



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

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## **POA Circular 016/2023**

**For information: England & Wales, Northern Ireland, Scotland, Special Hospitals,  
Private Sector, IRCs**

27<sup>th</sup> February 2023

Dear Colleagues

### **POA PAY SUBMISSION**

All submissions have been given to the PSPRB, as you know the POA submitted our written evidence within the timeframes as specified unfortunately HMPPS did not adhere to the deadline.

I know that the Chair of the Pay Review Body wrote to the Minister complaining about the lateness of the Submission and I am not sure a response was given or if it was it hasn't been made public. It was my view last year and remains this year that HMPPS written evidence should be ignored if they cannot follow the timetable. It is totally unacceptable the delay to pay being delivered on time because of delays between HMPPS and Government Officials. When called to give oral evidence we will be making our stance very clear to the Pay Review Body on your behalf.

In the meantime, please find attached our written submission and we apologise for the delay in sharing it with the membership but it was out of our control.

A further circular will be sent out once we are called to give oral evidence. It is anticipated that should be held no later than March 2023.

Please make the submission available to our members and also advise them a copy will be on the POA website with the full Annex's.

Yours sincerely

**STEVE GILLAN**  
General Secretary

**ENCLOSURE**



**PARADED AS HEROES  
PAID AS PAUPERS**

*POA 2023 submission to the  
Prison Service Pay Review Body*

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## Glossary of Terms

PSPRB	Prison Service Pay Review Body
F&S	Fair & Sustainable
HMPPS	Her Majesty's Prison & Probation Service
FTE	Full Time Equivalent
TOIL	Time Off In Lieu
OSG	Operational Support Grade
PP	Payment Plus
TSF	Target Staffing Figure
SIP	Staff In Post Figure
IC	In Charge
Victor 1	Duty Governor
Oscar 1	Orderly Officer
ECR	Emergency Control Room
NI	National Insurance
ONS	Office for National Statistics
AWE	Average Weekly Earnings
PPE	Personal Protective Equipment
ACCT	Assessment Care Custody Teamwork
HSE	High Security Estate
PA	Prison Auxiliary
UH	Unsocial Hours

## **Foreword: 2023 – An unprecedented cost-of-living crisis**

The POA again takes the opportunity to remind the Prison Service Pay Review Body that this represents a compensatory mechanism for Prison Officer Grades not having the right to take industrial action or to withdraw from voluntary duties as industrial leverage on pay or conditions.

We wish again to place on record to the PSPRB our absolute objection to previous or prospective Government interference in this process.

The POA believe that if the PSPRB is independent then it must be allowed to consider evidence and make decisions completely free from any Government interference through remit letters.

The PSPRB must, through its actions, be seen as a true compensatory mechanism for Prison Officers not having the right to take industrial action, up to and including strike action.

POA members' perception of the PSPRB being a compensatory measure has been undermined by Government remit letters and Government failure in the past to adopt in full PSPRB recommendations.

The POA gained a mandate from its Operational Support Grade members through an indicative ballot on last year's pay award, with those members indicating a desire for industrial action.

We are now engaged on compliance work in preparation for a statutory ballot of OSG members, and ask you to be mindful of this in your considerations relating to OSG pay and the specific considerations around OSG overtime this year.

If HMPPS fail to submit their evidence to the PSPRB on time, the POA ask the PSPRB to discount the HMPPS evidence.

HMPPS are in a retention crisis, relating both to Prison Officers and our Probation colleagues.

Prison Officers are being asked to provide detached duty cover, e.g. on 12th December 2022, 279 staff were on detached duty from 62 establishments, supporting 16 further establishments.

HMPPS have very recently sought the opinion of the POA around compelling staff away from home on detached duty in early 2023, so clearly this is not an improving picture.

Staff are recruited to HMPPS on the promise of a career that can provide a

work-life balance. They think they will have the opportunity to drop off and pick up children from school, but the POA are fully aware that Prison Officers and OSGs are mobile grades, and that a lot of staff recruited around a promise of good work-life balance are shocked to find themselves compelled to live away from home and their families for a fortnight due to the HMPPS retention crisis.

HMPPS are in discussion with this Trade Union around Prison Officers covering Probation Officer staffing shortfalls. HMPPS's inability to retain staff is multi-faceted.

During 2022, HMPPS informed the POA that their exit surveys and establishment deep dives indicate insufficient leadership, instability amongst management teams, communications, a blame culture, poor management, insufficient line manager support, lack of opportunity, low staffing levels, attrition and burnout, increased workload, reduced continuity of staffing, instability on prison wings, lack of support during early months, negativity from existing staff, a lack of experienced role models, impact of the role on mental health, and an absence of proactive support regarding well-being.

Our younger members tell us they resent delivering the same role as closed-grade staff for less pay, and they inform us of their safety worries, the impact of shift working and the inflexible working arrangements encountered in establishments.

The POA witness the ever-increasing risk of our members being seriously assaulted as Covid command structure control is removed from our prisons and replaced with the chaos endured by our members prior to the service entering command mode.

The potential to earn higher rates of pay in less-demanding employment continues to lure away keen and capable young staff who need to be long-term financially incentivised to commit to a vocation as a Prison Officer.

The shape of work in many workplaces has changed since the pandemic, but HMPPS has not acted in a decisive and timely manner to recognise and react to these changes.

We understand fully that HMPPS has an

overarching 24 hours a day, 7 days a week duty to deliver custodial services and care to those committed to prison from our courts, but it has been glacially slow in engaging with this Trade Union around workplace reforms to support flexible working.

Meanwhile, other employers have moved to practices that better support flexible working. Combine this with younger staff's perception around rates of pay, and it is no surprise to this Trade Union that young staff resign.

The POA door is always open to discussing innovative ways to improve the offer to both young in service and experienced Prison Officers. However, those discussions must begin on a foundation of pay parity for groups of people delivering identical job descriptions, because without that parity younger staff will never overcome the injustice of unequal pay and feeling undervalued by their employer.

Closed-grade staff also feel resentful as it has become clear to them that they are no longer valued by the service and their experience counts for nothing. They feel that any future investment is always in the F&S structure rather than focussed on retaining the little experience we have left.

We enter this pay round against an unprecedented and increased set of inflationary pressures on our members. We also enter this pay round against an entrenched recruitment and retention crisis.

Last year we saw staff groups set up food banks within prisons for staff use at HMP Nottingham and other prisons. Our members tell us they have grave concerns around keeping themselves and their families warm this winter and worry that Government support may simply be withdrawn from April.

Recent comments from the Bank of England Governor, Andrew Bailey, in which he asked people to show restraint in the 2023 pay round in line with Government ambitions around inflation, are of grave concern to this Trade Union.

If the Prison Service collapses, the costs to the taxpayer will be significantly more than this year's pay award.

POA members have faced years of public-sector pay freezes. We have endured the

race to the bottom created through the threat of competition, and ironically we now see identical pressures on private-sector prison contractors and immigration contractors. It is now time to start the climb to the top and restore levels of pay that match the challenging nature of the roles and the demands of the work.

The POA believe that this Government since 2010 has taken advantage of the legal situation around our members not having the right to strike, and in doing so has put at risk the operational stability and sustainability of public-sector prisons.

If Government, via the PSPRB, fail to make the terms and conditions of Prison Officer Grades more appealing, then all aspirations around reducing reoffending and helping people lead law-abiding lives will simply remain aspirations.

Fitness testing and the new entrant apprenticeship scheme have been suspended to free up resources to aid operational delivery. Prisoners are heading to police cells, even though HMPPS has capacity but not the staff. These measures are not put in place lightly. This is a service in crisis.

In recent meetings with HMPPS, the employer has discussed the mobilisation of 20,000 new prison places. But when the POA ask how they will safely and adequately resource this new accommodation it seems HMPPS is without a plan. With prisoners now being directed to police cells because of HMPPS and private contractor inability to staff existing accommodation, the pay award this year is more operationally critical than ever.

The POA believe that, this year, Government must listen to our arguments, but more importantly this Trade Union feel it is imperative that POA members and the PSPRB have the Government's full support in implementing in entirety ALL recommendations from the PSPRB, as the recruitment and retention crisis will continue to deliver instability and inevitably lead to unrest in our prisons, without a remuneration package that retains both new recruits and experienced staff.

***The POA National Executive Committee***

## Section 1: Pay Claim

The winter of 2023, combined with previous historic low levels of pay awarded to Operational Prison Officer Grades and Operation Support Grades presents, in the opinion of the POA, exceptional circumstances, set against the highest rate of inflation since the late 1970s and early 1980s, with energy costs up 58.6% and food costs up 16.4%, year on year (ONS October 2022).

For these reasons and others explored within this submission, we submit the following pay claim for our remit group:

- **All Band 2, Band 3, Band 4 and Band 5 Fair & Sustainable Grades (Uniformed Operational Staff) in the remit group to receive a consolidated uplift in salary of 12%.**
- **All closed-grade staff including Prison Officer 2, G4S Prison Custody Officer, Operational Support Grade, G4S Closed-Grade Security Officers, Prison Auxiliary, Night Patrol, Prison Officer, Senior Officer, and Principal Officer to receive a consolidated uplift in salary of 12%.**

The POA recommendation, in line with our bargaining group, is for public-sector Uniformed Operational Staff only.

Closed Grades: All Based on 39 hours National Pay Rate					
	Pay 2022	12% Uplift	Proposed Pay 2023	Opt-in viable?	F&S opt-in equivalent 2023
CG Night Patrol *	£21,820	N/A	N/A	N/A	
CG Auxiliary	£19,341	£2,320.92	£21,661.92	N/A	
CG OSG	£21,757	£2,610.82	£24,367.84	Yes	£27,418.72
CG G4S Security Off **	£21,443	£2,573.16	£24,016.16	Yes	£27,418.72
CG Prison Officer	£32,915	£3,949.89	£36,864.80	No	£36,207.36
CG Prison Officer 2	£19,786	£2,374.32	£21,686	Yes	£36,207.36
CG G4S PCO **	£27,425	£3,291	£30,716	Yes	£36,207.36
CG Senior Officer	£35,429	£4,251.48	£39,680.48	Yes	£40,342.40
CG Principal Officer	£38,087	£4,560.96	£44,547.96	Yes	£45,933.44

\*PSPRB Stats Pack 2022 states zero Night Patrols remain in service.

\*\* G4S Ranks for TUPE-protected T&Cs following return to public sector.

Note: Within our remit group there are six G4S E2A grades and five G4S E1 grades on TUPE-protected T&Cs. The POA submit that a 12% rise should also be applied to these grades and advise that, due to previous individually set rates of pay, this group should check viability of opting into F&S B5.

F&S Grades: All Based on 39 hours National Pay Rate			
	Pay 2022	12% Uplift	Proposed Pay 2023
B2 OSG	£24,481	£2,937.72	£27,418.72
B3 Prison Officer	£32,328	£3,879.36	£36,207.36
B4 Supervising / Specialist Officer	£36,020	£4,322.40	£40,342.40
B5 CM	£41,012	£4,921.44	£45,933.44

## Costs of proposals (Uniformed Operational Staff)

Closed Grades			
	No. at Grade	Uplift	Total
CG Night Patrol	0	£2,618	£0
CG Auxiliary	2	£2,320.92	£4,641.84
CG OSG	488	£2,610.82	£1,274,080.16
CG G4S Security Off	3	£2,573.16	£7,719.48
CG Prison Officer	4,162	£3,949.89	£16,439,442.20
CG Prison Officer 2	0	£2,374.32	£0
CG G4S PCO	21	£3,291	£69,111.00
CG Senior Officer	363	£4,251.48	£1,543,287.24
CG Principal Officer	37	£4,560.96	£168,755.52
<b>Total</b>			<b>£19,507,037.40</b>

F&S Grades			
	No. at Grade	Uplift	Total
B2 OSG	4,664	£2,937.72	£13,701,526.10
B3 Prison Officer	12,803	£3,879.36	£49,667,446.10
B4 Supervising / Specialist Officer	1,440	£4,322.40	£6,224,256
B5 CM	1,783	£4,921.44	£8,774,927.52
<b>Total</b>			<b>£78,368,155.07</b>

*Staff In Post figures from PSPRB Stats pack 2022 table 4a.  
Employment costs are not included in this calculation, and neither are the additional tax and NI repaid to Government through increases to salaries*

### **Payment Plus**

**Payment Plus to raise to £30 an hour.** The only figures supplied to the POA by HMPPS detailing PP expenditure for 2021-22 is £47 million, which equates to 2,136,363 hours delivered at £22 an hour.

The POA are not confident that these figures are accurate, and request that the PSPRB investigates this figure to ensure it covers all PP paid, including that paid under special local bonus schemes, Operational Support bonus schemes, Christmas bonus schemes and Detached Duty bonus schemes.

Based on the supplied figures, the cost of increasing Payment Plus to £30 an hour would be £17,090,890.

### **OSG Overtime 5-Year Allowance Review**

OSG overtime to increase to time and a half for green hours, and double time for red hours. We are unable to cost this proposal as up-to-date figures have not been supplied to the POA.

## **Retention Allowance**

**The POA propose that HMPPS pays a five-year non-consolidated retention allowance to all staff in the remit group of £5,000, paid at £1,000 a year for five years.** Remit Group of 25,777 x £1,000 = £25,777,000 over one year (£128,885,000 over five years).

## **OSG / Band 2 Unsocial Hours Allowance**

Due to the excessive number of Red Hours worked by OSG / Band 2, we ask that the PSPRB – again outside of their five-year rolling programme – revisit the Unsocial Hours Allowance for OSGs.

**The POA submit that the unsociable hours element of pay for OSGs should be increased to 30% of pay to better represent the shift disturbance and higher rate of night duties within current OSG / Band 2 shift patterns.**

Please See Page 43 and Annexes for evidence of excessive unsocial hours working by OSGs.

## **Overtime rates for Part-Time OSGs**

The policy of only paying part-time OSGs at their overtime rate once they have exceeded 39 hours should cease immediately. Part-time OSGs should be paid at their overtime rate when they have exceeded their contracted hours – i.e. if an OSG is contracted to work 19 hours and he or she works 26 hours in any given week, then those seven hours worked above contracted hours should be paid at the OSG rate of overtime applicable.

## **Late implementation of Pay Rise**

The only consistency to HMPPS's approach to its annual pay rise is its failure to implement the award on time. POA members are frustrated year after year that, due to issues beyond the control of the PSPRB and this Trade Union, the pay award due on 1st April each year is always delayed.

**As part of this year's submission, the POA request that back pay attracts interest at a rate of 10.7% for each month delayed, attached to the back pay.**

## **Further proposals**

The POA resubmit our proposals for:

- OSG pay to be removed from the remit of the PSPRB and returned to negotiation through collective bargaining with HMPPS or the Treasury
- The F&S pay model be scrapped in its entirety, replaced by a negotiated, fit-for-purpose, uncomplicated pay structure that encourages retention and rewards experience
- A pension age of 60 years of age across the board
- Payments for dirty condition and tornado raised: Dirty Condition payments, £15 for up to four hours, £30 for over for hours; Tornado payments, £40 per hour officers and above, £35 per hour OSGs.
- Allowing Band 3 Officers in the Youth Custody Estate to support Band 4 Youth Custody Specialists by remaining as Band 3 Youth Support Officers

## **Section 2**

# **The Economic Outlook 2023 and the Impact of Inflation**

ONS to December 2022

On 14 December 2022, the Office for National Statistics confirmed the following:

- **RPI: 14.0%**
- **CPI Annual Rate 12 Months to 14th December 2022: 10.7%**
- **CPIH (CPI including owner occupiers' housing costs): 9.3%**

*The Consumer Prices Index including owner occupiers' housing costs (CPIH) rose by 9.3% in the 12 months to November 2022, down from 9.6% in October.*

*The largest upward contributions to the annual CPIH inflation rate in November 2022 came from housing and household services (principally from electricity, gas, and other fuels), and food and non-alcoholic beverages. On a monthly basis, CPIH rose by 0.4% in November 2022, compared with a rise of 0.6% in November 2021.*

*The Consumer Prices Index (CPI) rose by 10.7% in the 12 months to November 2022, down from 11.1% in October. On a monthly basis, CPI rose by 0.4% in November 2022, compared with a rise of 0.7% in November 2021.*

*The largest downward contribution to the change in both the CPIH and CPI annual inflation rates between October and November 2022 came from transport, particularly motor fuels, with rising prices in restaurants, cafes and pubs making the largest, partially offsetting, upward contribution.*

Pay Growth - LRD Volume 84 Issue 50, 15 December 2022 (see Annex D)

Inflation continues to outstrip pay growth. Growth in average total pay (including bonuses) and regular pay (excluding bonuses) among employees was the same at 6.1% in August to October 2022; for regular pay this is the strongest growth rate seen outside of the coronavirus pandemic period.

In August to October 2022, growth in total and regular pay both fell in real terms (adjusted for inflation) by 2.7% on the year; this is slightly smaller than the record fall in real regular pay we saw in April to June 2022 (3.0%) but remains among the largest falls in growth since comparable records began in 2001.

Average regular pay growth for the private sector was 6.9% in August to October 2022, and 2.7% for the public sector; outside of the height of the pandemic period, this is the largest growth rate seen for the private sector and is among the largest differences between the private sector and public sector growth rates we have seen.

The ONS said: **“The latest figures also highlight the disparity between public and private sector pay growth”**. It added that **“this is the largest growth rate seen for the private sector and is among the largest differences between the private sector and public sector growth rates we have seen”**.

Overall, regular pay grew by 6.1% in the three months to October. This would normally qualify as strong growth but, taking inflation into account, it represents **a wage drop of 2.7%**. Across the economy, growth in average total pay (including bonuses) and regular pay (excluding bonuses) employees was the same, at 6.1%.

The finance and business services sector saw the largest regular growth rate at 7.0%, followed by the wholesaling, retailing, hotels, and restaurants sector at 6.6%. With a seasonally adjusted employment rate Aug–Oct 2022 of 75.6%, competition for good-quality recruits will only succeed if remuneration matches the operational complexity of the work POA members deliver.

Both the employment and unemployment rates rose in the period August to October 2022, while the economic inactivity rate declined. Employment stood at 75.6%, 0.2 percentage points higher than the previous three-month period, while unemployment was 3.7%, 0.1 percentage points higher than the previous three-month period.

The economic inactivity rate was 21.5%, 0.2 percentage points lower than the previous three-month period, but 1.3 percentage points higher than before the pandemic. Total hours worked decreased compared with the previous three-month period and are still below pre-coronavirus pandemic levels.

### Regionally

For the three months ending October 2022, the highest employment rate in the UK was in the East of England and the South West (79.2%) and the lowest was in the North East (71.2%), while Scotland (75.9%) had a joint record high; the highest unemployment rate was in the West Midlands (4.9%) and the lowest was in the South West (2%), which was a record low, while the East of England (2.7%) had a joint record low; the highest economic inactivity rate estimate in the UK was in Northern Ireland (26.7%) and the lowest was in the East of England (18.6%); Wales saw the largest increase in the inactivity rate compared with the same period last year, up 1.8 percentage points.

Between June 2022 and September 2022, workforce jobs increased in eight out of 12 regions of the UK; and the number of pay-rolled employees continued to rise in all regions; comparing November 2022 with the same period of the previous year, increases in pay rolled employees ranged from 4.2% in London to 2.1% in the Northwest.

The UK economy shrank between August and October, with GDP contracting by 0.3%.

In the most recent three-monthly period (ending in October 2022), the mid-point among pay settlements monitored by LRD Pay line remain high at 7.2%, below current price inflation but the highest in quite some time.

The PSPRB need no reminder that Prison Officer pay has not grown at anywhere even close to the current ONS rate of 6%, or the ONS WEAW, or the National Living Wage. Indeed, Prison Officer pay continues to stagnate.

In April 2023 the National living wage will increase by 9.7% and 10.9% for 21–22 year-olds.

## Pay is not keeping up with inflation

Annual wage and price growth, Jan 2020 to Oct 2022



Source: Office for National Statistics

### Impact on POA members

**Mortgage.** In November 2022 the Bank of England increased interest rates to 3% to curb inflation. Interest rates are predicted to continue to rise and peak in the second quarter of 2023, with economists predicting rate rises to 4.75%. According to the Halifax the average interest rate on a two-year fix is currently 5.97%. The increases this year for someone with an 80% tracker mortgage on the UK average-priced house would result in an average annual increase in mortgage payments of **£3,225**

**Running a Car.** The OBR predicts a 23% rise in the price of petrol and diesel by March 2023. The average UK household spends £22.30 a week on fuel and that will result in an average annual increase for our members of **£343**

**Bus and Train Fares.** In the year to November 2022 the ONS report bus and train fares are up 8.9%. The average UK household spends £2.70 a week on bus and train fares and this will result in an average annual increase for our members of **£69**

**Domestic Fuel Bills.** During 2022 wholesale gas and electricity prices have soared, with these price rises passed to consumers. The current 12-month inflation rate of energy is 28.1% for electricity and 18.8% for gas. However, there is worse to come in April 2023, with the Government Energy Price Guarantee to be withdrawn six months earlier than promised. The EPG is likely to be replaced by targeted help for those on low incomes. The POA waits to see how many of our members will be removed from the EPG. The cost of the average standard energy tariff would rise from £2,500 a year to £3,000 in addition to increases throughout 2022. These rises will result in an annual increase for our members of **£822**

**Fiscal Drag.** Fiscal drag is the hidden cost of the Government not increasing tax allowances in line with inflation. The current threshold for paying income tax is £12,570. If the Government increased this in line with inflation it would have increased to £13,776 for 2023. The failure to increase this allowance means that, at a rate of 20% tax, our members will pay tax on an extra £1,206 that they would not have had to if tax allowances had risen in line with CPI. Increased annual cost to our members: **£241**

**Council Tax.** Although Council Tax rates have not yet been set by Local Authorities, the Institute for Fiscal Studies believes that Council Tax could rise on average by 3.6%, meaning an increase in the average annual council tax bill of **£57**

**Food.** The ONS state that the average household spends £68.30 a week on food. In October 2022 food inflation was rising at 16.4%. Increased annual cost to our members: **£134**

**Clothing and Footwear.** The ONS state that the average family spends £24.90 a week on clothing and footwear. In October 2022 inflation on these items was rising at 8.4%. Increased annual cost to our members: **£108**

**Household Goods.** The ONS state that the average household spends £39.70 a week on household goods. In October 2022 household goods inflation was rising at 10.8%. Increased annual cost to our members: **£234**

**Wellbeing Products.** The ONS state that the average household spends £8.90 a week on wellbeing products. In October 2022 inflation on wellbeing products was rising at 3.4%. Increased annual cost to our members: **£16**

**Excluding Mortgage Rises: Setting aside the previous Government-directed Council Tax rebates and its Energy Price Guarantee Cost Cap that will potentially be means-tested by April 2023, the cost-of-living squeeze in 2023 will take **£2,024** out of our members' pockets and family budgets this year.**

**Including Mortgage Rises: When you include potential mortgage rises, the cost-of-living squeeze 2023 will take **£5,249** out of our members' pockets and family budgets this year.**

The following table shows the percentage pay rise that Grades within our remit group would need to cover the 2023 cost-of-living increases.

Grade	2022 Salary	% Rise Required Excl. Mortgage Rises	% Rise Required Incl. Mortgage Rises
F&S Band 2	£23,226	8.7%	22%
F&S B3 New Entrant	£25,880	7.8%	20%
F&S B3 (Median)	£26,891	7.5%	19%
F&S B4	£34,172	5.9%	15%
F&S B5 (Median)	£38,006	5.3%	14%
Closed Grade Prison Officer	£32,915	6.1%	16%
Closed Grade SO	£35,429	5.7%	15%
Closed Grade Principal Officer	£38,087	5.3%	13.7%

Congestion Charges in London have added a significant financial burden to our members travelling into the capital, who now face a permanent daily charge of £15 – with that charge having been expanded into evenings and weekends and the ULEZ having been geographically expanded, to the further detriment of our members.

Please bear in mind that Metropolitan Police Officers receive free transport from TFL. This year, HMPPS did attempt to gain similar key-worker status for Prison Officers with TFL but their request was rejected.

## **HMPPS People Survey 2022**

Although it remains POA conference policy for our members not to complete the HMPPS Annual Staff Survey, we wish to draw the PSPRB's attention to the following outcomes from the HMPPS People Survey 2022 when staff were asked to respond positively or negatively towards the following statements:

### ***I feel that my pay adequately reflects my performance.***

The HMPPS including YCS (excluding HQ and Probation) response was that 25% of respondents were positive, 17% were neutral and 59% responded negatively to the statement.

### **I am satisfied with the total benefits package.**

The HMPPS including YCS (excluding HQ and Probation) response was that 26% of respondents were positive, 24% were neutral and 49% responded negatively to the statement.

### ***Compared to people doing a similar job in other organisations I feel my pay is reasonable.***

The HMPPS including YCS (excluding HQ and Probation) response was that 21% of respondents were positive, 19% were neutral and 60% responded negatively to the statement.

## **Recruitment and Retention – 2023**

In the PSPRB England and Wales 2022 report, the PSPRB stated:

***HMPPS is facing a crisis in the recruitment and retention of Band 2 and 3 staff and pay in particular take home pay is a significant contributory factor to this. The lack of action over recent years to improve the market position of these staff has led to increasing numbers leaving the service year on year. This is having a major impact on our remit group and the stability of public sector prisons.***

The POA are in complete agreement with the PSPRB in relation to its analysis of the position around recruitment and retention. This year has seen operational capacity cut in several prisons due to stability concerns related to staff shortages caused by an inability to recruit and retain.

The POA are aware through its work with private contractors that recruitment competition within the Privatised Prison Contracts and Police Custodial and Immigration support sector has seen private prison contractors and immigration support contractors actively recruiting HMPPS staff.

When visiting private-sector initial training courses, POA officials have seen Prison Officer migration from the public sector to the private sector, most notably in the East Midlands and Kent.

Recently the POA received a request from one of the private-prison contractors to bring forward their pay bargaining procedures, and the POA are confident that by the time of oral evidence a significant pay deal will have been accomplished by the FTOs of the POA through collective bargaining. Due to commercial in confidence restrictions and pending final sign-off, the POA will update the details to the PSPRB at Oral Evidence.

Staff continue to leave for private Prison Custody Officers, Police Forces, Border Force, railways, construction, airport-based work, warehousing and logistics, and some to return to study.

At the end of 2021 HMPPS stated that the rate of leavers for B3-4 (including specialists) was 14.0% and that the rate of leavers in B2 Operational Support Grades was 16.2%. In their September 2022 workforce quarterly stats, HMPPS reported 21,617 Band 3-5 Prison Officers in post and stated that that was a reduction of 708 since September 2021 and no change compared to June 2022.

The Prison Service going into 2023 has not seen a large enough improvement in its ability to recruit and retain to avoid the current crisis escalating. This has had an impact on establishments where accommodation has, due to insufficient staff, been taken out of use because of an inability to recruit and retain staff and concerns around that impact on establishment stability. HMP Woodhill, HMP Wayland and HMP Bullingdon are examples.

In December 2022 the Ministry of Justice announced the mobilisation of police cells as prisoner accommodation under Operation Safeguard, with this accommodation staffed by Police Officer overtime at a huge cost to the public purse. This argument is clearly further evidenced by the fact that neither HMPPS Berwyn nor HMPPS Five Wells are running to their full capacity. It is not a shortage of prison cells, it is a shortage of staff and the risk to stability associated with that shortage of staff.

In meetings with HMPPS, we are informed that population pressures are balanced against stability risk, but the POA believe the main risk to stability remains HMPPS inability to retain. This is evidenced in data from the end of October 2022 that shows that HMP Berwyn had an Operational Capacity 286 below its Baseline CNA. HMP Five Wells, which has been open since February 2022, still has an Op cap 780 below its Baseline CNA.

If the recruitment and retention crisis for Band 3 Prison Officers and Operational Support Grades had been dealt with in a timely manner by HMPPS and Government, HMPPS would not be abdicating care of prisoners to our overstretched Police Forces.

The POA is pleased that HMPPS clearly now seem to be transparent around their inability to recruit and retain after previous attempts to underplay the real issues – last

year even describing the situation as “increasingly challenging” relating to recruitment and retention. In our opinion, HMPPS denial has simply exacerbated the problem and critical time was lost.

It has recently come to our attention that, to increase prison officer applications at difficult-to-recruit sites, HMPPS are now offering newly recruited prison officers paid home-to-work mileage at 45p per mile, up to a maximum of £8,000. The sites that have advertised this so far are Winchester, Bullingdon, Wayland, Portland, Verne and Norwich.

We expect the number of prisons offering this to increase as there are other sites with similar difficulties with recruitment and retention. This will further complicate pay structures and allowances rather than addressing the fundamental issues, causing severe difficulties with recruitment and retention.

It also demonstrates that the well-received pay rise awarded to F&S Prison Officers last year is still not a high-enough starting wage to attract quality recruits – and more importantly convince those new starters to stay.

The introduction of a home-to-work mileage has angered the staff who are already employed at these sites, as they are not being offered the same. We also saw a similar situation when Market Supplements were introduced for new entrants. The high cost of living and increased fuel prices affect experienced staff in exactly the same way as they affect new entrant officers.

The extract from the relevant policy that allows this to take place is as follows:

*Non-pay incentives have been applied to these prisons because they are some of our most difficult to recruit due to locations and subsequently have large numbers of vacancies, some of which is in advance of planned prison expansion.*

*HMPPS Permanent Transfers policy permits the advertising of home to work travel or relocation support on external adverts where establishments are suffering from acute shortages of suitable applicants. Relocation and Excess Fares can also be applied to internal campaigns at business discretion under PSI 25/2010.*

*Approval to advertise home to work expenses in job adverts or to offer existing colleagues the payment is ad-hoc, managed through a PDG or ED request directly to MoJ Resourcing. But with rising demand, there is arguably a need to establish a process by which cases can be assessed.*

*There is no financial threshold as standard within policy on either home to work travel or relocation, however, ‘packages’ are often limited to the current HMRC tax threshold on relocations of £8,000 to ensure recipients do not incur an additional tax burden through its application when relocating, and to support budget management when reimbursing travel costs which are subject to tax’.*

The link to the job advert at Winchester is also attached (see Annex A).

202210: Prison Officer - HMP Winchester - Civil Service Jobs - GOV.UK  
<https://www.civilservicejobs.service.gov.uk/csr/jobs.cgi?jcode=1818207>

A recent concern for the POA was HMPPS reliance at certain sites to call in staff for additional hours to meet agreed Minimum Staffing Levels. The POA will move to dispute with HMPPS where appropriate, but we urge the PPSRB to monitor HMPPS use of TOIL, especially Band 3 and Prison Officer TOIL levels in the coming months.

The POA have concerns that experienced staff are leaving the Youth Justice Estate because they have not gained a qualification. The POA fully support the professionalisation of staff, but our initial assessment is that staff gaining the required qualification does not seem to have reduced violence.

The facts are now unambiguous. As predicted by the POA, following lockdown and removal of command mode, we see levels of violence again moving in an upward trajectory. Some prison managers are rushing to fully unlock and put back in place large mass movements and large prisoner association sessions. Our members report a feeling that control and safety are being eroded, and the prospect of a decline into pre-pandemic chaos is simply a matter of time.

The POA have been steadfast with HMPPS that returning to the chaotic pre-pandemic regimes will not support staff health and safety, it will not support staff mental health, it will not support staff resilience and people will simply leave the service.

As part of the 10-year vision within the Prison White Paper, we saw a commitment to support prison Governors to identify and tackle local issues with targeted national support. The POA do not believe that these local measures with national support have yet gained credible traction.

Retention Frameworks are worthy ambitions, but if those ambitions are not backed by credible pay that reflects the unique work delivered by our members, then retention frameworks simply become costly wasted ambitions and missed opportunities.

The POA do not believe that HMPPS have reached a point where recruitment is high enough to make a sustained difference. Multi-faceted issues around retention are only just starting to be identified, let alone rectified. The POA do not believe that retention is a geographical problem, as all areas have some form of micro economy and better paid opportunities, more so for our lower-paid members.

HMPPS has, since February 2021, explored the factors behind why people leave HMPPS. In April 2022 the POA requested under Freedom of Information a copy of the Berwyn Retention Report. In December 2022, while preparing this submission, the Ministry of Justice declined the POA's FOI to release the full report into retention issues at HMP Berwyn, stating that their reason was because it was not in the public interest.

The POA would suggest that the PPSRB may be interested in gaining the full copy of the February–April 2021 Berwyn Retention Report.

Summary Reports drawn from HMP Berwyn, HMP Norwich and HMYOI Aylesbury (see Annex B) received by the POA from HMPPS draw damning conclusions from exit interviews. These conclusions indicated several recurring themes across establishments that were highlighted, according to HMPPS, ahead of pay concerns. The POA believe that these issues fit within last year's PPSRB intention to seek evidence around retention, motivation and morale and performance management.

## HMP Berwyn

Sample size 26 staff, including recently resigned officers, serving officers, OSGs, custodial managers (CMs), non-operational staff and senior managers.

**Leadership.** Staff exiting HMPPS cited: insufficient leadership visibility on the wings; a lack of supportive leadership; instability amongst management teams with frequent changes being made to roles; and a lack of experience amongst managerial grades.

**Communications.** Staff exiting HMPPS cited: poor filtering of communication down the operational line resulting in a blame culture; insufficient two-way communication; and in some cases, a lack of awareness regarding staff knowing who their line manager is.

**Insufficient line manager support.** Staff exiting HMPPS cited: a lack of meaningful conversations occurring; absence of SPDRs; and spans of control being too large.

**Impact of staffing levels.** Staff exiting HMPPS cited: an inconsistent spread of staff amongst wings; a vicious cycle whereby the lack of staff caused increased attrition, thus causing increased workload and pressure, a raised risk of burnout due to frequently working overtime, and reduced continuity and stability on the wings.

**Challenges for new officers.** Staff exiting HMPPS cited challenges such as: lack of support during the early months on the job; experiencing negativity from existing staff; and a lack of experienced role models for new officers to learn from.

**Health and well-being concerns.** Staff exiting HMPPS cited: the impact of the role upon mental health and the absence of proactive support regarding wellbeing.

**Working environment.** An increased perception of poor safety for staff; staff feeling unsafe specifically due to a lack trust in their colleagues; an absence of standardisation across houseblocks; and a lack of staff facilities.

## HMP Norwich

Sample size 60 staff, including serving officers, OSGs, custodial managers (CMs), non-operational staff, and senior managers.

**Communication issues.** Staff exiting HMPPS cited: a lack of consultation; officers feeling "done to" rather than involved in decision making; poor filtering of communication down the operational line; and insufficient two-way communication.

**Leadership concerns.** Staff exiting HMPPS cited: insufficient leadership visibility on the wings; a lack of respect, support, and positive recognition for staff; and instability amongst the management team.

**Dissatisfaction with the shift pattern.** Staff exiting referenced the impact of the shift pattern upon work-life balance and the compounding pressure this has on an already difficult role; regular occurrences of staff finishing late and struggling to gain this time back; and the number of days worked in succession.

**Cultural Issues.** Staff cited: the presence of a blame culture; a lack of respect in the way people of all grades communicate with one another; and unprofessional behaviours such as bullying and the inappropriate use of power.

**Impact of current staffing levels.** Staff cited: increases in workload and pressure; raises the risk of burnout due to frequently working overtime; reduces continuity and stability on the wings; limits the amount of rehabilitative work that can happen; and reduces time available to undertake additional training and development.

**Challenges regarding the prison officer role.** Responses, including what staff consider to be unrealistic expectations of them; a lack of meaningful work; challenges specific to A Wing; and immense day-to-day pressure.

**Specific challenges for new officers.** Those interviewed cited issues such as lack of support during the early months on the job; experiencing negativity from existing staff; and a lack of experienced role models for new officers to learn from.

#### HMP / HMYOI Aylesbury

Sample size 53 staff, including non-operational staff, OSGs, Band 3 officers, supervising officers (SOs), custodial managers (CMs) and senior managers.

There were a few recurring themes that seem to play a significant part in why some officers are feeling dissatisfied working at Aylesbury. This is a summary of the ones which were most frequently mentioned and seem to have the greatest negative impact:

**Cultural issues.** Staff referenced issues such as including poor staff relationships and a lack of respect in the way people of all grades communicate with one another.

**Being under-staffed.** Staff cited: increases in workload and pressure; raises the risk of burnout due to frequently working overtime; impacts on regime consistency; impacts on support available for newer members of staff; and limits the amount of rehabilitative work that can happen.

**Concerns about leadership.** This included insufficient leadership visibility on the wings; lack of communication; and variable quality of line management.

**Safety concerns.** Staff cited: issues such as being short-staffed; levels of staff experience; and issues around prisoner appeasement.

**Specific challenges for new officers.** Staff referenced lack of support during the early months in the job; experiencing negativity from existing staff; and an inconsistent induction experience.

**Complaints about prison officer pay.** Respondents stated pay is seen as insufficient to compensate for the stress of the job and the high cost of living in the local area.

**Limited career development opportunities.** Exiting staff believe that Aylesbury has

an unfair career progression process based on “who you know, not what you know”.

The POA believe that take home pay is critical to retention, but equally pay justice must eventually be achieved. The POA also believe that if you take away someone’s right to strike and you interfere with the compensatory measure that skews perception of workplace and pay justice, it makes them much more likely to resign.

In 2021–22, Band 3–5 Prison Officers lost 87,279 days to sick due to mental and behavioural disorders (see Annex I, PSPRB Stats Pack, Table 7C) this has a huge impact on retention. The POA are calling for on-site face-to-face support for our members, not remote telephone call line support.

We consistently see staffing levels raised as a criticism within HMIP Inspection Reports, and raised as a point of concern within Urgent Notifications.

When you combine the above concerns with low pay, it is not remarkable that HMPPS cannot retain B2 and B3 staff and that staff find alternative, safer, better-managed, less-stressful ways to earn a living. Yet again we point out that it is the lowest-paid grades that prove more problematic in relation to recruitment and retention.

We believe that the PSPRB share the POA’s concern that pay for B2 and B3 Prison Officers is uncompetitive, so we won’t repeat arguments about other market opportunities with other employers that advertise a less-demanding, less-dangerous, less-stressful position at similar or better rates of pay.

The operational environment in most of our prisons is so poor that staff have a shared ambition to get off the landing. This is done through gaining less-demanding roles, gaining promotion or looking to change career. A significant number of Band 3 staff, who feel they can’t deliver the role and then express an intention to leave, are regraded from Operational Band 3 to B2 Operational Support Grade or administrative roles if vacancies exist.

In May 2022 Phil Cople, Director General HMPPS Operations, addressed POA conference. He spoke openly and candidly around officer retention and pay:

***“During 2021 we made a fair bit of progress in getting our staff in post closer to our target staffing figure across the system, but we had an increasing retention problem as the calendar year went on. The last few months of the year, we were having to recruit about four new prison officers to get a net gain in post of one because for every four that we were recruiting, we lost about three people leaving.*”**

***“So, there was an enormous recruitment effort taking place that was only just allowing us to nudge up our staff in post figures. We also were aware that the recruitment pipeline was starting to slow down considerably. We knew towards the end of 2021 that the number of people on new officer training courses from March onwards was going to dip because we had people who had applied, been selected earlier in the year still booked on courses during January and February, but there were fewer people coming through the second half of 2021 and the numbers going on training courses for March onwards were going to fall.*”**

***“The number of applications that we were getting in the second half of 2021 was less than half the number of applications we were getting at the beginning of 2021, which all reflects these very significant economic factors impacting on us. And for the service, that creates a bit of a double whammy of more people leaving and fewer people coming through as new recruits as well. And we all know what that means for the running of our prisons.*”**

***“I wanted to acknowledge all of that I guess for a couple of reasons. One is that I think that it’s right to be candid and honest as a general rule, but secondly, I wouldn’t for one moment want anybody in this room to think that somehow, I and the senior leadership of HMPPS aren’t even aware of that and don’t think it’s a problem. We’re very exercised about it.*”**

***“The number of vacancies we had by the turn of the calendar year amongst officer grades rose to around 1,000 and it’s going up. It’s going up by about 100 a month at the current time, because of more people leaving and fewer new people coming in.*”**

***“But we start, because of that progress earlier in 2021, we start from a position of having around 96% staff in post against our target staffing figure for officers. So, the starting position is not a catastrophic one, but the pressures are going to increase until such time as we’re able to do better and change those trends for recruitment and retention.*”**

***“And of course, the vacancies that we have in the system are not evenly spread across all the prisons. We have a number of prisons that are already some months into facing acute challenges. We have six establishments where the staff in post is below 90% of the target staffing figure for officers. We have our first prison that’s gone below 80% of the target staffing figure with one or two scheduled to join it in the near future. So, this is a huge challenge.*”**

***“It’s also absolutely fundamental to us trying to run a system that’s safe and decent and secure and one that can start to make progress. There’s a number of reasons why I’m not pessimistic about that, but I also recognise that there’s an awful lot at stake and also that the coming weeks and months are going to be very important in shaping how well we do in addressing those challenges.*”**

***“There’s a range of things we’re doing on the non-pay side to try and improve retention. Initiatives to try and help with mentoring of new staff, buddying of new staff, generally improving our game, and learning from good practice in a lot of prisons about how to look after and support people in practical ways, but I also want to acknowledge that I believe that pay is going to be a fundamental part of turning this around.*”**

***“The evidence that we submitted on behalf of the Government to the Pay Review Body this year did involve an increase in the spend on our pay budget of nearly £100 million a year, which is way above any authorised proposals that we’ve put forward to the Pay Review Body in the past. We did put together a number of proposals to try and target that investment in more pay at lower pay grades and at operational grades. We’re targeting operational grades by trying to increase the unsocial hours allowance to 20%. Also trying to give the most significant rise to Band 2 OSGs, with an increase in the Band 2 rate of £1,500 a year, so that OSGs would have an overall pay*”**

**rise of around 11%. We also have proposals for officers that would increase starting pay by around 10% as well, enabling people to get to the pay band maximum more quickly as well. But that's just the evidence we've submitted, the proposals that we've submitted on behalf of the Government, and with approval of Ministers of the Department and Treasury. The Prison Service Pay Review Body of course will form its own views. I did want to just reflect on that for a moment with you, because I think that what happens with their recommendations this year, and the Government's response to them, is going to be very important – more important than in any other year I can remember.**

**"I think the views of the Pay Review Body and its preferred strategies for what should happen with Prison Service pay are in my view pretty clear. Last year's Pay Review Body report and the one before are obviously published and I think they very clearly set out the Pay Review Body's assessments. They think that prison officers are notably underpaid, and they want to address that. They have in mind I think a particular strategy for trying to address it as well and I think that's quite evident from what they've said in their last two reports. They obviously made the recommendation in 2020, Recommendation 3, for a further mid-year increase in the pay rates for F&S Band 3 officers of £3,000 in total, for a combination of an increase in the basic pay-points by around £2,600, taking it up to £3,000 when the unsocial hours allowance is on top of that increase.**

**"Of course, that recommendation was rejected by the Government, but what it reflects, I think, is the Pay Review Body's thinking. And I think in last year's report, when they had a restricted remit, they set out that they'd taken legal advice about whether they could depart from that remit, and that they assessed that that wasn't possible for them to do. But they also set out in last year's report that, had that not been the case, they would have broadly made the same recommendation again. That's part of the backdrop for the recommendations they're going to make this year [2022] when they haven't got a restricted remit. The strategy they've got in mind as well is that they want to find a way of speeding up and closing the pay gap between closed grade officers and Band 3 F&S officers.**

**"They also don't like market supplements and they would like to find a way of phasing them out and phasing them out in a reasonable timeframe. And the Recommendation 3 they made two years ago also points to the way in principle that they'd like to do that, because when they recommended a £3,000 pay rise for Band 3 F&S officers, they also said that that would allow amber market supplements of £3,000 to be removed and to be consolidated, absorbed into basic pay. And for £3,000 of the £5,000 red-site supplements to similarly be removed, absorbed into basic pay right across the system."**

In late November 2022, the Parliamentary Justice Select Committee launched an inquiry into staffing issues in the prison system. The Committee set out its ambitions:

*The Justice Committee has launched a new inquiry to investigate workforce pressures in the prison system. The number of staff working in the key officer roles in the prison system has fallen significantly in recent years. In the last 12 months, there has been a fall of 600 staff in prison officer and custodial manager roles. The Prison and Probation Service has introduced initiatives to improve support for new employees and aid development. However, despite these efforts and improved pay the numbers leaving the service are increasing. Days lost through sickness have also risen significantly in the last five years.*

*The Justice Committee's inquiry will examine why staff are leaving the prison service and the impact this has on the ability to provide a safe and effective prison regime. It will examine the impact of measures to improve pay, conditions and support for prison staff and ask what more can be done to improve recruitment and retention.*

*Launching the inquiry, Chair of the Justice Committee Sir Bob Neill said: "Understaffing in the prison system has serious consequences for prisoners and prison officers alike. Without sufficient staff their safety is at risk. It also limits the ability to provide the vital services that support the physical and mental health of inmates and prepares them for release.*

*"We have launched this inquiry to understand what can be done to reverse the exodus of staff from the prison service. It will look at why so many are seeking employment opportunities elsewhere and what measures can be put in place to encourage them to stay. It will also examine the impact of recently implemented initiatives designed to increase support for prison officers and operational support grade staff.*

We would like to draw attention to the reintroduction of a rebranded first deployment scheme, relaunched this year as the First Time Prison Officer Relocation Scheme and advertised as paying up to an extra £8,000 a year extra take-home pay (see Annex C). The scheme is available for the following male establishments:

<b>Prison</b>	<b>Location</b>	<b>Salary</b>
HMP Aylesbury	Buckinghamshire	£34,202 *
HMP Berwyn	Wrexham, Wales	£30,702
HMP Bullingdon	Bicester, Oxfordshire	£34,202 *
HMP Elmley	Isle of Sheppey, Kent	£32,702 *
HMP Full Sutton	Near York, Yorkshire	£30,702
HMP Gartree	Leicestershire	£30,702
HMP Highpoint	Near Newmarket, Suffolk	£32,702 *
HMP Hollesley Bay	Suffolk	£30,702
HMP Isle of Wight	Newport, Isle of Wight	£30,702
HMP Long Lartin	Evesham, Worcestershire	£30,702
HMP Norwich	Norfolk	£30,702
HMP Onley	Rugby, Warwickshire	£30,702
HMP Swaleside	Isle of Sheppey, Kent	£32,702 *
HMP Stocken	Rutland, East Midlands	£30,702
HMP Swinfen Hall	Near Lichfield, Staffordshire	£30,702
HMP Portland	Portland, Dorset	£30,702
HMP The Mount	Hemel Hempstead, Herefordshire	£32,702 *
HMP Warren Hill	Suffolk	£30,702
HMP Wayland	Thetford, Norfolk	£30,702
HMP Whitemoor	Cambridgeshire	£30,702
HMP Winchester	Hampshire	£32,702 *
HMP Woodhill	Milton Keynes, Buckinghamshire	£34,202 *
HMP The Verne	Portland, Dorset	£30,702

The scheme is also in place for the following female establishments:

<b>Prison</b>	<b>Location</b>	<b>Salary</b>
HMP Eastwood Park	Gloucestershire	£30,702
HMP Foston Hall	Derbyshire	£30,702
HMP Styal	Cheshire	£30,702

*\*Includes a market supplement*

If you work at a prison that doesn't pay a Market Supplement, you'll receive a recruitment and retention bonus of £1,500 on top of your salary each year. You'll also get: your accommodation costs paid (up to £659 per month in London or up to £589 elsewhere) for up to 3 years; and the cost of a monthly trip home by public transport.

This shows the depth of the crisis. It shows that sites where Market Supplements have been absorbed into local pay are still reliant on other schemes such as these. It shows that sites that don't have Market Supplements are paying a £1,500 recruitment and retention bonus. HMPPS is paying rent and costs towards travel home. This is a crisis, and it can be ended by paying all Prison Officer Grades and Operational Support Grades the wage that their contribution to society is worth and a wage that encourages them to see being a Prison Officer as a career.

We believe that closed-grade Band 3 officers are now leaving the "rank" in significant numbers. They leave on promotion, they retire, they leave through medical inefficiency or they regrade. The market position for Band 3 Prison Officers needs to be further uplifted to allow HMPPS to move further and quicker to stem the rate of leavers.

Staff retention amongst closed grades has also now become an issue of concern for this Trade Union. A significant number of closed-grade Prison Officer staff fit into a demographic that were recruited in the late 1980s and early '90s following the Fresh Start reforms. This demographic are now coming to their pre-2022 Civil Service normal pension age of 60 years old, and we do not believe that HMPPS have taken this factor into account and its impact on closed-grade Band 3 Prison Officers over the next three-to-five years.

Our members often face a huge local challenge attempting to stay in service on a part-time basis beyond the age of 60, supplemented by drawing their pre-2022 pensions.

The POA are constantly exasperated to hear senior managers in HMPPS tell us they value experienced staff, they value the support they give new entrants, they value the stability experienced staff bring to our prison wings. In reality, our members face extreme difficulties when they attempt to gain partial retirement a scheme provided under their pre-2022 pension scheme, delivered in agreement with employers, where they reduce their hours and supplement their income from their pre-2022 pension scheme.

The experiences of our members at local level certainly does do not match or support the HMPPS vision or ambition portrayed at the centre. Prison Governors tell our members things like:

- "I have too many part-time staff."

- “The business can’t support you going part time.”
- “I can only consider you going part time if you find someone to share a line with on a shift pattern.”
- “You will have to regrade to go part time.”
- “It doesn’t meet the business plan.”

HMPPS needs to hold a mirror to itself and ask if the aspirations delivered to the POA in high-level meetings matches the reality on the prison landings. The POA do not believe it does.

It was often argued that staffing issues would always be a problem in the more affluent areas of the country where alternative employment opportunities were readily accessible. This is no longer the case. Prisons the length and breadth of the country are now having issues with recruitment and retention. People no longer see the prison service as a career, which in time will have a catastrophic impact on the ability of HMPPS to deliver as a service and to rehabilitate offenders.

The Government’s prison expansion programme is now well under way, with a planned additional 20,000 prison places. The reality is that HMPPS can’t staff the existing demand, and this expansion programme is at risk without a significant investment in Prison Officer pay by Government.

The POA have again received communications this year from lower-paid members who regularly or occasionally access food banks to provide food for their families. The POA have again had communications this year from full-time-working lower-paid members who now claim Universal Credit to supplement their family income. **Why on earth do Government through HMPPS feel this situation is acceptable?**

There are, at the time of writing, 43 (up from 31 last year) Police Forces actively recruiting or planning to recruit in England and Wales. We have heard from younger members time and time again this year that they do not see the Prison Service as a long-term career.

The fact of the matter is that in relation to Operational Support Grades and F&S Band 3 Prison Officers, the Government’s pay policy has created a retention crisis. Without a significant investment in Prison Officer pay, how can HMPPS compete against incentives being offered by the private contractors, traditionally viewed as paying less than HMPPS?

The POA are constantly alerted by our branch officials to concerns around staff attrition rates and the impact that constant churn has on experienced staff, who are expected constantly to mentor, monitor and support new entrants.

At area meetings, the subject that generates most concerns among attendees is HMPPS’s inability to recruit and retain. The POA firmly believe that levels of pay must be increased significantly, but HMPPS also needs to remove the charade that flexible working is available to all employees.

We see our members battling to establish both family-friendly working and part-time working. We hear from members who are told by Governors that there is no part-time working in their establishment. We have members who must endure protracted grievance procedures to achieve partial retirement in line with pension scheme provisions. These benefits, if applied fairly and equitably, would encourage experienced

staff and staff with family or caring responsibilities to stay in the service.

In December 2022, the POA sourced a snapshot of the situation around detached duty. The criteria to be a sending establishment was reduced this year: if a prison had 86% of its target staffing figure, it would be required to supply staff to other establishments on detached duty.

This reduction to 86% was a concern to the POA as some sites could have as much as 30% non-effective through staff sickness, maternity leave, temporary promotion, training or apprenticeship schemes, meaning that a sending establishment could be left with only 56% of its target staffing figure through helping other establishments.

On 12 December, 279 staff were on detached duty from 62 establishments supporting 16 establishments.

Below are on-the-ground figures relating to staff in post for several establishments. These are not forecasts, and the POA NEC hope these figures give the PSPRB an accurate real-time summary of the current staffing crisis.

### **Band 3 & Prison Officer Shortfalls**

The table below is not exhaustive.

<b>Establishment</b>	<b>B3 Target Staffing Figure</b>	<b>B3 Actual Staff in Post Figure Dec 22</b>	<b>Detached Duty Staff posted in 2022 (2021)</b>
HMP Berwyn	360	191	25 (20)
HMP Swinfen Hall	146	120	6 (0)
HMP Winchester	164	105	3 (2)
HMP Foston Hall	107	82.7	0 (0)
HMP Woodhill	272	145	40 (20)
HMP Norwich	181	119	29 (0)
HMP Long Lartin	286.5	199	40 (0)
HMP Bullingdon	216	138	21 (0)

We see a very similar position faced in relation to Band 2 OSG recruitment and retention.

The POA are aware that there are currently numerous establishments receiving the Payment Plus bonus scheme and stability bonus schemes to offset staff shortfalls.

Previous recommendations for non-consolidated payments as an annual cost-of-living rise, along with Government failure to enact PSPRB recommendations, have undermined morale and retention.

There is a direct correlation regarding staff retention and prisons that have managers who support staff and run safe establishments. Management style and establishment culture are factors that HMPPS do not seem able to improve in certain establishments. We know that, where staff feel appreciated, valued, empowered, and engaged, outcomes are more positive.

The POA urge the PSPRB to visit HMP Holme House (the largest detached duty sending site in December 2022) to examine the cultural changes that can be achieved through investment and staff empowerment.

Morale is at rock-bottom due to many factors, including normalised workplace violence, poor pay, and a default pension age of 68 – an unrealistic and possibly unlawful age to expect prison officers to reach before retirement.

There are many reasons why increasing numbers of OSGs and Prison Officers are leaving the service. Top of the list, in the opinion of the POA, is the unrealistic retirement age. Our members' retirement age is set at the State Pension Age, meaning a new recruit aged 18 would need to work 50 years on the front line before being able to access a full workplace pension. Experienced staff who previously planned to retire at 60 are now looking for alternative employment due to the physical and mental stress placed on them working into their late sixties.

Low morale is compounded by a lack of interest by everyone from managers to ministers in the genuine concerns of our members, such as the inherent unfairness of the annual fitness test, especially on menopausal women, the ban on police-style utility vests to carry heavy equipment, and the stalled rollout of PAVA synthetic pepper-spray, which is widely recognised as vital personal protective equipment.

We also believe that HMPPS should scrap the fitness test as it creates too many barriers to recruitment. Instead, it should bring back a thorough medical screening assessment. It should also bring back a full interview panel because Governors currently do not get to interview who they will be employing in their own jails – a worrying situation for such a responsible role.

Prisoner and staff safety must be at the heart of any new strategy because rehabilitation is simply impossible without this. And key to safety is staff experience – which is why every effort must be made to recruit and, crucially, retain our loyal and brave OSGs and prison officers. It's tough being an OSG or prison officer at the best of times – but poor pay, an unrealistic and dangerous retirement age and attempts to normalise workplace violence are proving too much for even the most dedicated staff. Ministers must act before the "hidden service" is hollowed out completely.

The POA urge the PSPRB to consider all these issues raised around staff retention. We believe that 2023 is the year that the PSPRB, HMPPS, MOJ and Government must increase pay for all Prison Officers – and that must be a priority.

## **Performance Management**

The Staff Performance and Development Record (SPDR) process within establishments was suspended to ease the burden on line managers during the pandemic. As recovery commenced, the POA were consulted on the introduction of a new performance management policy, which it was claimed would ease the pressure on line managers and create a more "user friendly" experience. As with many of the HR policies that have been or are being reviewed, the intention was to create a policy that would be used across the entire MOJ rather than have a separate policy for operational Prison Officers. The new policy was based on what was already used within the MOJ.

The new policy focuses on a conversation with your line manager (that is recorded) every eight weeks and no longer requires a mid- or end-of-year performance mark to be entered onto SOP. Staff can be nominated by their manager to receive a performance recognition award if they do any exceptional work that deserves recognition.

The POA raised concerns from the outset and highlighted that line management in an operational prison environment was very different to line managing someone in an office-based environment. The opportunity to sit down and discuss areas of concern or performance generally are far more difficult when staff cannot be removed from their front-line duties whenever it suits.

A conversation every eight weeks for a CM who can line manage in excess of 20 staff is neither realistic nor achievable. It is also very unfair and is setting operational staff up to fail. If the conversations do not take place, it follows that recognition for operational staff will also be limited.

Most of our concerns were ignored and the early adopter sites began to introduce the new policy. Early adopter prisons included HMP Whitemoor, HMP Full Sutton, HMP Erlestoke and HMYOI Feltham. The report on the results within the early adopter sites was not shared with us at the time of it being produced and the new policy was rolled out across the entire prison estate without any further consultation even though HMPPS's own data showed a lack of engagement in prison sites.

Response rates at the early adopter sites were low and highlighted a number of concerns:

- The proportion of follow-on survey respondents who reported having had a performance conversation since the launch was much higher in respondents based in the non-prison early adopter areas (86% of respondents reported having had a conversation) than amongst respondents based in prisons (28% of respondents reported having had a conversation). This indicates a lower occurrence of the conversations in prisons.
- Of the 95 people who responded to the follow-on survey who said they had not had a performance conversation with their line manager since the launch of the early adopter phase (87 of whom were based in prisons), the most common reason selected for why not was: "the performance conversation not being initiated by the line manager" (52 responses).
- Around 40% of all survey respondents said that they never discussed performance, development or wellbeing with their line manager.

It is worth noting that a much-larger proportion of respondents reported having had performance conversations in the non-prison business areas than in prisons. Of the 176 responses to the follow-on survey:

- 120 responses came from prisons. 33 responses indicated they had had a performance conversation. So, 28% of respondents based in prisons had had a performance conversation.
- 56 responses came from the non-prison business areas. 48 responses

indicated they had had a performance conversation. So, 86% of respondents from non-prison areas had had a performance conversation.

This indicates a lower occurrence of the conversations in prisons.

When we were finally given access to the report, it was clear that operational staff working within the prison environment would not be afforded the same level of recognition as staff working in an office environment.

We asked HMPPS to share figures that demonstrated the levels of performance recognition being awarded to operational and non-operational staff. They claim they are unable to differentiate between operational and non-operational staff in that way and further claim they will only be able to share a six-month report with us once the data and analysis team have prepared it. This means we are unable to include any data relevant to performance recognition in this year's pay submission.

See Annex L: OFFICIAL SENSITIVE - HMPPS PM early adopter survey report v1.2

## **Payment Plus 5-Year Allowance Review**

The POA believe that, if Payment Plus is considered to be an allowance and reviewed alongside other allowances on a five-year rolling review as part of the PSPRB 2023 considerations, that means we are entering into a review that is essentially a five-year deal on Payment Plus as the mechanism will not see Payment Plus revisited by PSPRB until 2028 unless the POA specifically requested it.

We would like to challenge the PSPRB on their definition of Payment Plus. We do not believe that it is an allowance. The definitions of an allowance are:

- A sum of money paid to a person to meet needs or expenses i.e., a winter heating allowance
- The amount of something that is permitted, especially within a set of regulations or for a specified purpose, i.e., a baggage allowance.

Also, in his judgement between the Prison Officers Association v The Minister of Justice, 14 December 2018, Mr Justice Kerr described Payment Plus as "additional remuneration for extra hours worked from which prison officers could opt out (and later opt back in again) if for example domestic issues made them unable to work extra hours".

The POA believe that Payment Plus is the established and agreed route for paying our members for hours worked above their conditioned contracted hours.

Also, in the PSPRB's Twenty First Report, July 2022, page 31, it included the following footnote in relation to Payment Plus: "26. Payment Plus is a method of payment for additional hours worked over and above an individual's normal conditioned hours **for very specific set of tasks and circumstances.**"

The POA strongly dispute that Payment Plus is used for very specific set of tasks and circumstances. As stated above, Payment Plus has become the go-to accepted overtime scheme for Prison Officers and their employer.

Payment Plus was introduced in 2008 as a collective agreement on staff terms and conditions for all Prison Officer grades, including associated Specialist Grades as identified in Bulletin 8 who undertake additional hours working outside of normal conditioned hours. The rate of Payment Plus is set each year by the Prison Service Pay Review Body.

As Payment Plus has evolved and reshaped since 2008, we find ourselves in a position where Payment Plus is now used to cover:

- daily significant long term ongoing staffing shortfalls against agreed Staff in Post figures
- Emergency Medical Escorts
- Planned Medical Escorts
- Detached Duty
- Band 4 Duties
- PEI Duties
- Key Training

Payment Plus should not be used to cover shortfalls caused by staff sickness.

The POA believe that the duties delivered on Payment Plus **are simply the core duties of all Prison Officers under their contract of employment.** The POA can provide evidence of members who have been in receipt of Payment Plus each month for delivery of those core duties for 10 years or more. Therefore the POA believe that the use of Payment Plus is not paid as a one-off, it is not extraordinary, and it is not only paid for a very specific set of tasks and circumstances.

Payment Plus is partially effective in achieving its aim in so far that it allows our poorly paid members access to additional salary to pay their bills so they may address the current cost-of-living crisis they face and assists in shoring-up failing prison regimes due to high attrition rates.

However, to convince staff to volunteer for Payment Plus shifts and detached duty, the criteria that dictates which prison can send to detached duty sites has been dropped. We now see prisons sending staff on detached duty who can drop their staffing levels to 86% of the levels they should have.

When you consider that most prisons run non-effectives at 30%, this reduction leaves behind dangerously low staffing levels to provide a regime.

To cover detached duty staff, the sending establishment will then offer Payment Plus to existing staff. This leads to burnout and high sickness levels. The POA would much prefer staff be paid an appropriate rate that negates the need for a long-hour, excessive-overtime culture.

Issues around recruitment and retention have been significantly mitigated by a massive reliance on Payment Plus in several establishments simply to bring a prison up to its agreed safe, decent and secure minimum staffing level, so as to maintain a level of safety and regime for staff and prisoners.

The duties delivered can include ensuring visits to prisoners are not cancelled, ensuring prison education and vocational training is not cancelled, serving prisoners their meals, maintaining hygiene on the wings by supervising cleaning parties, allowing prisoners access to fresh air, allowing prisoners access to showers and maintain basic personal hygiene, allowing prisoners access to fresh bedding and clean clothes, keeping prison laundry's working, and keeping other essential prison workshops open.

We could compile an endless list of the duties delivered by Prison Officers under the Payment Plus scheme. As stated earlier they are the core functional, day in day out, bread-and-butter duties that Prison Officers deliver.

From time to time, and exceptionally, we do see key training delivered under Payment Plus. A recent example was counter-terrorism step up training. Payment Plus was used in consultation and agreement to pay staff in service prior to 2017 who did not receive this vital training when they joined the service. It was also used recently to train staff in PAVA/SPEAR and for key work to allow prisons to meet the 50% target that then allows them to roll out PAVA.

The POA believe that Payment Plus is now a permanent feature of our members' pay. It may have been introduced in 2008 in the belief that it was temporary, occasional or irregular and time-limited, but the issues around recruitment and retention that HMPPS have suffered over the last 11 years has seen an exceptional reliance on Payment Plus simply to maintain the basic functions in all our prisons. Many of our members claim they could not survive on their wages without using PP each month to top up their pay.

**In 2016/17 HMPPS informed the PSPRB of its intention to reduce its reliance on Payment Plus and introduce a contracted hours scheme (pensionable), but to date this has never happened.**

In 2019 the PSPRB expressed concerns about Prison Officer reliance on Payment Plus. In 2020 the PSPRB reported that it had still not been provided with "the changes in the hours available under the permanent contracted hours system and the associated decrease in the use of Payment Plus".

Total expenditure on Payment Plus increased from £33 million in 2019–20 to £55 million in 2020–21.

The POA believe that Payment Plus should be increased to £30 an hour and made pensionable for the following reasons:

- The rate for Payment Plus is set by the Prison Service Pay Review Body annually and that rate has consistently failed to match inflation.
- The payment is for work delivered under the Prison Officers contract of employment and the work delivered is the core operational duties of prison officers.
- The work is delivered over and above the Prison Officers conditioned contracted hours, and therefore must be set at a rate significantly high enough to persuade prison officers to take on those extra hours in a very challenging operational environment.
- Due to staffing shortfalls against agreed staff in post figures the payment has become a regular feature of prison officer pay.

Since 2010 to present, the Prison Service has experienced an exodus of experience. It was revealed through a parliamentary written question this year that, since 2010, the Prison Service has lost over 99,000 years of cumulative prison officer experience – almost 100,000 years of jailcraft.

HMPPS have used Payment Plus to cover for shortfalls in staffing figures. Those shortfalls are caused by an inability to recruit and the serious problem around staff retention. Prison Officers have covered the day-in-day-out duties within those shortfalls, **and the POA want to be clear that, if HMPPS could recruit and retain and was not blighted by staffing shortfalls, the salaries paid to cover those duties would have been pensionable.**

To date, no discussions have taken place between the POA and HMPPS around contract supplementary hours, and as HMPPS have talked about Contract Supplementary Hours (CSH) since 2017 the POA believe that HMPPS is also acutely aware of the dangers associated with any changes to Payment Plus. The POA do not believe that the current operational circumstances and the current economic pressures at this point in time are conducive to a move to CSH scheme.

A CSH scheme if introduced without Prison Officer acceptance and buy-in at present could seriously damage operational delivery across the whole of the estate, especially if the rate of remuneration is perceived as a cut to available pay by Prison Officers.

Payment Plus is one of the things in place that works. It allows staff a flexible approach to increase their earnings at a time when HMPPS are looking to offer greater flexibility to its workforce as an aid to retention. The POA do not believe the time is right to remove a working, well-practiced and accepted flexible scheme, and replacing it with a less-flexible, lower-remunerated, contracted commitment to overtime in the current staffing crisis.

The POA acknowledge that we have members who work no Payment Plus at all and members who work excessive Payment Plus hours. Any reduction in remuneration through the reshaping of that offer would not persuade those who currently work no overtime to partake in overtime – and, in relation to those who work excessive hours, any reduction in remuneration could force them to exasperate further their excessive overtime hours.

An increase in remuneration through the increasing of that offer may persuade those who currently work no overtime to partake in overtime, and in relation to those who work excessive hours any increase in remuneration could allow them to reduce their excessive overtime hours.

To reduce HMPPS reliance on Payment Plus, it's imperative that HMPPS reaches and maintains as near full staffing as can be achieved, because without full staffing there will always be a requirement for officers to work beyond their contracted hours to cover the delivery of vital daily tasks.

The POA have seen schemes in both the private sector and the public sector already paying in excess of £30 an hour for overtime, with one private establishment paying an exceptional rate of £40 an hour due to critical shortages. Many of these schemes cover shortfalls in establishments and have enhanced payments of Payment Plus that take the actual hourly rate to above £30 per hour, such is the desperate need to entice staff

to partake, as highlighted below:

**Working Together, Delivering Choice, Transforming Lives**

**INFORMATION TO COLLEAGUES: 261/2021**

**PP Bonus Scheme**

We are going to run a local PP reward scheme at Wayland to reward staff for covering additional hours. This scheme is for the purpose of covering the core Band 3 profile to support the consistent delivery of the regime only. This scheme is available to Band 3/4/5 Operational grades.

This scheme is different from previous schemes. A bonus will be given for the completion of a PP shift in addition to the normal PP rate, see the additional bonus table below. PP will continue to be available for additional hours outside of those that attract the additional bonus.

Where an additional shift is being worked but a normal detailed shift includes a 15-minute hand over the PP shift will still attract the bonus assigned to it.

This PP Scheme will run from 04/10/2021 to be reviewed regularly regarding its continuation.

The Maximum bonus a member of staff can achieve is capped at £2000. Should a member of staff reach this cap PP will continue to be available where required however no further bonus will be paid to that member of staff.

Bonus payments will be paid on a monthly basis and does not require the member of staff to submit a claim, but the PP rate will continue to be claimed by staff as normal on SOP.

Bed watches and Nights are not eligible for the additional bonus.

Unfortunately, the scheme is not available to our colleagues on Detached Duty at Wayland.

Those who wish to participate in the PP scheme should email their availability to My Detail, Wayland [HMPS] [mydetailwayland@justice.gov.uk](mailto:mydetailwayland@justice.gov.uk). The Detail Office will allocate shifts as fairly as possible according to the establishments need.

Additional Bonus Table						
Weekday Regime					Hours	Bonus
07:30	12:30				5	£60
	12:30		18:00		5.5	£66
		13:30	18:00		4.5	£54
			18:00	21:00	3	£36
07:30			18:45		11.25	£135
Weekend Regime					Hours	Bonus
07:30	12:30				5	£60
	12:30		17:45		5.25	£63
		13:30	17:45		4.25	£51
			17:45	21:00	3.25	£39
07:30			18:30		11	£132

This example clearly displays that the actual overtime rate on offer amounts to £34 per hour when the additional bonus is accounted for.

The POA are prevented from instructing our members not to deliver overtime on PP by a high court injunction. We therefore urge the PSPRB to take very seriously its role in setting the rate of PP as a compensatory mechanism provided to a workforce denied the right to withdraw its labour.

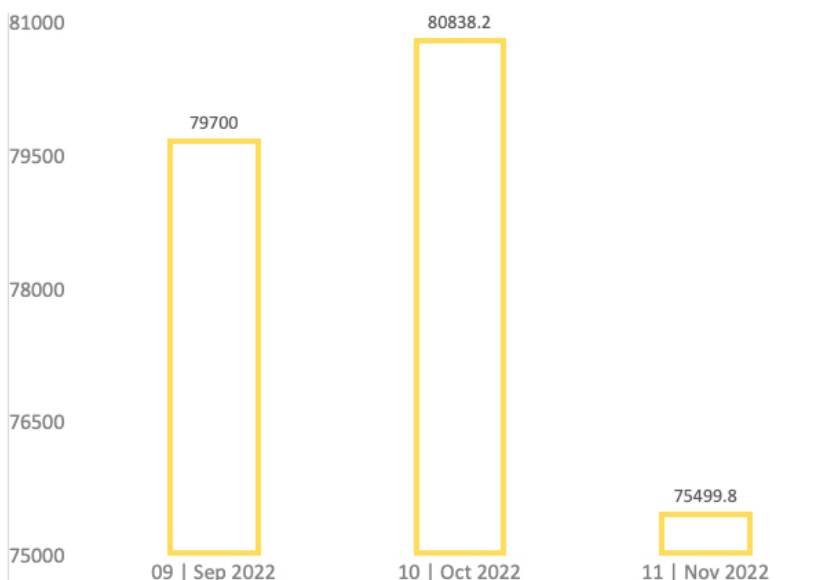
The only figures supplied to the POA by HMPPS detailing PP expenditure for 2021-22 during the preparation of this report is £47 million, which equates to 2,136,363 hours delivered at £22 an hour. The POA are not confident that these figures are accurate, and request that the PSPRB investigates this figure to ensure it covers all PP paid, including that paid under special local bonus schemes, Operational Support bonus schemes, Christmas bonus schemes and detached duty bonus schemes.

Based on the supplied annualised figures, the cost of increasing Payment Plus to £30 an hour would be £17,090,890. However, the following tables show reported Payment Plus usage for the last three months (source: Prison Analysis V1.01 November 22 – See Annex J).

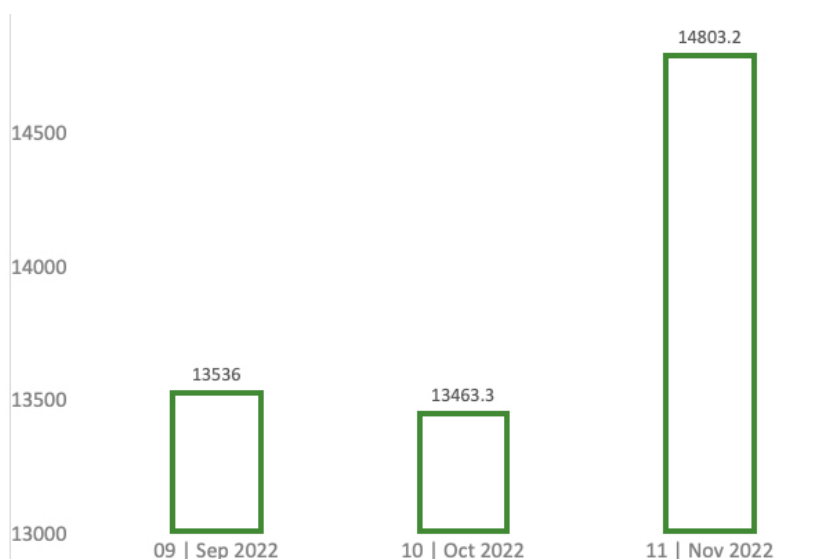
**Payment Plus Hours excluding Bed Watch & Constant Supervision, Sep 22 – Nov 22**



**Payment Plus – (BW) Bed Watch, Sep 22 – Nov 22**



## **Payment Plus Hours – (CW) Constant Supervision, Sep 22 to Nov 22**



	PP ex BW & CW	PP: BW	PP: CW			
Sep 2022	201,224	79,700	13,563			
Oct 2022	214,994	80,838	13,463			
Nov 2022	206,833	79,700	14,803	Total	Cost for 3 Months x £22	Per Year (£19,912,596 x 4)
Total	623,051	240,238	41,829	905,118	£19,912,596	£79,650,384

That figure equates to approximately £79,650,384 a year (at £22 an hour), **which is the equivalent of 2,463 F&S Band 3 Prison Officers (based on current £32,328 salary).**

Considering the PSPRB five-year rolling programme – meaning that, after 2023, the rate of PP will not be reviewed until 2028 – the POA suggest that going forward £30 an hour is a realistic and affordable rate for the next five years.

## **OSG Overtime 5-Year Allowance Review**

We are proposing enhanced overtime rates for OSGs because we are aware that the majority of OSG work is performed during “red hours”. Some prisons have shift patterns that expose OSGs to over 45% of their shifts on red hours.

Exposing staff to such unsocial hours must attract enhanced rates of overtime, especially when OSGs are being tasked with covering staffing shortfalls at weekends, nights and on bank holidays. Premium unsocial working hours should attract premium overtime payments.

The POA feel that the proposals to enhance OSG overtime rates to time-and-two-thirds for green hours and double time for red hours and for it to become pensionable is appropriate, reasonable and affordable.

The shift patterns below from HMP Winchester show that their two OSG groups are currently working 45.6% red hours on one group and 35.5% on the other group. There are many other examples across England and Wales.

# Prison Reform Directorate - Profiling Application (Lite)

v1.03 2021

## Shift Sequence

Hide Shift Timings

Show Shift Timings

Contracted Hours

▲  
39  
▼

HMP Winchester Gate & Outside.

Unsocial Hours

45.6%

	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Total		
A	2.00	1.00	1.00	2.00	1.00		2.00	9.00		
L	3.00	7.00	7.00	7.00	7.00	8.00	3.00	42.00		
M	2.00	1.00	1.00		1.00		2.00	7.00		
E	3.00	7.00	7.00	7.00	7.00	8.00	3.00	42.00		
R	10.00	4.00	4.00	4.00	4.00	4.00	10.00	40.00	Diff	EDs
1	R	N	N	N	N	N	N	66.00	27.00	
2	N	R	R	R	R	R	R	11.00	-28.00	
3	R	L28	E	E193	R	E193	L12	35.00	-4.00	2.00
4	E333	R	L12	A51	E333	E209	R	36.75	-2.25	2.00
5	R	L12	L2	M19	E193	R	M5	40.50	1.50	2.00
6	L28	M19	R	A1376	E209	E333	R	40.75	1.75	2.00
7	R	N	N	N	N	N	N	66.00	27.00	
8	N	R	R	R	R	R	R	11.00	-28.00	
9	R	L56	L78	E209	R	L12	E193	35.50	-3.50	3.00
10	L12	M19	R	L28	L28	E	R	39.75	0.75	3.00
11	R	L78	M19	E27	R	L56	A1376	41.75	2.75	3.00
12	E291	R	L28	L805	L805	M19	R	40.75	1.75	3.00
13	R	E209	L805	L12	M19	R	M	40.50	1.50	2.00
14	M5	L805	E27	R	L12	M19	R	40.25	1.25	2.00
15	R	N	N	N	N	N	N	66.00	27.00	
16	N	R	R	R	R	R	R	11.00	-28.00	
17	R	L83	A1376	E333	R	L438	E291	38.25	-0.75	3.00
18	A51	E333	R	M19	L2	L83	R	40.00	1.00	3.00
19	R	A1376	M	L83	E	R	L28	40.75	1.75	3.00
20	L12	M19	E209	R	L83	L2	R	36.25	-2.75	3.00
21	R	N	N	N	N	N	N	66.00	27.00	
22	N	R	R	R	R	R	R	11.00	-28.00	
23	R	L2	M19	L83	M19	R	L12	40.25	1.25	3.00
24	A1376	E	R	L2	M19	L56	R	41.00	2.00	3.00
25	R	E	E333	R	L56	L78	A51	38.25	-0.75	3.00
26	E193	R	L83	L28	M19	M19	R	39.75	0.75	2.00
27	R	E193	E193	R	L78	L805	E333	35.00	-4.00	2.00
28	M19	R	L56	M19	A1376	E27	R	43.00	4.00	2.00

# Prison Reform Directorate - Profiling Application (Lite)

v1.03 2021

## Shift Sequence

Hide Shift Timings  
Show Shift Timings



Contracted Hours

39

HMP Winchester Inside

Unsocial Hours

35.5%

	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Total		
A		2.00						2.00		
L	5.00	3.00	5.00	5.00	5.00	5.00	5.00	33.00		
M	1.00	7.00	7.00	7.00	7.00	7.00	1.00	37.00		
E	4.00	4.00	4.00	4.00	4.00	4.00	4.00	28.00		
R	10.00	4.00	4.00	4.00	4.00	4.00	10.00	40.00	Diff	EDs
1	R	N	N	N	N	N	N	66.00	27.00	
2	N	R	R	R	R	R	R	11.00	-28.00	
3	R	L78	M	M4	R	L78	L146	40.50	1.50	3.00
4	M	R	L56	M	M	E	R	39.50	0.50	1.00
5	R	A45	M	M	E	R	E27	40.50	1.50	1.00
6	L146	E	R	L56	M	M4	R	36.50	-2.50	2.00
7	R	M4	L78	E2	R	L56	L28	39.00		3.00
8	E3	R	L78	M	L78	E2	R	35.50	-3.50	2.00
9	R	N	N	N	N	N	N	66.00	27.00	
10	N	R	R	R	R	R	R	11.00	-28.00	
11	R	L28	M	M4	R	L78	E3	39.00		2.00
12	L28	E2	R	L78	M	M21	R	40.00	1.00	2.00
13	R	M	M4	M4	E2	R	M42	41.50	2.50	
14	L78	M18	M	R	A45	E	R	42.75	3.75	2.00
15	R	M4	E2	R	M	L56	L146	37.00	-2.00	2.00
16	E27	R	L28	M	L28	M18	R	38.50	-0.50	2.00
17	R	M4	M	L78	M4	R	E27	41.25	2.25	1.00
18	L146	M	E	R	L78	M2	R	38.00	-1.00	2.00
19	R	N	N	N	N	N	N	66.00	27.00	
20	N	R	R	R	R	R	R	11.00	-28.00	
21	R	L78	M	E27	R	M	L78	39.50	0.50	2.00
22	M42	M4	R	L87	M	E2	R	40.00	1.00	1.00
23	R	A45	M4	M	E	R	L146	41.50	2.50	2.00
24	E3	R	L28	M	L28	M	R	38.50	-0.50	2.00
25	R	M	M	R	M	L56	E3	38.00	-1.00	1.00
26	L146	E	R	L56	M	M	R	36.00	-3.00	2.00

Please see Annexes for additional evidence of OSG shift patterns with higher than 30% Unsocial Hours worked.

## **Voluntary Additional Duties**

POA conference policy is that our members should not carry out additional voluntary tasks unless they are receiving additional pay for doing them. We take on board your comments around moving towards a more cohesive pay structure and a longer-term strategy to suitably remunerate staff for the work they do but we also feel strongly that staff who volunteer to do over and above the requirements of their job description should be appropriately rewarded.

This year, we ask for an additional one-off payment of £1,500 per additional role or qualification undertaken by a member of staff. Examples of additional roles include:

- Negotiator
- ACCT Assessor
- C&R Instructor
- C&R Tornado/advanced course
- First Aid
- Mentor
- Local Response Team (LRT)
- Care Team
- Mental Health Allies (TRIM trained staff)
- OSG Drivers (includes Tornado and Cat A/High Security)
- ECR / Control Room Operators
- Separation Centres
- Discreet HSE Units
- Family Liaison Officers

This list is not exhaustive. Any staff who undertake these roles are required to complete additional training and some of these roles include a pass or fail course. Staff who complete the C&R advanced course are required to pass a higher-level fitness test and put themselves at increased risk of physical injury. In some cases staff have found themselves medically retired from the service following injuries they have sustained in this role.

Other roles, for example ACCT assessor, potentially expose staff to extremely difficult and emotive situations that in the extreme could require them having to attend coroner's court. Many prison staff are suffering from mental health problems – often caused by the work we do – and any member of staff who steps up and volunteers to support their colleagues in a role such as the care team or trauma risk management deserves to be suitably appreciated and rewarded.

To remain qualified in these roles the staff also often change or work their rest days as they cannot be freed up on the detail to go away on a course that may take several days to complete. Without this willingness it would be impossible for the staff to remain trained and qualified in some of these roles.

Our members who work within NTRG and who respond to Tornado incidents work in extremely difficult and challenging circumstances and HMPPS have recently informed us they are currently not managing to staff the Tornado group at full capacity. The POA estimate a shortfall of 600 on a contingency of around 2,100. This is concerning as we

cannot recall a time where there was a shortage of volunteers and interest in carrying out this role.

Another area of concern is the PEI role. They are specialist staff who are paid an allowance if they are closed grade or paid at Band 4 if they are F&S. There are more vacancies at this grade than the service can afford to carry at present. As with the NTRG role, there is a declining level of interest in working in this area. This has added to instability within the estate at certain establishments, which has resulted in PEIs being required to go on detached duty to support the prisons that are carrying vacancies they cannot fill.

Staff cannot be forced to undertake these roles and some establishments are beginning to struggle to find willing volunteers who want to do over and above what their job description requires. This is not surprising given how undervalued staff feel. We do not want to end up in a position where there are no staff left to carry out these valuable roles, so we ask that you consider awarding an annual £1,500 bonus to staff who carry out these roles in addition to the job they are employed and paid to do.

## **Market Supplements**

What is a Market Supplement?

A Market Supplement is an additional temporary payment to the basic salary of an individual job or specific group of jobs where market pressures would otherwise prevent HMPPS from being able to recruit or retain staff. It is non-consolidated.

Market Supplements in their current format were first introduced in 2017, although other forms of incentive have been around as far back as the introduction of Fair & Sustainable, whereby provision was made for hard-to-recruit sites in the form of Local Pay Allowances.

Treasury approval for Market Supplements is in place until 31 March 2023. The POA welcome the decision where supplements are eroded to incorporate them into basic pay and make them pensionable, but that should be done in a way that does not feel like you have skipped a pay rise.

Last year's Recommendation 3 saw National Base Rates spot rate increased by £1,500, eroding all Market Supplements for the Band 2s that received them. Our members' perception of this was not good as they felt like they had not had a pay rise and the POA suspect that these establishments are again struggling to recruit and retain Band 2 OSGs, so we would suggest that any increase in base pay is paid in full, and the reduction in Market Supplements is then also tapered into base pay.

Sites identified as Red currently receive £2,000 p.a. and sites identified as Red Plus receive £3,500 p.a. The above payments are only available for Band 3 Prison Officers on Fair & Sustainable terms and conditions.

A market supplement payment is only a temporary payment that should be used to address short-term recruitment and retention issues. However the POA now appreciate these recruitment and retention issues are not short term, so the solution needs to stop being referred to as temporary and short term.

HMPPS sent out mixed messages when, on the one hand, they accepted removing Market Supplements into basic pay, but on the other they increased and extended Market Supplements to other establishments.

Market Supplements, LPAs, stability payments, local PP bonus schemes – it's a complete mess! The POA door is always open and we are ready to discuss a less-complicated pay structure on the basis that HMPPS has Treasury funding before talks commence.

Research conducted by IES on behalf of the Office of Manpower Economics throws significant doubt on the ability of even quite large financial payments on their own to address recruitment and retention issues. As a Market Supplement payment is only temporary and under regular review, what consideration has been given to when these payments stop on 31 March 2023?

In effect, staff in Red-plus sites would suffer a pay cut of £3,500. There is only one thing that would happen in such sites – staff would leave in their droves unless that money was incorporated into base pay and made pensionable over and above any proposed pay rise.

HMPPS need to realise that they need to compete with other market forces should they want to successfully recruit and retain staff. There are 18,000 new prison places coming online, and there will be demand from both public and private sectors to recruit into these establishments.

The mid-year expansion in the use of Market Supplements confirms that they are being used as a sticking plaster to address immediate issues without any thought being given to the long-term future. Market Supplements add to the complexity of the pay structure and exacerbate the more serious structural issues, making them harder to solve.

In their current form Market Supplements are unfair because:

- all unified grades at an establishment should receive them;
- it's now time for HMPPS to accept that market supplements are here to stay and are constantly expanding, so eventually they will become the norm across the prison estate in some form;
- if HMPPS are committed to having a professional and dedicated workforce, then it's time to address the problems in relation to the base pay level;
- Market Supplements are a temporary fix and need to be abolished. Instead the base pay level needs to be increased to the level of a Red-plus site. That way, as a service we will be able to compete with other market forces and we may be able to retain our staff.

## **Section 3: Conclusion**

In reaching its recommendations, we ask that the PSPRB consider the following:

- The PSPRB is the sole compensatory mechanism for Prison Officers not having the right to strike over pay or the ability to withdraw from voluntary duties.
- In April 2023 the Living Wage increases by 9.7%.
- August 2022 saw Prisoner Subsistence (former discharge grant) payments raised by 8.4%.
- The current inflation crisis – a Prison Officer in debt is vulnerable.
- Changes to prison staff's pension age.
- The continued emotional demand of the role that Prison Officers and OSGs carry out.
- The effect of moving out of Covid-19 command mode and the rising violence.
- The ongoing retention churn and its cost.
- The recruitment and retention crisis across HMPPS.
- The morale of prison staff.
- The likelihood of compelled detached duty.
- The failure of HMPPS to repay TOIL owed to staff.
- HMPPS absolute reliance on Payment Plus to deliver the basics within our prisons.
- The true cost of ALL Payment Plus – what is the true figure?
- The professionalisation of our members within the Youth Justice System.
- The inability of HMPPS to recruit staff to TSF in every establishment.
- The daily dangers faced by prison staff.
- HMPPS's continued failure to reward our members for additional duties and responsibilities.
- Concerns around numbers of people volunteering for Tornado.
- Establishment level failures to implement flexible working or part-time working.
- The flexibility of uniformed staff when urgent assistance is required in other establishments, as displayed at IRC Harmondsworth Detention Centre on 5 November 2022.

On behalf of the POA membership in England and Wales, we thank you for considering our evidence for 2023.

## Annexes

### Annex A – HMPPS WINCHESTER JOB ADVERT

# 202210: Prison Officer - HMP Winchester

HM Prison & Probation Service

**Apply before 11:55 pm on Tuesday 13th December  
2022**



HM Prison &  
Probation Service

[Apply at advertiser's site](#)

#### **Details**

##### **Reference number**

243671

##### **Salary**

£30,880

##### **Job grade**

Administrative Officer  
Band 3

##### **Contract type**

Permanent

##### **Type of role**

Operational Delivery  
Other

##### **Working pattern**

Flexible working, Full-time, Job share, Part-time

##### **Number of jobs available**

20

## Contents

- [Location](#)
- [About the job](#)
- [Benefits](#)
- [Things you need to know](#)
- [Apply and further information](#)

# Location

Winchester, South East England, SO22 5DF

# About the job

## Job summary

Please see job description

## Job description

**Prison Officer - HMP Winchester**  
**HMP/YOI Winchester - Romsey Road, Winchester, SO22 5DF.**  
**Starting salary: £32,702** (for a 39-hour week inc 20% unsocial)  
**City/Town: Winchester**  
**Region: South Central**  
**Vacancy type: Pass**

### One career, many roles

As a prison officer, you'll be part of a diverse team, making an impact, doing meaningful work in our prisons.

Working in a prison is fast-paced and varied, and no two days are the same. You'll work with a range of people and perform a variety of tasks – from keeping the prison safe and secure, to helping vulnerable people through a difficult time in their lives. Once you've qualified, you'll have a range of opportunities to specialise and progress your career and earning potential.

It can be a challenging job, but in return you will get good pay, training, benefits and have the support of a strong team.

[Find out more about this varied role and day-to-day life as a prison officer.](#)

During the recruitment process you will be assessed on the behaviours, strengths and abilities you need to become an effective prison officer. These include:

- communicating and influencing
- managing a quality service
- making effective decisions and caring

Your natural strengths are assessed to find out what motivates and energises you. We will also assess your numerical, written English and spoken English abilities.

### How to apply

The online application begins with important details such as your National Insurance number and right to work in the UK.

You will then be invited to complete the online tests, to see if you have the basic judgement and numerical skills expected of a prison officer.

Due to the number of positions currently available, this vacancy is only open for a short period of time and only individuals who perform highest at the online tests will be invited to our online assessment centre.

### The online assessment centre

If you pass the online tests, we will invite you to an online assessment centre.

We test to see if you have the abilities, behaviours and strengths to be a prison officer.

Once you've successfully completed the online assessment centre and we've offered you a role, we will invite you to complete a medical and fitness test. This will cover an eyesight test, hearing test and basic health screening, including a blood pressure check.

[Read more about the application process](#)

### Job details

#### Eligibility

To become a prison officer, you will need to:

- be at least 18 years old
- have the right to work in the UK
- be reasonably fit and able to pass our fitness test
- have good eyesight in both eyes (both with and without corrective lenses)

For safety reasons, everyone training to be a prison officer needs a suitable standard of hearing (without the use of hearing aids).

To work in a high security prison ([category A](#)) you must have been a resident in the UK for the last three years.

### Nationality requirements

This job is broadly open to the following groups:

- UK nationals
- nationals of Commonwealth countries who have the right to work in the UK
- nationals of the Republic of Ireland
- nationals from the EU, EEA or Switzerland with settled or pre-settled status or who apply for either status by the deadline of the [European Union Settlement Scheme \(EUSS\)](#)
- relevant EU, EEA, Swiss or Turkish nationals working in the Civil Service
- relevant EU, EEA, Swiss or Turkish nationals who have built up the right to work in the Civil Service
- certain family members of the relevant EU, EEA, Swiss or Turkish nationals

### Visa Sponsorship

Please note we are unable to sponsor any individuals via the Skilled Worker Sponsorship / Tier 2 (General) work visa.

Successful applicants must ensure they have and maintain the legal right to live and work in the Civil Service and in the United Kingdom.

### Essential skills

You don't need qualifications to become a prison officer. Personal qualities are more important. You need to show:

- good communication and influencing skills
- commitment to quality
- effective decision-making
- care and understanding

### Pay

The initial training is 37 hours a week. After training, you can choose to work 37, 39 or 41 hours a week. Your annual salary will reflect your weekly hours:

- 37 hours a week = £30,880 a year
- 39 hours a week = £32,702 a year
- 41 hours a week = £34,523 a year

All salary figures quoted include any additional allowances.

The standard working week of a prison officer is based on a 39 hours per week shift pattern.

You may also have opportunities to work additional paid hours.

### Benefits

- 25 days' annual holiday (rising to 30 days after 10 years' service)
- paid time off for public holidays and one extra privilege day
- Civil Service pension of up to 20% of your salary
- cycle to work scheme, travel loans and other benefits

**Up to £8,000 gross (inclusive of tax) home-to-work travel expenses for a period of 3 years from the date you commence employment paid at 0.45p per mile**

\*These benefits are applicable to individuals applying via this campaign to take up their first prison officer role. Where expenses are received you will be required to sign a written undertaking to make pro-rata repayments on in the event of resignation within two years' service.

[Read more about prison officer benefits.](#)

### Training and career progression

You will start your prison officer career by completing a paid [Custody and Detention Professional Apprenticeship](#). Taking 12 to 18 months to complete, this professional qualification will give you the specialist skills you need to become expert at your job.

You will learn and practise all the key skills and behaviours that are vital to the prison officer role, including:

- how to look after people in custody
- search and security procedures
- de-escalation techniques.

[Read more about the Custody and Detention Professional Apprenticeship.](#)

**Job offers: pass vacancy**

This is a pass job vacancy. If you are successful at the online assessment centre you will be offered a job immediately if there is a position available. If there are no vacancies, you will be placed on a reserve list and will be offered a job as soon as there is a vacancy. Your successful pass from assessment centre will be valid for 12 months if you want to apply for vacancies at other prisons.

**Working for the Civil Service**

The [Civil Service Code](#) sets out the standards of behaviour expected of Civil Servants. We recruit by merit on the basis of fair and open competition, as outlined in [the Civil Service Commission's recruitment principles](#). If you feel the recruitment process has breached the recruitment principles, you can raise a formal complaint in the following order:

1. Shared Services Connected Ltd: call 0845 241 5358 (Monday to Friday 8am - 6pm) or email [MoJ-recruitment-vetting-enquiries@gov.sscl.com](mailto:MoJ-recruitment-vetting-enquiries@gov.sscl.com)
2. [Ministry of Justice Resourcing](#)
3. [The Civil Service Commission](#).

We encourage applications from people from all backgrounds and aim to have a workforce that represents the wider society we serve. We pride ourselves on being an employer of choice. [We champion diversity, inclusion and wellbeing](#) and aim to create a workplace where everyone feels valued and a sense of belonging.

**Disability support**

As a Disability Confident employer, the Ministry of Justice is committed to providing everyone with the opportunity to demonstrate their skills, talent and abilities, by making adjustments throughout all elements of the recruitment process and in the workplace. You will be able to request reasonable adjustments to the recruitment process within the application form. We can offer reasonable adjustments to help with the online tests and online assessment centre. If you require any assistance, please call 0345 241 5358 (Monday to Friday 8am-6pm) or email [MoJ-recruitment-vetting-enquiries@gov.sscl.com](mailto:MoJ-recruitment-vetting-enquiries@gov.sscl.com).

**Person specification**

If you require any assistance please call 0845 241 5358 (Monday to Friday 8am-6pm) or e-mail [MoJ-recruitment-vetting-enquiries@gov.sscl.com](mailto:MoJ-recruitment-vetting-enquiries@gov.sscl.com). Please quote the job reference 65656.

Closing date 13th December 2022.

## Benefits

For more information about the recruitment process, benefits and allowances and answers to general queries, please click the below link which will direct you to our Candidate Information Page.

Link:

<https://justicejobs.tal.net/vx/candidate/cms/About%20the%20MOJ>

## Things you need to know

**Selection process details**

Please see job description

Feedback will only be provided if you attend an interview or assessment.

**Security**

Successful candidates must pass a disclosure and barring security check.

People working with government assets must complete [basic personnel security standard](#) checks.

### **Medical**

Successful candidates will be expected to have a medical.

### **Nationality requirements**

This job is broadly open to the following groups:

- UK nationals
- nationals of Commonwealth countries who have the right to work in the UK
- nationals of the Republic of Ireland
- nationals from the EU, EEA or Switzerland with settled or pre-settled status or who apply for either status by the deadline of the [European Union Settlement Scheme \(EUSS\)](#)
- relevant EU, EEA, Swiss or Turkish nationals working in the Civil Service
- relevant EU, EEA, Swiss or Turkish nationals who have built up the right to work in the Civil Service
- certain family members of the relevant EU, EEA, Swiss or Turkish nationals

### [Further information on nationality requirements](#)

### **Working for the Civil Service**

The [Civil Service Code](#) sets out the standards of behaviour expected of civil servants.

We recruit by merit on the basis of fair and open competition, as outlined in the Civil Service Commission's [recruitment principles](#).

The Civil Service embraces diversity and promotes equal opportunities. As such, we run a Disability Confident Scheme (DCS) for candidates with disabilities who meet the minimum selection criteria.

The Civil Service also offers a Redeployment Interview Scheme to civil servants who are at risk of redundancy, and who meet the minimum requirements for the advertised vacancy.

## **Apply and further information**

Once this job has closed, the job advert will no longer be available. You may want to save a copy for your records.

### **Contact point for applicants**

Job contact :

- Name :If you require any assistance please call 0845 241 5358 (Monday to Friday 8am-6pm) or e-mail [MoJ-recruitment-vetting-enquiries@gov.sscl.com](mailto:MoJ-recruitment-vetting-enquiries@gov.sscl.com). Please quote the job reference 65656.
- Email :[MoJ-recruitment-vetting-enquiries@gov.sscl.com](mailto:MoJ-recruitment-vetting-enquiries@gov.sscl.com)

Recruitment team :

- Email :[Moj-recruitment-vetting-enquiries@gov.sscl.com](mailto:MoJ-recruitment-vetting-enquiries@gov.sscl.com)

### **Further information**

Appointment to the Civil Service is governed by the Civil Service Commission's Recruitment Principles. If you feel a department has breached the requirement of the Recruitment Principles and would like to raise this, please contact SSCL (Moj-recruitment-vetting-enquiries@sscl.gse.gov.uk) in the first instance. If the role has been advertised externally (outside of the Civil Service) and you are not satisfied with the response, you may bring your complaint to the Commission. For further information on bringing a complaint to the Civil Service Commission please visit their web pages: <http://civilservicecommission.independent.gov.uk/civil-service-recruitment/complaints/>

<https://justicejobs.tal.net/vx/appcentre-1/brand-13/candidate/so/pm/1/pl/3/opp/65656-202210-Prison-Officer-HMP-Winchester/en-GB>

### **Attachments**

[PO Advert FAQs Feb 2021 V2 Opens in new window](#)(pdf, 359kB)

[17.10 Winchester Pass Opens in new window](#)(docx, 36kB)

[Apply at advertiser's site](#)

# Annex B: HMP Berwyn, HMP Norwich and HMP Aylesbury – Summary of Retention Reports

## OFFICIAL SENSITIVE

### Independent Review of Prison Officer Retention: HMP Berwyn Summary of Findings

Prepared by: Prison Officer Retention Research Team, October 2022  
(Research conducted February-April 2021) <sup>2</sup> OFFICIAL SENSITIVE

#### 1. Introduction

In early 2021 a piece of research was commissioned to investigate factors that might be contributing to high numbers of prison officer resignations at HMP Berwyn. The aim of this research was to identify potential causes of resignations to support the subsequent design and implementation of interventions to address the issues.

This report presents a summary of findings; a more detailed version of the report was provided to the Governing Governor directly in April 2021. **Please note: these findings are more than 18 months old, so may not be reflective of how staff are feeling now.**

#### 2. Methodology

To reduce the numbers of voluntary resignations we must understand the factors which may be contributing to people's decisions to leave. Every establishment will have different issues and specific reasons why people choose to leave, so to understand the factors that may be influencing voluntary resignations at Berwyn, approximately 26 staff were interviewed individually or in small group, both face-to-face onsite and over the telephone. These staff covered several roles, including recently resigned officers, serving officers, OSGs, custodial managers (CMs), non-operational staff, and senior managers.

Interviewees were asked what they enjoy about working at Berwyn, what factors might be influencing people's decision to leave, and what Berwyn need to get better at to make people stay. A ten-factor framework of attrition was developed based on prison officer and HRBP feedback during previous retention research elsewhere in the Estate. The feedback from staff at Berwyn was categorised according to these ten factors, as follows, to enable a structured analysis to take place:

- Leadership
- Staffing
- Induction
- Health and Wellbeing
- Environment
- Ways of Working
- Learning and Development
- Career Progression
- Role and Responsibilities
- Pay and Reward

**As with all qualitative research, which is based on gathering a wide range of views and opinions, it is important to remember that the findings are a representation of staff perceptions at that point in time. The perceptions are not necessarily factually correct; however, they give a valuable indication of how staff were feeling at that time and what they believed to be true, which in turn will have had a direct impact on attrition** <sup>3</sup> OFFICIAL SENSITIVE

### 3. Findings

All the drivers of attrition were relevant to staff at Berwyn, and feedback was shared about all of them. It seems that all the drivers, both individually and combined, were potential reasons why people were leaving at that time, although some of the drivers were more frequently mentioned as the likely causes of dissatisfaction and therefore attrition. The top four were Leadership, Staffing, Induction, and Health and Wellbeing.

There were a number of recurring themes that seemed to play a significant part in why some officers were feeling dissatisfied working at Berwyn. This is a summary of the ones which were most frequently mentioned and seemed to have the greatest negative impact:

- **Leadership concerns**, including insufficient leadership visibility on the wings; a lack of supportive leadership; instability amongst the management team with frequent changes being made to roles; and a lack of experience amongst managerial grades.
- **Communication issues**, including poor filtering of communication down the operational line, resulting in a blame culture; insufficient two-way communication; and in some cases, a lack of awareness regarding staff knowing who their line manager is.
- **Insufficient line manager support**, including a lack of meaningful conversations occurring; absence of SPDRs; and spans of control being too large.
- **Impact of staffing levels**, including an inconsistent spread of staff amongst wings; a vicious cycle whereby the lack of staff caused increased attrition, thus causing increased workload and pressure, a raised risk of burnout due to frequently working overtime, and reduced continuity and stability on the wings.
- **Specific challenges for new officers**, such as lack of support during the early months on the job; experiencing negativity from existing staff; and a lack of experienced role models for new officers to learn from.
- **Health and well-being concerns**, including the impact of the role upon mental health and the absence of proactive support regarding wellbeing.
- **Concerns specific to the working environment**, including an increased perception of poor safety for staff; staff feeling unsafe specifically due to a lack trust in their colleagues; an absence of standardisation across houseblocks; and a lack of staff facilities.

### 4. Next Steps

The full deep dive report was provided to the Governing Governor in April 2021 to provide a starting point for deciding what actions needed to be taken to address prison officer attrition. Further work is still ongoing to improve retention at Berwyn.

## OFFICIAL SENSITIVE

# Independent Review of Prison Officer Retention: HMP Norwich Summary of Findings

Prepared by: Prison Officer Retention Research Team

October 2022 2 OFFICIAL SENSITIVE

## 1. Introduction

A piece of research was commissioned to investigate factors that might be contributing to high numbers of prison officer resignations at HMP Norwich. The aim of this research was to identify potential causes of resignations to support the subsequent design and implementation of interventions to address the issues.

This report presents a summary of findings; a more detailed version of the report has been provided to the Governing Governor directly. There is an expectation that a local strategy will be developed to implement appropriate interventions to address the drivers of attrition identified during this research.

## 2. Methodology

To reduce the numbers of voluntary resignations we must understand the factors which may be contributing to people's decisions to leave. Every establishment will have different issues and specific reasons why people choose to leave, so to understand the factors that may be influencing voluntary resignations at Norwich, approximately 60 staff were interviewed individually or in small group, both face-to-face onsite and over the telephone. These staff covered several roles, including serving officers, OSGs, custodial managers (CMs), non-operational staff, and senior managers. Interviewees were asked what they enjoy about working at Norwich, what factors might be influencing people's decision to leave, and what Norwich need to get better at to make people stay. A ten-factor framework of attrition was developed based on prison officer and HRBP feedback during previous retention research elsewhere in the Estate. The feedback from staff at Norwich was categorised according to these ten factors, as follows, to enable a structured analysis to take place:

- Leadership
- Staffing
- Ways of Working
- Role and Responsibilities
- Environment
- Career Progression
- Induction
- Health and Wellbeing
- Pay and Reward
- Learning and Development

**As with all qualitative research, which is based on gathering a wide range of views and opinions, it is important to remember that the findings are a representation of staff perceptions at that point in time. The perceptions are not necessarily factually correct; however, they give a valuable indication of how staff are feeling and what they believe to be true, which in turn will have a direct impact on attrition**

### 3. Findings

A ten-driver framework of attrition was developed based on prison officer and HRBP feedback during previous retention research elsewhere in the Estate. The feedback from staff at Norwich was categorised according to these ten drivers of attrition. A summary of findings against each of these drivers is outlined below in Section 3.

All the drivers of attrition were relevant to staff at Norwich, and feedback was shared about all of them. It seems that all the drivers, both individually and combined, are potential reasons why people leave, although some of the drivers were more frequently mentioned as the likely causes of dissatisfaction and therefore attrition. The top four were Leadership, Staffing, Ways of Working and Roles & Responsibilities.

There were a number of recurring themes that seem to play a significant part in why some officers are feeling dissatisfied working at Norwich. This is a summary of the ones which were most frequently mentioned and seem to have the greatest negative impact:

- **Communication Issues, including** a lack of consultation; officers feeling “done to” rather than involved in decision making; poor filtering of communication down the operational line; and insufficient two-way communication.
- **Leadership concerns**, including insufficient leadership visibility on the wings; a lack of respect, support, and positive recognition for staff; and instability amongst the management team.
- **Dissatisfaction with the shift pattern**, including the impact of the shift pattern upon work-life balance and the compounding pressure this has on an already difficult role; regular occurrences of staff finishing late and struggling to gain this time back; and the number of days worked in succession.
- **Cultural Issues**, including the presence of a blame culture; a lack of respect in the way people of all grades communicate with one another; and unprofessional behaviours such as bullying and the inappropriate use of power.
- **Impact of current staffing levels**, which increases workload and pressure; raises the risk of burnout due to frequently working overtime; reduces continuity and stability on the wings; limits the amount of rehabilitative work that can happen; and reduces time available to undertake additional training and development.
- **Challenges regarding the prison officer role**, including what staff consider to be unrealistic expectations of them; a lack of meaningful work; challenges specific to A Wing; and immense day-to-day pressure.
- **Specific challenges for new officers**, such as lack of support during the early months on the job; experiencing negativity from existing staff; and a lack of experienced role models for new officers to learn from.

Some positive aspects were identified by some staff; overwhelmingly staff felt that the feeling of camaraderie amongst staff was positive, particularly the operational Bands 3 and 4s. Many staff reported that they enjoyed the scope of variety that Norwich offers, being such a complex site, and the opportunity to develop in a range of different work areas. A number of staff commented on the added benefits of working at the prison such as free parking, although limited, and free use of a gym. Some staff did mention that they thought the career progression opportunities were good, as there are often many roles available; however, these positions are available as a result of current staffing shortages.

However, the overall picture was that these positive factors are ultimately not enough to prevent resignations, and the challenging aspects of working at the prison tended to outweigh these positives.

### 4. Next Steps

The full deep dive report will provide the Governor and the SMT a starting point for deciding what actions need to be taken to address prison officer attrition. Further work will be undertaken by MoJ People Group to support Norwich with the next stages of identifying, designing, and implementing interventions, as deemed appropriate by the SMT and HR.

## **Independent Review of Prison Officer Retention: HMP Aylesbury**

### **Summary of Findings**

**Prepared by: Prison Officer Retention Research Team**

**September 2022** Official Sensitive

#### **1. Introduction**

A piece of research was commissioned to investigate factors that might be contributing to high numbers of prison officer resignations at HMP Aylesbury. The aim of this research was to identify potential causes of resignations to support the subsequent design and implementation of interventions to address the issues.

This report presents a summary of findings; a more detailed version of the report has been provided to the Governing Governor directly. There is an expectation that a local strategy will be developed to implement appropriate interventions to address the drivers of attrition identified during this research.

#### **2. Methodology**

To reduce the numbers of voluntary resignations we must understand the factors which are contributing to people's decisions to leave. Every establishment will have different issues and specific reasons why people choose to leave.

To understand the factors that may be influencing voluntary resignations at Aylesbury, 53 staff were interviewed individually or in small focus groups, both face-to-face onsite and over the telephone. Staff interviewed included non-operational staff, OSGs, Band 3 officers, supervising officers (SOs), custodial managers (CMs), and senior managers.

Interviewees were asked what they enjoy about working at Aylesbury, what factors they thought might be influencing people's decision to leave, and what Aylesbury need to get better at to make people stay.

A ten-factor framework of attrition was developed based on prison officer and HRBP feedback during previous retention research elsewhere in the Estate. The feedback from staff at Aylesbury was categorised according to these ten factors, as follows, to enable a structured analysis to take place:

- Ways of Working
- Leadership
- Induction
- Staffing
- Health and Wellbeing
- Pay and Reward
- Environment
- Learning and Development
- Career Progression

### 3. Findings

As with all qualitative research, which is based on gathering a wide range of views and opinions, it is important to remember that the findings are a representation of staff perceptions at that point in time. The perceptions are not necessarily factually correct; however, they give a valuable indication of how staff are feeling and what they believe to be true, which in turn will have a direct impact on attrition.

There was considerable consensus across the interviews and some clear themes emerged. **Official Sensitive.**

All of the drivers of attrition were relevant to staff at Aylesbury, and feedback was shared about each of them. It seems that all the drivers, both individually and combined, are potential reasons why people leave, although some of the drivers were more frequently mentioned as the likely causes of dissatisfaction and therefore attrition.

There were a number of recurring themes that seem to play a significant part in why some officers are feeling dissatisfied working at Aylesbury. This is a summary of the ones which were most frequently mentioned and seem to have the greatest negative impact:

- **Cultural issues**, including poor staff relationships and a lack of respect in the way people of all grades communicate with one another.
- **Being under-staffed** which increases workload and pressure; raises the risk of burnout due to frequently working overtime; impacts on regime consistency; impacts on support available for newer members of staff; and limits the amount of rehabilitative work that can happen.
- **Concerns about leadership**, including insufficient leadership visibility on the wings; lack of communication; and variable quality of line management.
- **Safety concerns** caused by a number of factors, such as being short-staffed; levels of staff experience; and issues around prisoner appeasement.
- **Specific challenges for new officers**, including lack of support during the early months in the job; experiencing negativity from existing staff; and an inconsistent induction experience.
- **Complaints about prison officer pay**, which is seen as insufficient to compensate for the stress of the job and the high cost of living in the local area.
- **Limited career development opportunities**, specifically with staff believing that Aylesbury has an unfair career progression process based on “who you know, not what you know”.

Whilst the purpose of this research was to find out why officers are choosing to leave Aylesbury, it is also important to understand what is working well. Positive aspects were identified by staff; for example, friendships with colleagues and the sense of camaraderie; the opportunity to support prisoners; and practical benefits, such as free parking, overtime opportunities, job security and the pension.

However, these positive factors do not appear to prevent resignations and the challenging aspects of working at the prison tended to outweigh these positives.

### 4. Next Steps

The full deep dive report will provide the Governor and the SLT a starting point for deciding what actions need to be taken to address prison officer attrition. Further work will be undertaken by MoJ People Group to support Aylesbury with the next stages of identifying, designing, and implementing interventions, as deemed appropriate by the SLT and HR.

## **Annex C: POA Conference Policy on Pay**

The POA believe it is vital to remind the PSPRB of current live POA Conference Policy related to pay. This policy is decided by its members at its annual conference. As this is the agreed policy of the union the POA reserves the right to address the issues at Oral Evidence sessions with the PSPRB.

**10e/15** In light of the recent 0% Pay Award for the majority of staff, Conference urge all Branches to only work/operate shift patterns and profiles that are entirely compliant with Bulletin 8 and the Working Time Directive, except where there is a National Collective Agreement, or an individual opts out.

**14/15** All staff who are subjected to Operation Tornado should be paid the Tornado rate of pay.

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

**42/15** That Conference utilises whatever means are available to stop the disgraceful misuse of staff resources, in terms of detached duty.

**94/15** Conference accept that NOMS job evaluation scheme (JES) is not fit for purpose. Furthermore, conference refute that operational and non-operational grades are in the same pay band. Therefore, Conference instructs the NEC to negotiate the introduction of an operational allowance for operational bands 2 to 5 over and above the current 17% unsocial hours to reflect the different working conditions and difficulties that operational grades face in the workplace on a daily basis.

**39/16** That conference mandate the NEC to engage with NOMS regarding fair remittance for the use of trained negotiators in recognition of the challenging role they perform in that they are paid the same rate as other staff called in during incidents whether it be payment plus or tornado.

**53a/17** In light of the recently imposed pay rise on F & S staff within the 31 sites, that Conference instruct the NEC to negotiate and impose with her Majesty's Prison and Probation Service that all closed grades irrespective of rank, have their working hours reduced from 39 hr to 37hr per week at no detriment whatsoever to any pay or conditions, as a reward for their loyalty and continued Service in extremely difficult circumstances.

**66b/17** The NEC negotiate that all staff who hold an additional qualification for example ACCT assessor, C&R Advanced, Hostage Negotiator, Care Team and First Aid are given a consolidated yearly retention bonus per Qualification.

Should this be refused the membership instruct the NEC to take whatever action they deem necessary to achieve this goal.

**69/17** That Conference instructs the NEC to negotiate with NOMS that all staff of Uniformed Grades have a reduced working week of 37 hours, at no detriment to pay, pensions and conditions.

**79/17** That Conference mandates the NEC to negotiate with NOMS, a pensionable pay, Payment Plus rate.

**85/17** For the NEC to seek Specialist Pay for Tornado and Negotiator trained staff in recognition of the frequent courageous and dangerous work they carry out for the benefit of the Prison Service and their colleagues.

**89/17** The NEC continue negotiations with the Government over the current pension age and that they inform them the retirement date for all operational staff must be set to 60 years of age. The membership instruct the NEC to take whatever action they deem necessary to achieve this goal.

**40/18** That Conference mandate the NEC to demand the Employer assume full responsibility for the payment of additional hours worked including, but not limited to Bed watch, Payment Plus and Tornado Duty.

**48/18** That Conference instruct the NEC to negotiate with HMPPS to make Payment Plus pensionable for all grades owing to the fact that the current Alpha pension scheme is a career average scheme.

### **62B/18 Was Emergency Motion 3**

In light of the indicative ballot result and the recommendations of the Pay Review Body who have again failed to address the pay and allowances of the OSG / Band 2 operational staff, this Conference mandates the NEC to remove our OSG/Band 2 members from the remit group of the PSPRB and enter into formal collective bargaining with the employer and Government for the purposes of pay and allowances from 2019.

### **62C/18 was Emergency Motion 4**

That this Conference mandate the NEC to ballot our OSG colleagues to form a strategy which could ultimately include strike action, this to secure the best pay deal possible for this group of the POA membership. The ballot to comply with current TULCRA legislation.

**37/18** Conference mandate the NEC to pursue an uplift in the payment of Care and Maintenance for both Search and Patrol Dog Handlers when they have 2 dogs. The current practice is a yearly payment with a percentage uplift of this payment for having a second dog, whereas it should be a yearly payment for each dog.

**22/22** Conference instruct the NEC to negotiate with HMPPS to ascertain a defined upper limit percentage of unsociable hours worked due to the detrimental effects and concerns over members health and safety.

**33/22** Conference ratifies Conference Paper 2 on the campaign to achieve a pensionable age of 60 for those members of the Civil Service and others Pension Scheme.

**72/22** That Conference reaffirms current policy as set out in ACM 84/10 that the POA does not recognise the current definition of "unsocial hours." Furthermore, conference mandate the NEC to seek a change so that all hours worked outside 0800 – 1700 Monday to Friday are deemed as unsocial hours.

**73/19** For the NEC to negotiate an extra payment for OSGs carrying out skilled task which require them to pass an examination for example control room trained OSGs. For all OSGs carrying out extra duties to also receive this payment including care team, youth justice foundation degree etc.

**55/19** Conference mandate the NEC to stop the Annual Workplace Ballot in regard to the PSPRB Annual Award.

**49/22** That the NEC should engage with the HMPPS Pay Review Body to have staff awarded additional pay, to be further negotiated, for every additional role/specialism they undertake as part of their job.

**58/22** Conference instructs the NEC to seek an operational allowance for all front-line staff because clearly the unsocial hours allowance as it stands does not provide adequate recompense for the additional challenges they face.

# Annex D: Pay Growth - LRD Volume 84 Issue 50 (15 December 2022)

# FACT SERVICE

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Department**

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- ▶ Inflation finally slows
- ▶ Shops union calls for proper Xmas break for workers
- ▶ 2022 'was worst year for pay'
- ▶ Latest legal challenge on agency regs receives green light
- ▶ Two in five families 'will be unable to afford essentials'

## Strikes reach 11-year high

As union members strike or prepare for strike action, the Office for National Statistics (ONS) has confirmed that the number of working days lost to strikes in October reached 417,000, the highest level since November 2011. The figure is certain to rise in the next few weeks.

The announcement forms a backdrop to the wave of strikes – largely motivated by the gap between rising inflation and wages – that is unprecedented in recent years. Rail workers, bus drivers, ambulance staff, postal workers, nurses, highways workers, driving examiners, health workers, teachers, college lecturers, Border Force employees, and baggage handlers are among those striking or about to strike in parts of (or across) the UK (see previous issues).

Some 115,000 Royal Mail workers from the Communication Workers Union (CWU) will be taking industrial action on 23 December and Christmas Eve, while TSSA members at Cross Country will strike on Boxing Day. ASLEF members have voted to continue strikes, while PCS members are engaged in rolling strikes.

Meanwhile, NHS physiotherapy staff in England and Wales who are members of the CSP union have voted to take strike action in their first ever ballot on pay and retention issues, as have midwife and maternity support worker members of the Royal College of Midwives (RCM) in Wales.

Earlier this week, Royal College of Nursing officials

met with health secretary Steve Barclay with hopes of beginning formal pay negotiations, which, the union notes, could have averted strike action. It reports that "Mr Barclay refused to discuss pay, and therefore strikes will go ahead as planned on Thursday 15 and Tuesday 20 December".

And the GMB general union reports that almost 300 health care workers, including nurses, health care assistants, cleaners, support and admin staff at Mersey Care will walk out for 24 hours from 00:01 on 28 December 2022 – joining more than 10,000 ambulance workers striking on the same day.

The TUC blamed government intransigence. "The prime minister should stop attacking working people trying to defend their pay, and sit down to negotiate fair pay rises with unions," general secretary Frances O'Grady commented.

<https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/timeseries/t1az/ins>

<https://www.rmt.org.uk/news/no-to-network-rail-offer>

<https://www.cwu.org/news/royal-mail-property-facilities-members-to-strike-on-thursday>

<https://www.tssa.org.uk/news-and-events/tssa-news/tssa-plans-boating-day-strike-at-crosscountry>

<https://aslef.org.uk/publications/ballot-results/train-drivers-vote-overwhelmingly-continue-strike>

<https://www.pcs.org.uk/news-events/news/huge-support-first-day-pcs-strike-action>

<https://www.ucu.org.uk/article/12659/Stunning-ballot-result-uccs-staff-renew-strike-mandate-at-Manchester-College>

<https://www.rcn.org.uk/news-and-events/news/uk-rcn-strikes-will-go-ahead-health-secretary-refuses-to-discuss-pay-131222>

<https://www.rcm.org.uk/media-releases/2022/december/midwives-in-wales-vote-yes-to-industrial-action>

<https://www.rcn.org.uk/news-and-events/news/uk-rcn-strikes-will-go-ahead-health-secretary-refuses-to-discuss-pay-131222>

## Inflation finally slows

Inflation eased to 10.7% CPI/12% RPI, in October, down from the 41-year high of 11.1%/14.2%, but continues to outstrip wages growth, according to the ONS.

The largest downward contribution to the change in CPI came from transport, particularly motor fuels, while rising prices in restaurants, cafés and pubs made the largest upward contribution, the ONS said.

The latest figures also highlight the disparity between public and private sector pay growth. Average wage growth for private sector workers was 6.9% between August and October, but just 2.7% for those in the public sector.

The ONS explained that "This is the largest growth rate seen for the private sector and is among the largest differences between the private sector and public sector growth rates we have seen".

Overall, regular pay grew by 6.1% in the three months to October. This would normally qualify as strong growth, but, taking inflation into account, it represents a wages drop of 2.7%. Across the economy as a whole, growth in average total pay (including bonuses) and regular pay (excluding bonuses) employees was the same, at 6.1%.

"Inflation fell at its fastest rate in 16 months in November, driven by falling fuel price inflation and a welcome slowing in food price inflation. Britain may now be past its inflation peak," Jack Leslie, senior economist at the Resolution Foundation think tank, commented.

"But with price rises still massively outstripping pay rises – and Britain's poorest families facing an inflation rate of over 12% – families are still getting poorer month-on-month, and the cost of living crisis will continue to deepen in 2023," he predicted.

The TUC pointed out that inflation is still "sky-high" and said that pay rises were the answer, describing 2022 as "the worst year for real wage growth in nearly half a century" (see page 2).

Sharon Graham, general secretary of the Unite general union, commented: "With the government

essentially calling for a national pay cut, wages still trail behind price rises. Families and communities are being set up to pay the price of a crisis not of their making. Different choices can and must be made."

Both the employment and unemployment rates rose in the period August to October 2022, while the economic inactivity rate declined.

Employment stood at 75.6%, 0.2 percentage points higher than the previous three-month period, while unemployment was 3.7%, 0.1 percentage points higher than the previous three-month period.

The economic inactivity rate was 21.5%, 0.2 percentage points lower than the previous three-month period, but 1.3 percentage points higher than before the pandemic.

Total hours worked decreased compared with the previous three-month period and are still below pre-coronavirus pandemic levels.

Regionally:

- for the three months ending October 2022, the highest employment rate in the UK was in the East of England and the South West (79.2%) and the lowest was in the North East (71.2%), while Scotland (75.9%) had a joint record high;
  - the highest unemployment rate was in the West Midlands (4.9%) and the lowest was in the South West (2%), which was a record low, while the East of England (2.7%) had a joint record low;
  - the highest economic inactivity rate estimate in the UK was in Northern Ireland (26.7%) and the lowest was in the East of England (18.6%);
  - Wales saw the largest increase in the inactivity rate compared with the same period last year, up 1.8 percentage points;
  - between June 2022 and September 2022, workforce jobs increased in eight out of 12 regions of the UK; and
  - the number of payrolled employees continued to rise in all regions; comparing November 2022 with the same period of the previous year, increases in payrolled employees ranged from 4.2% in London to 2.1% in the North West.
- The UK economy shrank between August and October, with GDP contracting by 0.3%, the ONS has announced. The TUC responded by saying that "Britain needs a pay rise".

<https://www.ons.gov.uk/releases/consumerpriceinflationuknovember2022>

<https://www.ons.gov.uk/releases/uklabourmarketdecember2022>  
<https://www.resolutionfoundation.org/press-releases/sharpest-fall-in-inflation-in-16-months-will-be-of-more-comfort-to-policy-makers-than-families>  
<https://www.unitetheunion.org/news-events/news/2022/december/inflation-workers-face-a-bleak-midwinter>  
<https://www.ons.gov.uk/economy/grossdomesticproductgdp/bulletins/gdpmonthlyestimatesuk/october2022>  
<https://www.tuc.org.uk/news/gdp-government-must-stop-damaging-recession-and-job-losses>

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## Shops union calls for proper Xmas break for workers

Retail workers' union Usdaw has called again for supermarkets to stay closed on Boxing Day, as a poll of 1,763 UK adults showed that almost eight in 10 support the move. The union's own polling found that 97% of supermarket workers also want the closure.

Paddy Lillis, Usdaw general secretary, explained: "Last year we welcomed the many retailers who decided not to open on Boxing Day. Regrettably this was not the hoped-for beginning of a permanent move, with too many stores now set to open this 26 December. This YouGov poll and Usdaw's survey of shopworkers shows that retailers are not only out of touch with their staff, but also with nearly 80% of the public.

"Finishing late on Christmas Eve and then getting straight back to work on Boxing Day means that too many shopworkers spend too little time with their loved ones. Our members tell us of how they arrive home shattered and have to spend time on Christmas Day getting ready for work the next day, which is why 97% want shops to shut on Boxing Day.

"Shops can open for 150 hours a week in the run-up to Christmas and beyond, and many do, so we think a two-day break for staff is not unreasonable. We urge retailers to listen to the overwhelming majority of shoppers and shopworkers and keep their doors closed on Boxing Day every year," he concluded.

Comments Usdaw received from its survey of members included "My child is always upset when I have to work late on Christmas Eve and Boxing Day" and "I can remember Christmas being a holiday, rather than a retail fest".

<https://www.usdaw.org.uk/About-Us/News/2022/Dec/YouGov-poll-finds>

## 2022 'was worst year for pay'

This year has been the worst for real wage growth in nearly half a century, the TUC has said, after its analysis of official statistics showed that real wages (wages after the cost of living has been taken into account) dropped by 3% during 2022.

This is the sharpest fall in real wages since 1977 and the second worst on record since 1945, it added, with working people losing an average £76 a month as a result of their pay not keeping pace with inflation.

According to the TUC, key workers in the public sector have been hit hardest, with the government's decision to hold down public sector pay meaning that those workers have lost, on average, £180 a month in real earnings over the past 12 months.

This equates to nurses' real pay falling by £1,800 over the last year, paramedics' real pay by £2,400, and midwives' real pay by £2,400.

"The Conservatives have presided over the longest real wage squeeze in over 200 years. That is a badge of shame," TUC general secretary Frances O'Grady commented.

"If there are strikes across different sectors this winter the government only have themselves to blame.

"They have chosen to hold down the pay of our pandemic heroes and make the staffing crisis in our public services worse. Where unions are allowed to negotiate with employers they're winning better deals – from buses to BT.

"But this Conservative government is preventing meaningful negotiations from taking place. Ministers seem more interested in escalating disputes than resolving them," she concluded.

<https://www.tuc.org.uk/news/tuc-2022-worst-year-real-wage-growth-nearly-half-century>

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## Latest legal challenge on agency regs receives green light

The TUC reports that the High Court has granted the go-ahead to a legal challenge to protect the right to strike it is bringing with 11 unions.

The unions – ASLEF, BFAWU, FDA, GMB, NEU, NUJ, POA, PCS, RMT, Unite and Usdaw – have taken the case against the government’s new regulations which allow agency workers to fill in for striking workers.

The challenge is expected to be heard alongside with separate legal cases launched by UNISON and NASUWT against the government’s agency worker regulations (see previous issues).

The union organisation says the move will be a “major blow” to government attempts to undermine workers’ right to strike for better pay and conditions. It comes as news reports suggest the government is considering new ways to restrict workers’ right to strike. This includes legislation on minimum service levels in transport.

The unions argue that the agency worker regulations are unlawful because:

- the then secretary of state for business failed to consult unions, as required by the *Employment Agencies Act 1973*; and
- they violate fundamental trade union rights protected by Article 11 of the *European Convention on Human Rights*.

The Recruitment and Employment Confederation (REC), which represents suppliers of agency workers, has also described the proposals as “unworkable”, while the Lords committee scrutinising the legislation said “the lack of robust evidence and the expected limited net benefit raise questions as to the [new laws] practical effectiveness and benefit”.

As previously reported, the TUC has reported the UK government to the International Labour Organization (ILO) over its recent anti-union and anti-worker legislation and proposals, including the government’s agency worker regulations, which it says are in breach of international law.

TUC general secretary Frances O’Grady said: “The right to strike is a fundamental British liberty. Threatening this right tilts the balance of power too far towards employers. It means workers can’t stand up for decent services and safety at work – or defend their jobs and pay.”

Richard Arthur, head of trade union law at Thompsons Solicitors, which is representing the TUC-coordinated unions, explained: “This is a timely reminder that the government is not above the law when it tries to restrict the rights of working people to take industrial action.

“The court has agreed with the trade unions that the government’s decision-making should be scrutinised against UK and international legal standards at a hearing to take place from late March onwards.”

<https://www.bbc.org.uk/news/high-court-green-lights-union-legal-challenge-against-strike-breaking-agency-worker>

## Two in five families ‘will be unable to afford essentials’

Two in five families will be unable to afford a decent standard of living by the next general election, the New Economics Foundation (NEF) has said.

The think tank’s research shows that, by December 2024, 43% of families (12.5 million households, 30.6 million people) will be unable to afford the cost of essentials, like putting food on the table or replacing clothes – an increase of 12 percentage points (3.6 million families, 8.9 million people) between the 2019 general election and December 2024.

As a result, the NEF is calling for universal credit to be replaced by a new social security system, a national living income intended to set a point below which no one can fall whether they are in or out of work.

- Over three million low-income households have not been able to keep their home warm because they aren’t able to afford it as dangerously cold weather sets in, the Joseph Rowntree Foundation estimates.

The figure is based on a survey of 4,251 people in the bottom 40% of incomes, which asked how they were coping with the rising cost of living.

<https://neweconomics.org/2022/12/the-national-living-income>

<https://www.jrf.org.uk/press/over-three-million-low-income-households-said-they-have-not-been-able-keep-their-home-warm>

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# Annex E: HMP North Sea Camp OSG Shift Pattern 47% Unsocial Hours

v1.03 2021

Shift Sequence

Hide Shift Timings

Show Shift Timings

Contracted Hours

39

Unsocial Hours

47.0%

	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Total		
A	1.00						1.00	2.00		
L	1.00	2.00	2.00	2.00	2.00	2.00	1.00	12.00		
M	2.00	2.00	2.00	2.00	2.00	2.00	2.00	14.00		
E	1.00	4.00	4.00	4.00	4.00	4.00	1.00	22.00		
R	5.00	2.00	2.00	2.00	2.00	2.00	5.00	20.00		
									<b>Diff</b>	<b>EDs</b>
1	R	N	N	N	N	N	N	66.00	27.00	
2	N	R	R	R	R	R	R	11.00	-28.00	
3	R	L229	M21	E27	R	L229	M21	38.50	-0.50	2.00
4	M21	E	R	M	E27	M	R	37.00	-2.00	
5	R	M	E27	R	L229	E	A302	39.25	0.25	2.00
6	E18	R	L229	A302	M	E	R	40.00	1.00	2.00
7	R	N	N	N	N	N	N	66.00	27.00	
8	N	R	R	R	R	R	R	11.00	-28.00	
9	R	L229	M21	M	E	R	L229	39.50	0.50	2.00
10	M21	R	L229	E18	M21	M21	R	39.50	0.50	1.00
11	R	M	E18	M21	R	A302	E18	40.50	1.50	1.00
12	L229	E	R	L229	M21	M21	R	39.00	0.00	2.00
13	R	N	N	N	N	N	N	66.00	27.00	
14	N	R	R	R	R	R	R	11.00	-28.00	
15	R	M21	M	M21	E	R	M21	40.00	1.00	
16	A302	M	E	R	L229	E	R	39.75	0.75	2.00

# Annex F: HMP Bedford OSG Group Hours Calculation

GROUP SIZE CALCULATION	
Establishment	Bedford
Year/Version	September 20
Group	OSG
DAY	HOURS
MONDAY	126.25
TUESDAY	126.25
WEDNESDAY	131.00
THURSDAY	133.75
FRIDAY	114.50
SATURDAY	97.50
SUNDAY	93.75
<b>TOTAL</b>	<b>823.00</b>
<b>TOTAL NIGHTS HOURS</b>	<b>539.00</b>

The table above shows 539 Night Hours on a shift pattern of 823 hours showing unsocial hours greater than 65%.

# Annex G: HMP Bedford OSG Group Hours Calculation

<b>HM PRISON SERVICE</b>			
<b>INTEGRATED PROFILING SYSTEM</b>			
<b>PROJECT</b>	<b>STOKE HEATH</b>	<b>GROUP</b>	<b>OSG 37 HOUR</b>

	SUN	MON	TUES	WED	THUR	FRI	SAT	TOTAL
<b>A</b>								
<b>L</b>								
<b>M</b>								
<b>E</b>								
<b>RD</b>								
1	RD	N	N	N	N	N	N	66.00
2	N	RD	RD	RD	RD	RD	RD	11.00
3	RD	L491	M21	L491	E42	RD	M83	35.00
4	L397	M21	L229	E42	RD	E42	RD	35.50
5	RD	N	N	N	N	N	N	66.00
6	N	RD	RD	RD	RD	RD	RD	11.00
7	RD	L229	E42	E2	RD	L397	M84	35.50
8	M330	M21	L491	L491	M21	RD	RD	36.75
9	RD	N	N	N	N	N	N	66.00
10	N	RD	RD	RD	RD	RD	RD	11.00
11	RD	M38	L229	M21	L491	RD	E27	36.25
12	L397	E42	RD	L229	M21	E42	RD	35.50
13	RD	L229	M21	E42	E42	RD	L397	35.50
14	M83	E42	L491	M38	E2	RD	RD	35.00
15	RD	N	N	N	N	N	N	66.00
16	N	RD	RD	RD	RD	RD	RD	11.00
17	RD	L491	E42	RD	M38	L397	M330	35.75

18	M17	E42	RD	L229	M21	E27	RD	35.00
19	RD	N	N	N	N	N	N	66.00
20	N	RD	RD	RD	RD	RD	RD	11.00
21	RD	L229	M21	L491	E42	RD	M330	35.75
22	M84	RD	L491	M21	L229	E42	RD	35.75
23	RD	N	N	N	N	N	N	66.00
24	N	RD	RD	RD	RD	RD	RD	11.00
25	RD	L491	M21	E42	L229	RD	M17	36.00
26	M17	E2	RD	L491	E2	M19	RD	35.50
27	RD	N	N	N	N	N	N	66.00
28	N	RD	RD	RD	RD	RD	RD	11.00
29	RD	L491	E2	M38	L491	RD	M83	35.75
30	M17	M21	L491	M21	RD	E42	RD	36.25
31	RD	L491	E42	RD	M21	L397	M17	36.00
32	M83	RD	L491	E42	L491	M60	RD	35.25
33	RD	N	N	N	N	N	N	66.00
34	N	RD	RD	RD	RD	RD	RD	11.00
35	RD	M21	E42	L491	M70	RD	L397	36.75
36	E27	RD	L229	M21	L229	E27	RD	35.00
37	RD	N	N	N	N	N	N	66.00
38	N	RD	RD	RD	RD	RD	RD	11.00
39	RD	E42	M21	E42	RD	L397	M83	36.50
40	M330	M38	M38	RD	L491	E2	RD	36.75
41	RD	N	N	N	N	N	N	66.00
42	N	RD	RD	RD	RD	RD	RD	11.00
43	RD	L491	E2	RD	L491	M19	M17	35.50
44	L397	E2	RD	L229	M38	E42	RD	36.25
45	RD	E42	M38	L491	M21	RD	L397	36.50
46	M83	RD	L491	E2	L491	M19	RD	36.75
TOTAL GROUP HOURS								1702.00
AVERAGE WEEKLY HOURS								37

10 sets of nights = 770 Nights Hours within 1702 hours shift pattern = 45% Red Hours.

# Annex H: HMP Bedford OSG Group Hours Calculation

v1.05 2022

Hide Shift Timings

Shift Sequence

Show Shift Timings

Contracted Hours

39

Unsocial Hours

65.4%

	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Total		
A	3.00	4.00	4.00	4.00	4.00	4.00	3.00	26.00		
L	1.00						1.00	2.00		
M	6.00	8.00	10.00	7.00	10.00	7.00	6.00	54.00		
E	1.00						1.00	2.00		
R	11.00	10.00	8.00	11.00	8.00	11.00	11.00	70.00	Diff	EDs
1	R	R	R	R	R	N	N	22.00	-17.00	
2	N	R	R	R	R	R	R	11.00	-28.00	
3	R	M1210	M910	R	R	R	R	17.50	-21.50	
4	R	R	R	M910	M1210	M18	R	25.50	-13.50	
5	R	R	R	R	R	R	M	9.00	-30.00	
6	M	R	R	R	R	R	R	9.00	-30.00	
7	R	R	M21	A29	M18	R	R	28.50	-10.50	1.00
8	R	R	R	R	M910	R	R	9.00	-30.00	
9	R	R	R	R	R	A29	M18	20.00	-19.00	1.00
10	L11	R	R	R	R	R	R	8.50	-30.50	1.00
11	R	N	N	N	N	R	R	44.00	5.00	
12	R	R	R	R	R	R	R			
13	R	R	R	R	R	A29	M18	20.00	-19.00	1.00
14	M	R	R	R	R	R	R	9.00	-30.00	
15	R	R	M910	M910	M18	R	R	26.00	-13.00	
16	R	R	R	R	A29	M910	R	21.00	-18.00	1.00
17	R	R	R	R	R	M18	E329	14.50	-24.50	
18	A29	R	R	R	R	R	R	12.00	-27.00	1.00
19	R	N	N	N	N	R	R	44.00	5.00	
20	R	R	R	R	R	R	R			
21	R	R	R	R	R	R	M1210	8.50	-30.50	
22	E329	M910	R	R	R	R	R	15.50	-23.50	
23	R	R	M910	A29	M21	R	R	29.50	-9.50	1.00
24	R	R	R	M18	M1210	M910	R	25.50	-13.50	
25	R	R	R	R	R	R	A29	12.00	-27.00	1.00
26	M21	R	A29	R	R	R	R	20.50	-18.50	1.00
27	R	R	M1210	A29	M18	R	R	28.50	-10.50	1.00
28	R	R	R	R	M1210	M910	R	17.50	-21.50	

## **Annex I: HMPP PPRB Stats Pack 2022**

See attached: Copy of PRB Stats Pack 2022\_final (002).xlsx

## **Annex J: Prison Resource Analysis 1.01**

See attached: Copy of Prison Resource Analysis v1.01 - November 2022.xlsb

## **Annex K: Fair & Sustainable Part 2**

See attached: Fair and Sustainable Part 2.pdf

## **Annex L: HMPPS PM early adopter survey report v1.2 final**

See attached: OFFICIAL SENSITIVE - HMPPS PM early adopter survey report v1.2 final.pdf