ANNUAL CONFERENCE SOUTHPORT 2015

AGENDA



REPORT OF STANDING ORDERS COMMITTEE 2015

The Standing Orders Committee makes the following recommendations to Conference in regard to rules of procedure and the order of business of Conference. The Committee recommends that the Conference should sit as follows:

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Tuesday 09.30 - 17.30 Wednesday 09.00 - 18.00 Thursday 09.00 - 18.00

STANDING ORDERS

- The Chairman's ruling on any question under Standing Order's, or on points of order shall be final unless challenged. The correct method of challenging
 the Chairman's ruling shall be to move "That the Chairman do now leave the Chair". Such a motion cannot be put unless it has the support of ten branches.
 When put, it can only be carried by a majority of two thirds of those voting. In these circumstances, the Chairman will continue to preside over the debate.
- 2. The attention of delegates is drawn to the procedure for raising a 'point of order'. The 'point of order' must deal with the conduct or procedure of the debate. The delegates rising to put the 'point of order' must prove one of the following:
 - i) That the speaker is moving outside the scope of the question.
 - (ii) That the speaker is using 'un-parliamentary' language by making remarks of a personal nature, particularly if they are abusive, or by using obscene language.
 - (iii) That the speaker is transgressing a Rule of the Association.
 - (iv) That the speaker is infringing the Standing Orders, or in the absence of Standing Orders is acting contrary to the general custom of debate.
 - (v) That the speaker may be acting unlawfully or may be provoking violence by citing sexual or racial hatred.
- If any member causes a disturbance during the proceedings and refuses to obey the Chairman's ruling he shall be expelled from the Conference and not allowed to return until a suitable apology has been tendered.
- 4. The Chairman shall not vote on any question unless there is an equal number of votes cast on each side, when he shall have the casting vote.
- 5. Time Limit: In resolutions appearing on the Agenda the mover shall be allowed five minutes for introducing the motion and shall have the right of reply to the debate, the reply also being limited to five minutes. No other member shall be allowed to speak twice on any Motion except at the discretion of the Chair. All other speeches shall be limited to three minutes.
- Resolutions can only be dealt with by the consent of the majority.
- (i) In the case of Motions seeking to bring about a new rule or change to a rule, Rule 29.1 is to be followed (i.e. two thirds majority).
- (ii) Voting on all Motions at Conference shall be by a show of hands although a card vote may be demanded provided that it is supported by at least ten delegates following any such open vote. (Rule 12.10)
- (iii) A card vote must be called before the Chairman calls the next resolution. Where a card vote is called for in the last resolution of a session, it must be taken before the close of that session.
- 7. Delegates and Observers are to occupy the accommodation made available to them. Delegates will remain in their seats during the taking of a vote and delegates shall remain in Conference until the end of the session, unless excused by the Chairman.
- 8. We recommend that the Minutes of the last Annual Conference and any subsequent Special Conference be adopted as read.
- 9. Branches are reminded that fourteen day's notice must have been given to the Finance Officer of any question which delegates desire to raise at Conference from the Statement of Accounts.
- 10. Amendments to Resolutions cannot be accepted for discussion at the Conference if such amendments have not been discussed in all the branches as required by Rule 12.5c.
- 11. The procedure for dealing with the disposal of items submitted to the Standing Orders Committee shall be in accordance with Conference Paper 4/2006 (ACM 37/06).
- 12. Delegates, guests and visitors are reminded that mobile phones **must** be switched off and not used in the hall whilst Conference is in session.
- 13. There is to be **no smoking** in the Conference Hall.

STANDING ORDERS COMMITTEE

RALPH VALERIO - CHAIRMAN GLYN TRAVIS - SECRETARY TERRY FULLERTON MICK GRATTON - V/C SCOTLAND

Order of Business ANNUAL CONFERENCE 2015

Day One

Registration
Welcome Speech by The Worshipful the Mayor of Sefton
Standing Orders Report
Election of Scrutineers and Tellers
Appeals to Annual Conference
Adoption of Standing Orders Report
Minute Silence
National Chairman's Opening Address
Finance Officer's Report
Annual Conference of the Welfare Committee and Welfare Fund Report
Annual Conference Motions

Day Two

NCSHCS AGM Annual Conference Motions Awardees & Presentations Annual Conference Motions

Day Three

Presentation by Dr Gail Kinman - POA Members Work-Related Stress and Wellbeing Survey
Annual Conference Motions
National Chairman's Closing Address
Close of Annual Conference 2015

Note: The adoption of the Annual Report 2014 will be placed before Conference at an appropriate time.

Speakers will be announced during the course of Annual Conference.

Annual Conference 2015 12th - 14th May 2015

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MOTION	NEC Speaker	NEC Recommendation
RULES AND CONSTITUTION		
That conference accept it is in the best interests of our membership that, with effect from the end of conference 2015, we de-affiliate from membership of Eurofedop. Therefore, conference amend Rule 2.2(a) to read "Affiliate to relevant bodies, including the Trade Union Congress." NEC		
This Conference reaffirms Rule 12.4 Conference will determine the principles and policies of the Union, except where these Rules provide differently. HOLLESLEY BAY		
Conference accepts Conference Paper One, which introduces changes to the process, policy and rules appertaining both to Annual and Special Delegates Conferences. NEC		

REMARKS	Conference Decision	Disposal of Motion

MOTION	NEC Speaker	NEC Recommendation
HEALTH AND SAFETY		
4. The NEC engage with Crown Premises Fire Inspection group to produce a report and subsequent recommendations to NOMS that review the current night staffing levels in all prisons and presents that report to NOMS by 30 November 2015. HOLME HOUSE		
5. The NEC should engage with Crown Premises Fire Inspection group and produce a number of suggested safe system of work for dealing with a cell fire containing either a single or multiple noncompliant prisoner or prisoners and that these safe systems of work should be presented to NOMS by 30 November 2015. HOLME HOUSE		
6. Conference instructs the NEC to affirm its commitment to the Health and Safety of all workers in the Public Sector Prisons, Private Prisons and Contracted Services by insisting on the provision of inoculations and boosters for Tetanus and Hepatitis provided by the employer at the place of work or as close as is reasonably practical. BIRMINGHAM		
7. Conference instructs the NEC to ensure the provision of all Personal Protection Equipment contained within PSO's, PSI's, Health and Safety legislation and instructions to NOMS, to all workers in Private Sector Prisons and Contracted Services. BIRMINGHAM		

REMARKS	Conference Decision	Disposal of Motion

MOTION	NEC Speaker	NEC Recommendation
AWARDS		
That Conference award Honorary Life Membership to John Hancock. NEC		
9. That Conference award Mr Terry Bond Honorary Life Membership. NEC		

REMARKS	Conference Decision	Disposal of Motion

MOTION	NEC Speaker	NEC Recommendation
PAY AND CONDITIONS		
10. Having reaffirmed Rule 12.4 Conference seeks an explanation from the NEC regarding their submissions to the Prison Service Pay Review Body. The NEC in their 2015 submissions to the PSPRB asked that all staff have the contractual right to work 37 hours; plus a minimum of 2 hours ACH up to a maximum of 4 hours ACH per week. This is in direct contravention to the principles and policy set by conference; reference Motion 34/2011. HOLLESLEY BAY		
11. That Conference mandates the NEC to challenge NOMS on the amount of subsistence given to staff, that are out of the establishment for over 5 hours and make it in line with what offenders receive which is £5.65 when on day release of a duration of over 5 hours. Then pro rata over 10s and over 12 hours accordingly. STANDFORD HILL		
12. Subsistence payments should be increased to the following rates: Overnight subsistence should be increased to £30 per night Over 5s should be increased to £7.50 Over 10s should be increased to £15.00 Over 12s should be increased to £25.00 LIVERPOOL		
13. When OSGs are asked to attend over their allotted hours in one week, a payment of 1½ for week days up until 21.00 and after 21.00 hours and weekends double time is paid. If this is not agreed by the Pay Review Body, a national ban comes into force immediately on the Monday after Conference finishes. DURHAM		
All staff who are subjected to Operation Tornado should be paid the Tornado rate of pay. LIVERPOOL		
15. The allowance for dirty protests should be increased to £30.00 per shift. LIVERPOOL		

REMARKS	Conference Decision	Disposal of Motion

MOTION	NEC Speaker	NEC Recommendation
16. A payment of £30 per hour be negotiated for constant watches and bed watches outside of conditional hours. If this in not agreed by the Pay Review Body, a national ban comes in to force immediately on the Monday after Conference finishes. DURHAM		
17. A payment of £30 per hour be negotiated for payment plus. If this is not agreed by the Pay Review Body, a national ban comes into force immediately on the Monday after Conference finishes. DURHAM		
18. If the NEC are successful in the PSPRB report 2015 and gain an increase to the hourly PP rate that next year the NEC submit a claim through the PSPRB to increase the paid rate of payment plus to reflect a 17% enhancement for work delivered during unsociable (Red hours) in line with current shift disturbance remuneration. HOLME HOUSE		
19. The NEC is to produce a standard exit questionnaire which is to be distributed to all branches, who will then conduct exit interviews on all members leaving the Prison Service and the information passed back to the NEC to be used as evidence in the submission to the Prison Service Pay Review Body. As such the questionnaire must include questions of Pay, Pensions, Retirement Age, Working Conditions and Staff Safety.		

REMARKS	Conference Decision	Disposal of Motion

MOTION	NEC Speaker	NEC Recommendation
BENCHMARKING		
20. That the NEC inform NOMS that any compulsory redundancies or enforced transfers or compulsory detached duty following over recruitment above a prisons benchmark TSF will result in a ballot of members for industrial action up to and including strike action. HOLME HOUSE		
21. The NEC should negotiate with NOMS to formalise and protect the presence of existing operation staff or reintroduce operational staff into central detail offices with the number of operational staff in detail offices linked to the SIP figure and the complexity of the establishment., HOLME HOUSE		

REMARKS	Conference Decision	Disposal of Motion

NEC Speaker	NEC Recommendation

REMARKS	Conference Decision	Disposal of Motion

MOTION	NEC Speaker	NEC Recommendation
HR		
25. That Conference debates potential misuse of the current sick procedures, which sees some Governors arranging personal "support" meetings. WYMOTT		
26. That Conference mandates the NEC to stop the disgraceful abuse of sickness procedures, which in some instances is tantamount to bullying. If "support" meetings are required, they should be to a national standard, in line with the PSO on managing attendance. WYMOTT		
27. That an appeal process is put in place by NOMS when staff are not referred by the Doctor for consideration for medical retirement when attending an occupational health assessment. CHELMSFORD		
28. Conference mandates the NEC to challenge the ethics and legality of the mandatory fitness test, regarding members aged over 60 years old. The present test based on the ability to carry out Control and Restraint when our employer fails to recognise Prison Officers as "front line" staff. HOLLESLEY BAY		
 29. The NEC pursue the employer in an attempt to remove a bullet point from the work life balance and flexible working guidance, this bullet point is under the paragraph titled "Can a request for work life balance be refused". The bullet point reads Inability to recruit additional staff SWALESIDE 		
30. Conference mandates the NEC to enter into negotiation with NOMS to allow staff to sell back any ad hoc leave should they wish, for a rate of pay greater than or equal to that of payment plus. This should also include the ability to purchase extra leave if available at the same rate. MORTON HALL		

REMARKS	Conference Decision	Disposal of Motion

MOTION	NEC Speaker	NEC Recommendation
31. Conference to debate the issue of introducing minimum educational entry requirements of 5 GCSEs of minimum grade C to include Maths and English Language, as a pre-requisite for all non-service personnel to join the prison service. SEND		
32. All non-emergency service or military personnel to have minimum educational qualifications of 5 GCSEs grade C or above (or equivalent) including Maths and English Language as minimum educational standard to join the Prison Service. SEND		
33. Conference instructs the NEC to enter into negotiations with NOMS to establish an independent disciplinary process similar to that applied to the Police authorities and a report to be presented to Conference 2016. WAYLAND		

REMARKS	Conference Decision	Disposal of Motion

MOTION	NEC Speaker	NEC Recommendation
OPERATIONS		
34. That a vote of confidence is taken in the NOMS Board for their projections regarding the prison population and the amount of staff allowed to leave on VEDS. RISLEY		
35. That Conference debates the use of detached duty. WYMOTT		
36. That the NEC informs Conference of their involvement with the deal made with NOMS regarding the package on detached duty. WYMOTT		
37. The NEC should hold a workplace ballot of all members calling for strike action if any POA member is forced against their will to attend Detached Duty. LIVERPOOL		
38. If NOMS continue to force members on detached duty and over recruiting in certain jails, the NEC will respond by instructing branches to withdraw from local agreements that cover regimes. These withdrawals must be co-ordinated by the area rep. LITTLEHEY		
39. That the NEC enters into meaningful negotiation with NOMS to negotiate an enhanced payment for members not involved in the special bonus payment scheme. WAKEFIELD		
40. The NEC should inform NOMS that unless all staff are offered contracted hours including bonus payments the membership will withdraw immediately from all contracted hours agreements and all payment plus shifts until such a time as NOMS agree to this request. LIVERPOOL		
41. That this union reject the Special Bonus Payment for Detached Duty volunteers and reaffirm the policy of full staffing for all establishments within NOMS. RISLEY		

REMARKS	Conference Decision	Disposal of Motion

MOTION	NEC Speaker	NEC Recommendation
42. That Conference utilises whatever means are available to stop the disgraceful misuse of staff resources, in terms of detached duty. WYMOTT		
43. That the NEC go into negotiation with NOMS regarding the unfair HR process of Disciplinary hearings. SWINFEN HALL		
44. That Conference mandates the NEC to seek agreement from NOMS that when unified grade takes unpaid leave for any reason that this period of time is covered by payment plus. MORTON HALL		
45. Conference mandate the NEC to establish from NOMS a maximum percentage of red hours staff are scheduled to work. MORTON HALL		
46. That the NEC negotiates a national protocol for key trakka biometrics and challenge the use of those systems being used for housekeeping purposes. RISLEY		
47. Conference debate the term MSL (Minimum Staffing Levels) within Bulletin 8, and compare this to the term MSL used in the RMP (Regime Management Plan), this to establish what tasks are in scope of the terms. SWALESIDE		

REMARKS	Conference Decision	Disposal of Motion

MOTION	NEC Speaker	NEC Recommendation
SECURITY & CUSTODY		
48. Conference accept that POA members Health and Safety is currently being placed at risk during planned interventions when dealing with violent offenders. Conference mandate the NEC to engage with NOMS and other employers to introduce the use of Tasers or suitable alternatives to minimise the risk of injury to our members in these situations. NEC		
49. In light of the unacceptable increase in assaults upon our members and the increased use of legal high narcotics and prisoners under the influence of alcohol that the NEC demand each prison has a central store of pepper spray that where appropriate can be deployed and used by trained officers to subdue prisoners prior to a C&R intervention. HOLME HOUSE		
50. Conference recognise the increased work of NTRG due to the increase in call outs for incidents at height. Therefore, conference instructs the NEC to enter into negotiations with NOMS and other employers where mutual aid is required, to look at the feasibility of providing appropriate and necessary PPE and training to each establishments advanced C&R staff, so that they can deal with local incidents at height within the agreed protocol in order to take the pressure off our colleagues within NTRG. NEC		
51. The NEC should negotiate with NOMS to employ permanently stationed patrol dogs in every category B and C prison. LIVERPOOL		
52. That Conference mandate the NEC to enter into discussions with NOMS to ensure that the illicit use and possession of synthetic cannabis in prisons will be taken seriously by our employer to protect the health and safety of our members. ELMLEY		
53. That locally trained C&R instructors be trained in the use of Parva Spray or any alternative to use when prisoners are on the netting. DURHAM		

REMARKS	Conference Decision	Disposal of Motion

MOTION	NEC Speaker	NEC Recommendation
54. The NEC approach NOMS to review all adjudication punishments, reflecting on rising violence and gang related incidents. WANDSWORTH		
55. Do Conference and the NEC have confidence in the employers ability to combat extremist acts within the prison estate? If not, Conference mandate the NEC to seek appropriate counter measures to protect the membership urgently. SWALESIDE.		
56. Conference instructs the NEC to engage in meaningful discussions with NOMS on the use of mobile phone signal and mobile internet blockers for all prisons in the closed estate. ELMLEY		
57. All civilian staff who work in prison establishments should wear an identifying item of uniform. LIVERPOOL		
58. Members who are required to undertake a mandatory fitness test or complete an annual C&R refresher are issued suitable footwear and clothing. LITTLEHEY		
59. Conference instructs the NEC to pursue the introduction of a protective wrist band for use with wrist rest restraints as commonly used by Escorting Services in the Private Sector. BIRMINGHAM		
60. Conference instructs the NEC to seek through NOMS and to seek through legal advice, the right to have a blood sample from persons with infectious diseases who assault other persons and infect them through the deliberate transfer of body fluids. Conference further instructs the NEC to also pursue the right to free access to medical information on the persons who assault and infect other persons in such a manner. BIRMINGHAM		
61. The NEC to negotiate a minimum sentence of five years to be served consecutive to any existing sentence for any serving prisoner that is convicted of ABH, GBH, attempted murder and sexual assault of a prison officer of any rank. SEND		

Conference Decision	Disposal of Motion

NEC Speaker	NEC Recommendation

REMARKS	Conference Decision	Disposal of Motion

MOTION	NEC Speaker	NEC Recommendation
REPORT BACKS		
63. Report back Motion 9 please. BIRMINGHAM		
64. Report back Motion 33 please. BIRMINGHAM		
65. That a report back is made in relation to Motion 39 of 2014 that the NEC seek an immediate change of name of PSI 29/2011 Exit Management. MORTON HALL		
66. Concerning the restructure of this union, could you please inform Conference of the financial savings to date. SWALESIDE		

REMARKS	Conference Decision	Disposal of Motion

MOTION	NEC Speaker	NEC Recommendation
PENSIONS		
67. That Conference debates the issue surrounding the actuarial reduction of the Alpha pension scheme benefits payable to members who retire before their normal retirement age. HOLME HOUSE		
68. Conference endorses the campaign to achieve a default pension age of 60 years. Moreover, conference recognises and debates the importance of receiving a fair and equitable pension scheme that is representative of the work POA members do. NEC		
69. That this Conference applaud the NEC, POA members and the researchers for the work they carried out in regards to the "work related stress and wellbeing survey", the NEC should treat this document as a work related risk assessment and pursue the employer for change in order to reduce stress and enhance our wellbeing in the workplace. SWALESIDE		
70. That the NEC oppose and negotiate regarding the abatement rule applying to members who draw their pre 2015 pension but are expected to work to an imposed NRA of 67-68 years old. Members of the pre 2015 pension scheme who choose to draw their accrued pre 2015 pension and continue to work will suffer a detriment. HOLME HOUSE		

REMARKS	Conference Decision	Disposal of Motion

MOTION	NEC Speaker	NEC Recommendation
FQUALITY 71. That all POA buildings and offices comply with the Equalities Act 2010 for access for people with any disability. WANDSWORTH		

REMARKS	Conference Decision	Disposal of Motion

MOTION	NEC Speaker	NEC Recommendation
HEALTHCARE 72. Conference instruct the NEC to set up a consultative committee to promote mental health issues to POA members. This committee should also include an invitation to NOMS senior management to attend. The roles and objectives of this committee would be to offer information, advice and support on such issues as PTSD, work related stress, depression and other mental health issues. ELMLEY 73. That Conference and the NEC recognise and congratulate the POA members working in the Special Hospitals for their continuing professionalism, whilst taking industrial action as part of their hard fought battle against fair pay. BROADMOOR 74. That Conference condemns the Government for their failure to provide an appropriate and fair pay award for NHS workers and prison staff. RAMPTON	Speaker	Recommendation

REMARKS	Conference Decision	Disposal of Motion

MOTION	NEC Speaker	NEC Recommendation
GENERAL MATTERS		
 75. Following the adoption of ACM 61/2011, Conference accepts that significant change and work has been achieved but the terms of this motion have not been realised fully. Therefore, Conference accept Conference Paper Two, which sets out the areas of the union which need further consideration as part of the ongoing restructuring, namely Representation Organisation and Management structure Services and benefits Income and Expenditure Reduction in facility time (paid time off) NEC 		
76. Conference acknowledges the dangers of the Transatlantic Trade and Investment Partnership (TTIP). Furthermore, Conference mandate the National Executive Committee to continue to campaign to expose the implications of such an agreement on the future of public prisons and public services within the United Kingdom.		
77. That Conference instructs the NEC to seek to employ a Personal Relations Officer for the POA. GRENDON		
78. That the NEC look to reduce union subs to a pro-rata level for part time or reduced hours workers. EDINBURGH		
79. Conference instructs the NEC to amend the Private Sector Committee in line with the High Security Committee and the National Committee for Secure Health Care Services. Conference asks for a Committee of FTO's and Branch Representatives to promote recruitment and represent issues within this sector of membership, with twice yearly meetings and an allocation of the agenda at Annual Conference solely for the purpose of addressing these issues, and informing and advising Conference. BIRMINGHAM		

REMARKS	Conference Decision	Disposal of Motion

MOTION	NEC Speaker	NEC Recommendation
80. The NEC opens up a minimum of four spaces for members to attend monthly NEC meetings. The members will act as observers and will not form part of the committee. LITTLEHEY		
81. The NEC approach NOMS to stop food being sold in prison canteens that require cooking in establishments that have no personal cooking facilities for prisoners. WANDSWORTH		
82. If a branch of the POA call for a SDC then all communication lines available to the NEC are afforded to the calling branch i.e. if the branch wish to share information by way of a POA circular then this will be actioned by the NEC. SWALESIDE		
83. That the NEC consider the purchase of small banners for members to carry whilst attending various demonstrations and rallies, this to enhance the presence of the POA at such events. SWALESIDE		
84. When the Standing Orders Committee deems that a Conference motion will fall because of wording they offer advice and guidance to that branch. PARKHURST		
85. Given the extremely poor turnout figures for workplace ballots highlighted by the recent MOU ballot. Conference instructs the NEC to allow reasonable time for branches to collate information and send the workplace ballot results back to the NEC. PARKHURST		
86. The membership engage in the staff survey. LITTLEHEY		
87. Members seeking election to the NEC must declare their interest for promotion within NOMS in their candidate election statement. LITTLEHEY		
88. That Conference mandate the NEC to renegotiate the dispute process. It, in the opinion of the Elmley branch is not fit for purpose. ELMLEY		

REMARKS	Conference Decision	Disposal of Motion

MOTION	NEC Speaker	NEC Recommendation
89. That the NEC negotiate with HMRC to have the POA recognised as a professional body for tax purposes/allowances/POA subs. EDINBURGH		
90. A copy of the Rules and Constitution be provided with all Conference paperwork prior to the start of Conference. DURHAM		
91. Conference instructs the NEC to include a Branch Committee in any correspondence between the NEC and any member of that Branch as a courtesy and for information, unless a member specifically requests confidentiality or the matter is a complaint against a Committee or member of that Committee. BIRMINGHAM		
92. Conference instructs the NEC to engage with NOMS and see those staff who had Private Sector Service and transferred to the Public Sector under TUPE, be given Long Service and Good Conduct Awards as all staff were entitled to in the Public Sector. BIRMINGHAM		
93. That Conference looks to replace the gift which is personally given to guest speakers, with a charitable donation for the annual POA conference charities. WYMOTT		

REMARKS	Conference Decision	Disposal of Motion

MOTION	NEC Speaker	NEC Recommendation
FAIR AND SUSTAINABLE		
94. Conference accept that NOMS job evaluation scheme (JES) is not fit for purpose. Furthermore, conference refute that operational and non-operational grades are in the same pay band. Therefore, Conference instructs the NEC to negotiate the introduction of an operational allowance for operational bands 2 to 5 over and above the current 17% unsocial hours to reflect the different working conditions and difficulties that operational grades face in the workplace on a daily basis.		
95. The NEC demands that NOMS ceases to send "opt in" letters to staff on pre F&S contracts. LITTLEHEY		
96. The NEC negotiate an uplift of pay to one pay scale for all officers. LITTLEHEY		

REMARKS	Conference Decision	Disposal of Motion

MOTION	NEC Speaker	NEC Recommendation
EMPLOYEE RELATIONS		
97. For all NEC members and FTOs involved in direct negotiations with NOMS to be trained in business negotiations via either in house training or from an external training provider if there is no one on the NEC qualified to provide such training. SEND		

REMARKS	Conference Decision	Disposal of Motion