

DISPOSAL OF CONFERENCE MOTIONS 2022

Phil Fairlie
POA SCOTLAND

Motion number	Motion	POA/TUS	Outcome
1	<p>The POA seek that an Operational Lead payment be reinstated to recognise the work carried out by Operational staff within every establishment and as an allowance for shift disturbance and attendance at establishments</p> <p>Still ongoing work. Continues to make up our pay submission.</p>	POA	Ongoing
2	<p>The POA seek the SPS to re-introduce shift allowances to distinguish between operational and non-operational staff and recognise the impact that working shifts has on staff's wellbeing and personal/home life</p> <p>Continues to make up our pay submission</p>	POA	Ongoing
5	<p>That this association actively pursues, at least, the same rates of T&S and mileage payments as other Prison Services and Government Agencies in the UK, and that the 80-mile limit be removed given the increase in fuel and energy costs</p> <p>With effect from 1 August 2023, the 80-mile rule was removed from the SPS T&S Policy. The SPS is as an Executive Agency of the Scottish Government, and our T&S rates are consistent with that of the Scottish Government applicable rates.</p>	TUS	Achieved
7	<p>Ex-Gratia worked on recognised public holidays should be paid at a weekend rate</p> <p>Continues to make up our pay submission</p>	POA	Ongoing
10	<p>That this association actively pursues enhanced compensation for those staff who have had to cover hospital watches and escorts out of contracted timeframes, and enhanced payments for those staff covering the shortfall within establishments</p> <p>This is already in place and is covered with the emergency escorts SOP that was agreed following a PFTA. All establishments should follow this SOP which allows for this motion to be achieved. It is further noted that the SNC don't believe SPS staff should be carrying out these duties and will continue to press SPS on this matter.</p>	POA	Complete
11	<p>Conference instructs the SNC to have all C, D and E operational staff group paid RR allowance given the staff shortages within the operational group of the SPS</p> <p>SPS don't see this as required and at this stage won't enter negotiations, they see the staff complement to be within a manageable level but accept that sick absence is causing staffing shortages, something RR doesn't support. SPS further noted that applications for officer roles maintains a high level of interest.</p>	POA	Complete

14	<p>That the SNC enter negotiations with the SPS to ensure that ALL Enhanced Holiday Pay is paid automatically rather than an individual having to apply as at present</p> <p><i>The SPS do not currently have an integrated HR and Payroll system. Consequentially, a manual claim process had to be adopted to ensure that information about when employees are on annual leave, and may therefore be eligible for EHP, was input to the Payroll system in order to generate a payment to an employee.</i></p> <p><i>The Organisational Development Directorate is committed to operating HR in a 'fit for purpose' way and providing the Scottish Prison Service with effective and efficient HR services, defining and achieving a workforce and talent agenda, delivering business strategy, driving workforce performance and engagement, positively influencing the culture, and enhancing the experience for our people. To achieve this vision, a wide-ranging programme of change will be delivered in 3 separate phases over a number of years.</i></p> <p><i>As part of the initial phase of this, the SPS recently procured an integrated HR and Payroll system, which will be introduced in early Autumn 2024. A feature of this integrated system will be the automatic payment of EHP when a period of annual leave is taken, removing the requirement for any claiming process.</i></p>	POA	Complete
15	<p>Conference mandates the SNC to seek an increase to the allowance for Dirty Campaign and Dealing with Incontinent Prisoners</p> <p><i>As part of the 2023-25 SPS Pay Offer, it is proposed the Dirty Campaign and Dealing with Incontinent Prisoners allowance will increase from £2 per hour to £4 per hour with effect from 1 December 2023, if accepted.</i></p>	TUS	Achieved
17	<p>That conference recognises and pay tribute to all our colleagues in the SPS, and in particular our operational staff for all their commitment, hard work and sacrifices made during the period of lock down during COVID. Through their actions and professionalism, they helped to make themselves, colleagues, our prisoner population and Scotland, a safer place throughout the pandemic</p> <p><i>Achieved</i></p>	POA	Achieved
19	<p>Conference mandates the POA to put in place a mechanism that informs local branches of new applications. This will ensure compliance with the rules and constitution. Rule 7.4(A) which states "the national executive committee may refuse membership to any applicant (A) on the recommendation of the branch committee.</p>	POA	Achieved

22	<p>This conference mandate the SNC to engage with the employer to create a new role for resettlement/retirement support post either within college or HQ, ensuring there is support and guidance for those staff ahead of and in preparation for leaving the job</p> <p><i>TUS has written to the employer and awaiting a meeting to be set up</i></p>	TUS	
24	<p>That this union send our support for our Colleagues who work in the penal system in Ukraine</p>	POA	Letter
26	<p>Given the staff profile within the SPS and the percentage of these staff at an age where many are starting families, combined with the amount of flexible working applications refused due to not meeting a business need and the poor provision of childcare to accommodate shift workers within society, this conference propose that the SNC enter into negotiations with the employer to provide on-site, non-profit childcare facilities for all SPS employees</p> <p><i>We understand that on-site childcare facilities can offer numerous advantages for both employers and employees, e.g. convenience and peace of mind for working parents, improving employee morale, and reducing absenteeism. However, it is important to balance any potential advantages against the practical implications. For example, arranging such a benefit requires space, logistical considerations regarding multiple sites, the dedicated and qualified resources to deliver, increased insurance and liability concerns, and providing affordable access to high-quality care that supports the needs of working families.</i></p> <p><i>While on-site childcare would certainly ease the transition of returning parents, it is not a standalone solution. The SPS recognises the importance of balancing work and home life and aims to accommodate a range of working arrangements to all staff. We offer an extensive suite of family-friendly policies including Flexible Working, Hybrid Working and a range of generous family leave benefits, including Maternity & Parenting, Shared Parental Leave, and access to paid and unpaid special leave to support parents and carers.</i></p>	TUS	Complete
27	<p>The SNC challenge the SPS on their interpretation of appropriate staff and staff allocation levels in Establishments. This is in light of the lack of adjustment to staffing complements to cover the additional leave after 5 years' service that is now affecting establishment staffing</p> <p><i>OD agree that work is needed to sort out variable issues and have committed to meet to discuss all variable issues including this</i></p>	POA	Ongoing
28	<p>That the SNC enter into discussions with the employer to ensure that new recruits do not go on the complement until they return from college</p>	POA	Complete

	<i>SPS are not willing to change the current practice however have confirmed that ex-gratia can be paid to backfill recruits whilst at college</i>		
29	A training variable is allocated for every member of staff employed rather than being based solely on the staffing complement <i>OD agree that work is needed to sort out variable issues and have committed to meet to discuss all variable issues including this</i>	POA	Ongoing
33	That conference condemns those HRPB's who as advice givers input secret negative and unsupportive submissions when staff are claiming for assaults, injuries or diseases at work. That this practice stops with immediate effect, and they stop basing submissions on their opinion but instead base it on an assessment of supporting documentation for that particular application only	POA	Achieved
36	This conference mandate the SNC to engage with the SPS and seek a review of Incident Reporting Policy to allow for a more flexible approach to timescales for completion <i>TUS has written to SPS and awaiting a meeting to be set up</i>	TUS	Ongoing
37	That conference supports a call for mandatory random drug testing within the SPS <i>No TUS support and decision was it wouldn't be achievable, nor fair that it would only be staff the POA have recognition rights for who this would affect</i>	TUS	Complete
40	This conference mandates the SNC to seek that the SPS do not misuse the Talk To Me policy solely as a means of observation for admission prisoners who are not seen that day by NHS Nursing staff, and that the SPS develop a suitable policy or observation system catering for prisoners in these circumstances <i>Part of the TTM policy review and has been raised within this forum. Ongoing</i>	POA	Ongoing
43	Conference mandate the SNC to seek an explanation from the employer regarding the ongoing problems of late payments of ex-gratia to individuals <i>We are aware of a limited number of cases relating to late ex-gratia payments, which have resulted in employees raising concerns via the SPS Grievance Policy. In these circumstances, the matter has been investigated at a local level, informed by thorough investigation of pay practices and processing and details provided to the Investigating Manager to inform their formal response to the Grievance.</i> <i>The timeous payment of ex-gratia relies on the correct completion of documentation at local level, and appropriate</i>	POA	Achieved

	<p><i>assurance checks being carried out before onwards submission to the Pay Team. There have been instances where a lack of understanding about the process has led to errors at local level, which have unfortunately resulted in delayed payment for some of our employees. When they become aware of any issue, Pay Team work closely with local HR teams to resolve these as quickly as possible. Where it is identified that error may be occurring at a specific location more frequently than others, additional support and guidance is provided to that HR Team.</i></p>		
44	<p>That the SNC enter negotiations with the SPS to ensure that ex-gratia payments are paid more timeously. The current monthly cut off dates are unacceptable</p> <p><i>Ex-gratia claims are processed on a monthly basis, in line with the published payroll cut off dates and allow for ex-gratia completed in one month to be paid in the following month i.e. Ex-gratia completed in March would be paid in the following month. This is subject to the correct completion of the ex-gratia submission; appropriate assurance checks being completed and provision of this to the Pay Team in line with the published schedule.</i></p> <p><i>While this may mean that, in specific circumstances, an employee carrying out ex-gratia at the beginning of the one month, e.g. March, may not receive payment until their April salary payment, the pay cut offs are in place to allow appropriate processing time to facilitate the payment of ex-gratia in the following month's salary payment.</i></p> <p><i>The introduction and development of a digitally enabled Payroll Service will provide opportunities to explore, in partnership with our Trade unions, any available options to increase efficiency and effectiveness in relation to the payment of ex-gratia.</i></p>	POA	Complete
47	<p>That conference mandate the SNC to seek to negotiate a suitable variable provision to establishment complements for maternity leave, that adequately reflects the need of establishments</p> <p><i>OD agree that work is needed to sort out variable issues and have committed to meet to discuss all variable issues including this</i></p>	TUS	Ongoing
48	<p>Conference instructs the SNC to raise the issue of Shared Paternity Leave with the SPS and the anomalies within the policy</p> <p><i>The Shared Parental Leave Policy was updated in May 2023 to clarify the entitlement to Occupational Shared Parental Pay for those opting to take a period of Shared Parental Leave, which I believe was the anomaly in question and now resolved</i></p>	TUS	Achieved
49	<p>That this union seek to include additional variable cover for trainers in order to deliver training</p>	POA	Ongoing

	<i>OD agree that work is needed to sort out variable issues and have committed to meet to discuss all variable issues including this</i>		
50	This branch (Low Moss) mandates the SNC to negotiate an increase in training variable to reflect the increase in core competency training <i>OD agree that work is needed to sort out variable issues and have committed to meet to discuss all variable issues including this</i>	POA	Ongoing
51	Conference mandate the SNC to seek an increase to the sick absence variable for HMP Inverness to ease the staffing crisis. This would make the establishment safer and assist with the return to the early/backshift agreed attendance pattern <i>OD agree that work is needed to sort out variable issues and have committed to meet to discuss all variable issues including this</i>	POA	Ongoing
53	That any proposed shift pattern changes are voted on locally. Each establishments shift patterns differ and it would be unfair for a national vote encompassing all establishments <i>Already POA policy</i>	POA	Achieved as POA policy
57	The SNC continue to negotiate with the employer a reduction to 35 hours per week	TUS	Achieved
59	This conference mandate the SNC to engage with the SPS and seek to negotiate a single absence management policy and guidance document that fully incorporates probationary staff into that policy, and those absences are treated under the terms of that policy <i>The Attendance Management Policy will be applied to probationary employees, insofar as return to work meetings, managing absence interviews and capability. The exception is absence review points, which remain separate. This is consistent with the previous MAAPP and remains the case under the new Attendance Management Policy and subsequent review which has been principally agreed in partnership. It is standard practice that during the probation period there are different attendance requirements and more active monitoring, with separate trigger points and procedures for dealing with poor attendance. This approach is also consistent with Scottish Government's policy on managing absences.</i>	TUS	Complete
60	This conference mandate the SNC to seek to commence a review with SPS, of all current policies and procedures to ensure they comply with partnership principles	TUS	Achieved ongoing

	<i>Policies continue to be reviewed with policy priorities agreed on annually all these reviews are done ensuring partnership principles are fully complied with</i>		
61	<p>That the SNC address, with the employer, the clear discrimination shown against operational staff who cannot work from home due to any illness but in particular the new covid 19 rules on absence management</p> <p><i>Employees are required to attend work unless they are unfit or unable to do so and should return to work as soon as they are able to. If an employee reports unfit for work or is experiencing symptoms which mean that they are not fit enough to undertake their contractual role / normal duties, they will be recorded as absent in line with SPS' Attendance Management Policy (AMP) and will not be expected or asked to work from home during this time.</i></p> <p><i>With effect from 23 May 2022, all Covid related absences have been managed in line with the SPS' AMP and no expectation is placed upon employees by the employer that they must continue to work if unwell. A non-operational employee may be in the position to work from home if they felt they were well enough to do so. If not, this would be recorded as a sickness absence. For operational staff in this instance, their contractual role means they cannot undertake their duties whilst working remotely, and to ensure the risk of spreading the Covid-19 virus is kept to a minimum, this would be recorded as a sickness absence until they are no longer experiencing symptoms, or the isolation period has ended.</i></p> <p><i>SPS recognises that the nature of the work within prisons dictates that operational, prison-based employees must be on-site to undertake their full range of duties.</i></p>	POA	Complete
63	<p>The SNC engage with the employer that a faster transition through the operational pay bands to enhance retention and recruitment of staff</p> <p><i>With the removal of pay point 1 this has been achieved</i></p>	TUS	Achieved
65	<p>That this association actively pursues that all establishments are fully complemented at the appropriate grades as defined in TUS/Partnership agreed figures</p> <p><i>This is a continual piece of work that is undertaken via workforce planning where our position is clear that all establishments are fully complemented. Whilst recruitment has improved it is being offset by leavers and SPSC is already working above capacity in recruitment intakes so further intakes are not possible however we continue to push for complements to be filled.</i></p>	TUS	Ongoing group
66	The SNC actively pursue the fight to retire at 60. Or allow the choice with no financial loss to pension at 60	POA	Ongoing

67	That this conference condemns MyCSP & SPS Pay Section for their inability to process members pension in a timely manner as some members are having to wait months after retirement for any payment	POA	Letter to mycsp
68	Conference instructs the SNC to reaffirm commitment from the SPS to establish a JE tool and pay structure that is fit for purpose. One that is able to properly capture the complexities and challenges of operational front-line roles in the service, which in turn allows those roles to be accurately measured, valued, and rewarded	POA	Ongoing
70	That conference recognises that our members have little trust or faith in the current staff grievance policy and how easily it is manipulated by management in order to not uphold the grievances. We mandate the SNC to review whether the current policy is fit for purpose with SPS	TUS	Policy review
71	<p>That this association negotiates the introduction of an independent panel for trawls and assessments panels which also includes an appeals procedure for non-selection</p> <p><i>The SPS recruits in line with the principles and guidance set out within the Civil Service Recruitment Commission. This means that preferred candidates are selected on merit at the conclusion of any given recruitment process.</i></p> <p><i>Any additional appeal mechanism during or beyond the point at which a preferred candidate has been identified, would potentially restrict and delay SPS' ability to appoint the preferred candidate to post and this is likely to have considerable impact on business requirements.</i></p> <p><i>SPS is keen to better understand the POA(S) rationale for this motion, so that this can be explored in greater detail, if appropriate.</i></p>	TUS	Complete
73	<p>With the price of fuel/living costs rising that the transfer process is revisited/open-ended, giving staff an option of working closer to home</p> <p><i>Raised with WFP</i></p>	TUS	Achieved
75	<p>That this association negotiates with management a proper definition of "operational requirement" and "operational emergency"</p> <p><i>OD are not able to offer an answer on this and have requested examples of what is meant as they see this terminology as being the same thing</i></p>	POA	Ongoing
76	Conference mandate the SNC to engage with the employer to make provision for a regular counselling service to support officers who work with sex offenders. Officers are at times dealing with high-level offence details, which can have a detrimental effect on an individuals mental health. By providing	POA	Achieved

	<p>such a service, the employer would be evidencing compliance with their legislative duty</p> <p><i>This is covered under SPS “supervision management manual information” where it is outlined the support that should be made available for those engaging in prisoner programme delivery, SPS have also commented that should any member of staff require support or access to counselling services this will be accommodated on an individual, person centred way via the appropriate FLM or HR team</i></p>		
77	<p>That this conference recognises that our employer has the authority to make provision for the use of work equipment. Conference also recognises that before the employer introduces any new equipment for use in the workplace, the employer should ensure that the equipment is necessary and fit for purpose. There should also be a robust business case in order to justify the purpose of that equipment</p>	POA	Achieved
78	<p>That this conference supports the fact that our employer has the authority and duty to provide such suitable PPE to protect employees from any new emerging hazards. Conference also acknowledges that our employer should carry out a suitable and sufficient risk assessment to determine these hazards and either eliminate them or control them</p>	POA	Achieved
82	<p>The POA seek the SPS re-introduce a form of points for yearly uniform to enable staff to request uniform that they need instead of what SPS determines they should have</p> <p><i>SPS position is that due to the current financial situation and overall uniform spending it was unlikely that they could return to the previous points system soon. Notwithstanding this response SPS have been informed that we will continue to lobby for a return to points</i></p>	POA	Complete
83	<p>That conference mandate the SNC to engage with the SPS to seek the introduction of a modern and functional uniform be presented to operational staff</p>	POA	Ongoing
84	<p>The SNC instruct to SPS that if name badges are worn then it will be down to the individual member of staff to decide as to the name format</p> <p><i>This is being covered within the uniform standards group and we are looking to get this reflected within the policy document</i></p>	TUS	Complete