that I and my Ministers have taken every reasonable step possible so far to support our dedicated staff.”

Buckland was asked again about the problem of rogue governors when he gave evidence to the Justice Committee the same month alongside HMPPS CEO Jo Farrar. Paula Barker kicked off the interrogation:

Paula Barker: *I would be interested to hear Dr Farrar’s opinion, and the Lord Chancellor’s opinion, on the assertion that there are a number of rogue governors across the estate who have taken appalling risks during this crisis, which have led to unnecessary increases in cases of Covid-19. I would be interested to hear what your views are on that.*

Robert Buckland: *I would say, first, certainly from my experience – I am doing a governors roundtable remotely this week – that the national scheme of cohorting that we introduced, which is now in about 98% of our prisons, whereby for the first 14 days new inmates were quarantined and kept separate, existing inmates who were symptomatic were put into a cohort and vulnerable*

inmates were shielded, has been the source of the considerable progress that we have made in prisons in limiting this unpredictable and worrying disease. We were faced at the beginning, as I think every Committee member knows, with a very alarming and stark set of predictions that we responded to quickly with a regime that I think has saved lives and protected staff. It has been supported by constant communication between staff and prisoners to allow prisoners to understand why the significant restrictions that have been placed on them have been carried out, but in a way that gives them confidence that it is their safety that is being put first. Jo might be able to come in with regard to specific issues about any local governance problems.

Jo Farrar: *I am very surprised to hear that you feel there are a number of rogue governors. We have strict governance around the process. In fact, we work closely with Public Health England at national and local level. Public Health England oversees the arrangements we have put in place and recently assessed that we reduced the risk of people dying through this period from between 2,000 and 3,000 to around 100 to 200. In fact, we have only seen 24 prisoners lose their lives from Covid-related causes, 21 of whom were either older prisoners or had an underlying health condition. We have a really strict process around how we operate in prisons. Phil Copple, my director-general, speaks to governors every week. I speak to all our senior leaders every week. We have exceptional delivery models in place that set out exactly what needs to be done in each prison. If you have specific examples, of course I am very happy to follow them up, but I think we have had quite a success in prisons because of the way we have operated.*

Paula Barker: *I am happy to provide the additional information you have requested. You said that you speak to the leaders every week. Do you speak to the trade unions on a weekly basis, because the information I am receiving from the trade unions is converse to the information that you have?*

Jo Farrar: *Yes, we work closely with the trade unions. Either I or Phil Copple speak to the trade unions every week. They feed back to us if they have concerns, and we follow them up, but generally we have worked well together. We published a statement earlier on how we introduced the exceptional delivery model and how that has the support of the trade unions. We are issuing another statement today to show how closely we are working together. We have had real support from the Prison Officers Association and the Prison Governors Association on the measures that we have rolled out.*

Paula Barker: *As I say, I am happy to provide that additional information and I will write to you. I am led to believe that one of the prisons in Staffordshire has the highest number of Covid-related incidents, so I am happy to do that. The final point from me is that there are some prisons where governors are described as allegedly bullying – shall we say – and are extending staff shifts, forcing overtime and only using lieu time instead of using the bonus scheme that has been brought in to deal with the pandemic. What are your views on that, please?*

Jo Farrar: *Again, we have been working really closely with the trade unions. They have been very supportive about the measures we have brought in to make sure that we have enough staff to cover the pandemic. We have different schemes in place, including overtime and a bonus system, to make sure that we have staff to cover the period, even progressing through to the autumn. Again, I would be really interested to follow up on any individual cases you have, but that is certainly not the feedback that I have been receiving. In fact, staff have spoken very positively about the measures we have put in place and the additional payments, which have helped them to work during this period.*

Paula Barker: *Thanks very much. I am happy to follow up with the information and evidence I have.*

Chair (Bob Neill): *Mr Burgon, do you wish to come in on this point?*

Richard Burgon: *My first question is for the Secretary of State. Thank you for joining us today. Eight*

national trade unions, which represent the majority of prison staff, have asked you to support their Safe Inside recovery strategy, which is to protect all workers in prisons. As part of that, they have asked if the Government can introduce a Know your Rights campaign and, something I think is very crucial, a whistleblowing hotline, which would be alongside a commitment to intervene to prevent contractors or rogue governors enforcing unsafe working practices. Would you take the opportunity today, Secretary of State, to make that commitment to workers, and introduce the measures the unions are calling for, including very specifically the whistleblowing hotline?

Robert Buckland: *Thank you, Mr Burgon. I would need to know the fullest details about the proposals. I am always interested in and engaged in issues that will allow frontline workers to bring their concerns to the fore without fear or favour. That is the sort of system we should all be working towards. Without having looked at the detail, which I will do, as an undertaking to you, I can say this. I absolutely share and endorse the aims of any campaign that leads to a culture of openness. It is only through openness that we improve the system. When I was able to do so before the lockdown, the visits that I undertook to our prisons and our probation services were a chance for me to have frank conversations on the frontline with people who were able to tell me about the challenges they were facing, in confidence where appropriate. I value that and I expect that every senior leader in HMPPS should value that approach. It disturbs me if there are examples and evidence of a failure of that approach, because I think that is a failure of leadership. I will consider very carefully what you have said, but you can rest assured that the aim of openness and the aim of freedom of complaint, to coin a phrase, are things that I very much share with the unions you have mentioned.*

Richard Burgon: *That is very useful, Secretary of State, and thanks for that commitment to consider the proposals, including the whistleblowing hotline. One of the purposes of the whistleblowing hotline is to ensure that both you and the chief executive of HMPPS are aware when there are rogue governors. No one disputes the fact that the vast majority of governors are doing a great job in very difficult circumstances, but recently there was a meeting of the justice unions parliamentary group, and at that group the national chair of the Prison Officers Association, Mark Fairhurst, referring to a particular prison, said, and these were his words: "The governor there thinks he can play God with people's lives." He gave a troubling case study of appalling risks being taken; for example, sessions were still being held in the chapel after lockdown – choir sessions, craft sessions, bingo – allowing prisoners to congregate in large groups. There are unrepresentative instances of rogue governors, and I think that a hotline would ensure that workers in those prisons could raise these very concerning issues quickly without it escalating in a way that ends up bringing the whole operation in the prison to a standstill unnecessarily.*

Chair: *Are you happy to have a look at that, Lord Chancellor?*

Robert Buckland: *Yes.*

Chair: *Thank you.*

Kenny MacAskill: *Before I come to specific questions, perhaps I could follow up those from my colleagues. Lord Chancellor, and indeed Dr Farrar, would you accept that the POA has been acting extremely constructively in the dialogue that has been ongoing during the current crisis? In that regard, could you tell us where things stand with regard to the pay review body that was due to report in April?*

Robert Buckland: *I will bring Jo in, but, as I have said before to this Committee, the POA has worked extremely constructively with HMPPS and with me in the approach it has taken throughout the crisis. I have endeavoured to do everything I can to support them. The bonus scheme was a case in point, which signalled not just our words but our actions when it comes to support for prison officers, who are doing a job in incredibly difficult circumstances. I think the relationship has been a very positive one. I am proud of what they have done and proud of them, and it has shown that,*

when a crisis comes, we are at our best when we work together. I will bring Jo in with regard to some of the other details.

Jo Farrar: *Yes, we have been working really closely with the POA, and the relationship has been very constructive. We have been very grateful for their support. On previous points, I am very happy to follow up if you feel that individual prisons are not operating properly. With regard to the pay review body, its review was, unfortunately, slowed down by Covid, but we are expecting it to report very shortly, and we will consider what it has to say, as we do every year, and we will consult with the POA, again as we always do.*

With the help of the POA, Barker sent a dossier of damning evidence to Buckland and Farrar, while Burgon tabled EDM 667 (Prison Whistleblowing Hotline), which noted that “trades unions representing the majority of prison staff have called for new best-practice safety measures, including a whistleblowing hotline, before current coronavirus restrictions are relaxed”. MPs returned to the issue at the next JQs in July, with Alex Norris explaining: “Ministry guidance is clear that a positive whistleblowing culture can save lives, jobs, money and more, yet unions consider the current procedures to be unfit for purpose and are calling for urgent changes, starting with a single dedicated hotline for reporting concerns. Will the Secretary of State listen to his staff and take action to protect them?” Buckland replied that “HMPPS is reviewing and updating the policy” around whistleblowing, adding: “We very much hope it will be published later this year, following close liaison with the trade unions.” Across the aisle, Gordon Henderson followed up on the question, asking Buckland whether he would “accept that there are grave concerns among prison staff about the inadequacies of the current whistle-blowing system” and “undertake an urgent review to satisfy himself that it is fit for purpose? If it is not, will he set up a new whistleblower hotline which staff can use with the confidence that it is truly confidential?” The Lord Chancellor replied that “we are reviewing that policy. I want to get it right – I want whistleblowing to be a safe and meaningful exercise for all staff, and I am happy to undertake that review, which will be completed later in the year.” Sadly, only superficial changes have been made as a result of this review.

In November, Mary Kelly Foy highlighted the challenges facing officers at her local prison, HMP Frankland, during a half-hour adjournment debate at the end of the day’s business:

Mary Kelly Foy: *When society was shut down in March, millions of workers were told to work from the safety of their home to protect them from the virus. However, for the prison officers and staff at HMP Frankland and the rest of our nation’s prisons, that was obviously not possible. Instead, they went into work because it was crucial that prisons remained operational in order to protect the welfare of prisoners and the broader public. In doing so, prison staff, like all frontline key workers, unquestionably put their health at risk, and their bravery in doing their job should be commended.*

Liz Twist: *Does my hon. Friend agree not only that prison officers are to be commended for their dedication but that it is incumbent on their employers to ensure that the risks of covid-19, especially for those in the vulnerable group, are properly assessed?*

Mary Kelly Foy: *That is of course extremely important; it is one of the issues that I shall outline in this debate. The selflessness of prison staff and their commitment to their work brings me to the purpose of this debate. In recent weeks, HMP Frankland has experienced an alarming rise in the number of Covid-19 infections. At the peak of the outbreak, around 66 prisoners out of a prison population of 850 were confirmed as covid-19 positive, meaning that around 8% of prisoners were infected. In addition, at the peak around 220 staff were off work, with 73 operational staff covid-19 positive. [...]*

In total, given the Covid cases and the numbers isolating, more than 20% of all staff employed by the prison were off work at the same time. It is clear that the number of infections at Frankland reached an alarming level, especially given what we know about the ease and speed with which the virus spreads. It is therefore not surprising that both Public Health England and the wider prison outbreak

control team recommended that HMP Frankland moved from stage 4 restrictions to the most severe stage 5 restrictions, in what would have been, in effect, a complete lockdown of the prison.

The recommendation was supported by the Prison Officers Association, which is extremely concerned for the welfare of prison staff and prisoners, because of the real fear that the virus was out of control in the prison. However, even though there was strong support for stage 5 restrictions from Public Health England, the outbreak control team and the POA, the gold command at HMP Frankland rejected the recommendation and instead reduced the number of prisoners allowed to exercise at any one time and the frequency of exercise; mandated mask wearing; and increased testing. This compromise was then accepted by the outbreak control team. I recognise the pressures that the prison leadership is under, as well as the need to balance staff and prisoner safety with prisoners' human rights, but I am concerned that the gold command seemingly rejected the initial advice of public health professionals. Does the Minister agree that local committee concerns should not be overruled by gold commands without being discussed at a national level first, especially when supported by Public Health England?

At HMP Frankland, I am happy to say that there is an extremely open and productive relationship between the Prison Officers Association and the prison's leadership, and that this includes daily meetings and the sharing of Public Health England advice to the outbreak control team with POA representatives. However, as I understand it, while Frankland follows best practice on this, prison governors are under no obligation to share advice and recommendations with the POA. As the union is the representative of staff within prisons, this is clearly not right. So does the Minister agree that gold commands should discuss and divulge all Public Health England advice to and with the Prison Officers Association as the representatives of prison staff? [...]

While the situation at Frankland is, thankfully, improving, it is a reminder that no matter how well an institution responds to Covid-19, there is always room for improvement and lessons to be learned. Above all, we must recognise that there is a human element to these situations and that we cannot just look at numbers alone, alarming as they were. Prison officers work in a job where social distancing is often impossible and where the people they work with are not always compliant. That places an incredible level of stress on staff. The prison staff and many of the prisoners at Frankland are afraid of the virus, as they are at every prison. Just like everyone else, they fear getting ill and the staff are scared of bringing the virus home to their families and to their communities. No one should have to work or live in an environment that is not safe. While prisons must stay open, no matter the circumstances, the way in which they operate can be altered to keep people safe and to mitigate the risks to staff and prisoners.

As the second Covid wave continued to grow into December – while prison restrictions continued to relax – the Justice Committee again took evidence from HMPPS CEO Jo Farrar, with Kenny MacAskill pointing out that “it seems that the second wave has been more severe than the first” and asking: “Is it thought that that had any correlation with the easing of restrictions, albeit I fully understand the pressures that come from the needs of prisoners and other aspects? With Christmas coming and the suggestion that governors will be unlocking significantly across the estate, does that cause any concern and will governors be allowed to do that?” Farrar replied that, “actually, we do not believe that the second wave is more severe than the first wave. We believe that we have better testing in the second wave so it is showing us many more asymptomatic cases that we would not have necessarily known about in the wave 1.” However, while Covid killed less than 25 prisoners in the first wave to May 2020, over 120 more died from the virus during the second wave between September 2020 and March 2021. After MacAskill raised Christmas restrictions again, Farrar insisted that “we are sticking to the national framework through Christmas. We are also aware of the tiers in local communities. I imagine that most of the estate through Christmas will remain in tier 3. We are now allowing some visits. We will try to make more use of video visits to make sure that people have contact with their families. I cannot see a big opening up in the estate within the next few weeks. I think we will be continuing as we are now and looking to how we can start to open up in the new year as and when vaccines become available.”

At December's JQs, JUPG member Catherine West (Lab, Hornsey & Wood Green) pointed out that, "during these tough times of Covid, health and safety is more important than ever", and asked: "Will the Minister consider introducing a hotline for staff so that they can report health and safety breaches, particularly around the covid question but in other regards as well, given that prisons are a difficult place to work?" Minister Frazer insisted that "there are a number of hotlines available to staff" and that "we work very closely with the unions on a local level, as well as a national level, but I am very happy to take away her suggestion to see whether it is necessary." JUPG co-chair Liz Saville Roberts revealed that "a third of prisoners transferring from HMP Altcourse to HMP Berwyn last month tested positive for Covid", adding: "I understand that Berwyn has requested a stop to transfers. Will the Secretary of State agree to that request, considering the extreme concerns about community infection?" In response, Buckland dodged the question by confirming that "we are also now testing new arrivals at HMP Berwyn. That is an additional measure that allows us to identify positive cases early and put the right precautions around those individuals. It is with testing that we can improve the way in which we administer the prison system through this crisis."

At the height of the second wave in January 2021, Prisons Bishop and JUPG members Rachel Treweek used a debate on the vaccines rollout to highlight the situation in prisons, explaining: "I am very concerned about prisons. There are reports that about 71 prisoners have died, and the number of prison staff who have tested positive continues to rise alarmingly. There is great flux within a prison, with staff coming and going, and those being released from prison and those coming into prison. Will the Government consider prioritising the vaccinating of prisoners and those who work in prisons?" Minister Lord Bethell replied: "She is entirely right that we have a problem on our hands. It is a major priority for the prison service, which is bringing in testing protocols and, if necessary, will look at other measures to ensure that prisoners and those who work in prisons are safe." In March, Bishop Rachel asked the Government "what action they are taking to address the impact of the Covid-19 pandemic on the welfare, rehabilitation, sentence management and mental health of prisoners", with Minister Lord Wolfson insisting: "We have learned lessons from the first wave – we have reduced inter-prison transfers and we have had better success in moving prisoners to lower-category prisons to aid their rehabilitation." However, Bishop Rachel responded by pointing out that "Covid deaths and infection rates are on the increase", asking: "Will the Minister agree that the Government should follow the recommendation of the Independent Advisory Panel on Deaths in Custody regarding a wider vaccination of people living and working in prison?" Labour's Lord Harris of Haringey, another JUPG member, highlighted how "nine of the country's 10 worst surges in Covid are occurring in areas around prisons with outbreaks" and that the advisory board "has repeatedly warned the Lord Chancellor that it is unsafe to require unvaccinated prison officers to escort prisoners with Covid to hospital in handcuffs or to require prisoners to share small, poorly ventilated cells with someone who has the virus. That advice has been ignored. This is endangering not only those on the prison estate but those in the surrounding communities where prison officers live. Why?" Minister Lord Wolfson simply repeated that, "on vaccinations, we are following the approach of the Joint Committee on Vaccination and Immunisation, which we consider appropriate."

As restrictions relax further, the JUPG is encouraging Parliamentarians to visit their local prisons to see for themselves the state they are in. Pressure is also being applied on ministers to restart the Prison Service Parliamentary Scheme, which was set up in 2018 by Liz Saville Roberts and Gordon Henderson and sees participants undertake a day's training before spending a week on the landings shadowing local prison officers.

Campaigns: Pay Justice

As compensation for the draconian ban on prison officers taking any form of industrial action, the Prison Service Pay Review Body (PSPRB), a panel of Government-appointed experts, research and advise on fair wages. Their recommendations aren't binding, but ministers have promised always to follow the advice unless there are "exceptional circumstances". As such, the Government's announcement in December 2020 that they were rejecting the PSPRB's recommendation of a £3,000 pay rise for Band 3 officers on Fair & Sustainable contracts on the grounds that it was "unaffordable" triggered a storm of protests from MPs, with Shadow Justice Secretary David Lammy tweeting that this decision was "an insult to prison officers, who

have gone into work tirelessly throughout this pandemic in order to keep the country safe”, while Shadow Prisons Minister Lyn Brown condemned the Government for rejecting a pay rise that would “recognise the work of prison staff and ensure more people want to go into and progress within this important public service profession”. And on the following day of parliamentary business, Mary Kelly Foy and Grahame Morris both railed against the decision at a well-timed Westminster Hall debate on “financial reward for government workers and key workers.”

Mary Kelly Foy: *The Prison Service Pay Review Body recommended a significant pay rise for Band 3 officers. Without justification or reason, the Government claim that is unaffordable. Of course, we know where this all leads – prison officers will vote with their feet and leave the service they love. We will lose valuable knowledge and experience at a time when we need it most. As experience goes down, violence goes up, leading to more officers leaving and so on. It is a vicious cycle.*

Grahame Morris: *As hon. Members may well know, prison officers are banned from taking industrial action; it is a criminal offence even to suggest that they should, for example, start working to rule. In return for the loss of that most basic human right, the independent Prison Service Pay Review Body was established in 2001 to make recommendations on pay, which the Government agreed to follow in all but the most exceptional circumstances. To encourage people to join and stay in the Prison Service, the independent Prison Service Pay Review Body recommended a significant pay rise for Band 3 offices on fair and sustainable contracts, with new, modernised terms, ending the effectively two-tier workforce. Five months ago, the Government promised to consider that recommendation and to consult the recognised trade union, the Prison Officers Association, on its implementation. However, on Thursday last, the Government rejected the recommendation, claiming it was unaffordable, without having had any discussion with the Prison Officers Association. Prison officers are understandably angry and have accused the Government of nothing less than pay betrayal. I understand that the Prison Officers Association intends to launch legal action against this decision, and I hope it will receive the full backing of all hon. Members in this place today.*

The same day, former Shadow Justice Secretary Richard Burgon tabled EDM 1274 (Recommendations on Prison Officer Pay) with a completely cross-party coalition of backbenchers – Gordon Henderson (Conservative), Wendy Chamberlain (Lib Dem), Liz Saville Roberts (Plaid Cymru), Kenny MacAskill (SNP) and Jim Shannon (DUP). The motion pointed out that “the decision to deny prison officers pay justice threatens to damage morale and exacerbate the current recruitment and retention crisis” and “calls on the government to accept the PSPRB’s recommendations in full”. Rachel Hopkins and Shadow Prisons Minister Lyn Brown both raised the issue at the next Justice Questions, in February 2021, with Hopkins asking what assessment the Secretary of State had made of “the effect on prison officer recruitment, retention and morale of his Department’s decision to reject the Prison Service Pay Review Body’s recommendation 3”. Minister Frazer replied that “the Government accepted in full six out of seven recommendations” and that, “in rejecting recommendation 3, the impact on recruitment, retention and staff morale were carefully considered alongside affordability and value for money for the taxpayer. I would like to say that I highly value the work of the prison staff, and the decision to reject recommendation 3 should in no way suggest otherwise.” Hopkins hit back:

Rachel Hopkins: *Prison officers are poorly paid for the incredibly difficult job that they do, and the Government’s experts recommended a £3,000 pay rise for Band 3 prison officers to tackle the crisis in recruitment, retention and morale. The Government are committed to departing from their recommendations only under exceptional circumstances, so will the Minister explain what exceptional circumstances justify not paying Band 3 prison officers what they deserve?*

Lucy Frazer: *To repeat, I recognise the very difficult work that prison officers are doing up and down the country at this time. The pay proposals that we have accepted deliver an increase in pay, and as I mentioned, we took into account factors including affordability and value for money at this time.*

Lyn Brown: *Violence in our prisons has increased massively over the past decade, and skilled staff are essential to keep prisons safe. The Minister knows that the pay review body recommended a*

one-off increase to wages in Band 3 as a job retention package, to ensure that our prisons keep the staff they need. She knows that staff and vulnerable prisoners will be at greater risk if yet more skilled officers leave the profession, so let me give her another chance to answer the question: she chose to ignore that recommendation – why?

Lucy Frazer: *I would like to address the point that the hon. Lady raised about violence in our prisons. I am pleased that violence in the adult male estate has gone down over recent months. Of course we accept that it is too high, and we must continue to do more to protect our prison officers. That is why we are rolling out body-worn cameras, and why we have 24/7 counselling and trauma support, as well as other things to support prison officers. Of course pay is a critical factor in the way that people value their job, and we are introducing a package of measures to ensure that prison officers continue well in their roles.*

Hopkins returned to the topic later in the session with her “topical” question:

Rachel Hopkins: *The Minister claimed just now that the pay rise for Band 3 prison officers needed to be affordable and value for money, so given that more than £30 million is currently wasted due to the hundreds of frontline prison officers leaving the service within their first two years, and that much of the extra spend would be returned to the Treasury through taxation, is not rejecting this fair and sustainable pay rise simply a false economy?*

Robert Buckland: *The hon. Lady is right to raise the position with regard to our outstanding prison officers. She can be reassured that as a result of the Chancellor’s announcement regarding the pay freeze, a lot of officers will receive the £250 rise next year, and there will be incremental increases to pay that are part of their current terms of employment. I hear what she says about the particular decision that we had to take. It was not an easy one. We are living in exceptional times, and I will continue to work as constructively as possible with the Prison Officers Association and other representative bodies to ensure not only that we reflect the need for support for our prison officers but that we retain as many of them as possible. It is not an easy balancing exercise. We did carry out the vast majority of the recommendations, but considering the times in which we live at the moment, that particular recommendation was not one we felt able to support at this time.*

Mary Kelly Foy raised this “false economy” at the next JQs, in March:

Mary Kelly Foy: *We heard at last month’s Justice Questions that rejecting this expert advice will undermine prison safety and is, in fact, a false economy, because once tax receipts and staff retention are taken into consideration this pay rise practically pays for itself, so what is the real reason for denying prison officers pay justice? Is it because the Treasury is worried it will encourage other public sector workers to demand a decent pay rise too?*

Alex Chalk: *It is important to note that six out of the seven recommendations were accepted in full. The freeze will not apply to those people earning under £24,000. When it comes to safety, which was the central premise of the hon. Lady’s question, we have to consider the conditions that make a difference to those valuable and professional officers on the landings. Do they feel safe? Do they have a body-worn camera? Do they have SPEAR – spontaneous protection enabling accelerated response – personal safety training? That is what we want to focus on, so they can get the protection they deserve.*

Following this up with a letter to the minister, Kelly Foy was clear that, “from all the conversations I have had with staff at my local prisons and their union, the answer is no, they do not feel safe. However, they do feel betrayed by the Government’s refusal to follow the expert advice.” At the following JQs in May, Marie Rimmer highlighted the catastrophic loss of experience on the landings and pointing out that “being a prison officer is a difficult job that takes years of experience to perfect, yet a combined 86,000 years of experience has been lost since 2010”, asking temporary minister Alex Chalk whether he accepted that “this has had a catastrophic

effect on safety, and will he commit to giving prison officers the pay rise his experts recommend to tackle the problem?" Grahame Morris used his topical question to ask just who in Government had made the decision: "Will the Secretary of State confirm whether it was the Chancellor himself who vetoed the fair pay rise for frontline prison officers that was recommended by his own experts?" Buckland, however, dodged the question of whether the final decision had been his own, as required by law.

Morris tabled a raft of written questions on the subject, including whether an impact assessment had been made over this decision. Chalk replied that, "in line with the practice of successive administrations, the Government does not routinely publish equality impact assessments. Furthermore, the full assessment contains legal advice which is not usually disclosed in this way." But this is an odd answer because these assessments are in fact normally published – and normally don't contain legal advice. Answering follow-up questions by Saville Roberts, the minister refused to release even a redacted version of the impact assessment, while admitting that it said that rejecting the advice "would adversely impact staff on Fair & Sustainable terms and conditions, who are a more diverse staffing group than their counterparts on closed-grades terms." A Government decision that they admit adversely affects a more diverse staffing group – is that why they won't release the impact assessment?

At the first JQs after the Summer Recess, in September, shadow minister Ellie Reeves returned to the issue:

Ellie Reeves: *Our prison officers do fantastic work keeping prisons and communities safe, and they have gone above and beyond throughout the pandemic. However, the Ministry of Justice's own figures show that more than 86,000 years of prison officer experience has been lost since 2010. These key workers are moving on to better-paid work that does not involve abuse and assaults on a daily basis. Why, then, did the Government reject the pay review body's recommendation of a £3,000 uplift for band 3 prison officers? Should we not be giving these key workers a pay rise to recognise their vital work in keeping our country safe?*

Alex Chalk: *Where the hon. Lady is absolutely right is that retention matters, because having more experience in a prison leads it to be safer and more rehabilitative. However, it is disappointing that she did not note that last year there was a minimum increase in pay of 2.5%, and in fact some officers received up to 7.5%. That was much higher than wage inflation in the economy. We will continue to do everything possible to increase retention, including, by the way, among new officers, many of whom I met over the course of the summer, who would really benefit from increased mentoring on wings to improve morale and retention. We are absolutely committed to that very important agenda.*

During the Budget debate in November, Rachel Hopkins charged that "this Government have a track record of completely ignoring pay review body recommendations. Let us look at the prison officers' situation. Last year's recommendations from the Prison Service Pay Review Body included a £3,000 pay rise for band 3 officers on the new contracts. The Government rejected the experts' advice, stating that it was unaffordable." And at JQs the following week, Liz Saville Roberts revealed that, "this year, 134 Band 3 officers left HMP Berwyn. Each officer's training had cost £13,000 – that is £1.74 million of public money wasted. Does the Secretary of State agree that implementing the recommendations of the pay review body is a key part of the solution to the crisis, and that good prison staff deserve proper wages?" In response, new Justice Secretary Dominic Raab claimed that "this year we have accepted its recommendations, which is critically important and only right" – despite rejecting two recommendations (including a repeat of the £3,000 uplift advice) on the grounds that they were outside of scope – an argument rejected by the pay review body itself and highlighted by John McDonnell, who insisted that "morale is at rock bottom among prison staff and that relates to pay". He continued:

John McDonnell: *In response to the chair of the Justice Unions Parliamentary Group, the Secretary of State said that the Government were accepting the pay review body's recommendations. The pay review body has made it clear in its report that the remit that the Government have given it precludes it from making a full recommendation on pay awards. It finds that to be incompatible with its*

independence and in conflict with its role as a compensatory mechanism for the fact that prison staff are not allowed to strike. May I request that the Minister meet a delegation from the Justice Unions Group to talk about morale and the development of a pay strategy?

Unfortunately, Minister Atkins turned down this request. Rachel Hopkins raised the issue at the Westminster Hall debate later that month on Pension Age of Prison Officers:

Rachel Hopkins: *Pension age should be negotiated as a stand-alone issue, but it is clear that Ministers see employee contributions as part of the discussion. But those relate directly to pay, and if pay is going to be on the table, the starting point must be the Prison Service Pay Review Body's recommendation of a £3,000 uplift to entry-level salaries, which the Government deemed unaffordable. According to the Prison Service Pay Review Body, officers "were said to be leaving the Service for ... supermarkets; the Police; Border Force; railway companies; and other security and uniformed services", with one prison visited experiencing a turnover rate of almost 25%. Low pay and a high pension age are both reasons why morale is at an all-time low. The current recruitment and retention crisis shows that we need a complete pay overhaul that makes salaries competitive, attractive and fit for purpose.*

Debating the new Prisons Strategy White Paper in December, Shadow Prisons Minister Ellie Reeves restated the link between pay and retention:

Ellie Reeves: *We welcome the recruitment of an extra 5,000 officers and measures to upskill staff, but there are now 2,900 fewer officers than there were in 2020, and more than one in 10 frontline prison staff were lost last year. Among Band 2 staff, the leaving rate was a shocking one in six. A survey conducted by the Prison Officers Association in early 2020 found that 48% of members believed that the quality of their on-the-job training was poor or very poor, and nearly half the staff reported that they were seriously considering leaving their jobs soon. How will the Minister tackle the issue of retention in the Prison Service, and will she commit herself to the pay review body's recommendation of a £3,000 uplift for Band 3 prison officers, previously rejected by the Government?*

Minister Atkins replied: "We take very seriously the recruitment challenges faced by some prisons across the country, which is why prison officers in our 31 'hardest to recruit' sites receive an additional payment of between £3,000 and £5,000. Since the end of October 2016, we have recruited a net increase of more than 4,000 staff." At JQs later that month, Mary Glindon pointed out:

Mary Glindon: *The Prisons White Paper concedes that attrition rates among prison officers are too high, 'causing an unsustainable level of turnover in the system ... contributing to a vicious cycle of staff dissatisfaction and lack of retention.' With even the Prison Service's new retention framework conceding that low wages are a key driver of attrition, when will the Minister stand up for both prison officers and probation officers and give them the proper pay rise the Government's own experts recommend?"*

In response, Minister Kit Malthouse conceded:

Kit Malthouse: *We do recognise that attrition among prison officers is an issue, which is why we have put in place retention toolkits in prisons, providing governors with the support and tools that they need for employee retention. As far as pay is concerned, the hon. Lady knows that the economic ravages of the pandemic meant that there did need to be a pause in pay, but now that the Department has received a three-year spending settlement, it means that we can commence more coherent conversations with unions and others about what pay might look like in the years to come.*

The JUPG will continue to mobilise parliamentary allies to support the POA in these "coherent conversations" going forwards and to secure pay justice for their members.

Campaigns: 68 Too Late

POA parliamentary allies have continued to campaign to bring prison officers' unrealistic and cruel retirement age of 68 back down to 60, with Gordon Henderson securing two Westminster Hall debates on the subject, two years apart. Henderson also asked outgoing Prime Minister Theresa May about the issue at Prime Minister's Questions in July 2019, explaining: "Police officers and firefighters are able to retire at 60, but prison officers cannot retire until they are 66 and they are facing the prospect of having to retire at 68. Does my right hon. Friend believe that that is fair?" Disappointingly, May would only say that, "obviously, this has been looked at and considered in the past, but I will make sure that the Ministry of Justice is aware of his concerns."

At an October debate on Ministry of Justice spending, Grahame Morris insisted: "The Secretary of State, or his Minister, should start by apologising to prison staff for a decade of failure. He should apologise for devaluing their jobs through real-terms pay cuts, and apologise for creating an unsafe working environment by cutting the number of officers, losing valuable experience, increasing the retirement age and expecting prison officers approaching 70 to tackle and deal with violent inmates who are in their 20s, 30s and 40s." Henderson raised the issue at the following week's JQs, asking Minister Lucy Frazer whether she agreed that "more must be done to reward these brave public servants – for instance, by improving and reducing their retirement age to 60 because 68 is far too late?" However, Frazer claimed that "we made offers to staff to reduce the pension age in 2013 and 2017, but both offers were rejected by the Prison Officers Association."

At his debate on the topic later that day, Henderson explained that "police officers, firefighters and prison officers are all classified as emergency workers. They all do an extremely important job, and their work is physically demanding and often involves an element of risk and danger." He continued:

Gordon Henderson: *Because of that, police officers and firefighters, quite rightly, are allowed to retire at 60 years of age. However, prison officers, who work in an equally stressful operational environment, have been told that they must wait until they are 68. That is not right. In fact, it is patently unfair and deeply resented by the hard-working prison officers in the three prisons in my constituency. I am not surprised by that, because the prospect of having to work until almost 70 years of age adds to the stress of what is already a stressful job.*

Morris highlighted Lord Hutton's 2011 review of public-sector pensions, which exempted police officers, firefighters and military service personnel from the rise in retirement age to 68 – but not prison officers:

Grahame Morris: *Police officers and firefighters are able to retire at 60, "to reflect the unique nature of their work", to quote Lord Hutton. A prison officer's unique nature of work has been recognised as being the same as that of a police officer. Section 8 of the Prison Act 1952 gives prison officers "all the powers, authority, protection and privileges" of police officers. So the Hutton pension test – "to reflect the unique nature of their work" – applies equally to prison officers, police officers and firefighters. Sixty-eight is too late. How many Members of this House would be able to serve on prison landings at 68? There are few who would be able to serve for a week, or even a day, in such violent and dangerous prisons.*

He wondered aloud "whether the minister might consider inviting the right hon. Lord Hutton of Furness, who I understand is aged 64, to work in a prison and be part of a team being confronted by inmates with socks filled with pool balls, with razor blades and improvised knives, or surrounded by a group of youths, many of whom seem to have access to Spice and illegal substances, who are only too willing to attack prison officers", and continued:

Grahame Morris: *Setting prison officers' pension age at 68 must have been an oversight. If the Government seriously and knowingly took that decision, it is a cruel and callous one, and risks the*

lives of prison officers working in physically demanding and often violent workplaces. [...] The offer that the Government previously made, to reduce the retirement age to 65, is simply a bad deal. Prison officers want pension age parity with their uniformed colleagues. The previous offer was attached to a derisory three-year pay deal and excluded many uniformed staff, who would still have to continue to work until they were 68.

Marion Fellows pointed out that “the UK Government have still not provided any evidence that frontline prison staff can work in an operational role above the age of 65”, asking:

Marion Fellows: *Have the UK Government conducted an impact assessment on raising the retirement age for prison officers above 65? The savings that the Government expect to make from increasing the pension age of frontline uniformed staff will be negated through an increase in payments for temporary injury benefit awards, medical inefficiency payments and medical retirements, along with permanent injury benefits. Is the Minister’s Government confident that people over the age of 55 would pass the stringent fitness test for a frontline member of the Prison Service? They have to do annual tests.*

Speaking for Labour, Shadow Prisons Minister Imran Hussain also raised the unfair fitness test, explaining that “the job of a prison officer is physically demanding and requires the satisfactory completion of a demanding fitness test. It requires fully fit personnel who are able to perform control and restraint techniques, exercise strength, maintain their fitness and stamina over long periods and react with agility in demanding and quickly changing environments, as alluded to by several Members”. He continued:

Imran Hussain: *The public would not expect anything less from those who keep them safe – and neither, it seems, would the Ministry of Justice, which stated in its submission to the Cabinet Office that the changes were unacceptable. However, the Government have ignored serious concerns about prison officers’ ability to carry out their roles effectively as they get older, despite the Ministry of Justice’s own admissions. The Government have repeatedly refused to engage with the Prison Officers Association and the prison officers that it represents. Instead of getting around the table to work with the POA to seek a solution, and to look for ways to resolve prison officers’ serious concerns about the retirement age, the Government have sought to pin the blame on it.*

Responding, Minister Wendy Morton stated that “prison officers are members of the civil service pension scheme” and that, “prior to 2007, the retirement age for those covered by that scheme was 60”. This was raised to 65 for new entrants, continued Morton, revealing that “the demands of the prison officer role were considered at that time and it was decided that, when compared with other civil servants in the scheme who had demanding roles, such as seamen on Royal Fleet Auxiliary ships, a special exception could not be made”. She added that pension age was raised to 68 in 2015, but claimed that “the Government are alive to the issue and the views of staff and trade unions on retirement age”, continuing:

Wendy Morton: *A comparison has been made today with firefighter and police pensions. Staff in those schemes have a retirement age of 60. Although it is true that work in those roles has some similarities to the work of prison officers, as was raised by my hon. Friend the Member for Sittingbourne & Sheppey (Gordon Henderson), because of the higher physical demands consistently placed on firefighters and the higher potential for serious injury and fatality in both roles, the Government felt that the role of a prison officer was not analogous to those in the emergency services.*

Rachel Hopkins picked up this scandalous line two years later (see below) but back in Westminster Hall, wrapping up the debate, Henderson insisted that, “with regard to what the minister said about the difference between prison officers and police officers, I revert to section 8 of the Prison Act 1952, which states that prison officers ‘shall have all the powers, authority, protection and privileges of a constable.’ Yet because prison officers happen to be part of the civil service pension scheme, they have to work until they are 68 when the police do not. The Government might have to look at whether prison officers should be part of the

civil service, or whether they should be a separate entity again.”

At Cabinet Office Questions later that month, Mary Glendon explained that “the Government’s previous offers to reduce the pension age of prison officers have included unrelated changes to their terms and conditions, such as a derisory three-year pay deal”, and asked: “Will the Minister agree to sit round the table with the POA union to negotiate this issue solely on its own?” Minister Oliver Dowden agreed, claiming: “We continue to engage with the prison officers union, but I would be happy to meet any people who wish to discuss this” – but this meeting never happened due December’s General Election and Dowden’s change of role shortly afterwards.

At Business Questions in January 2020, Patricia Gibson told MPs: “Our prison officers work in dangerous conditions, dealing with some of the most violent offenders in our society. However, prison officers are now expected to work until they are approaching the age of 70, despite the serious health and safety implications. Will the Leader of the House make time for a statement setting out why the Government believe that prison officers should not be afforded the same consideration as uniformed emergency workers such as police officers and firefighters, who can retire at 60?” Jacob Rees-Mogg replied: “The work of prison officers deserves particular commendation, in that it must be some of the hardest public service work to carry out. The question of retirement needs to be looked into carefully, depending on the work that people do, but with an increase in life expectancy, it has been completely reasonable to raise the retirement age generally.”

And at JQs the following month, Liz Saville Roberts reported that “figures released last week revealed that prison officers were resigning at record rates, which prompts the question: how can the Government consider increasing prison capacity without first dealing with the staffing crisis? How does the Minister propose to retain staff currently leaving the Prison Service in their droves, given the toxic combination of poor pay, a dangerous workplace and an inhumane pension age?” Minister ignored the question, instead claiming to have “beaten our recruitment and retention targets” and hiding behind PAVA, better training and building relationships with prisoners, “which we know is helping to reduce violence in our prisons.”

Shortly before the first Covid lockdown in March, MPs debated Prison Staff Health and Safety at a well-timed Westminster Hall debate at which “68 is too late” was raised several times. Opening the debate, Kenny MacAskill insisted that prison officers “are a uniformed service; they are also an emergency service, although they are not classified in that way by Government” and that “it is an outrage that people are expected to operate on a landing at the age of 68”. Patricia Gibson said that “increasing the retirement age of our prison officers to 68, given what we have heard about the difficulties of their job and the constant threat of violence that too many of them face – if not actual violence, which is also far too common a reality for our prison officers – is cruel and betrays a fundamental misunderstanding of the important work that they do”. She continued:

Patricia Gibson: *We have talked about the health and safety of our prison officers. How can it not be as plain as the nose on our face that a prison officer who is, say, 66 years old should not deal with a young, fit, violent, angry prisoner who is aged 25? At 25, that prisoner, as well as being young, fit, violent and angry, is at the peak of his physical fitness. From a health and safety point of view, who on earth would think it acceptable for a 66-year-old prison officer to supervise or instruct that young prisoner, even if he were lucky enough to be ably assisted by his 65-year old colleague? It is completely unacceptable, and places the prison officer at unacceptable risk. Would any Member present seriously be happy with their 66-year-old father being placed in such danger because he was not permitted to retire?*

Speaking for Labour, Bambos Charalambous insisted that “the Government must address the huge problems that they have created for themselves by raising the retirement age for prison officers to 68”, continuing:

Bambos Charalambous: *The Government seem to believe, contrary to the MOJ’s own admission, that prison officers are able to carry out their demanding roles as they get older, ignoring significant concerns over safety in the process. The simple truth is that they cannot and they should not be expected to; 68 is too late as a retirement age for prison officers. The Government should now meet*

the POA and other staff representatives to resolve the concerns that prison officers have about retirement and their safety in prisons as they get older, and not try to pin the blame for the rise on staff.

In his response, Minister Alex Chalk claimed that “the reality is that, whether a prison officer is 68, 67 or 66, there will be challenging circumstances. If there is a 25 year-old prisoner and a 52 year-old officer, that will present real challenges”. He insisted that, “to solve the issue of our prisons we need to ensure that there are enough staff of the right level of experience to deal with these challenges. That will be the most important point and, frankly, that will make more difference than whether somebody is 68 or 67. The reality is that we need enough people of the right calibre and the right experience to manage volatile situations.”

Rachel Hopkins quoted Minister Morton’s comments from the 2019 debate at JQs in September 2021, pointing out that “the Government have previously stated that because of the higher potential for serious injury and fatality among firefighters and police, they do not consider prison officers deserving of the same pension age protections and the right to retire at 60. With serious violence against staff still plaguing our prisons, does the Minister accept that the message received by prison officers is that they will have to wait until one of their own is killed in the line of duty before their safety concerns are taken seriously?” Patricia Gibson then asked whether the Secretary of State believed “it is safe or appropriate for prison officers – the invisible emergency service – who by definition deal with the most violent and dangerous criminals across the UK, to be expected to do so up to the age of 68, which is their retirement age? Does he not agree that this completely unrealistic retirement age has negatively impacted on retention and recruitment rates?” Buckland replied that “there had been two attempts in recent years to resolve this issue. No agreement was reached with the Prison Officers Association, but I very much hope that any future discussions will result in some agreement. We continue to look at this issue.”

Henderson opened his second Westminster Hall debate on the topic in November 2021 by explaining that, “just over two years ago, at 4.30pm on Tuesday 8 October 2019, I stood here and made a speech in which I pleaded with the then Prisons Minister to listen to the concerns of our fantastic prison officers and let them retire at 60, in the same way that comparable frontline emergency workers in the police and fire service are allowed to do. Sadly, my pleas fell on deaf ears, and many prison officers still face the prospect of having to work until they are 68, so I make no apologies for raising the subject yet again on behalf of the many hard-working people who work in the Prison Service, particularly those based in the three prisons in my constituency: Elmley, Standford Hill and Swaleside.” Intervening, honorary POA life member Ian Lavery pointed out that “a lot of people in the Commons are at, around or above the age of 60” and asked: “How many of them would be able to work in a prison and grapple with some of the most vicious and violent people in this country?” Henderson replied: “The answer is not very many. I certainly could not do it. I have often been on the wings of prisons in my constituency, and I have always felt the atmosphere of hostility – not to me, but towards everybody in authority. The prospect of having to work until 68 adds to the stress of the job, which is already more stressful than most people could ever imagine. Those of us who have had an association with our prisons are lucky that we do understand.” He continued:

Gordon Henderson: *The Prison Service is the Cinderella emergency service. Prison officers are treated as second-class emergency workers. Not only are they paid less than police officers, but they are often denied access to the same level of protection as their police counterparts. For instance, prison officers are required to carry a large amount of equipment on a daily basis, which is estimated to weigh between 2.5 kg and 3 kg. Most prison officers are forced to use only a utility belt to carry it. Requests to use utility vests similar to those worn by the police were refused on the grounds that prisoners would find them intimidating. I find that reasoning deeply insulting and illogical. Why should a prisoner feel any more intimidated by a prison officer wearing a utility vest than a member of the public holding a conversation with a police officer wearing the same style of vest?*

Written questions on utility belts have since secured a review of this thoughtless and discriminatory policy. Meanwhile, Henderson highlighted how lives could be lost because of the Government’s pensions policy:

Gordon Henderson: *It is not an exaggeration to say that that scenario might eventually cost lives, and that surely invites the question of why prison officers are not treated in the same way as their fellow emergency workers. [...] Unlike other emergency workers, prison officers spend their working lives effectively in prison themselves, in high-security environments and looking over their shoulders, especially when staffing levels on a landing are not as they should be because of difficulties retaining officers – often as a result of their relatively poor pay and working conditions.*

JUPG co-founder John McDonnell opened his speech by declaring an interest as an “honorary life member of the Prison Officers Association. As one of my witty colleagues said, the only benefit is possibly a more comfortable cell”. He continued:

John McDonnell: *The hon. Member for Sittingbourne & Sheppey (Gordon Henderson) summed up the argument precisely. I just want to remind colleagues that we had this debate some time ago with regard to firefighters and we had it with regard to police. I can remember the consensus that was built. No one wanted a firefighter of 60-odd coming through that window to carry us down a ladder. No one wanted that. Similarly, nobody wanted to see police at this age – up to 68 – going out on the streets and trying to defend us when such physical assaults were occurring at the time. Nobody wanted that. To be frank, the reason why prison officers have been discriminated against is that, like their prisoners, they are locked away and we just want to look away completely from the problems that they experience. That is the reality of it. [...] When they get to a certain age, they are not able to guarantee the safety of the prisoners, because they do not have the physical resource to do it. What officers want to do is deliver a quality service. We should be supporting them in that, so the appeal is to start the talks again, start negotiating, and if more is to be paid in contributions, more should be paid in salary to compensate for that.*

Rachel Hopkins pointed out that “violence in prisons, especially against workers, has increased significantly since the mass cuts to staffing and other budgets from 2013 onwards, with assaults on staff tripling to more than 10,000 a year by 2019”, insisting:

Rachel Hopkins: *That level of workplace violence should be unacceptable for any employee, but there is increased danger for those over the age of 60. It simply cannot be right to expect officers in their 60s to control and restrain people who are a third their age. Ministers have not provided any evidence to show that frontline prison officers over 60 can work safely in such a dangerous operational environment.*

Hopkins also raised another key campaign for better terms of employment – reforming or abolishing the annual fitness test, specifically for its discriminatory impact on menopausal women. She explained:

Rachel Hopkins: *I am concerned about the growing number of female officers who fail their annual fitness test. The Prison Officers Association believes that menopause may be a factor. The situation has caused accusations of unfair and discriminatory treatment of women. Does the Minister agree that the annual prison fitness test is not fit for purpose, and will she commit to replacing it with a system that measures relative fitness, considering factors such as age and sex?*

Other MPs raised this important issue during the debate, with Liz Saville Roberts insisting: “A high pension age disproportionately impacts on older and female staff, who are still required to adhere to a universal fitness test.” She continued:

Liz Saville Roberts: *The situation is causing resentment and accusations of unfair treatment to women and of discrimination on the basis of sex. The equality analysis of the fitness test by HMPPS shows that 100% of the people who failed both the standard and adjusted tests for the third time were female, which is a shocking statistic. It is also shocking that around 66% of officers who fail the test for the first or second time are women, given that less than 40% of the prison staff are female. Given those statistics, how can a pension age of 68 be fair to women and older workers who struggle*

physically to stay in the job?"

Addressing these concerns around the test during her response, Minister Atkins admitted that “no specific adjustments have been made in relation to menopause because we must apply those tests equally. However, the test is based on the specific needs of the individual. It is intended to be both age and gender neutral, and I am sure colleagues will understand that we must be careful not to discriminate on the basis of age in such circumstances.” This switch of focus from “gender” to “age” reveals the weakness of the MOJ’s position, and written questions from Saville Roberts secured a pledge by the Minister to review this policy. Taking forward this campaign, Women and Equalities Questions in March saw Shadow Employment Rights Minister Justin Madders highlight the “concerns, particularly from the Prison Officers Association, that far more female officers than male officers are failing this test”, asking the Minister if he would meet the POA over this, to which James Cartlidge would only agree to pass the message on to Minister Atkins, which cherrypicking the stats to state that “since prison officer fitness testing resumed last July, 90% of female officers passed on the first attempt, and none failed by the third attempt.”

Back at the Westminster Hall debate, Karl Turner recalled that, in his “previous job as a criminal lawyer, I was instructed on numerous occasions to represent prisoners for adjudications, and I was always struck by the serious nature of the allegations against prisoners and the degree of serious harm caused to prison officers”, adding: “To me, the idea of a 68-year-old man or woman wrestling with a prisoner in order to contain a situation is utterly ridiculous.” Mary Kelly Foy recounted that, “on a recent visit to Frankland Prison, I heard directly from staff about the risks they face”, adding:

Mary Kelly Foy: *Violence in prisons, especially against staff, has increased significantly since mass cuts to staffing from 2013, with assaults on staff tripling to more than 10,000 a year by 2019. Those risks are why lowering the pension age of prison officers would mean so much to the people of Durham. My constituents have to live with the effects of this policy, whether it is a prison officer who just wants to feel secure on the landings, or a family who want a loved one in their 60s to be safe at work. The danger of this policy was expressed perfectly by a prison officer in my constituency who asked me to put the following question to the Minister: could she picture her parents, grandparents or, indeed, herself at 68 years old trying to stop a young, fit, violent offender with a weapon? If not, why do the Government expect that of my constituents?*

Honorary POA life member Ian Lavery revealed that, “eight years ago, when I was a flying Parliamentary Private Secretary to my right hon. and learned Friend the Member for Camberwell & Peckham (Harriet Harman), I resigned my position on this very issue, because for the life of me I could not understand why prison officers had to work until the age of 68 before they got their pension”. He added:

Ian Lavery: *To be honest, I still have not had any answers; we still have not had any facts, figures or answers to qualify the fact that prison officers should work until they are 68, while at the same time the police and firefighters get their pension at 60 – and rightly so; I agree that they should. Basically, we should not keep having this competition between different frontline public services, because it is not a competition. What we see is something that is terribly, terribly, terribly unfair. What is also strange is how we allow a French company that deals in hospitality to run some of the prisons in this country. However, that is a subject in itself, for another debate. I congratulate the staff – every one of them – at HMP Northumberland. I agree that “68 is too late”; it is far too late.*

Martyn Day, who had tabled EDM 654 on Prison Officers’ Retirement Age urging the Government to “accept that 68 is too old to cope with the physical and mental challenges of being a prison officer” and to “give prison officers the same consideration as police officers, who deal with the same type of offenders on a daily basis”, revealed that, “when I raised this issue on 17 December last year by way of a public petition from local constituents, ministers did not even respond”. He pointed out:

Martyn Day: *This simply sends out a message that this Government do not care. The Government repeatedly hide behind their decision to increase the pension age as reflecting the “generally*

improving life expectancy". While it is true that people may be living longer, that does not equate to their physical and mental abilities being able to withstand the daily demands faced by prison officers.

Shadow Prisons Minister Lyn Brown insisted that "the view from the front line is absolutely clear; prison officers and governors have told me exactly the same thing: they simply do not believe that they or their colleagues can be safely running around floors in their mid-60s". Highlighting the financial cost to many POA members, she explained:

Lyn Brown: *Much upward progression still requires operational fitness, and moving to a non-frontline role will often involve a demotion and pay cut. Faced with those options and with retirement still years away, many will not remain in the service and their enormously valuable experience will be lost. Does the Minister agree that it is just too difficult for a prison officer in their mid-60s to be rolling around on the floor with a violent prisoner? Does she accept that we have a retention crisis in our prisons, which affects the all-important link between retention and safer working conditions?*

Responding, Minister Victoria Atkins said: "I hope that prison officers and staff who are watching and hon. Members will take away from this debate the fact that, although I might not be able to give some of the answers that I have understandably been urged to give, I want to engage with the Prison Officers Association and other unions, many of which I have had the pleasure of meeting already. I want to engage with them constructively on not just the very important issues of pay and pensions, but their working conditions." Pressed by Saville Roberts on meeting the POA specifically on pensions, Atkins responded:

Victoria Atkins: *I will happily meet the POA, of course, and I would be delighted if my hon. Friend the Member for Sittingbourne and Sheppey would join me in that meeting. I want to be frank, though. I do not want there to be any claims of inadvertently misleading people. I cannot commit today to discussions on pensions per se, but I am very happy – as I have said in the past, in fairness – to listen to the Prison Officers Association and its members. I am very keen to do so.*

Brown intervened by pointing out that "pay for our prison officers is lower than that for those in the police force and in Border Force", asking her opposite number: "Will she agree today to negotiate in good faith with the POA?" Atkins replied: "I do not want to waste time by repeating myself, but I will meet the POA. I cannot agree on the Floor of the Chamber to negotiate, but I hope that the POA, having met me, understands that I make that offer of a meeting in good faith." Henderson wound up the debate:

Gordon Henderson: *While I accept that the Minister cannot accept preconditions for any meeting, I welcome the fact that she has committed to meet the Prison Officers Association to discuss its concerns. That is a step forward. She might want to discuss with the POA whether its members would prefer to no longer be classified as civil servants and be dealt with in the same way as police officers instead.*

Although December's Prisons Strategy White Paper ignored the related crises of staff retention and pay, terms and conditions, Kenny MacAskill raised prison officer pensions during the Commons debate on the paper, explaining that "the Government have refused to recognise prison service staff as a uniformed service, and they have required them to work until 68 or, in some instances, until they drop". He asked the minister: "Given that resources have rightly been found for infrastructure and inmates, is it not time that resource was also found for the greatest resource within the prison service, which is the men and women who serve? Perhaps they could have their pensions levelled up." Atkins replied: "I hope the hon. Gentleman will take the time to read the report, as he will see our emphasis on the vital contribution made by our staff day in, day out and night in, night out to keep our communities safe", insisting:

Victoria Atkins: *I have agreed to meet the Prison Officers Association to discuss the pension age. Prison officers are part of the civil service pension scheme, and the long and short of it is that prison staff pay between two and three times less than colleagues in the fire and police services. However, I want to listen to officers on this point and I am very happy to be meeting my hon. Friend the*

Member for Sittingbourne and Sheppey (Gordon Henderson) and the Prison Officers Association to do so.

However, this much-promised meeting between the POA, Minister Atkins and Gordon Henderson to talk about talks about prison officer pensions has not yet materialised – but pressure will continue to be placed on the MOJ to make sure this happens as soon as possible, hopefully opening the door to a better offer for officers. Meanwhile the campaign will continue to be amplified in Parliament until ministers take action to address this historic injustice.

Campaigns: Safe Inside

Prison violence has soared since austerity cuts to staffing a decade ago, peaking just before the start of the Covid pandemic and reducing under the lockdowns – with latest MOJ data suggesting that prisoner-on-prisoner assaults levels are back to pre-austerity levels, while prisoner-on-staff attacks are only down 33% from their peak in 2018-19. Throughout the period covered by this report, parliamentary allies have continued to amplify POA's concerns, with Grahame Morris telling MPs at JQs in July 2019 that "the Ministry of Justice's own figures show that violence against prison staff is at a record high – there were almost twice as many assaults in 2018 as there were in 2010", and asking the Secretary of State whether he backed the multi-union "Safe Inside" campaign launching the following day, to which Buckland replied: "I will look very carefully at the proposals that are being set out tomorrow." Meanwhile Liz Twist confronted him with the grim reality of life on the landings:

Liz Twist: *Sexual assaults against prison staff have soared by 360% since 2010 – a shocking statistic that the Government should be ashamed of. Does the Minister agree that the recent attack that saw a prisoner throw ejaculate over a female officer should be treated as a sexual assault – and a serious sexual assault at that – and be prosecuted as such?*

Robert Buckland: *The hon. Lady raises a very interesting point. While I think it would be invidious of me to comment on a particular case, I can see the force of her point. That is quite clearly a very serious assault and there are aggravating features in there, which make it particularly distressing for the worker involved. As I said, a lot of important work is going on with regard to body-worn cameras and we need the roll-out of PAVA spray to help protect prison officers who, let us face it, are doing such an important job that is all too often unheralded.*

At the Safe Inside mass lobby and rally in Parliament the next day organised by the Joint Unions in Prisons Alliance (JUPA), a broad range of MPs – many of whom had been contacted ahead of time by constituents working in prisons – heard directly from officers, teachers, healthcare workers and others about their experiences of being attacked at work, simply for doing their job. Parliamentarians listened in disbelief as one young woman described being potted, and fought to hide back tears as they heard from other staff about life-changing injuries. Shadow Justice Secretary Richard Burgon co-hosted the event with Mary Glendon, and a new JUPA report with prison staff testimonials was distributed to attendees. After a POA member raised a local concern about docked pay for any time away from the workplace in the aftermath of physical assaults, Richard Burgon asked a written question (276574), pushing Secretary Buckland to confirm that "HMPPS does not deduct pay if an employee is sent home as a result of sickness or if they have been assaulted at work". (See Gatelodge Autumn 2019 edition for full report.)

In October at a debate on MOJ spending, Burgon blamed the crisis of violence directly on austerity cuts:

Richard Burgon: *Cuts have consequences, and nowhere is that clearer than in our prisons. Slashing hundreds of millions of pounds every year from prison budgets and axing thousands of staff unleashed unprecedented levels of prison violence. Political choices at the very top caused that. Prisoners, staff and the wider public paid the price. Recent one-off funding awards to prisons are simply tinkering at the edges. Everybody knows that tackling understaffing is key to making prisons safe, yet there are still thousands fewer officers than in 2010. The latest figures show numbers falling*

again.

His Labour colleague Grahame Morris insisted that “this Government, facilitated by the Liberal Democrats in coalition, are to blame for our prisons being unsafe and for failing in their primary duty of reducing re-offending and rehabilitating prisoners. Unless prisons are safe, secure and decent, rehabilitation is simply impossible. Our prisons have become, in many cases, universities of crime, with career criminals in control of prison landings.” He continued:

Grahame Morris: *I read a most disturbing article in my local newspaper, the Evening Chronicle, entitled “Seven staff stabbed at North East jail as prisoners leave officers ‘black and blue’”. That is from 13 July. The article quoted the Lord Chancellor and Secretary of State for Justice, who said in response: “The Government is taking unprecedented action to improve safety in prisons.” In the light of those comments it is important that, as part of our responsibility to hold the Government to account, we consider their record on law and order. The Department has suffered cuts of more than 40% since 2010 and, according to some work that I have read by the New Economics Foundation, the indications are that that proportion will rise to more than 50% by 2023. My concern is that the cuts are a false economy. Several Members, including the Chair of the Select Committee, mentioned that the Ministry of Justice budget was around £8 billion and the estimated annual cost of reoffending is now more than £18 billion. [...]*

At Holme House near Stockton, which is the prison nearest to my constituency, seven staff were stabbed. Meanwhile, 11 staff at HMP Northumberland suffered fractures and another 22 needed stitches. Across the north-east, there were 46 incidents of prisoners spitting at staff, and 29 other serious incidents that resulted in injuries to staff were recorded. Indeed, the annual report of HM inspectorate of prisons for England and Wales found that among category B and C prisons staff shortages have “been so acute that risks to both prisoners and staff were often severe, and levels of all types of violence had soared.” The Government are failing in their duty of care to prison staff: their workplace is unsafe; prison officers’ wages have been cut in real terms for a decade now; and their retirement age has been increased from 60 to 68.

JQs that month saw Shadow Prisons Minister Imran Hussain highlight how the Government’s new recruitment campaign was having little effect: “Some 80,000 years of cumulative prison officer experience have been lost, a third of officers have less than two years’ experience and the number of officers is now falling again – still lagging 2,500 behind 2010 levels. Will the Minister in her new role simply commit to bringing prison officer numbers back to 2010 levels?” Grahame Morris warned about “the explosion in violence in prisons directed against prison officers” and asked: “Does the Minister understand or even agree with the assessment of the Prison Officers Association that the Government are breaching their responsibilities under health and safety legislation by wilfully exposing hard-pressed prison staff to assaults? The number is running at 10,000 a year, which is over 28 a day on average.” Minister Frazer admitted she was “very concerned about the level of violence in prisons” but hid behind the recent “£100 million investment in prison security to make our prisons safer for those who work in them.”

Violence against prison staff was raised at Gordon Henderson’s Westminster Hall debate later that day on Prison Officer Pension Age. Labour’s Helen Goodman, who lost her Bishop Auckland seat two months later, asked whether Henderson was “concerned by the increase in violent attacks against prison officers in recent years”, to which he responded:

Gordon Henderson: *Prison officers spend their days dealing with inmates who do not want to be where they are. Unsurprisingly, that can make them unco-operative, aggressive and sometimes violent. To add to the problem, an increasing number of inmates have mental health problems. All in all, that does not make for a happy work environment, and the situation in prisons is getting worse, with ever increasing violence. On average, 30 members of prison staff are assaulted every day. Last year, 1,000 of those assaults were classified by the Government as serious. I know what serious means, because I have seen at first hand the results of some of those assaults, including broken*

bones, dreadful facial injuries and fingers that have been bitten off. [...]

Grahame Morris: *Assaults against prison officers have almost quadrupled since 2010. As we heard this morning at Justice questions, there are more than 10,000 assaults a year, 1,000 of which are very serious. That works out at more than 28 a day on average – the same as the number of assaults experienced by the whole of our police service, which is a much bigger force. I am not justifying assaults on any emergency workers, but that is the scale of the problem. I read through some newspaper headlines, which are really quite disturbing. I will mention a selection of them. One paper reported that a court was told how an inmate used a “sock filled with pool balls to smash windows” and injure prison officers. Another reported that a prison officer was stabbed in the head by an inmate in a “savage UK jail attack”. One story read: “Teenage thugs injure 20 prison officers in riot at young offenders’ institute ... One officer suffered a broken nose and another was concussed after being repeatedly punched.” Other headlines included “Prison officer seriously hurt after being ambushed in cell” and “Prison officer has ‘throat cut’ by inmate at HMP Nottingham”. Conditions are difficult for new prison officers in our violent and dangerous prisons. [...]*

Imran Hussain: *I thank our prison officers for the hard work that they do, often unseen and behind the scenes, to keep us safe. The job that they do on a daily basis is one of the most difficult, and in one of the most dangerous settings imaginable. Yet rather than treating them with the respect and dignity they deserve, for almost a decade this Government have treated them with anything but. Instead of overseeing a highly motivated and trained workforce on the frontline of reforming offenders, the Government have overseen years of declining morale, declining working conditions and declining numbers among our prison officer workforce. [...] Safety for prison officers has also declined dramatically, with a quadrupling of assaults against prison officers since 2010 and an alarming number of serious injuries, as found in the recent response to my written question, rising from 160 in 2010 to 850 last year. A number of examples have been given by hon. Members; time not permitting, I cannot go through them all, but the reality is that prison officers now go to work fearing for their safety – expecting to be assaulted, beaten or abused. It is truly horrific that they feel that way while this Government do little to address the underlying issues. Those are not the actions of a Government who respect prison officers or treat them with the dignity that they deserve, and nor is raising the retirement age of prison officers to 68.*

Liz Saville Roberts raised the retention crisis at JQs in February 2020, telling MPs that “figures released last week revealed that prison officers were resigning at record rates, which prompts the question: how can the Government consider increasing prison capacity without first dealing with the staffing crisis? How does the Minister propose to retain staff currently leaving the Prison Service in their droves, given the toxic combination of poor pay, a dangerous workplace and an inhumane pension age?” Shadow Minister Imran Hussain revealed that “this afternoon, trade unions representing the wide variety of staff working in our prisons to keep us safe will meet to finalise the Safe Inside Prisons Charter, which has been drawn up by those facing violence in prisons first hand on a daily basis”, and asked: “Will the Minister adopt the charter and put the safety of staff first – yes or no?” Although JUPA had sent a draft to her office the previous week, Minister Frazer replied: “I very much look forward to seeing the charter. It is difficult to commit to it until I have seen it, but I am pleased to have met regularly with the unions to discuss general issues relating to their members,” adding: “I will look closely at the document the hon. Gentleman mentions.”

The launch of the charter later that day at GMB headquarters in London was a great success, with a range of union speakers, representatives from the HSE and Parliamentarians including Liz Saville Roberts, Imran Hussain and Lord Ponsonby. Building on Jo Stevens’s EDM 2492 from June 2019 that “welcomes the Safe Inside report from the Joint Unions in Prisons Alliance, a coalition of nine national trades unions representing the majority of prison staff”, Saville Roberts tabled EDM 215, which “welcomes the new Safe Inside Prisons Charter launched by the Joint Unions in Prisons Alliance” and “calls on the Government to adopt the Charter immediately and work with the Alliance to help protect the diligent, brave and committed staff that keep our prisons running under the most challenging circumstances.”

Unfortunately, the momentum from this launch was wiped out by the Covid crisis the following month, when shortly before the first lockdown Grahame Morris secured a Westminster Hall debate on Health and Safety for Prison Staff. Morris himself was forced to self-isolate, but at the last minute Kenny MacAskill agreed to lead the debate in his place, telling MPs: "There has been an increase in the numbers of assaults, and the record on that is quite lamentable. It reached a peak of 10,424 assaults on staff in the year ending June 2019. Before 2015, there were around 3,000 recorded assaults. That is a threefold increase and more; it is simply unacceptable." MacAskill was among a number of MPs who read out JUPA testimonials:

Kenny MacAskill: *It is frightening. The prison officers' unions have provided testimony from individuals that is scandalous. A male private sector prison officer states: "Prisons are totally unsafe for staff and prisoners. I have been a prison officer for over 20 years and its decline in that time has been shocking. This decline is down to the profiled staffing levels being reduced by 50%, with the same risk prisoners to work with." Another male public sector prison officer states: "I have just returned from hospital after receiving treatment for yet another bite I received as a result of an assault by a prisoner. However, on this occasion the prisoner has been confirmed as being Hepatitis C positive!" That is simply unacceptable. There is a whole catalogue of such comments and I could go on. A male public sector prison officer says: "I have been in the Service for over 20 years and I have never felt scared to come to work - but now I fear for myself and my colleagues." That is scandalous, and we have to address it.*

Jim Shannon also quoted the prison staff, and raised the JUPG/JUPA demands:

Jim Shannon: *People's concerns include the fact that when "a prisoner assaults staff or other prisoners, they are back on the wing 20 minutes later." One prison officer said: "Prisons are in a state of emergency!" The following is from a male public sector prison officer: "I have been in the Service for over 20 years and I have never felt scared to come to work—but now I fear for myself and my colleagues." If that is how prison officers feel, we have to address those issues as soon as possible. [...] The Justice Unions Parliamentary Group has provided some papers and made three recommendations, which I will read out. The first is: "Adopt the new Safe Inside Prisons Charter developed by nine national trade unions representing the majority of prison staff, and move to a tripartite system to tackle prison workplace violence involving close collaboration between unions, employers and the Health & Safety Executive." The second is: "Launch a national prison violence reduction strategy as a matter of urgency, fully resourced and in partnership with staff unions – including action to retain prison officers, who are currently resigning at record-high rates." The third is: "Fully abide by the 1974 Health and Safety at Work Act and take all reasonably practicable steps to ensure the health, safety and welfare of all workers in prisons, including those not directly employed by HMPPS."*

The charter was raised by other MPs, including Wendy Chamberlain:

Wendy Chamberlain: *The Safe Inside Prisons Charter, recently launched by the Joint Unions in Prisons Alliance, suggests some ways to help relieve the burden on staff. Primary among them is a proposal to introduce a single reporting system for violence in prisons, as the current system is very fragmented. Staff need to feel they can support any incident, and we need to make it easier for staff to do so. A new system should be accessible both internally and externally so that staff can report incidents away from the workplace. I am pleased to have signed the early-day motion on this matter, tabled by the right hon. Member for Dwyfor Meirionnydd (Liz Saville Roberts), which I am pleased to see has gained widespread support from all corners of the House. In particular, I highlight the part of the motion that refers to prison staff as "diligent, brave and committed". I echo those remarks. The service they provide is remarkable and the Government need to recognise that by providing the resources required to help them.*

Liz Saville Roberts raised the problem of under-reporting of assaults and insisted that staff safety should be a key metric when evaluating prisons:

Liz Saville Roberts: *Staff in prisons will be very aware of the criteria against which they are held to account by Her Majesty's inspectorate of prisons. If safety is one of the four healthy prison tests at inspection, surely health and safety in prisons must be on every agenda all the time. Whether in the private or public estate – no matter who employs the member of staff – safety is a priority. Safety of course means freedom from violence and from the threat of violence, and must apply equally to everyone in the prison estate. It is therefore a matter of surprise to me that inspection reports reference prisoner-on-prisoner violence specifically, while violence towards staff is much less of a priority. Yes, the purpose of a prison inspection is to assess the experience of prisoners, but the very nature of the prison estate means that the health and safety of prison staff is intrinsically bound to the health and safety of prisoners. To me, it is self-evident that a workplace that sets so low a priority for its staff's welfare as to fail to record every incident of violence against them will inevitably also fail on the welfare of prisoners. The culture of fear and reluctance around the reporting of violent incidents needs to be challenged and radically changed. If present priorities effectively reward under-reporting, every step must be taken to ensure that violence against all staff is recorded and promptly acted on. Currently, the system appears to contain perverse incentives that actively encourage under-reporting. If the targets against which prison management is answerable are producing such results – effectively creating an environment in which violence against staff is ignored – those targets or contractual requirements must be changed – they are otherwise unfit for purpose.*

And John Howell (Con, Henley) pointed out that “we are in an enduring crisis of safety and decency in our prisons”, adding that the squalid state of prisons was making matters worse:

John Howell: *This crisis is not something that has just happened; it has been going on for a long time. Violence is at an all-time high. Up until March 2019, there were more than 34,000 assaults in the prison system and, of those assaults, more than 10,000 were on staff. That is an increase in assaults on staff of 15%. A major contributory factor to the level of violence and the state that prison officers must endure is working conditions. As the hon. Gentleman pointed out, the prisons are mostly Victorian – or earlier – constructions. We need to tackle the level of accumulated maintenance in such prisons, but the focus of Government activity seems to be on 10,000 more prisoner places, rather than on curing the maintenance problem.*

Speaking for Labour, Bambos Charalambous insisted that “our prisons are now more dangerous for prison officers, offenders and other staff than they have ever been”, highlighting how assaults on staff have more than tripled:

Bambos Charalambous: *Staff working in our prisons now go to work fully expecting to be assaulted. In the latest safety and custody statistics published by the MOJ, we find that there were over 10,000 assaults on staff in the 12 months to December 2019, and close to 1,000 serious assaults on staff over the same period. Those are dramatic increases on the 2010 figures – just under 3,000 assaults on staff and just under 300 serious assaults on staff – which demonstrates a marked decline in both health and safety in our prisons. Nobody should ever have to be fearful of assault when they go to work every day, and it is shameful that this has become such a common occurrence across the prison estate. [...] The 2018-19 annual report by Her Majesty's chief inspector of prisons stated that although “there had been efforts to recruit and train new prison officers ... many prisons still lacked a fully experienced workforce.” That point has been made by all Members who have contributed. Even the Ministry of Justice's own permanent secretary, Sir Richard Heaton, has said that the reduction in staff numbers “has been detrimental to security, stability and good order in prisons”. Since 2010, the Prison Service has lost close to 3,000 Band 3 to Band 5 prison officers, who work in frontline roles on the wings and the balconies, and over 6,000 prison officers in total. Between 2010 and 2015 alone, the Government oversaw a situation in which the number of Band 3 to Band 5 frontline staff fell by over a quarter. [...] For years, we have been warning repeatedly against the savage cuts made to the Prison Service, and about the effect that they would have, and have had, for prison officers forced to work in increasingly dangerous conditions. We have*

called for the Government to implement a real retention strategy for prison officers, to stop the exodus of experience from the Prison Service and to help protect health and safety, but they have not listened. In light of the testimony of prison officers and of the challenges, abuse and danger they face that we have heard about this morning, it is time they listened.

Responding on behalf of Prisons Minister Lucy Frazer, who was self-isolating also, Alex Chalk claimed that “the prison population is more volatile than it was 10 years ago” and insisted:

Alex Chalk: *We are committed to providing prison officers with the right support, training and tools. One essential matter is that we have started to roll out PAVA synthetic pepper spray for use by prison officers, but we want to ensure that PAVA defuses tensions, not creates them. All roads lead back to having established and experienced staff, because they will need to use their discretion in a sensible way to operate it.*

Liz Saville Roberts: *The association between PAVA and key workers is understandable, but when many staff are away from duty and dependent on bringing staff in on detached duty to another prison, prisons end up, I am told, without that critical number of key workers – there is a vicious circle and PAVA will not be able to be implemented. Will he commit his Department to looking at how PAVA can actually be brought into prisons? The association between key workers and PAVA at present is not working in all prisons.*

Alex Chalk: *I will certainly look at that and escalate it to the right hon. Lady.*

With prisons going into lockdowns, Covid became the primary danger facing staff. But at JQs the following May, Shadow Prisons Minister Lyn Brown highlighted the loss of experience on the landings and the effect on safety: “The Minister must surely recognise that there are consequences to 86,000 years of staff experience being lost since 2010, because what happens when there are not enough experienced staff can be summed up in one word: violence. In 2019, violence was 134% higher than in 2010. Even last year, with prisoners locked up alone, violence was 38% higher. Self-harm has doubled, and assaults on staff have tripled. Experience matters.” And she asked: “With further cuts coming, thanks to the Minister’s friends in the Treasury, will he recognise this? How is he going to make our prisons safer?”

The POA submitted written evidence to the Justice Committee’s inquiry on Mental Health in Prison, focusing on the challenges facing officers and the impact on their mental health, which the committee referred to several times in its final report – stating: “The Prison Officers Association told us that mental illness was increasing in prisons and called for better training for prison officers” and that “the conditions in prisons were affecting the mental health of staff even before the pandemic”. Disappointingly, the Government’s response to the committee’s recommendation that “HMPPS should build on its existing management guidance and occupational health services to increase its support for the mental well-being of those who work in prisons” was to state that “all HMPPS staff, including prison officers, have access to ‘Reflective Sessions’ which aim to mitigate any potential negative impacts on their mental health due to the challenges of their roles.”

Lyn Brown returned to her earlier theme at November’s debate on the Pension Age of Prison Officers, telling MPs:

Lyn Brown: *We all know that being a prison officer means dealing with very damaged people. It means stepping into danger to protect colleagues or prisoners or to stop a situation that is escalating out of control. It means someone being on their feet for long hours, walking the halls, never knowing when the next crisis will emerge. The Minister will note that, thankfully, violence against prison officers fell during the pandemic. However, in the most recent stats, the rate of assaults on staff was still 177% higher than in 2010, and the level of violence is now rising fast: up 14% in the last quarter. [...] It cannot be said often enough that the safety of our prisons and prison officers depends on staff experience. It depends on the extent to which prison officers and staff have the jailcraft to maintain good relationships with prisoners, understand the real dynamics going on in a wing, and de-escalate,*

by using many different mechanisms, dangerous situations before they become violent and out of control. That depth of experience has been stripped away over the past 10 years as more and more long-serving officers have left the service. In prisons today, 25% or more of staff have no experience at all of the pre-pandemic regime – that is frightening. I hope the Minister will tell us what plans she has to stop the service being hollowed out even further.

Also at the debate, Gordon Henderson compared the roles of police and prison officers, explaining that “it is often overlooked by the public and many hon. Members that the job of a prison officer is more dangerous than that of people working in other emergency services, including the police”, adding:

Gordon Henderson: *Don't get me wrong: I have the utmost respect for other emergency service workers and fully understand the challenges they face. The police often have to face some very violent people, but the vast majority of people with whom they come into contact are innocent members of the public, including the victims of the thugs and criminals who break the law. On the other hand, the people with whom prison officers come into contact are almost exclusively those convicted of a crime, which means that prison officers are regularly in close proximity with challenging individuals. Those individuals may suffer from mental health issues, which is an increasing problem, or may have been regular users of drugs that have had a detrimental impact on their behaviour, including by making them more aggressive, impervious to pain or more capable of resisting attempts at restraint. [...]*

It is worth mentioning that of the nearly 79,000 prisoners currently incarcerated under the Prison Service, 30% have been convicted of offences involving violence against the person, so it should come as no surprise that attacks on prison officers are increasing. According to the Office for National Statistics, there were 8,476 assaults on prison staff in the 12 months to September 2020, which is 35% of all incidents of assault that occurred on the prison estate. Some 823 of those were serious assaults. The Government's definition of serious assault in the context of the prison estate is as follows: “Serious assaults are those which fall into one or more of the following categories: a sexual assault; requires detention in outside hospital as an in-patient; requires medical treatment for concussion or internal injuries; or incurs any of the following injuries: a fracture, scald or burn, stabbing, crushing, extensive or multiple bruising, black eye, broken nose, lost or broken tooth, cuts requiring suturing, bites, temporary or permanent blindness.” I have been contacted by many constituents who work in the Prison Service and have suffered such assaults in the line of duty. I have seen with my own eyes the appalling results, including broken bones, severe facial injuries and some life-changing injuries, such as an officer who had his finger bitten off.

Let us not forget that such attacks will also have a psychological impact on the victims, and in some cases an assault will stay with the officer long after the physical injuries have healed – potentially for the rest of their life. Although the number of assaults has decreased slightly over the course of the pandemic, it is worth noting that, even with inmates spending far less time out of their cells, the number is still more than double what it was six years ago.

Ronnie Cowan: *The Government are on record as saying that they do not treat prison officers the same as police officers and firefighters because prison officers do not face the same risks of injury, and that the difference is not an age thing. Does the hon. Gentleman share my concern that a prison officer will have to be very seriously injured, or even die, before the Government step up and treat them as equals?*

Gordon Henderson: *Yes, sadly I have to agree with the hon. Gentleman. The statistics do not bear out the Government's claim that police officers suffer as many injuries as prison officers; it is simply not the case. One of the problems is that, if somebody attacks a police officer, all hell breaks loose, and every effort is made to catch the perpetrator. If a prison officer is injured, the injury is hidden under the carpet; the perpetrator gets a slap on the wrist – if they even get that. The hon. Gentleman is right. The figures that I have quoted will continue to rise; there is no doubt about it. [...] Prison*

officers not only face physical violence but run the daily risk of other acts from inmates, such as “potting” – a disgusting and outrageous practice where urine or excrement are thrown over prison staff simply going about their duties and ensuring the orderly running of the prison. As I said, prison officers also face the risk of exposure to the fumes of powerful synthetic drugs such as spice, which can have health implications if inhaled accidentally.

Rachel Hopkins highlighted how “violence in prisons, especially against workers, has increased significantly since the mass cuts to staffing and other budgets from 2013 onwards, with assaults on staff tripling to more than 10,000 a year by 2019”, while Mary Kelly Foy insisted that “prison staff do a difficult and dangerous job” and that, “on a recent visit to Frankland Prison, I heard directly from staff about the risks they face. Violence in prisons, especially against staff, has increased significantly since mass cuts to staffing from 2013, with assaults on staff tripling to more than 10,000 a year by 2019.” Liz Saville Roberts reminded MPs that “we saw this year how dangerous the job can be when an officer suffered a near fatal attack at HMP Swansea, which prompted calls for an inquiry into staff safety”, adding:

Liz Saville Roberts: *The most recent independent monitoring board report noted that there were 258 assaults on staff at HMP Berwyn, 22 of which were classed as serious. I would like to put on the record a quote from an exit interview at HMP Berwyn, because it illustrates some of the situations that our prison officers face. The prison officer referred to keeping serious staff assaulters in the prison: “I have personal experience of this, a prisoner who assaulted myself and another Officer was serving for an assault on an emergency worker. He was not a ‘do not return’ on the system. Some staff are forced to move off their wing while the prisoner who has carried out the assault continues to reside on the wing. Staff are not taken into consideration.”*

And Ian Lavery revealed that he had been “speaking to prison officers who are frightened; I have been speaking to prison officers’ families who are frightened; I have been speaking to prisoners who are frightened; and I have been speaking to auxiliaries who are frightened. The stress levels, because of what is happening in our prisons at this moment in time, are unacceptable.” In her response, Minister Atkins claimed to take violence against prison staff seriously:

Victoria Atkins: *I do not want anyone in the Chamber or listening to the debate to leave thinking that it is somehow acceptable for prison officers to have to face in their workplace the threats, abuse and serious violence described by hon. Members. We must not as a society shrug our shoulders – I know that nobody in this room would do this – and say, “Oh well, what do you expect?” or words to that effect. We absolutely can do more to protect officers in the prison environment, and I will come on to some of the wider measures in a moment.*

The following month, Lord Ponsonby set out his response to the Prisons Strategy White Paper on behalf of Labour:

Lord Ponsonby: *My Lords, the prison strategy White Paper can most charitably be described as a missed opportunity to tackle the escalating prison crisis. While presenting the biggest prison-building programme in more than 100 years as a way to improve public protection, the strategy contains next to no credible solutions to the multiple problems plaguing our existing estate, which have made rehabilitation nigh-on impossible and have led to record levels of reoffending. [...] Old ideas from previous papers are repeated and recycled, through the 76 pages of vague aspirations and feel-good gimmicks, such as resettlement passports and workforce drug testing. Yet key drivers of violence and instability, such as widespread squalor and the collapse in staff retention, morale and experience, are glossed over and ignored.*

Worse, there is no recognition that government policies over the last decade have caused the current crisis, including cuts to staffing and other resources, leading to the degradation of pay, terms and conditions, a haemorrhaging of experience and the surge in violence, especially against prison staff. The paper’s headline pledge to recruit 5,000 new officers seems optimistic in light of the current

recruitment and retention crisis and the lack of ministerial interest in the reasons behind the record resignations – from poverty pay to an unrealistic and cruel pension age of 68. [...]

One glimmer of hope, however, is the recognition that mass unstructured social time can make some prisoners feel unsafe and inhibit the ability of staff to manage the risks of violence and bullying. This is a key lesson from the pandemic that trade unions have consistently highlighted – as did the then Lord Chancellor Robert Buckland in July, when he insisted that there could be no going back to pre-Covid regimes. However, running smaller-scale regimes with higher staff-to-prisoner ratios will be at the discretion of governors, rather than required by national policy. As far as I can see, the strategy shows no understanding that such initiatives need significant staff investment and will be simply unsustainable with current staffing capacity. [...]

The understanding that prisons “cannot support rehabilitation unless they are safe, stable and secure” is to be welcomed, as is the pledge to “provide safer working conditions for staff”, but the proposed “new ministerial prison performance board that will hold the system and Governors to account for ensuring prisoners and staff are safe” will have key performance indicators and “appropriate league tables”. The KPIs are “security and stability; substance misuse and mental health; and resettlement and family ties.” It is worrying that the crucial metric of staff safety seems to be missing from the KPI list. One simple way for Ministers to send a clear message to staff that they are on their side would be to ensure that all attempts at potting are prosecuted and for the Government to back the amendment from the noble Earl, Lord Attlee, to the PCSC Bill.

At the first JQs of 2022, in February, Shadow Prisons Minister Ellie Reeves asked MPs to “look at the state of our prisons: drugs up 500% in the last 10 years; violence up by more than 100% between 2010 and 2020; and almost 12,000 frontline prison officers leaving the service since 2016”. She asked: “With prisons in crisis, it is no wonder that reoffending rates are, staggeringly, over 40%. The Government are failing to keep the public safe. When are they finally going to get to grips with this?” In reply, Minister Kit Malthouse claimed that “reoffending rates now are lower than they ever were under the Labour party and we continue to make inroads into that number”, adding: “Look, we are not pretending that the picture of the prison estate is entirely rosy – there is still lots more to do – but the Government have recently announced enormous investments, not least in drug rehabilitation and treatment both within and outside the secure estate, and we believe that will make a huge difference.” Grahame Morris also asked about prison safety, with Minister Atkins replying that, “in the Prisons Strategy White Paper we have committed to a zero-tolerance approach to crime and drugs, which fuel violence behind bars”. Responding, Morris raised his new Private Members Bill, which he had dubbed the “Safe Inside Law” when presenting the Bill the previous month:

Grahame Morris: *Since I presented my Bill to reduce violence in prisons – the Prisons (Violence) Bill – last month, numerous prison officers have contacted me to share their experiences of being attacked at work. I noticed that the Minister was nodding during the presentation of the Bill. Will she listen to her prison staff and back the provisions in my Bill to reduce violence, including the obvious step of counting all kinds of violence, not just the most serious cases, against prisoners or staff as key performance indicators or management targets for every prison?*

Victoria Atkins: *The hon. Gentleman talks about an issue on which there is agreement across the House. I do not think that anyone in the House wants to see our brave prison officers hurt or put at risk in their place of work. That is completely unacceptable, which is why I was nodding along through his comments on his Bill. I recognise many of the points that he rightly made in presenting his ten-minute rule motion. We note, however, that HMPPS and private prison providers are already subject to statutory duties to protect staff and prisoners from violence.*

Minister Atkins is correct, but it is clear from the soaring levels of violence against staff that these statutory duties are not being taken seriously enough, which is why the Prisons (Violence) Bill is so needed. Morris also tabled EDM 949 on Prison Violence, which “insists that rebuilding staff experience is key to reducing violence, and that improving the pay, terms and conditions of prison staff is a vital first step to solving the

current recruitment and retention crisis”. Over in the House of Peers, Earl Attlee – grandson of legendary Labour PM Clem Attlee and member of the first Prison Service Parliamentary Scheme cohort – tabled amendments at different stages of the Police, Crime, Sentencing and Courts Bill to specifically outlaw the disgusting and cowardly practice of potting along with the “facilitation” of such an attack. The amendments were withdrawn in the face of Government resistance but important concessions were secured, including on the availability of spit kits, while Prisons Bishop Rachel Treweek adopted Liz Saville Roberts’s “Protect All Prison Staff” amendment, which sought to extend “emergency worker” protections to all prison staff (see Legislation below). Moving into the new parliamentary session, the JUPG will push for variations of the potting amendments and Morris’s Bill as amendments to future legislation or standalone Bills, and will continue to sound the alarm over the shocking levels of assaults against staff and the normalisation of workplace violence.

Legislation

In keeping with their “law and order” agenda, the Government have introduced new legislation lengthening time served in prison for various offences. At the Second Reading in June 2020 of the Counter-Terrorism and Sentencing Bill, shadow minister and JUPG member Conor McGinn highlighted “the dire situation in our prisons”, which in some cases are “taxpayer-funded breeding grounds for terror” – a situation that “requires serious, effective investment in de-radicalisation strategies, including more prison and probation staff and wider and more comprehensive reform”. As the Bill moved to Committee Stage later that month, POA National Chair Mark Fairhurst was invited to give evidence alongside other experts including professors Ian Acheson and Andrew Silke, with Minister Chris Philp kicking off the questioning:

Chris Philp: *Some people have suggested that without the prospect of Parole Board early release, it might be harder to control prisoners’ behaviour, because you have not got the carrot of early release that can be offered. Is that an analysis you share, or do you think that there are other ways of controlling prisoner behaviour in prison, even where there is no prospect of early Parole Board release?*

Mark Fairhurst: *That is a really valid point, and these concerns have been expressed from the frontline. I can give you an example. At the moment, if we are going to extend the sentences, and we are going to insist that the most serious offenders spend the entire sentence in prison, that will increase headroom in the high-security estate. Also, it incentivises people not to behave correctly or to go on deradicalisation courses. For example, at the moment, we have funding, and we should have open three separation centres, but we have only got one, with a small number of the most influential and serious terrorist offenders, in play. That leads to serious concerns from my members who are in that separation centre at HMP Frankland, because we are now in a situation where the prisoners who are housed there are not engaging with staff whatever. We have had a really violent assault on a prison officer, and there is nowhere to transfer those prisoners to if they show violence towards staff or if they become a security risk. That is why we need more separation centres open, especially with the implementation of this Bill. More concerningly, there is now no incentive for good behaviour. [...] The biggest fear from the frontline is, “If I know, as a terrorist offender, that I am going to serve my full sentence, and I am not going to get any chance of early release, I might totally disengage, and that might reinforce my radical views, which leads me to a disruptive life inside.” That is the biggest fear.*

Shadow minister Alex Cunningham asked about support for prison officers:

Alex Cunningham: *You recently made a film called “The Forgotten Service”. In that film, you talk about the lack of support for prison officers, particularly around mental health, and there are other issues as well. Somebody responded to that film by saying – I hope the Chair will forgive the swear word in the middle – “I left 3 months ago from the high security estate, after 18 years I had seen enough. Too much political bullshit, ridiculous workload, rubbish managers causing dramas, and good managers having to pick up all the pieces”. Few would disagree that the main measures in the*

Bill are right, but what needs to happen in prisons to ensure that they can cope with the ramifications of it?

Mark Fairhurst: *Mental health is a massive issue at the moment. We are getting more and more members suffering from PTSD. When you take the sentiments in that statement from that member of staff who left the service, I can echo every one of those. What you have got to understand is that staff on the frontline are doing an absolutely fantastic job. They will monitor individuals' behaviours and make a referral. The current system goes through a three-stage referral process, with the ultimate decision being made to remove someone from the main population to a separation centre at stage three. Very few of those referrals from staff get approved, because of the red tape and the legal challenges. It seems to staff on the frontline that the legal challenges are the major stopping point and buffer to removing people, who are a real danger in the normal population, to a separation centre. You will eventually have complete apathy from staff, who keep referring people they think should be separated from the main population and keep getting knocked back. That has a knock-on effect, because, day after day, they have to deal with people who are threatening them, who are underhand, who are trying to radicalise people. Day after day, they know that if they make a referral, there is a good chance that that person will not be moved from the main population.*

Alex Cunningham: *Yes, but what actually needs to happen in prisons to overcome some of these challenges that officers are facing?*

Mark Fairhurst: *You need mental health support. You need some sort of counselling service on site five days a week during the working week. You need training to help staff cope, to spot the signs of radicalisation and danger. There is good training on offer if you work in a separation centre, but not for the main body of staff who work on the wings. You need to recognise that staff are under stress, so you need to rotate their jobs so that they are not in a high-stress situation year after year. We need more staff on site to assist us as well, to help prevent trouble breaking out.*

Alex Cunningham: *That is helpful, Mark. I am sorry to keep cutting across you, but we have not got very much time. I want to talk about capacity. In answer to the Minister, you mentioned that a terrorist offender could be offered one of two radicalisation programmes. What is capacity like in the system for providing that sort of programme?*

Mark Fairhurst: *Spaces in the high-security estate, where most TACT offenders are housed, are at a premium. We have very few spaces at all in a high-security estate. We do have spaces on courses for deradicalisation programmes, but they are not mandatory; the offender has the choice of whether they wish to attend one. That is another issue: do we want to make these courses mandatory, and where is the incentive to go on a course if you know you will not be released early?*

Next it was the turn of former Scottish Justice Secretary Kenny MacAskill:

Kenny MacAskill: *Can I come back to the issue of incentivisation or early release? Do you believe that that is actually important, and in what way does it impact on your officers' employment?*

Mark Fairhurst: *I do think it is important to have an incentive for people to engage with rehabilitation and improve their behaviour. You must also consider that when terrorist offenders are released, they rarely reoffend. Only about 5% to 10% reoffend, compared with 50% to 60% of the general population. I understand that those who do reoffend are high profile and commit atrocities, but we are looking at a cohort that, on the whole, has a 90% success rate, because only 10% – max – reoffend. We need to take that into account when we are thinking about the future of the offender – not only when they are in prison and what we offer them there, but when they are released. I do not think anyone has mentioned that yet. [...]*

Kenny MacAskill: *Finally, given the importance being put upon separation centres, which do not, so*

far as I know, exist in the Scottish Prison Service, have you any idea how your colleagues north of the border are expected to cope if a great deal of weight is being put upon them?

Mark Fairhurst: *This is the major concern from my colleagues at the only separation centre that is open, in Frankland. We have had one serious assault, and that member of staff had to be moved away from the separation centre, because there is nowhere to transfer the prisoner. Once that prisoner goes to court, if he is convicted of that assault on the member of staff, where do we transfer him to? We do not. We keep him at Frankland. We have got a Muslim member of staff at Frankland who is being moved from the separation centre because the terrorist offenders in that separation centre have threatened him. That is not right – staff are being penalised for doing their job because we do not have the capability to transfer violent and disruptive prisoners to another separation centre. We have funding for three, but we only have one open because of the red tape and the legalities of moving people into a separation centre, because apparently, if you have three or fewer prisoners in a separation centre, it is classed as segregation.*

Labour backbencher Ruth Cadbury was next:

Ruth Cadbury: *Thank you very much for your contribution, Mr Fairhurst. In response to the last question, you covered Muslim terrorist offenders. You have talked about deradicalisation, incentives to go straight and the success rate – the small percentage of terrorist offenders who reoffend. Do those figures and your general thoughts apply also to the growing number of far-right terrorists we are now seeing coming into the criminal justice system?*

Mark Fairhurst: *This is a completely new dynamic, but let me tell you this: if we have prolific far-right extremist offenders in the general population, they will be able to influence and recruit far more prisoners than Islamist extremists ever could. They will get more support. They will be a similar threat to what IRA prisoners were. They will have a lot of contacts in communities. They will be able to get staff details and addresses, and be more of a threat. That is why it is absolutely essential that we open the other two separation centres. What we do not want is, first, a situation where you have far-right extremists in the same centre as Islamist extremists or, secondly, a situation where a prolific right-wing extremist offender is recruiting in the general population and causing chaos. We really need to rethink this.*

After the Bill moved to the Lords, shadow minister Lord Ponsonby highlighted the POA's position at Committee Stage in January 2021 when he reported: "The Prison Officers Association believes that removing hope from prisoners puts its staff at risk. It is a point that the association makes repeatedly and is an important one to feed into this debate." And at the Bill's Report Stage in March, he repeated the point made by both the POA and Napo that "it is much easier to manage a prison, and much safer for their members, if there is hope for the prisoners themselves. They are a better group to manage – if I may phrase it like that. Those two trade unions are of course concerned about the well-being of their members and, as we all know, there has been a huge increase in attacks on prison officers in recent years." Despite these warnings, however, the Bill received Royal Assent in April 2021.

Following the "Smarter Approach to Sentencing" 2020 White Paper (which governments use to lay the groundwork for potential new legislation), the Police, Crime, Sentencing & Courts Bill was presented to the Commons in March 2021, with JUPG co-chair Liz Saville Roberts introducing her "Protect All Prison Staff" amendment at Report Stage in July. She explained to MPs that the amendment "seeks to correct an anomaly" in the Assaults on Emergency Workers (Offences) Act 2018, "whereby the only members of prison staff included in the protected category of emergency workers are prison officers and some healthcare workers, while other prison workers, such as teachers or instructors, are not protected. That is simply unfair and increases the risks for those staff. It effectively paints a target on their backs because prisoners are well aware of the law and know that the penalties for attacking a prison officer are way more severe than those for attacking the teacher who might be standing next to them."

Saville Roberts continued: “The 2019 ‘Safe Inside’ survey conducted by the Joint Unions in Prisons Alliance showed that all prison staff – not just prison officers, but prison educators and teachers as well – are subjected to shocking levels of violence and are routinely exposed to harmful drugs. More than a quarter of staff reported having been a victim of physical violence in the last 12 months. Of those, 14% said that they had been assaulted more than 10 times in that period.” Unfortunately the amendment wasn’t selected for a vote, but when the Bill moved to the House of Lords it was reintroduced by the Bishop to HM Prisons, Rachel Treweek, the Lord Bishop of Gloucester.

Speaking at Committee Stage on behalf of Bishop Rachel in October, the Lord Bishop of Durham told Peers: “This amendment is supported by the Joint Unions in Prisons Alliance, and it has shared disturbing anecdotes from prison workers, as yet unsupported in law as emergency workers. One worker reported: ‘Cutbacks in prison officers mean we are at greater risk than ever. I have been working in this environment for 10 years and have never known it so bad.’” The Lord Bishop continued: “Prison chaplains share in the front-line care of prisoners, providing pastoral and spiritual comfort – it is shocking that they might be seen as an easy target for physical assault,” sharing distressing testimony by several chaplains before adding that, “in the last 12 months, I have spoken to two prison chaplains in my own area – one was assaulted and the other explained the fear they now face because of the amount of lone working they find themselves doing and how often there is no one nearby if something were to occur. It cannot be right that some front-line prison workers are protected while others are not.”

During the same debate, the Earl Attlee spoke to his own amendment, backed by Labour, outlawing the disgusting practice of potting:

***Earl Attlee:** We ask prison officers, governors and others to look after some of the most mad, bad and sad members of our society. Some, as we know, are just minor offenders, while others are particularly evil, devious and dangerous. We have a retention problem within the prison service – allowing this type of assault to go unpunished must surely have a negative effect on morale and retention. We owe it to those charged with such onerous duties to protect them so far as is possible from assaults of this nature – and indeed from any other. We can discharge our duty by ensuring that there is a high probability of prosecution and conviction for these offences.*

The Minister, Lord Wolfson of Tredegar, rejected the two amendments as undesirable and unnecessary, and as is usual at Committee Stage they were both withdrawn before a vote. However, at the next stage in January, Earl Attlee brought back a version of his amendment outlawing the “facilitation of potting” – which is committed if someone “is in custody and causes or permits their own urine or excrement to be intercepted without lawful reason or excuse”, punishable by up to an extra two years inside. This was supported by both Labour and the Liberal Democrats, whose spokesperson in the upper house, JUPG member Lord Paddick, explained that “the actual assault was covered by existing legislation, but the preparatory acts in preparing these disgusting attacks on prison staff needed to be addressed. That is how we arrived at the revised amendment, and I am very happy to support it.” Again, the Minister Lord Wolfson insisted this was unnecessary but promised to look at the lack of spit kits and consider “whether there is a need to make them available to prisons nationally as part of our focus on reducing crime in prisons.” He added that the Government “are taking the matter seriously – we recognise that more can be done to improve the effective prosecution of crimes in prison.” Without enough votes to secure the amendment, Earl Attlee withdrew it but warned: “Ministers and officials should be aware that I will be working very closely with the Prison Officers Association to monitor progress and, if necessary, we can bring this amendment, or a similar one, back at a suitable legislative opportunity.”

The following week, Grahame Morris presented his Prisons (Violence) Bill, supported by a cross-party coalition of JUPG members – Gordon Henderson (Conservative), Wendy Chamberlain (Lib Dem), Liz Saville Roberts (Plaid Cymru), Chris Stephens (SNP), Kenny MacAskill (Alba), Jim Shannon (DUP) and Labour backbenchers John McDonnell, Richard Burgon, Paula Barker, Mary Kelly Foy and Ian Lavery. Introducing his Bill, which sought “to establish a duty on HMPPS and private prison operators to minimise violence in prisons”, Morris pointed out that “the sky-high level of violence plaguing our prisons makes rehabilitation

inside practically impossible, meaning that offenders often leave prison more damaged and dangerous than when they arrived.” He explained that the Bill would use the recent Prisons Strategy White Paper’s “framework of key performance indicators” – which would be extended to include the safety of prison staff and prisoners and the adequacy of staffing, staff retention and staff experience levels – with any financial penalties for failing these KPIs “going towards making injury compensation schemes fit for purpose by widening the scope for claims, removing the unfair barriers throughout the process, and lifting awards to reflect the bravery and commitment shown by prison officers and other staff working in our prisons system.”

Morris added that “the second part of my Bill would enshrine in law a range of initiatives designed to protect staff and prisoners from violence and to encourage staff, especially prison officers, to stay in the job. The most wide-ranging of these is the Safe Inside Prisons Charter. This set of reasonable and straightforward principles for safe systems of work is endorsed by the Joint Unions in Prisons Alliance, a coalition of nine prison unions.” He continued:

Grahame Morris: *Some other vital steps that we could take in order to hold on to staff may be beyond the scope of my Bill, but I will outline them anyway. First, the Government could accept all the pay review body recommendations, including the £3,000 pay rise for entry-level prison officers, and make sure that future advice is legally binding on Ministers. Secondly, we could cancel all plans for new private prisons until we get to grips with why they are up to 50% more violent than publicly run prisons. Thirdly, we could bring the prison officer pension age back down to 60, because 68 is simply too late. There are many other ways to make prison staff feel rewarded and not exploited, but I am afraid I do not have the time to go into that today. Above all, my aim with this Bill is to focus minds on the terrible conditions that face both staff and prisoners in our prisons, and to start a national conversation about how we may solve this crisis. It is time to replace warm words with action. If Minister will not act, we must work together across party lines – I am grateful to all right hon. and hon. Members from across the House who have indicated their support for my Bill – to pass the “Safe Inside” law ourselves. I therefore humbly request that my Bill be given due consideration and passed into law.*

Unfortunately, the Government refused to grant any parliamentary time for this Bill, and so it fell when the session ended in April. However, it is hoped that a supportive MP who is successful in the next Private Members Bill ballot will adopt something similar in the new parliamentary session. Morris’s Bill and Earl Attlee’s potting amendments will also serve as oven-ready amendments to relevant future legislation, including any proposals arising from the Prisons Strategy White Paper itself (see Gatelodge Spring 2022 edition for more information).

Links to debates, committee sessions, legislation and EDMs

Westminster Hall debate on Prison Officers: Pension Age (8 October 2019)

<https://hansard.parliament.uk/Commons/2019-10-08/debates/7306D002-906C-491D-9372-73B5C64BA7C1/PrisonOfficersPensionAge>

Westminster Hall debate on Prison Staff: Health and Safety (18 March 2020)

<https://hansard.parliament.uk/Commons/2020-03-18/debates/A0ABCAE5-27FC-4F18-8E9B-A3C7467F2196/PrisonStaffHealthAndSafety>

Westminster Hall debate on Financial Reward for Government Workers and Key Workers (14 December 2020) <https://hansard.parliament.uk/Commons/2020-12-14/debates/0E4E3FA4-7D6B-439D-BACC-8520F2A99C03/FinancialRewardForGovernmentWorkersAndKeyWorkers>

Westminster Hall debate on Prison Officers: Pension Age (16 November 2021)

<https://hansard.parliament.uk/Commons/2021-11-16/debates/262B0E39-A8EA-467E-9BF7-2E95FE95B678/PrisonOfficersPensionAge>

Counter-Terrorism and Sentencing Bill committee session with POA National Chair Mark Fairhurst (30 June 2020) [https://hansard.parliament.uk/commons/2020-06-30/debates/50c408a1-3bb6-451d-8c81-7fe24767b293/Counter-TerrorismAndSentencingBill\(ThirdSitting\)](https://hansard.parliament.uk/commons/2020-06-30/debates/50c408a1-3bb6-451d-8c81-7fe24767b293/Counter-TerrorismAndSentencingBill(ThirdSitting))

Justice Select Committee oral evidence session: Coronavirus: The impact on prison, probation and court

systems (23 June 2020) <https://committees.parliament.uk/oralevidence/565/html/>
Justice Select Committee inquiry page: Mental Health in Prison
<https://committees.parliament.uk/work/1197/mental-health-in-prison/publications/>
PCSC Bill “Protect All Prison Staff” amendment (Lord Bishop of Gloucester)
<https://bills.parliament.uk/bills/2839/stages/15740/amendments/88907>
PCSC Bill “Offence of Potting” amendment (Earl Attlee)
<https://bills.parliament.uk/bills/2839/stages/15740/amendments/88712>
PCSC Bill “Facilitation of Potting” amendment (Earl Attlee)
<https://bills.parliament.uk/bills/2839/stages/15878/amendments/89684>
Prisons (Violence) Bill (Grahame Morris) <https://bills.parliament.uk/bills/3100>
EDM 2492 Safe Inside (17 June 2019, Jo Stevens) <https://edm.parliament.uk/early-day-motion/53030>
EDM 215 Safe Inside Prisons Charter (25 February 2020, Liz Saville Roberts)
<https://edm.parliament.uk/early-day-motion/55678>
EDM 654 Prison officers’ retirement age (24 June 2020, Martyn Day) <https://edm.parliament.uk/early-day-motion/57178>
EDM 667 Prison whistleblowing hotline (29 June 2020, Richard Burgon) <https://edm.parliament.uk/early-day-motion/57189>
EDM 1274 Recommendations on prison officer pay (14 December 2020, Richard Burgon)
<https://edm.parliament.uk/early-day-motion/57866>
EDM 949 Prison violence (3 February 2022, Grahame Morris) <https://edm.parliament.uk/early-day-motion/59447/>

To find specific contributions mentioned in this report, search <https://hansard.parliament.uk> for the relevant text. Clips of parliamentary contributions can be viewed via @JusticeUnions on Twitter: <https://twitter.com/JusticeUnions>

NATIONAL COMMITTEE FOR PRIVATE SECTOR SERVICES

National Committee for Private Sector Services Annual Report 1/1/19 – 31/12/21

Introduction

Since 2019 the POA private-sector membership has grown year on year. At present, the work within the private sector is delivered by POA employees. As the private-sector work increased, a decision was taken to allocate the private-sector work on the basis of each company as opposed to an area structure. The POA believe this decision has provided better continuity and the opportunity to build relationships with the PS companies and managers on those contracts.

PECs

Access to the PECs contract North & South staff remains very limited.

There is no formal recognition agreement in relation to these groups of staff.

However, the POA have had success in representing members who work on this contract in Disciplinary hearings and in workplace Grievances.

We have no formal recognition for negotiation of pay.

Even without formal recognition, the membership across the PECs contract has doubled since May 2019.

Mitie ICE

In relation to the Mitie In Country Escorting contract, working relations between the POA and Mitie have strengthened. The POA have further developed the seat on the Mitie JCNC monthly UK-wide meeting, with POA representatives attending from France, England, Scotland and Northern Ireland.

The Mitie network of workplace POA representatives has grown, with representatives now working in the Calais and Dunkirk juxtaposed bases.

POA members continue to provide support to Border Force and UK Immigration on the South Coast Operation out of Dover's Tug Haven and their Kent Intake unit, and POA members will work in the new temporary Dover Jet Foil Facility currently under construction.

Formal recognition agreements were signed in 2020 granting the POA recognition for DCO and DCOM grades within Mitie's Operational Control Centre, and a significant number of members have been realised through this agreement.

POA membership across this contract has risen by 78% since May 2019.

The POA engage with Mitie each year through collective bargaining on pay.

The POA team put considerable time and effort into writing pay submissions that can be fully evidenced.

The 2019 pay award was the second year of a pay deal designed to standardise several existing allowances and former pay agreements. The arrangements carried into 2019 represented a minimum rise of 1.8% but some individuals received significantly more due to being uplifted into the more generous London plus

banding.

The 2020 pay award saw Mitie open with a remit for a simple no-strings-attached pay rise, but following collective bargaining a 2% offer was put to our members, with a further proposal to uplift staff working in Kent and France into the London plus rate. For those members this equated to a 17% pay rise.

The 2021 pay award again saw Mitie request a single-year pay deal free from any workforce reform. Evidence was submitted and a series of negotiations took place that culminated in an offer from the employer of 2.2% for all grades, including the newly recognised bargaining unit at Mitie's Operational Control centre.

The POA have recently agreed a seat at Mitie's monthly health and safety meeting.

Sodexo

Sodexo currently operate four Prison establishments in England and Wales – HMP Northumberland, HMP Forest Bank, HMP Peterborough and HMP Bronzefield. HMP Northumberland is the only Sodexo establishment in which the POA have recognition rights, but despite this we continue to represent members in Forest Bank, Peterborough and Bronzefield in Grievances and Disciplinarys.

The Local Committee at HMP Northumberland continue to provide a high standard of representation to our 263 members there. Like most establishments in the public sector, HMP Northumberland Local Committee has been involved in the implementation of SOPS and EDMs in relation to Covid. They are currently working on Stage 1 of Regime Progression, and I believe that they have done a great job in agreeing Safe on Wing Activity for a maximum of 25% of prisoners at any one time.

In addition to Covid work, the Committee have been actively involved in re-profiling, Keywork disputes, Internal Dispute Resolution, Health and Safety work, Job Evaluation in relation to OMIC and a new core day, which fits in with all principles of the POA regarding a safe environment.

The local membership have also recently been balloted on a pay award for 2021. Following protracted negotiations, the Branch agreed with proposals from Sodexo which included:

- 1.5% pay uplift
- Access to BUPA Healthcare
- Life assurance cover of £5,000
- A will-writing service
- 24/7 GP service.

I would like to thank the Local Branch for their support.

Serco

Serco currently operate Prison establishments in England and Wales – HMP Ashfield, HMP Doncaster, HMP Thameside, HMP Dovegate and HMP Lowdham Grange. In addition to these establishments and the Inter Prison Transfer Contract, Serco also operate Yarl's Wood and Gatwick Immigration Removal Centres.

Gatwick Immigration Removal Centre is the only workplace in which the POA have recognition rights, but despite this we continue to represent members in all areas of the Serco Justice Sector in Grievances and Disciplinarys.

Gatwick Immigration Removal Centre was TUPE'd across to Serco from G4S, and this involved the transferring across of recognition rights. The Local Committee were involved in all aspects of the TUPE transfer with the input of our solicitors, Thompsons, and the Committee should be commended for protecting our members' terms and conditions.

The employees at Gatwick were obviously impressed with the Branch Committee's work regarding this and other issues, as we have seen their membership grow from 75 members to 223 since Conference 2019. The

Branch Committee should be commended for this recruitment of members.

The Branch Committee are currently involved in pay negotiations and have included in their submission:

- All staff within the remit group to receive a consolidated pay increase of 5%
- Introduction of a Long Service Increment equating to £2,500 on top of the base rate of pay for all staff with five years' service at Gatwick IRCs
- Uniformed frontline staff to be paid a one-off bonus of 5% for their work throughout the Covid 19 pandemic, showing operational commitment, bravery and resilience
- Uniformed staff who volunteer to train in a specialism to be paid a consolidated annual allowance of £500 per specialism
- All Bank Holidays paid at double for all staff in the collective bargaining
- Introduction of an Attendance Bonus of £500 for non-sickness in 12 calendar months
- Introduction of one week's paid Special Leave for bereavement of an immediate family member.

Serco have responded and stated that they are willing to offer 3.25% pay uplift and are willing to agree to the introduction of one week's Special Leave for bereavement of an immediate family member. These talks are ongoing and will eventually go to a ballot of membership, who are not subject to Section 127 of the Criminal Justice and Public Order Act 1994.

G4S

There has been an increase in POA Membership within the G4S Estate and, having had recognition at Oakwood for some time, the POA have obtained and signed off recognition at Five Wells, which is a new prison being built on the site of Wellingborough Prison. The Prison is due to be handed over to G4S in November. The POA have made an initial visit and handed out approximately 50 application forms. We have had interest from those on the ITC to become Committee members and would hope to have a Committee up and running by the time the Prison starts receiving prisoners in February 2022.

The TUPE transfer of Gatwick IRC from G4S to Serco, which as a result of the pandemic took place virtually, went smoothly despite concerns raised by the POA. The input of the POA and the Committee is to be commended for making this happen on time and ensuring what was by and large a smooth process which has seen almost no comeback.

This is an opportunity for us to increase the POA membership in the private sector and to influence the development of the private sector in a positive way, as on some issues they are more open to change, such as reasonable adjustments, bullying and discrimination.

The POA have formally requested recognition at both Parc and Oakhill, and this is being considered by G4S. It is hoped that this will be progressed as quickly as possible in order to be able to have an input into both the policies and their implementation, in the same way as occurs at Oakwood. The increasing number of POA members at Parc has required significant input from the POA in terms of representation and support.

There have been numerous challenges for the staff at Oakhill, the last remaining Detention and Training Centre, due to the difficulties with the YCS Contract, low levels of staffing and the resulting high levels of violence. The POA have supported members in this establishment both in hearings and providing advice on asking for discretionary payments from the Company and access to the Welfare Fund when necessary.

There is a high level of representation required at Oakwood and this takes up much of the time of the Committee, who do a sterling job in supporting members in what have been challenging times. There have been wins in terms of overtime payments where staff have worked additional time due to a failure by management to ensure that the day shift leaves on time as per their contractual hours.

There is an agreement that facilitates the granting and taking of ad-hoc leave. There is also an agreement that for those unable to take ad-hoc leave this can be carried over for an additional three months. There have been pay increases of 2% and 1.2%, and generous over-time rates of £25/hour on the basis of an additional 40 hours per month. Members have been awarded additional payments for taking on the responsibility of Family Liaison Officer and ACCT Assessor. The Employer offered and the POA accepted training on well-being of staff, which was a very positive experience. Currently, work is being undertaken with G4S corporately and locally with the POA to create a robust health and safety culture.

Challenging unfair treatment, discrimination and bullying and harassment has occurred and there has been progress in obtaining good outcomes for members individually and collectively, with perpetrators dealt with, ensuring that the workplace is safer.

MINUTES OF NATIONAL COMMITTEE FOR PRIVATE SECTOR SERVICES (NCPSS) MEETING

HELD AT THE QUORN GRANGE HOTEL TUESDAY 16TH JULY 2019

Present:

Steve Gillan (General Secretary - Chair)

Glyn Travis (FTO) (Minutes)

Andy Hogg (FTO)

Mick Pimblett (FTO)

Steve Lewis (Research Officer)

Jane Warner (Oakwood)

Gareth Owen (Oakwood)

Ray Somers (ICE Immigration)

Steve McKenna (Northumberland)

Paul Foster (Northumberland)

Joe Marshall (Gatwick IRC)

Carl Lewis (Gatwick IRC)

Nicky Volley (Union Learning)

Chairs Opening Remarks

The GS opened the meeting and advised the committee why Birmingham were not present following their return to the public sector. He thanked the committees at Birmingham for their efforts in promoting the private sector and POA during these difficult and challenging times.

The GS made it clear it is irrelevant whether a member works in a private or public workplace when receiving POA support. He referenced the Cuffe report and recommendations following the decision of annual conference to adopt the report.

The GS gave an update on the meeting with Pat Cuffe and ramifications of the rules and constitution as they stand.

It was clear that whilst the report had been accepted each recommendation would have to be subject to a conference motion and determination by conference.

The provision of branch official training within the Cuffe report and recommendations was fully debated. Concerns were raised over the limits of online training and potential discrimination towards members with dyslexia.

The GS updated the committee on the outcome of the call for the SDC from Elmley which was not successful.

He set out the political strategy of the POA and promises which had been made by the leader of the Labour Party and members of the Shadow Cabinet.

He went on to outline the discussions he had with the new head of G4S and discussions with the NEC over the two new prison contracts will be outsourced to private companies unless they fail to meet the benchmark of the public sector. The union must decide if they want to support one of the providers in an attempt to gain recognition rights.

The GS will be meeting all the providers in due course.

The principle of the POA remains that all work within the Criminal Justice System should be public remains, but the POA will work with all employers.

The committee accepted that it was sensible for the POA to engage with all bidders.

The GS outlined the difficulties when approaching employers when a recognition agreement was already in place.

A general debate covered the opening remarks and way forward to increase membership within the private sector and to seek to improve recognition agreements.

Apologies

Joe Simpson (Deputy General Secretary)

Alex Dondi (Mitie ICE)

Minutes

The minutes of the meeting of the 11th April 2019 were proposed, seconded and agreed as a true Record.

Matters Arising

The fringe meeting at annual conference was well received by delegates and the private sector committee felt this was a positive step.

The two legal cases from ICE were discussed.

Training on private sector pay and access to company accounts was discussed.

POA Union Learning Staff Resilience Training Package Course

The committee were given an update on the available training for POELTS in the public sector and how the transition of this work could be mapped across to the private sector. This has happened at Oakwood.

Currently this training has been delivered to first line managers in the private sector.

The training has been well received and the ULF staff use this as a tool to improve recruitment within the POA.

ACTION: GS to arrange presentation to NEC

The ULF staff have built strong links with skills for life staff at L&D.

The next tranche of new recruits at Northumberland will be addressed and links with HMPPS TRiM project leads will be shared.

Corruption and POA Representative Roles

The issue of how to deal with members who plead guilty to a criminal offence was discussed this includes how to manage conflict and still ensuring members are supported.

TUPE info for Northumberland

A request was made to establish whether the final measures document for Northumberland was stored at POA headquarters.

ACTION: Look for measures document at POA HQ and forward to Northumberland committee

H&S Training for POA Reps in Private Sector

The provision of a bespoke training package for private sector committees was fully discussed and the GS suggested a way forward.

ACTION: Each branch committee to approach the employer for funding from education budgets to train one POA rep to NEBOSH level.

ACTION: GS DGS and FTO to look at options to deliver training.

Update from Branches

Brookhouse IRC

The development of staff as part of the contract process was outlined and concerns raised over the long-term job security for members.

Oakwood

The issues surrounding key work and ratio of staff to prisoners was fully discussed. Currently staff are providing 25 minutes per offender and the ratio is 1 to 10.

The retention of staff is still an ongoing problem and violence whilst levelling out is still on the agenda.

Northumberland

The issue of overtime rates and pay awards was fully discussed.

The provision of key work is not meeting national standards and the profile is only delivering 550 hours when it requires 1100

The personal officer scheme was discussed as part of this project.

The compliance under assurance checks for keywork in all prisons and Ministerial commitments fully discussed.

Concerns were raised over the implementation of the Berryman ruling and recruitment and retention was still a major problem.

A general discussion covered OMiC management of high-risk offenders, key workers and profiled time.

ICE

The committee have positively engaged with the employer and more outcomes and actions are being realized. Concerns were raised over transfers both in country and overseas, due to the risk assessments for individuals being changed by management.

Assaults on staff for in country escorts has reduced but this is still an issue for overseas escorts.

ACTION: All branches to forward profile that was for delivering key work to POA HQ to be raised at OMiC meetings.

The GS gave an update on the issues of excessive hours being worked and the potential consequences this causes for POA members.

Any Other Business

Training for the private sector on the following issues was discussed, disputes, negotiations, profiling, pay and H&S.

The request for information from L&D on pensions and pay was discussed.

The GS gave an update on the remedy hearing which is due to take place over the changes to pension

MINUTES OF NATIONAL COMMITTEE FOR PRIVATE SECTOR SERVICES (NCPSS) MEETING HELD AT THE QUORN GRANGE HOTEL THURSDAY 10TH OCTOBER 2019

Present:

Joe Simpson (DGS)
Mark Fairhurst (National Chair)
Andy Hogg (FTO)
Mick Pimblett (FTO)
Steve Lewis (Research Officer)
Jane Warner (Oakwood)
Gareth Owen (Oakwood)
Ray Somers (ICE Immigration)
Paul Foster (Northumberland)
Joe Marshall (Gatwick IRC)

Apologies

Steve Gillan
Carl Lewis
Steve McKenna

Minutes

The minutes of the meeting of the 16th July 2019 were proposed, seconded and agreed as a true Record.

Matters Arising

Action; Bespoke Health and Safety Training to be sourced by DGS.

Action; Ivan Judd to be invited to next Private Sector Meeting.

Action; TUPE paperwork for Northumberland to be sought.

The National Chair addressed the meeting. Disputes, Keywork, RMP, PAVA, Rigid Bar Cuffs, Retirement Age

and the Cuffe report were discussed.

A representative of Prison Credit Union addressed the meeting.

Grievances

A discussion took place regarding Grievances and how they are dealt with in different workplaces. Branches were reminded that they have the support of Thompsons Solicitors and they should be utilised.

A discussion then took place regarding group grievances or Disputes as they are known. Branches gave differing answers about whether they have an Internal Disputes Resolution Procedure. Northumberland have concerns about whether they have an IDRPs in place.

Action; Northumberland TUPE to be checked by Thompsons. whether they have an IDRPs.

Action; Governor of Northumberland to be written to, to check if they have an IDRPs.

Update from Branches

Brook House/Tinsley IRC

G4S now withdrawn their bid. Low population (50%) so low violence. Staff retention issues.

ICE

Facility Agreement still not agreed but nearly there. First Branch Meeting has taken place. Now have a Conference Facility to hold monthly meetings. Increasing use of CCTV for Disciplinary Investigations.

Overseas members have not had a pay deal for the last couple of years and there is also a problem with EWTD.

ACTION: Mr. Morrison to be written to with concerns, requesting a meeting.

Northumberland

Pay Negotiation Training required. Overtime payments are at £17 per hour for TUPE'd staff. Those staff have been told that they are volunteers. Keywork is a shambles. Keywork being done by telephone on occasion. Grievances are increasing.

Oakwood

Pay negotiations completed and going to ballot. 2% rise and £500 extra for ACCT Assessors and FLOs.

Paying overtime for Keywork rather than pay fines. Excessive working hours. Keywork Audit has taken place.

ACTION: Letter to Oakwood ref excessive hours working.

Steve Lewis gave an update on recruitment in the Private Sector and the Special Hospitals.

Any Other Business

None.

MINUTES OF NATIONAL COMMITTEE FOR PRIVATE SECTOR SERVICES (NCPSS) MEETING HELD AT THE QUORN GRANGE HOTEL WEDNESDAY 8TH JANUARY 2020

Present:

Steve Gillan – General Secretary

Mark Fairhurst – National Chair
Joe Simpson (DGS)
Mick Pimblett (FTO)
Dave Todd (National Vice Chair)
Phil Fairlie – (Chair SNC)
Andy Hogg (FTO)
Andy Baxter (FTO)
Steve Lewis (Research Officer)
Ray Somers (ICE Immigration)
Paul Foster (Northumberland)
Steve McKenna (Northumberland)
Eric Asamoah (Gatwick IRC)
Joe Marshall (Gatwick IRC)
Jane Warner (Oakwood)
Gareth Owen (Oakwood)

Chairman's opening remarks

Chair expressed his thanks for the work of Andy Hogg and praised the work he has done for both the private sector and public sector across the UK.

Andy's knowledge and articulation of issues will be missed, he robustly defends issues that are close to his heart and I commend him for being a great asset.

Chair thanked Andy for his commitment and wished him well for his upcoming retirement and stated this will be his last meeting.

Chair stated that a case had been presented to Pat Cuffe in relation to the PS organiser being a single position, Chair stated Pat Cuffe has accepted this approach.

Chair states that in 2020 a robust effort will be made to improve member communications.

Chair pointed out that he believes we will face a challenging period against a new Conservative Government with a much-increased majority.

The POA will focus along with the TUC and the STUC in relation to watering down of workers' rights.

The Trade Union Act 2016 will now have an impact on trade unions including potentially a levy against unions to pay for the Certification Officer and other changes to the power of the Certification Officer.

We would anticipate this Government trying to pass other further anti trade union legislation.

Apologies

None.

Minutes

Previous minutes from 10th October 2019 were proposed, seconded and agreed as a true record.

Matters Arising

Bespoke Health and safety training

DGS states the course is available at QG, it's a 1-week course.

Ivan Judd will attend next NCPSS.

Mark Fairhurst - Richard Vince has stated Regime Management Plans should be in private sector, encourage Private Sector Reps to engage over Regime Management Plans.

Key worker should be 6 to 1 not 10 to 1 as previously stated.

Action Points

Northumberland Industrial Disputes Resolution Process – Thompsons state it was not part of the TUPE.

Mr Morrison to be written to in relation to a meeting – completed.

Oakwood letter and meetings have taken place in relation to excess hours

All Action Points complete.

Paul Shevlin– Thompsons Legal Services

Paul gave a presentation on how to access legal services;

England 0800 587 7515

Scotland - 0800 0891331

Personal Injury cover extends to members and members family's, with an exception that accidents at work for family members are not covered.

Members retain 100% of compensation.

Thompson's are experts in dealing with Personal Injury claims with a specialist team for each type of injury.

Thompson's are keen to develop relationships with POA branches including visits to branches.

Members receive advice on employment rights.

Paul pointed out that industrial challenges by unions to the employer in house can be more successful for members rather than the limited remedy's available at Employment Tribunal.

Access to Employment Tribunal has improved by the removal of Employment Tribunal fees, however the Government are consulting on the reinter of Employment Tribunal fees.

The European exit bill has recently seen the removal of employment rights.

Access to raising issues around employment rights remains through the legal aid forms available through local branch officials.

We have a specialist criminal team to represent members who are under investigation for misconduct, corruption or by the Police.

We also have a free will writing service for members.

We provide representation at Coroners Court where conflicts mean that GLD can not represent.

Where members disagree with legal advice from Thompsons, they have two levels of appeal, the first to the legal aid committee, then to the NEC.

It appears that there will be changes to the charges and cost issues relating to PI claims that could see employment related claims put at risk.

Northumberland raised issues with Thompsons in relation to the private sector not gaining the back-pay element of the Berryman case.

Northumberland raised the issue of sick T&Cs in relation to new starters in relation to sick leave, and they fear that may also come the way of the TUPE protected members.

Paul responded that it could be about the employer giving reasonable adjustments to staff who return to work, those covered by the equality act.

Oakwood asked can we claim for passive vaping?

Paul responded that there is not the level of evidence against vaping that there was smoking, in time that evidence may come to light.

Thompsons have a dedicated solicitor who handles passive smoking and psycho active substance issues.

ICE stated that some of the comms they get from Thompsons is in legalese and that means the members must contact the solicitor to gain an explanation.

Paul states Thompsons try to adapt their comms to be suitable for the member, Paul stated he would take that back to Thompsons.

Thompsons are developing an app to allow claimants to better access their case and improve communications in line with the Pat Cuffe report.

Theme for Annual Conference Private Sector Fringe Meeting 2020

Northumberland suggested a presentation from the successful bidder for the new HMP Wellingborough.

Suggestion made to have a forum with various leaders of the private sector firms, such as Sodexo, Serco and G4S plus any other that would engage.

Suggestion that the meeting does not have to focus on the private sector companies.

Chairman deferred suggestions until the next meeting of the conference and events meeting is the 22nd March 2020.

1) Update from Branches

Brook House/Tinsley IRC

Running at 50% capacity no issues, full staffing.

Staff getting leave and time off.

No word on who will run Brook after May.

Pending public enquiry after Panorama.

Home office to set the staffing levels going forward.

ICE

Signed off agreement with employer.

Retention problems, heading to crisis regarding staffing levels.

About to open pay talks.

Apart from that we are doing good.

Oakwood

Not looking good, morale extremely low.

Overtime capped following excessive hours culture.

35 went sick / didn't appear over Christmas.

30 staff on Restricted Duties.

Didn't hit Key Worker target, so key work fines have been applied.

Still no Regime Management Plan in place – Employer states that non delivery through RMP would result in fines, however POA insist that they should be fully resourced to avoid non delivery.

Private Sector are experiencing the same issues as Public Sector in relation to recruitment and retention and safety.

Night staffing levels are critical and breach lone working compliance.

POA insist HMPPs directors still hold a duty of care for Private Sector Employees.

Flexible working arrangements are being reviewed.

Northumberland

Officers on detached duty has gone from HMP Northumberland to Addiewell

Discussions that starting pay may increase for some Sodexo Region.

Sodexo can't recruit at Peterborough can't recruit at Forest Bank.

We have attempted to bring in a Regime Management Plan, but Public Sector employers don't see it as an obligation.

We have run a virtual RMP with regime restrictions however there is a reluctance to commit it to paper.

There has been some early positive noise around safety and regime restrictions relating to non-availability of staff.

We are struggling to deliver key work and having to re-asses the key work scheme.

We have been invited into the upcoming reprofile meeting.

Some talk of a staff drug testing measure.

Any Other Business

Mark Fairhurst – National Chairman

We have written to Directors of Oakwood and Northumberland to ask if they will engage with us in the detection and management of Psycho active substances.

The POA will pay for the tests, so the process will be cost neutral to the company.

They will include tests of outgoing water waste and air quality.

We don't want the PS side-lined within this process and we invite the companies to engage with us in this process.

Our plans are for the positives, we want to engage in relation to detecting, managing and preventing potential exposure.

It could also be an opportunity to share good practice from the PS to the public sector.

MINUTES OF NATIONAL COMMITTEE FOR PRIVATE SECTOR SERVICES (NCPSS) MEETING HELD VIA ZOOM THURSDAY 1ST OCTOBER 2020

Present:

Steve Gillan – General Secretary
Joe Simpson (DGS)
Mick Pimblett (FTO)
Phil Fairlie – (FTO)
Andy Baxter (FTO)
Angela Montgomery (FTO)
Steve Lewis (Research Officer)
Ray Somers (ICE Immigration)
Alex Dondi (ICE Immigration)
Paul Foster (Northumberland)
Steve McKenna (Northumberland)
Carl Lewis (Gatwick IRC)
Nadia Taylor (Oakwood)
Gareth Owen (Oakwood)

Chairman's opening remarks

The Chair welcomed everybody to the meeting. He thanked everybody for their work during the Covid pandemic. He stated that he intends to have these meetings diaried on a monthly basis until further notice. He also stated that he does not know whether Conference will take place next year, but we are currently making plans for Conference to take place.

Apologies

Jane Warner.

Minutes of Previous Meeting – 8th January 2020

The minutes of the meeting of 8th January 2020 were proposed, seconded and carried as a true record.

Matters Arising

None.

Action Points

All complete.

Gatelodge Articles from the Private Sector

It was felt that the Private Sector are not really represented in the Union Journal. All attendees were encouraged to submit articles and they all committed to attempt to do this in the future.

Update from Branches

Oakwood

The Beard policy at Oakwood was discussed. Oakwood management have stated that it is compulsory that no beards are allowed. The Chair advised that individuals should submit a Grievance followed by a Legal form and the Committee should submit a Dispute.

The core day at Oakwood has changed and staff should finish at 1800hrs. However, staff are finishing late everyday and nothing has been done about it. The FTO stated that she has been involved in this and advised that members need to keep a record of additional hours worked.

Temporary Accommodation of 80 spaces have been introduced and it is being staffed by overtime. (19.87 per hour).

Northumberland

The National Chair election was mentioned. Northumberland are concerned that they are unable to hold a meeting to discuss this due to Covid. The Chair stated that he will consider this and come back to the Branch.

The Branch spoke about the Director's aspirations about moving to Stage 2. The new MTR arrangements were discussed.

MINUTES OF NATIONAL COMMITTEE FOR PRIVATE SECTOR SERVICES (NCPSS) MEETING HELD VIA ZOOM THURSDAY 5TH NOVEMBER 2020

Present:

Joe Simpson (DGS)

Mick Pimblett (FTO)

Andy Baxter (FTO)

Angela Montgomery (FTO)

Steve Lewis (Research Officer)

Ray Somers (ICE)

Alex Dondi (ICE)

Paul Foster (Northumberland)

Steve McKenna (Northumberland)

Chairman's opening remarks

Work is still ongoing regarding to Covid. Attendees were reminded about the importance of Health and Safety in the workplace. Community Track and Trace and the proposed HMPPS strategy for Contact Tracing were discussed.

Apologies

Steve Gillan

Phil Fairlie

Carl Lewis (Gatwick IRC)

Eric Asamoah (Gatwick IRC)

Alistair Guiney (Mitie)

Minutes of Previous Meeting – 1st October 2020

The minutes of the meeting of 1st October 2020 were proposed, seconded and carried as a true record.

Matters Arising

None.

Action Points

None.

Update from Branches

NORTHUMBERLAND

It has been proposed to introduce a new Core Day. The Committee are in favour as this will be a move back towards Self-Rostering. There has been issues with declaring Northumberland as an outbreak site, but this has now been resolved.

ACTION: When any Covid Document is agreed it should be forwarded to our Private Sector Colleagues.

ICE

Very busy at the moment. High numbers coming through at Dover. Good consultation taking place with the employer, but they are trying to do minimum compliance with Health and Safety. Meeting scheduled for 6th November 2020 where a number of issues will be discussed, including Track and Trace, Sickness Absence etc

Covid Plans need to be revisited due to the Lockdown. ICE representatives have stated that Ports and Airports are exempt from Social Distancing. JS stated that this should not happen and should be challenged.

Any Other Business

MP asked all attendees if they could obtain any photographs from their employer for the new website. The cost of stock photographs and the need to make the website all-inclusive was explained.

JS stated that there is an intention to commence bespoke training for all Private Sector representatives.

Northumberland now have a RMP in place.

ICE

Worked throughout Covid. Now fully operational. The Company has stated that if members have to isolate a second or third time, they will go on SSP. FTO in talks with company.

Employment Relations are very good at ICE and the Branch are happy with their representation at National Level.

GATWICK IRC

TUPE transfer has been completed with very few problems. New core day has been introduced. Good membership increase and all good. Pay negotiations due to commence.

Any Other Business

None.

MINUTES OF NATIONAL COMMITTEE FOR PRIVATE SECTOR SERVICES (NCPSS) MEETING HELD VIA ZOOM THURSDAY 3RD DECEMBER 2020

Present:

Steve Gillan (GS)
Joe Simpson (DGS)
Andy Baxter (FTO)
Angela Montgomery (FTO)
Steve Lewis (Research Officer)
Ray Somers (ICE)
Alex Dondi (ICE)
Paul Foster (Northumberland)
Steve McKenna (Northumberland)
Nadia Taylor (Oakwood)

Chairman's opening remarks

The GS opened the meeting and gave an update around the National Chair election, he congratulated Mark Fairhurst on his re-election and congratulated Nadia on being elected branch chair at HMP Oakwood, the GS confirmed that he is talking to G4S around potential expansion of recognition.

AGS thanked branch officials for their ongoing hard work and the support that the FTOs are giving Private Sector branches.

Work remains ongoing regarding to Covid. Attendees were reminded about the importance of Health and Safety in the workplace.

Apologies

Phil Fairlie
Gareth Owen (Oakwood)
Carl Lewis (Gatwick IRC)
Eric Asamoah (Gatwick IRC)
Alistair Guiney (Mitie)
Mick Pimblett (FTO)

Minutes of Previous Meeting – 5th November 2020

The minutes of the meeting of 5th November 2020 were proposed, seconded and carried as a true record.

Matters Arising

None.

Action Points

HMP Northumberland asked for a clarification in relation to an action from last month around sharing COVID-19 information.

Northumberland are looking for clarity as they have a number of documents that are not agreed and feel it won't be appropriate to share documents that they don't agree.

It was clarified that the flow of information was intended to be from POA senior team to Private Sector Colleagues, it was agreed that committed to sharing HMPPS documents with Private Sector.

It was suggested documents are sent to nominated individuals, documents would go to Branch Chair and Secretary plus one other nominated person on the committee.

Mitie Recognition Agreement.

The current Mitie recognition agreement has now been amended and signed by the AGS to reflect the recent negotiated extension of recognition to cover grades employed at Mitie's National Operations Control centre at Craigavon in Northern Ireland.

The AGS thanked the Branch Officials and FTOs for delivering this piece of work.

Update from Branches.

HMP NORTHUMBERLAND

Pay talks have commenced but expectations are not particularly high. Higher turnover of staff at other Sodexo sites so funds may be targeted there.

Northumberland is now an outbreak site.

HMP OAKWOOD

Nadia Taylor has been elected as the new Branch Chair.

The issue regarding finishing times and payment for additional time has now been successfully resolved.

The issue of who pays for Track and Trace at establishments was raised, it was reported that this was an issue across the Government where services had been contracted out and that the Civil Service Unions were fighting the case that where services were contracted out they should be treated in the same way as publicly operated services.

There is an ongoing issue regarding staff having to be clean shaven. It was pointed out that staff who has beards prior to Covid-19 could not be made to shave.

Also, that the shaving policy related to the provision of FFP3 masks and that these were not currently the type of mask being provided. The Branch were assured of National support if management continued to pursue this policy where it was unnecessary.

Oakwood is now an outbreak site.

POA ICE

PPE provision had been sufficient throughout the pandemic and the branch had not had to raise issues on this matter with management.

Issues regarding self-isolation and pay were ongoing and were being monitored with the intention to progress the matter to a grievance should members lose out financially due to 3 waiting days.

The new van fleet is now being rolled out which should solve many of problems and complaints members have been raising recently.

The Branch were looking forward to taking up the offer for Health and Safety rep training, which the DGS stated would be available in the near future.

It was reported that the POA had recently had a big win with regard to the provision of a full days pay in relation to the additional days leave given as a thank you to all Mitie Frontline staff.

The gesture of good will from Mitie was greatly received by members and the POA however an unforeseen disagreement occurred over how the day's pay was to be calculated, as it did not cover staff who only worked 12 hour shifts this has now been resolved and an extra drop down box has been applied to the Mitie system to reflect a 12 hour gratuity.

Any Other Business

None.

MINUTES OF NATIONAL COMMITTEE FOR PRIVATE SECTOR SERVICES (NCPSS) MEETING HELD VIA ZOOM FRIDAY 8TH JANUARY 2021

Present:

Joe Simpson (DGS Chair)
Mick Pimblett (FTO)
Andy Baxter(FTO)
Phil Fairlie (FTO)
Steve Lewis (Research Officer)
Ray Somers – (ICE)
Alex Dondi – (ICE)
Gareth Owen (Oakwood)
Paul Foster (Northumberland)
Steve McKenna (Northumberland)

Chairman's opening remarks:

The Chairman thanked colleagues for joining the meeting.

Apologies:

Angela Montgomery – Annual leave.

Minutes of Previous Meeting – 3rd December 2020:

Agreed.

Matters Arising:

None.

Violence Stats in the Private Sector:

Rachael Hopkins MP wrote to Lucy Fraser Justice Minister re outsourcing within the Justice sector and a disparity relating to violence between the public sector and the private sector. The response from Lucy Fraser

was discussed.

The private sector branches were requested to gain violence stats from the equivalent of their in-house safety groups or violence reduction teams.

The POA believe that this information is available as private establishments report violent incidents via the IRS.

Action – FTOs to send out incident reporting HMPPS PSI to private branches to discuss reporting at management meetings.

Private sector branch committees to submit estimated total staffing figures.

Update from Branches:

Mitie ICE – Latest wave of Covid-19 has hit us hard. Dover and Gatwick are getting pre shift tests for staff, we welcome that, and we have asked for it to be rolled out across the contract.

We are finding it hard to get Covid stats from the company.

Oakwood G4S – We seem to be passed the worst of our Covid-19 issues as we had a recent surge. Unfortunately, a member of staff has recently taken his own life following a death in custody.

Action -DGS to arrange meeting with Oakwood committee.

Northumberland Sodexo – We recently had a difficult death in custody following a cell fire, this has led to the introduction of an enhanced fabric check in the cell, we believe that more resources should be allocated to this.

EDMS, we were tier 4 but have now gone into lock down. We have fought off a bid to reduce risk rating in relation to daily risk assessments.

Our new core day has been knocked back due to staffing levels.

Pay talks have concluded at 1.5% across both TUPE and new contracts with a 1k bonus for staff with over 4 years' service.

We hear that the Scottish Governments plans may reduce the company's ability to recruit in HMP Addiewell.

Discussions took place around the Scottish 3 year pay deal and its impact on the ability for the private sector to recruit in Scotland.

Any Other Business:

A discussion took place regarding making this meeting bimonthly, it was decided that during the Covid pandemic the meeting should remain monthly until further notice.

MINUTES OF NATIONAL COMMITTEE FOR PRIVATE SECTOR SERVICES (NCPSS) MEETING HELD VIA ZOOM FRIDAY 5TH FEBRUARY 2021

Present:

Joe Simpson (DGS Chair)
Mick Pimblett (FTO)
Andy Baxter (FTO)
Angela Montgomery
Steve Lewis (Research Officer)
Ray Somers – (ICE)
Alex Dondi – (ICE)
Gareth Owen (Oakwood)
Paul Foster (Northumberland)
Steve McKenna (Northumberland)

Chairman's opening remarks:

The Chairman thanked colleagues for joining the meeting. He informed Branches that the introduction of Contact Trace Leads should be taking place in their workplaces shortly. A brief overview was given.

Apologies:

Steve Gillan
Phil Fairlie

Minutes of Previous Meeting – 8th January 2021:

Agreed.

Matters Arising:

DGS still needs to arrange meeting to Oakwood.

HMP Northumberland have provided their staffing figures and violence figures following the last meeting.

Update from Branches:

Mitie ICE – There has been a security alert at one of the Airports and ICE staff were forgotten about when all staff were evacuated. ICE Committee to raise this with management at their next meeting.

Oakwood G4S – Recently had another spike in cases for staff. There was recently 105 staff absent. Pay Negotiations have commenced and Oakwood have been made aware that Parc have been offered 1.2%.

Northumberland Sodexo – Had some success recently on several issues. One main success was regarding AFCs and Fire Checks. There is a problem with getting the roll on time related to treatments.

Any Other Business:

Membership has increased at Brook House by 35.

Recognition Rights at Parc and Oakhill was discussed.

Action Meeting to be arranged with GS and FTOs to discuss.

**MINUTES OF NATIONAL COMMITTEE FOR PRIVATE SECTOR SERVICES (NCPSS) MEETING HELD MICROSOFT TEAMS
FRIDAY 12TH MARCH 2021**

Present:

Steve Gillan (GS)
Andy Baxter (FTO)
Angela Montgomery (FTO)
Phil Fairlie (FTO)
Steve Lewis (Research Officer)
Ray Somers – (ICE)
Paul Foster (Northumberland)
Kirsteen Brown (Oakwood)
Gareth Owen (Oakwood)

Chairman's opening remarks:

The GS opened the meeting and thanked branch officials for their continued hard work and a number of recent wins.

Apologies:

Joe Simpson (DGS)
Steve McKenna (Northumberland)

Minutes of Previous Meeting – 5th February 2021:

The minutes of the previous meeting of 5th February were proposed, seconded and carried as a true record.

Matters Arising:

None.

Action Points

Completed.

Offender Management Case Model

We were made aware by HMP Northumberland that the officers in the OM unit were the equivalent of B3 as opposed to PS model at B4. In October MP wrote to PC and numerous times with the OM lead, it was highlighted as a public protection issue.

It has now changed and MOJ controllers will work with PS company's to upgrade offender managers within the private sector.

Any move to non-operational OM within the PS will be challenged.

It would help if individual branches approach directors to push for plans to be put in place to progress this.

The model will depend on the level of risk associated with each establishment.

The meeting was informed that before CV19 Oakwood were looking at making this non-operational.

It was explained that Governors in HMPPS had that option, if it comes to light that the PS go down this path it should be disputed, the FTOs will assist with information required to support any disputes.

It could be a negative for individuals within HMP Northumberland as a move to SPCO may change the work they have to deliver.

It was stated that the POA would support any staff in relation to any potential detriment.

Update from Branches:

HMP Oakwood

Oakwood have been offered 1% as they are aware of another establishment that has been offered 1.2%.

The POA have entered into the Oakwood negotiation around pay, they were informed it was a 1% envelope, the directors are being asked to reconsider.

Gareth will share the Oakwood committee pay demand. GS states this should be shared with other FTO in order to support collective bargaining on pay.

The sickness waiting days around Covid was won, there may be a package around waiting days that can be explored.

GS believes that our ambitions should be formalised in the 2021 pay round.

Action – Steve Lewis and Angela to liaise with HMP Oakwood committee by providing evidence to support pay claim.

Action – AM to visit HMP Oakwood to look at training issues.

HMP Northumberland

Sodexo are refusing to give back annual leave for staff that were off sick during the pandemic taking it to legal advice.

General Secretary confirmed that it is also becoming an issue in the wider civil service.

Even staff who tested positive have been told no leave back unless they were ill.

LFT is an issue, we are not hitting our target, there is a low take up by staff.

A motion from HMP Northumberland would be for a fringe conference would be to invite CEOs to discuss the impact of Covid on contracts moving forward.

General Secretary – With a caveat around conference taking place, maybe it could be something for the Private Sector fringe, it is still not 100% that conference will be done face to face, we will plan as if we are having conference.

HMP Northumberland would like to pursue a case around a member being barred from site after controller has denied access following a disciplinary matter that had been concluded by the company.

ICE

We are experiencing similar around Covid leave and carry over. We suffer from Mitie corporate notices that affect Care & Custody staff disproportionately.

An example of this is the policy around vaccination and waiting days.

We have some issues around a new fleet of vehicles.

Any Other Business:

The new web site and a specific area for ICE was discussed, this was not taken forward following NEC

concerns.

RS raised concerns around communication methods within the ICE branch.

Action Steve Lewis to work with RS to set up an ICE email list.

**MINUTES OF NATIONAL COMMITTEE FOR PRIVATE SECTOR SERVICES (NCPSS) MEETING HELD MICROSOFT TEAMS
FRIDAY 9TH APRIL 2021**

Present:

Angela Montgomery (AGS) -Chair
Paul Foster – HMP Northumberland
Kirsten Brown – HMP Oakwood
Alex Dondi – Mitie ICE
Gareth Owens – HMP Oakwood
Mick Pimblett – (AGS)
Andy Baxter – (AGS) -Minutes
Steve Lewis – (POA Researcher)

Chair's opening remarks:

The chair opened the meeting and stated that progression to level 3 seemed to be gaining momentum, reminded branches that there must be meaningful engagement as regimes progress.

Apologies:

Steve Gillan (GS)
Joe Simpson (DGS)
Phil Fairlie (AGS)

Minutes of Previous Meeting – 12th March 2021:

Discussed.

Matters Arising:

None.

Action Points

Visit to Oakwood – Ongoing.
Mitie Email list – Completed using internal system.
HMP Northumberland Dog Handler Allowances - Completed
Steve Lewis and Angela to liaise with HMP Oakwood committee by providing evidence to support pay claim - Completed.

Update from Branches

HMP Northumberland

Looking at stage 3 recovery and also long term recovery, interesting that there is a direction from HMPPS that time out of cell must be constructive. Staff who took leave after positive tests have had their leave reimbursed. We are encouraging people to take home LFT tests, a mass testing of prisoners has been completed and we are likely to come out of outbreak status.

It was pointed out that in order to progress to level 3 it has to be approved by PGD and then by Gold command, the director must evidence that he has extensively consulted locally with local POA committees.

The Prison Service chooses who progresses, based on a large multi-agency input.

HMP Northumberland confirmed its work in readiness for moving to stage 3.

HMP Oakwood

No positive prisoner cases talk of social visits reopening and workshops opening.

Consultation took place yesterday around regime progression.

Mitie Care & Custody ICE & Overseas

Alex Dondi attended the meeting and gave an update on the work taking place in France and the Covid-19 implications for members working in France. Alex raised the issues of staff who have a reaction to the covid vaccination being treated as sick leave and factored into Bradford scoring.

Alex raised the recent award of free Mitie shares for employees based in the UK as he was concerned, they may not apply to overseas.

Both issues above to be progressed at Mitie JNC meeting next week.

Safety issues for staff working in Northern Ireland were discussed.

AB informed the meeting that the opening letter re the 2021 pay round had just been submitted to Duncan Partridge as successor to Carl Blackford.

Any Other Business

An update was given showing a healthy increase in POA membership across the Private sector, the attending branches were thanked for the progress to date and encouraged to keep the momentum going.

A discussion around the implications of Allied Universal takeover of G4S took place.

It was proposed by the chair that future meetings take place every 6 weeks up to December with a caveat that interim meetings can take place if required.

MINUTES OF NATIONAL COMMITTEE FOR PRIVATE SECTOR SERVICES (NCPSS) MEETING HELD VIA MICROSOFT TEAMS FRIDAY 7TH MAY 2021

Present:

Angela Montgomery (AGS) -Chair
Steve Lewis – (POA Researcher) -Minutes
Paul Foster – HMP Northumberland
Steve McKenna – HMP Northumberland
Kirsten Brown – HMP Oakwood
Gareth Owens – HMP Oakwood
Alex Dondi – Mitie ICE
Ray Somers – Mitie ICE
Limbachia Heron - Gatwick IRC's
Eric Asamoah – Gatwick IRC's

Chair's opening remarks:

The Chair opened the meeting and thanked all those in attendance.

Apologies:

Steve Gillan (GS)

Joe Simpson (DGS)
Mick Pimblett (AGS)
Andy Baxter (AGS)
Phil Fairlie (AGS)

Minutes of Previous Meetings:

12th March 2021:

Minutes confirmed; proposed by PF and seconded by GO unanimously agreed as a true record.

9th April 2021:

Minutes discussed and confirmed; proposed by PF and seconded by GO unanimously agreed as a true record.

Matters Arising:

None.

Action Points:

Visits to Oakwood are still being planned. Agreement has now been given to deliver training dates to be agreed.

POA ICE letter drop idea needs to be reconsidered due to low take up through the use of the company email system as many members don't log-in and others who do don't respond.

ACTION POINT: It was agreed that a further attempt would be made to obtain personal e-mail addresses by the Branch.

Northumberland Dog Handlers issue has been taken forward across other establishments.

Oakwood pay ballot is ongoing with an offer of 1.2% and amendments to the sick pay scheme.

Update from Branches:

Gatwick IRC Brook House still in outbreak status until at least the 15th May. They are not currently receiving new detainees because of this. The 2020/21 pay offer has now been agreed by ballot and the branch are now preparing next 2021/22 pay round.

Tinsley has been returned to IRC Status though it was only holding 10 detainees. This is expected to rise.

Northumberland now off the outbreak list, they had no current positive prisoners.

There are now plans in place to start the regime relaxation which is due to begin next week.

During negotiations it had been agreed that there should be no return to how things were prior to covid.

Oakwood now at level 3 industries re-opening as is education. The pay ballot is under way and it is believed the pay offer will be accepted.

ICE At first stages, waiting on dates to start pay talks. Management changes may make this more difficult than normal.

Social Visits are due to return at Short-Term Holding Rooms and new processes are begin discussed on how

this will be done in a safe and secure manner.

Frequency of Meetings:

Following a discussion, it was proposed;

To move to holding NCPSS meetings every six weeks going forward, with a return to face-to-face meetings when changes to restrictions permit.

ACTION POINT: Diary meetings and seek facility time for these meetings.

Any Other Business:

It was highlighted that the new Join Online Facility was now available to non-members. All branches were asked to push this news out to staff and encourage them to join the union.

ACTION POINT: Updated lists to be sent to each Branch on a monthly basis.

Dates of next Meetings:

18th June 2021 (Via Microsoft Teams)

30th July 2021 (Via Microsoft Teams)

10th September 2021 (Via Microsoft Teams)

22nd October 2021 (Via Microsoft Teams)

2nd December 2021 (Via Microsoft Teams)

MINUTES OF NATIONAL COMMITTEE FOR PRIVATE SECTOR SERVICES (NCPSS) MEETING HELD VIA MICROSOFT TEAMS FRIDAY 18TH JUNE 2021

Present:

Steve Gillan – GS

Joe Simpson – DGS

Paul Foster – HMP Northumberland

Michelle Masters – HMP Oakwood

Kirsteen Brown – HMP Oakwood

Alex Dondi – Mitie C&C ICE

Ray Somers – Mitie C&C ICE

Angela Montgomery - FTO

Phil Fairlie – FTO

Mick Pimblett – FTO

Steve Lewis - Research Officer

Andy Baxter – FTO (Notes)

Chair's opening remarks:

The Chairman opened the meeting and thanked people for their attendance.

He thanked the NCPSS for their work of late in relation to pay rises and local elections.

Apologies:

None.

Minutes of Previous Meeting – 7th May 2021:

Agreed as a true record.

Matters Arising:

None.

Action Points:

Mitie email list is complete and has been used.

Meetings to be every 6 weeks going forward – Complete.

Membership lists – Ongoing.

Future Regime Design Project:

HMP Northumberland have engaged with the Gold Team to highlight issues within the private sector about regime redesign in recovery. If other private sector branches want to feed into us, they are more than welcome.

We want to see the end of association, reduced unlocking numbers, we are involved in that, and it's been a good piece of work and something we want to take part in.

We outlined the impact of being under contract and the impact that would have on future regime changes against targets.

As part of future regime change the POA need to be consulted and the TU must agree the RMP.

Branches advised to raise the issue of an RMP where it is not in place.

HMP Northumberland thanked for their ongoing engagement with Gold.

Contracts may have to be amended to ensure we do not return to chaotic regimes of old within the Private Sector, this may require a ministerial relaxation of contracts.

A discussion took place around impacts on profiling.

PSI 42/2014 Exclusion of Personnel:

Concerns were raised where controllers refused to return badges after suspension and completion of company disciplinary proceedings, there is no challenge mechanism, so members are being dismissed with no avenue of appeal.

For example, people who receive written warnings from the company effectively get dismissed by the controller barring access to site and badge removal.

The PSI is very precise, but this is a back doorway to remove staff.

We need to establish an appeal mechanism with the controller.

ACTION: Add to next week's FTO meeting for further discussion.

Update from Branches:

HMP Northumberland – Large number of investigations, managers keep telling us there is no rush, but then they try and push up numbers in workshops etc. We are struggling with staff testing figures.

HMP Oakwood – Some workshops have opened, lots of staff testing, an issue with non-medical staff telling

others when Covid isolation should end.

Local test and trace team trying to undermine PHE instructions to staff.

Some extra time being added onto regime, POA were not aware, it's a regime change and should have been discussed.

ICE – Staffing south coast initiative was raised, the recent pay rise was discussed and the levels of recruitment within the Mitie Care & Custody contract. A discussion evolved about potential fire and re-hire in Scotland.

A discussion around Homs training took place.

ACTION: More information to be gained around a potential move of Mitie C&C Homs training to be taken in house.

AOB

HMP Northumberland have challenged H&S / Covid issues around the decision to introduce external instructors in establishment to deliver C&R and the branch have concerns around.

ACTION: Membership data to be added to the NCPSS agenda as a standing item.

Private sector membership up 38 since 1st April 2021 and 147 since January 2021.

MINUTES OF NATIONAL COMMITTEE FOR PRIVATE SECTOR SERVICES (NCPSS) MEETING HELD VIA MICROSOFT TEAMS FRIDAY 30TH JULY 2021

Present:

Steve Gillan – General Secretary
Angela Montgomery – AGS
Steve Lewis – Organiser – Minutes
Paul Foster – HMP Northumberland
Steve McKenna – HMP Northumberland
Michelle Masters – HMP Oakwood
Kirsteen Brown – HMP Oakwood
Ray Somers – Mitie C&C ICE
Carl Lewis – Gatwick IRCs
Eric Asamoah – Gatwick IRCs
Heran Limbachia – Gatwick IRCs

Chair's opening remarks:

The Chair opened the meeting and thanked all those in attendance. It is important that unnecessary risks are not taken as we come out of the pandemic, the future remains unclear. There is a rise in prison outbreaks with 100 deaths a day in the Community which have been the case for several weeks vaccinations have been helpful but they only last for a period of time. Prisons on exemption list for self-isolations where there is regular testing. It needs to be acknowledged that outbreaks in Prisons are rising and this will continue.

POA will continue to talk to all employers about pings and isolation policies.

Still looking for updates on the POA pension challenge.

The Chair is meeting with HMPPS regarding the increase of Covid and Test and Trace responsibility.

Apologies:

Joe Simpson
Andy Baxter
Mick Pimblett
Phil Fairlie
Alex Dondi – Mitie C&C ICE

Minutes of Previous Meeting – 18th June 2021:

Discussed and carried as a true record.

Matters Arising:

None.

Action Points:

PSI 42/2014 Exclusion of Personnel:

Ongoing issue that is being taken forward. Thompsons taking on Northumberland case.

Mitie C&C Homs training to be taken in house.

This remains under discussion between Mitie and Home Office.

Membership data to be added to the NCPSS agenda as a standing item.

Done.

Update from Branches:

Oakwood

Oakwood also had instructions to attend work even if pinged by NHS app. One official had had a neg notification from NHS that she had not taken.

Workshops still on going and prisoners from different houseblocks mixing in the workshops. This is causing concern.

The POA are working on an agreement with G4S on how to best move forward.

The POA are working on the mental health statement made by G4S and plan to work with the m to deliver on this proposal.

Northumberland

Sodexo put out request to staff to attend work after being pinged and test. Asked to forward the policy that had been produced.

Challenging management about moving to Stage 2. For now remaining in stage 3.

There has been a number of changes at the top of the Company.

Sodexo looking to introduce an full RMP with or without the necessary staffing levels against contract delivery

Action point – take this forward to Ministers as a matter of serious concern.

The issue of HMPPS refusing to return a members badge after they have been reinstated is a cause of concern and has been referred to Thompsons and will be discussed at the next FTO's meeting.

Action point – to discuss at the next FTO's meeting.

Pay talks starting shortly.

There a number of issues at Forest bank causing concern, 200 cells have been taken offline. There have been changes to Senior Management with only two Senior Managers remaining.

Sodexo have lost the CRC contract and probation has gone back into the Public Sector and Sodexo will lose the contract in Scotland.

Gatwick IRC's

Gatwick thank leadership for the training delivered at GFTU. Meeting with management ongoing. They are taking issues from the training forward with management.

The ongoing legal inquiry was discussed, another meeting has been arranged with Thompsons in respect of supporting members. The Chair agreed to visit Brook House in order to meet with the Committee and the Director. The issue of adding DOM's to the bargaining unit was discussed and would be dependant on DOM membership.

Serco have been asked to staff a hotel in Gatwick as a detainee hotel.

POA ICE

Immigration workload increasing significantly especially at Dover. Lots of OT available. Heathrow fully open now but not as busy as expected.

Same issues on pings and attending work. Membership increasing steadily.

Training is a funnel point to achieve sufficient staffing levels.

Membership Data

A list of leavers and joiners has been sent out to the branches and will continue to be sent out on a monthly basis.

The latest overall private sector membership figures were shared and discussed. It was noted that membership had increased steadily during 2021 and stood at 1,310

Any Other Business:

Action point – GS plans to visit as many sites/establishments where the POA are the recognised union as possible once restrictions are lifted.

MINUTES OF NATIONAL COMMITTEE FOR PRIVATE SECTOR SERVICES (NCPSS) MEETING HELD AT QUORN GRANGE HOTEL THURSDAY 2ND DECEMBER 2021

Present:

Joe Simpson – Deputy General Secretary

Mick Pimblett – FTO

Andy Baxter – FTO

Phil Fairly – FTO

Angela Montgomery – FTO

Steve Lewis – Organiser – Minutes

Paul Foster – HMP Northumberland

Steve McKenna – HMP Northumberland

Kirsteen Brown – HMP Oakwood

Ray Somers – Mitie C&C ICE
Alex Bratton – Mitie C&C ICE
Carl Lewis – Gatwick IRCs
Eric Asamoah – Gatwick IRCs

Chair's opening remarks:

The Chair opened the meeting and thanked all those in attendance. The DGS intends to continue with branch visits into the New Year.

The idea of a video for ICE members was discussed and ideas were asked for how this could be done.

The officials were thanked for their help and hard work in increasing membership and how this could be continued into 2022.

It is planned to return to a monthly meeting between now and Conference. One month on line, one month face to face

Apologies:

Steve Gillan – General Secretary
Michelle Masters – HMP Oakwood

Minutes of Previous Meeting – 30th July 2021:

Discussed and carried as a true record.

Matters Arising:

Local Management do not want to continue with the RMP after Covid.

Action Points:

Sodexo plans to open regime to be taken forward to Ministers as a matter of serious concern.

This is an ongoing issue.

Action Point - Draft a letter to Charlie Allan on this matter SL

The withholding of Badges by HMPPS Controllers to discuss at the next FTO's meeting

This case discussed and is now with Thompsons and there is another similar case with the YCS.

One possible action could be for us to press for HMPPS/YCS to take over the disciplinary process from the employers.

Action Point – set up meeting with Dave Rodgers on this issue

GS plans to visit as many sites/establishments where the POA are the recognised union as possible once restrictions are lifted.

Ongoing as restrictions continue to be in place

Future Regime Design (Northumberland)

Met with HMPPS on this but as yet within establishments there is still no clear direction of what future regimes should progressively look like.

What is needed is a structured design that is clearly understood and could be introduced steadily. What should not happen is that profits are made at the expense of the H&S of staff. H&S comes first is the principled position of the union.

It appears each establishment is moving at different speeds without following the published plan.

There is an issue of too many staff acting up and this too needs be questions as to How Long? Are staff

expected to do this before the position is made permanent? This is contributing to staffing and regime planning issues.

Management are failing to provide risk assessments and safe systems of for the regime expansions.

Action Point – Local disputes will be submitted on these matters

Provision for C&R (Basic & Tornado) Following Covid (Northumberland)

A discussion took place on how establishments were dealing with this issue. Training is a problem,

Members are selling their services to employers and the unions should be striving to make sure staff are paid for the additional duties they undertake.

“Up skilling and paying” for all specialisms over and above basic ITC training and skills.

Action Point – claims to have additional payment for skills over and above skills require for the role should form part of all future pay claims.

First Aid is a prime area which needs looking at due to the legal requirements placed on employers.

Action Point – Branches need to ask for and interrogate the Night Time Contingency Plans

Branch Official Training for Private Sector (Northumberland)

This is an ongoing issue and the facility time and resources to attend GFTU training will be considered.

Branched were asked to bring forward suggestions for how training can be improved.

Disputes Procedure (Northumberland)

Northumberland are still using PSO 8545 and there is a feeling that it needs to be updated

Action Point – DGS to contact Community with reference to the disputes procedure they have with Sodexo.

Annual Conference (JS)

There is a Private Sector Fringe at Conference. It will be important for officials to look at accommodation asap.

It is understood that cost may be more than they have in the past.

“Contract over Covid” Dave Rogers Tony Simpson

Action Points – Suggestions for the Next Meeting

It was raised that conference can be very Public sector orientated and the private sector should become more involved during debates on motions that are brought and bring forward their own motions.

Update from Branches:

Oakwood

Staffing levels becoming a real issue with management pressuring staff to unlock on their own.

11-12 a week leaving, new staff shadowing slightly older staff there is a lack of experience. Welfare checks, meds being done by single officers.

Issues with pool balls and weights on the wings

There is a need to disputes to be raised to force management into acknowledging the need for changes and issues.

Action Point – Local Disputes on the issues are to be submitted.

Northumberland

Management are moving to a “Budgeted headcount” and away from profiled staffing levels. A discussion took place of how to tackle the issue.

Action point – MP to write to HMPPS to check in new PP Bouns scheme will apply to the private sector establishments. CC Dave Rodgers

Keyword is becoming an increasing issue. Too many prisoners per officer.

Action Point – arrange a readiness assessment on OMiC (MP)

Gatwick IRC's

Thanks for the POA Training that was given during the summer. The latest offer of 4% over 2 years have been made. The Ballot is ongoing.

Retention is a big issue at Brook House, staff are moving on and not even waiting to find the outcome of the pay talks. Management seen to be unwilling to see the problem.

Changes to the make up of population are causing issues when some of those held are under different conditions and contracts. Some are under the same rules as those held in local Hotels by immigration.

Action Point – Write and submit some Parliamentary Questions.

The spikes in populations has the potential to cause breaches of the fire regulations at the establishments. The question was also put that Serco would have been paid additional monies to cater for these additional Detainees.

POA ICE

Thanks given to the POA for all that has been done for them. Thanks for the Gatelodge Article on their members, were given.

HOMs returning to C&R has bee proposed and the transition of these skills will need to be monitored.

Still having Covid issues and changed to working arrangements are ongoing.

They have already started looking at pay for 2022-23, there is a ned to maintain the differential between the pay and the Minimum Wage.

There will be an expansion of the South Coast Operation in Dover. Some Detainees are having to travel from Dover to Dungavel in Scotland.

Membership Data

A list of leavers and joiners has again been sent out to the branches. Changes to membership during the pandemic were discussed. Branches were congratulated on increasing overall private sector membership during a difficult period.

The latest overall private sector membership figure stood at 1,291.

Any Other Business:

None

LEGAL

Legal Annual Report 1/1/19 – 31/12/21

The Full Report of legal services from Thompsons will be issued at Annual Conference 2022. The Accounts will show the costs associated with POA Legal Services.

The Legal Aid Committee met on a monthly basis to discuss applications and appeals, with the NEC making final determinations on members' appeals in accordance with the Rules and Constitution.

Conference 2019 now appears to be a distant memory. The Legal Aid Committee have continued to progress matters on behalf of POA members. The basis on which the POA Legal Aid Scheme is run is set out in the POA's Rules and Constitution.

The Legal Aid Committee has provided Legal Representation to members in relation to Legal Advice and Assistance, Police and NHS Fraud Investigations, Self-Inflicted Deaths, Criminal Injury Compensation Authority, Personal Injury and Stress Claims and Employment Law Claims.

The Guidelines as set out in the Rules and Constitution state (amongst other things) that legal assistance will not generally be continued where the prospects of succeeding in the claim do not warrant support or where the cost of pursuing the claim is disproportionate to the benefit to be gained from the action. We are aware that there is often criticism of Thompsons Solicitors when they advise that a Legal Case should not be pursued. However, they are merely acting upon the criteria which you, the membership, has stipulated.

Since Conference 2019, Thompsons have recovered over £5,000,000 in compensation for our members. This is on top of other work that they do for our members in Criminal Cases and in Coroners Courts. The damages recovered are 100% of what was awarded and there is no reduction for Thompsons or the POA fees. Unlike other companies, Thompsons are 100% committed to claimant-only work and they will only represent the injured or mistreated person and never the people, organisations or insurance companies liable to pay out this compensation.

As well as the damages recovered, these cases should assist Branch Officials and Health and Safety Representatives in the workplace and prevent similar incidents in the future. Cases such as those above also show the value of the Union's Legal Service and our partnership with Thompsons.

Thompsons Solicitors have also provided Legal Advice on the following issues (as well as others) since the last Conference.

PAVA, Rigid Bar Cuffs, DHL Contracts, Social Media, TOR for Cuffe Report Chairs, European Working Time Directive, TUPE at Gatwick, Tornado Pay, Psychoactive Substances, Overtime and Final Salary Pension Schemes, Use of CCTV and BWVC, Firearms Advice for ORRU, Fitness Tests, Use of Force, Article 8 of the Human Rights Act, Redundancy of ULF staff, Mandatory Covid testing and Vaccines, Contractual Sick Pay and Terms and Conditions in the Private Sector, Taxation of Private Vehicles, Contempt Case, Redaction of Officers' names in SARs, Temporary Injury Benefit Awards, Data Leak, Advice on Injunction, Use of Expert Witnesses in Disciplinary Hearings, OMIC, F&S and Job Evaluation, NOMS Pay Manual, Searching and 'Squatting', Specialist Allowance, Social Distancing, Covid Arrangements, Brook House Inquiry, Covid Special Payments, JR on First Aid Policy, GDPR and the new membership Database, Market Supplements, Recommendation 3 of PSPRB JR, Reserve Prison Officers, Annual Leave and Shielders, Withdrawal from Voluntary Duties, ORRU Specialist Allowance, Category A vehicles, Regulation 28 at Coroners Court.

I think it is clear to see that the POA is the only Union who can support its members with adequate legal support and specialist knowledge. Despite the work undertaken over the past two years, the POA have still not spent the cap, which shows that the legal services we acquire through our partnership with Thompsons are real value for money.

I would like to thank Nadine for all her help as the support member of staff responsible for Legal issues.

MICK PIMBLETT
Assistant General Secretary

CONDUCT COMMITTEE

Conduct Committee Annual Report - 1/1/19 – 31/12/21

Since the last Annual Report, the Conduct Committee had **12** cases referred to them.

4 cases went to Disciplinary hearings and 5 members were expelled from POA membership.

4 cases were left on file or dismissed as the people charged resigned from membership.

3 cases were found to have no case to answer after investigation.

1 case is still ongoing.

I thank all members of the Conduct Committee for their work on these cases.

DUNCAN KEYS

Acting Chair, Conduct Committee

SCOTLAND

Scotland Annual Report 1/1/19 – 31/12/21

2019/21 saw the POA in Scotland engaged with a number of issues of direct interest to our members across the public and private sector prisons and the secure facility of the State Hospital. Most notable and significant is of course the outbreak of Covid as a global pandemic, which in turn has impacted across every single element of the prisons and trade unions business for the whole of this period.

PAY & PAY POLICY

Following the outcome of the 2019/21 pay negotiations, staff in Scotland received a three-year deal that was the biggest single pay deal anywhere in the country at that time. For the vast majority of our members, it meant a pay offer that equated to a 15.4% growth in pay over the three years.

In year 2 of the deal, Scottish government, under pressure from the POA and other Civil Service and public-sector unions, removed the cap on growth limits for those staff earning £36,500 and above, and raised the limit to those earning £80k and more. This move saw further increases for our FLM cohorts and above, where their pay was amended from non-consolidated to consolidated.

SNC Elections

In the period from 2019 to 2021 we have seen four elections for a variety of posts to the SNC.

We had an election for an SNC post and a Treasurer in 2019.

We had an election for two SNC posts in 2020.

We had an election for an SNC post and SNC Chair post in 2021.

There is an election for the post of Vice Chair of the SNC at time of writing.

We have seen an almost completely new SNC elected in the timeframe outlined, with only one previous post-holder still in post at time of writing.

FAIR WORK DEVELOPMENT AND AGREEMENT

POA(S) were actively involved in the development of a Fair Work agreement with the Scottish government. This agreement, formally signed in November 2018, establishes the terms by which fair work could be defined. The agreement, which covers key principles relating to employment relations and union rights, facility time, working hours and living wage, amongst others, will apply to civil service areas across Scotland and will be an encouragement and exemplar to be followed by other enlightened bodies in the public and private sectors.

Further work is ongoing at present between the trade unions in the SPS and the Employer to establish whether there is scope to produce a jointly agreed framework document specific to the SPS, based around the founding principles of the national framework agreement.

NURSING ISSUES

POA(S) continue to be active participants in both the NHS Scotland National Staffside committee and Scottish Terms and Conditions committee, following the decision taken by Scottish Conference to seek a seat on these bodies.

This has facilitated POA influence in areas, impacting on pay and other terms and conditions of our nursing

colleagues working in the State Hospital and elsewhere.

PRIVATE SECTOR

Following longstanding opposition to private prisons in Scotland by the POA and a call to have them returned to the public sector, the Cabinet Secretary for Justice formally announced to Scottish Parliament in late 2021 that HMP Kilmarnock will be returning to the public sector and become an SPS site.

The date for the transfer is in March 2024, and as a trade union we will be engaging with the Employer for full recognition rights for the staff within the prison, as well as being actively involved in the transition issues for the prison to the SPS.

C&R REVIEW STEERING GROUP

Following the FAI into the death of a prisoner in HMP Edinburgh and an independent review conducted by the offices of MHCIP, the SPS set up a review internally in which the POA SNC had full representation.

The second phase of that review was the establishment of a C&R review group, which again has had full SNC involvement. It is looking at the way we conduct removals and the possible introduction of “pain free” techniques. These techniques already exist in other jurisdictions and we continue to seek to learn from them before rolling them out in Scotland. The use of body-worn cameras is also being considered as part of the work of this group, although separately to the C&R review.

CALDER ROAD OFFICE

Following a full assessment of the offices in Edinburgh for the SNC, the decision was taken to sell the property due to its dilapidated condition. It is a building that is 110 years old, with a lot of expenditure needed to be spent on it just to stand still.

With the period throughout Covid and the office lying empty, there has been some further deterioration of the condition of the property.

The house was marketed late in 2021 and an acceptable offer was tabled and agreed. Potential new offices have been identified and the process of concluding the sale and moving offices is still ongoing. The sale price is sufficient to self-fund the rental of office space in Scotland for the next 20 years or more, and it has been agreed to ringfence the sale funds for that purpose.

POLITICAL CAMPAIGNS/INVOLVEMENT

During this reporting period, the Scottish Chair/AGS has been involved in providing evidence to several parliamentary committees on matters impacting on the membership in Scotland.

We were called to provide evidence to the Public Audit and Post-Legislative Scrutiny Committee in October 2019. Phil Fairlie, the then SNC Chair, attended and gave evidence on a variety of matters around the SPS budget, pay, staffing costs and bonus payments given to operational staff during the period of 2015/17.

We were also called to give evidence to the Criminal Justice Committee of the Scottish Parliament in 2021, where discussions centered around the Covid outbreaks, overcrowding, violence, psychoactive substance use and organised crime gangs within our prisons. Phil Fairlie attended this session as the Assistant General Secretary of the POA in Scotland.

A podcast was carried in October 2021 with the new Cabinet Secretary for Justice, Keith Brown MSP, and Phil Fairlie AGS. The discussion centered around similar themes, although partnership working between the SPS, POA and Scottish government, as well as the commitment to transfer HMP Kilmarnock into the public sector, were also discussed. The podcast is available on the POA website.

SPS WOMEN'S FACILITY

Following from Dame Elish Angiolini's review of women in custody in Scotland, the SPS has been involved in

the development of the existing site at HMP Cornton Vale in Stirling, and the building of two other female units, one in Dundee and one in Glasgow.

Despite delays during the period of Covid, both new units are scheduled to open by the summer of 2022, and the work within HMP Cornton Vale is also scheduled for completion in the very near future. The SNC have been fully involved in these projects throughout their lifetime, and William Reid is the rep on behalf of the SNC.

CURRENT SNC MEMBERSHIP

John Cairney - SNC Chair

Jim McCabe - SNC Vice Chair

William Reid - SNC Treasurer

Karen Ewan – SNC Member

William Carle – SNC Member

John Devine – SNC Member

Mark Meikle – SNC Member

Phil Fairlie - SNC Assistant General Secretary for Scotland

Regards



PHIL FAIRLIE

Assistant General Secretary

NORTHERN IRELAND

Northern Ireland Annual Report 1/1/19 – 31/12/21

First, I must recognise the sad passing of the late Alan Ferguson, former committee member at HMP Maghaberry, on 19th August 2021. Alan worked tirelessly for the POA and was very proud and honored to be presented with the David Evans Health and Safety Award at our Annual Conference in 2019. My thoughts and prayers go to Alan's family and friends; he will be sadly missed by our POA family.

This is my second term as Area Chairman in Northern Ireland. I will press ahead to the best of my ability, along with the Northern Ireland Area Committee, to serve our members in Northern Ireland.

It's a privilege to work with our prison staff, who carry out fantastic work in difficult circumstances. The threat to prison staff continues to this day and I would urge staff to be vigilant and stay safe.

The POA in Northern Ireland will continue to fight for better terms and conditions for the members in Northern Ireland.

With fraternal best wishes.

IVOR DUNNE
Area Chairman

POA LEARNING

POA Learning Annual Report 1/1/19 – 31/12/21

Union Learning Fund Project England and Wales

As you are aware, POA Learning was funded by the Union Learning Fund, a government fund which supported trade unions in widening access to learning and training in workplaces whilst also supporting community members, especially those who are hard to reach, to build key skills. On Tuesday 6 October 2020, POA Learning along with other Union projects received a letter from the Department for Education saying ministers had decided to end the Union Learning Fund from March 2021. This funding was key to maintaining our project; without it, unfortunately, we were no longer able to continue the project as an organisation.

The ULF has helped hundreds of thousands of individuals in workplaces and communities around the UK in gaining new skills and achieve qualifications, and the trade union movement believe that withdrawing it is both counterproductive and short-sighted.

The first ULF was established in 1998. Its primary aim was to develop the capacity of trade unions and Union Learning Representatives (ULRs) to work with employers, employees and learning providers to encourage greater take-up of learning in the workplace.

Through the work of trade unions and Union Learning Representatives, a wide range of learning and training programmes were developed, including schemes to improve maths, English and digital skills, growing apprenticeship provision and seeking solutions to skills shortages.

We endorse the sentiments by Kevin Rowan, head of the TUC's Organising, Services and Learning Department, when he said: *"It can be no reflection on the performance of union-led projects or the Union Learn programmes. Our delivery has continued to be exemplary and we have continued to receive very positive feedback from officials in the Department for Education, among others. There is clearly a huge skills challenge ahead and Union Learn and our trade unions remain extremely well placed to respond to that challenge."*

Despite this devastating news for our colleagues within the project, they continued the first-class service to our members and those members of the community around the learning centres in gaining new skills to better their working lives.

I would like to take this opportunity to thank our colleagues for all their hard work and the assistance they gave to POA members to enhance their skills and education.

JOE SIMPSON
Deputy General Secretary

Wales Union Learning Fund project – Skills accelerator Wales

The project funding provided by the Welsh Government was for a three-year period from 1 April 2019 until 31 March 2022.

The first year of the project was profiled to set up the foundations of the project, with the objective of delivering qualifications and learning opportunities that were broadly like those that had been offered to members and

other staff in England for over 10 years. This initial stage was about forging links with branches and governors and promoting the workplace-based lifelong learning agenda.

As everyone knows, in March 2020 normal life changed irrevocably as the Covid pandemic developed. This obviously impacted on the planned development strategy of the project and meant that certain objectives would become more difficult to achieve. However, the aim of developing and delivering a range of learning options for members retained its primary focus. The project was able to develop a raft of qualifications options, continuing professional development courses and other skills options, including access to learning opportunities centred on success profiles as the civil services procedure for recruitment and promotion. The restrictions imposed by the pandemic reduced the face-to-face interactions that we had hoped to conduct and that were hoped would raise the profile of the project and the benefits it offered to members who chose to engage with the learning options. Providers of learning were quick to react and to recognise that online learning was one method of delivery that circumvented some of those difficulties. As a result, the project was able to continue to develop its range of courses and qualifications and was making substantial progress towards the targets and objectives that were established for it at inception.

The decision by the then Secretary of State for Education, Gavin Williamson, to remove funding from Union Learn was, to say the least, unexpected as all parties for over 20 years had acknowledged that, in terms of value for money and supporting working people to have opportunities to develop their professional and personal interests, union-led learning was highly regarded and had demonstrated successful outcomes. That decision saw the POA forced to dissolve POA Learning in England on 31 March 2021, leaving the WULF project as the only geographical area where government-provided funding was in place.

The third year of the project in Wales commenced confronted by the ongoing effects of the restrictions introduced to combat the pandemic plus the loss of POA Learning in England, which included infrastructure provision such as the POA Learning website, which had been funded via the English programme.

The project was able to respond and, after consultations and negotiations with the Welsh Government, permission was given for us to finance the creation of a new website that promotes the work of the project and provides a focal point for members to get information relating to the learning options and other news that might be of use to them: www.poalearning.cymru

The WULF project concluded on 31 March 2022 and the final evaluation of its outcomes has been conducted. The main targets of providing learning opportunities both accredited and unaccredited have been achieved and in fact exceeded, with over 550 outcomes gained by individuals. Not all objectives were reached, however, as the impact of the pandemic did show how certain areas of development had been hindered.

The Welsh Government remains committed to supporting union-led learning and we are pleased to be able to report that a further application for funding for 2022–25 has been approved and a new project entitled “Learning and Skills Wales” has commenced. The new project will seek to build on the work already undertaken and to tackle those areas where less success was achieved than had been anticipated. The aspiration is to strengthen the links to POA branches, giving them ownership of the learning agenda, and to work more closely with management teams within establishments to better understand the areas of skills needed that fall between training, as the employer’s responsibility, and learning, as the interest of the individual member.

The project has developed a British Sign Language development pathway, starting with a taster event that allows individuals to sample the language. If they then decide that they are interested, they can enroll on to a foundation course, which in turn feeds into a full Level 1 qualification. If they then wish to continue to pursue their interest, there are options for a Level 2 BSL Qualification.

Collaborating with another provider, we have been able to offer a course entitled “Communicating Effectively in Critical Environments.” This learning option was delivered face to face and uses the Brecon Beacons national park as its classroom. The students take part in a number of tasks, including a river crossing and

caving exercise, plus during the day they are required to take part in problem-solving exercises, both as part of a team and as individuals. At the end of the day, the desired outcome is that the individual student has had a fun day, developed their self-confidence, and assessed their personal problem-solving abilities. For their efforts, they achieve an accredited outcome that can be added to their personal CV.

DECEASED MEMBERS 2019

NAME	BRANCH
ESFANDIARINIA H	DARTMOOR
MARTIN H	LIVERPOOL
MORRISH P	CHANNINGS WOOD
BURKE A	DRAKE HALL
MOORUTH V	ELMLEY
MADDOX P	STOKE HEATH
O'DONNELL N	EAST SUTTON PARK
SAINE A A	BROOK HOUSE
CASEY T	PORTLAND
HOLLAND M	WEALSTUN
GIBLIN M	BERWYN
MOORE G	LINDHOLME
SOUTH B	BEDFORD
PARKER J	GARTREE
PALMER J	LOWDHAM GRANGE
WILLIAMS A	GRENDON
WISON C	STANDFORD HILL
ASKEW S	GARTREE
BERRIE L	WOODHILL
WALL S	FRANKLAND
HOLROYD D	LANCASTER FARMS
ALLI K	WANDSWORTH
MIQUELEIZ D	WANDSWORTH
LAW M	PARKHURST
SHANN R J	CHANNINGS WOOD
BROWN K	LINCOLN
SCOTLAND	
KERR J	CARSTAIRS
THOMSON V	CARSTAIRS
GILMOUR S	BOWHOUSE

DECEASED MEMBERS 2020

NAME	BRANCH
CAHILL S	WORMWOOD SCRUBS
TODD J	FULL SUTTON
ELLIS D	GARTREE
CORMACK P D	FULL SUTTON
HOLLINS D	BEDFORD
DAMERELL D P	NORWICH
MEDINA CRUZ J E	LEWES
PETER B	PENTONVILLE
BESTWICK H	WHATTON
BALLOCH W	BURE
GASKILL P	FORD
YATES R	USK
CLARK J	DURHAM
TRAFFORD S	WYMOTT
BARTLETT C	GRENDON
BERGIN D	FORD
KERSHAW J	ASHWORTH
FOREMAN S	BRIXTON
HODGKISS M	THORN CROSS
GARNER-NORMAN P	PENTONVILLE
VINALL T	FRANKLAND
MCCOMBE S	GRENDON
BURROWS L	PORTLAND
HAWKINS G	BELMARSH

NAME	BRANCH
LAWSON J	HUMBER
ADEYEMI G	LEEDS
HARE A	HOLME HOUSE
HANLON P	LIVERPOOL
COLLEY C	ASHWORTH
BESTWICK E	RAMPTON
CAUNCE R	MANCHESTER
STOVES T	LEYHILL
MOUNSEY D	DURHAM
EDWARDS J	WETHERBY
REDFERN C	SWINFEN HALL
SPARK P	VERNE
KIRK J (HOPE)	LONG LARTIN
WRIGHT A	FULL SUTTON
ADAMS B	WINCHESTER
TUGWELL A	BERWYN
WOOD D	HLM
MCEWAN D	LEWES
SUMPUATH A	FELTHAM
GIBBS W	PRESCOED
TOTTMAN P	ELMLEY
BURROWS G	HLM
ARCHER P	MAGILLIGAN
SCOTLAND	
STEELE C	PERTH
JACKSON C	DUMFRIES
DAVIDSON E	LOW MOSS

DECEASED MEMBERS 2021

NAME	BRANCH
PAULINE McCORMICK	ASHWORTH
ELIZABETH MONAGHAN	THAME VALLEY POLICE
NELU GOCAN	HOLLESLEY BAY
DAVID WALLIS	LINDHOLME
ROBERT McKENNA	WYMOTT
STEVE STEEL	AYLESBURY
ROBERT CALDWELL	WYMOTT
ANNE-MARIE LAIDLER	STOKE HEATH
DEBORAH GREEN	WYMOTT
VINCENT WAGHORN	COOKHAM WOOD
STEVEN FLEWITT	KIRKHAM
SANDRA BIRD	WINCHESTER
IAN BROWN	DURHAM
MICHELLE BAINBRIDGE	LOW NEWTON
GARY WALLWORTH	MANCHESTER
PETER MOORE	BRISTOL
CHRISTOPHER COLLEY	RAMPTON
COLIN LIVERMORE	BULLINGDON
PETER KIPLING	DURHAM
BANHAM LOUISE	WAYLAND (RESIGNED)
PAUL JONES	MANCHESTER
MALCOM SHIELDS	LINCOLN
ALAN FERGUSON	MAGHABERRY
VICTOR VON PENTZ	ICE
MICHAEL POWIS	NOTTINGHAM

KEVIN DOWNER	PARKHURST
MARK ADAMS	STAFFORD
GRAZYNA GILCHRIST	WORMWOOD SCRUBS
TRACEY UNWIN	WETHERBY
MARK NUNNERLEY	COLDINGLEY
ROBERT PIPER	HIGHDOWN
CLAIRE FLUX	STANDFORD HILL
TYLER HORNBY	WYMOTT
MELANIE TOYNE	FULL SUTTON
CHRISTOPHER CLENCH	WHITEMOOR
JULIE PRESTON	RAMPTON
SCOTLAND	
ALEXANDER FERRIES	DUMFRIES
SUSAN MATHIESON	GLENOCHIL
STEPHEN FLEMMING	CARSTAIRS
ANDREW MAY	BARLINNIE
STEPHEN CARR	GREENOCK

