



Prison Service
Pay Review Body

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Twelfth Report on
Northern Ireland 2020

Chair: Tim Flesher CB



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Presented to the
Minister of Justice (Northern Ireland)
September 2020



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Glossary of terms

ASHE	Annual Survey of Hours and Earnings
BAME	Black, Asian and minority ethnic
CJRS	Coronavirus Job Retention Scheme
CPI	Consumer Prices Index
CPO	Custody Prison Officer
DoF	Department of Finance (Northern Ireland)
DoJ	Department of Justice (Northern Ireland)
GDP	Gross Domestic Product
HMIP	Her Majesty's Inspectorate of Prisons
HMP	Her Majesty's Prison
HoU	Head of Unit
ILO	International Labour Organization
MLA	Member of the Legislative Assembly
MGO	Main Grade Officer
NCO	Night Custody Officer
NICS	Northern Ireland Civil Service
NIPS	Northern Ireland Prison Service
NITA	Police Service of Northern Ireland Transitional Allowance
ONS	Office for National Statistics
OSG	Operational Support Grade
PECCS	Prisoner Escorting and Court Custody Service
PCO	Prisoner Custody Officer

PGA(NI)	Prison Governors' Association (Northern Ireland)
POA	The professional trades union for prison, correctional and secure psychiatric workers
POA(NI)	The professional trades union for prison, correctional and secure psychiatric workers (Northern Ireland)
PSNI	Police Service of Northern Ireland
PSPRB	Prison Service Pay Review Body
SO	Senior Officer
SRA	Supplementary Risk Allowance

The Northern Ireland Prison Service and our remit group

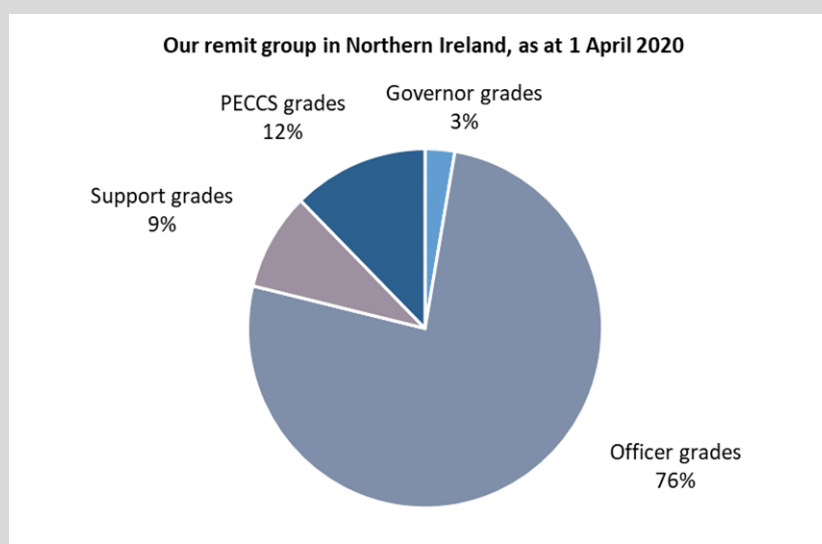
The Northern Ireland Prison Service (NIPS) is responsible for the operation and delivery of services within the Northern Ireland prison system. Its main statutory duties are set out in the Prison Act (Northern Ireland) 1953. It is an Executive Agency of the Department of Justice.

The overall aim of NIPS is to improve public safety by reducing the risk of re-offending through the management and rehabilitation of offenders in custody. The Service, through its staff, serves the community by keeping in secure, safe, and humane custody those committed by the courts and, by working with prisoners and with other organisations, seeks to reduce the risk of re-offending. In so doing it aims to protect the public and to contribute to peace and stability in Northern Ireland.

There are three operational establishments in Northern Ireland. The prison population as at 30 April 2020 was 1,463, two per cent lower than a year earlier.

NIPS paybill costs relating to the remit group in 2019-20 were approximately £57.1 million (including social security and other pension costs).

At 1 April 2020 there were 1,260 staff (headcount) in our remit group, a very slight decrease from the year earlier. The composition is below.



	Headcount
Governor grades	34
Officer grades ¹	959
Support grades ²	111
Prisoner Escorting and Court Custody Service grades ³	156

Source: NIPS

Note:

1. Comprising Custody Prison Officers, Main Grade Officers and Senior Officers.
2. Comprising Night Custody Officers and Operational Support Grades.
3. Comprising Prisoner Custody Officers, Senior Prisoner Custody Officers and Principal Prisoner Custody Officers.

Executive Summary

Our recommendations for 2020 are:

Recommendation 1: We recommend that with effect from 1 April 2020 all staff in the pre-2002 and post-2002 Senior Officer, pre-2002 and post-2002 Main Grade Officer, Custody Prison Officer, Night Custody Officer, Operational Support Grade, Principal Prisoner Custody Officer, Senior Prisoner Custody Officer and Prisoner Custody Officer grades receive a consolidated, pensionable increase of two per cent, as set out in Appendix E.

Recommendation 2: We recommend that with effect from 1 April 2020 the Governor in Charge (Maghaberry), Governor in Charge (other posts), Head of Function and Head of Unit pay scales are increased as set out in Appendix E, which will see a consolidated, pensionable uplift of two per cent for all these staff.

Recommendation 3: We recommend that from 1 April 2020 the weekend and privilege holiday Governor on-call rate is increased from £20 to £21 a day.

Recommendation 4: We recommend that the Supplementary Risk Allowance should be aligned with the 1 September 2020 Police Service of Northern Ireland Transitional Allowance rate.

Introduction

i. This report sets out our recommendations on pay and allowances for operational prison staff from 1 April 2020. While writing our report this year, we are mindful that the Northern Ireland Prison Service (NIPS) is operating in a very different and challenging context due to coronavirus (Covid-19). We recognise that this is adding further pressures onto the already difficult job that prison staff do, and we commend the bravery and professionalism of all NIPS staff during this time.

ii. We have made recommendations for our remit group based on the evidence we received. The objectives we have set out to address this year are:

- To ensure that all staff in our remit group receive an above inflation consolidated pay award;
- To maintain the competitiveness of our remit group's pay scales and ranges;
- To uphold the principle of alignment between the Supplementary Risk

Allowance (SRA) and the Police Service of Northern Ireland Transitional Allowance (NITA), acknowledging the security threat to operational prison staff working for NIPS; and

- To uphold the principle that no significant changes should be made to the pay structure in advance of completion of the grading review.

iii. We ask that the Government consider this year's recommendations and publish our report in good time, ensuring staff receive their pay award without delay.

Role of the Prison Service Pay Review Body

iv. The Prison Service Pay Review Body (PSPRB) was established under statute in 2001 to examine and report on matters relating to the rates of pay and allowances to be applied in the public sector prison services in England and Wales and in Northern Ireland. It was set up by the Government as a compensatory mechanism for the removal of our remit group's right to take industrial action of any form. This was reinforced in the 336th report of the International Labour Organization (ILO) in 2005, in which the Government gave a clear and unequivocal commitment to depart from the PSPRB's recommendations only in "exceptional circumstances" and agreed that such recommendations would be complied with in practice.

v. This commitment by the Government to the ILO remains and we would therefore expect justification of the "exceptional circumstances" for any deviation from the recommendations that we make in our reports. We note that we still have not received such justification from the Government for partially rejecting the recommendations in our last two Northern Ireland reports.

Our remit and approach this year

vi. On 5 March 2020, the Northern Ireland Justice Minister, Naomi Long MLA, wrote to us asking us to commence our work on the 2020-21 pay round. The Minister asked us to be aware of the Northern Ireland pay guidance and NIPS's affordability constraints. The letter also noted two key aims: to make progress on addressing pay relativities; and to focus on lower paid salaries to ensure they remained competitive in comparison to wider market rates. Otherwise the activation letter contained no constraints.

vii. NIPS subsequently entered into negotiations with the Prison Governors' Association Northern Ireland (PGA(NI)) and the POA Northern Ireland (POA(NI))¹ in order to reach an agreed position on pay. An agreement was reached between the PGA(NI) and NIPS on pay and allowances for the governor grades, which was presented in NIPS's written evidence to us. However, an agreement was not reached with the POA(NI) on the uniformed grades, and in accordance with its national position not to engage with the PSPRB, we therefore received no evidence from the POA(NI).

2020 pay award

viii. Our main priority this year has been to provide all staff, in both the recruited-to and not-recruited-to grades, with a consolidated, pensionable pay award. We saw the need for a consistent approach to pay awards for all frontline staff to recognise the challenging and demanding role they continue to do, and in even more difficult conditions this year due to Covid-19. We therefore recommend that all uniformed staff should receive a two per cent consolidated, pensionable pay increase.

ix. The joint agreement reached by NIPS and the PGA(NI) this year ensured that all governor grades would receive a consolidated pay increase of two per cent. As we have stated in previous reports, we believe agreements between the unions and the employer should be recognised unless there is a compelling reason not to. We therefore endorse the joint agreement reached on the governor grade pay scales between the PGA(NI) and NIPS, including the increase to the weekend and privilege holiday Governor on-call allowance rate.

x. This year we continued to hear evidence from both staff and the parties that the security risk for prison staff in Northern Ireland is still very real. Operational staff continue to face threats whilst at work and in their home lives, as do their families. We remain committed to the equalisation of the SRA and NITA and therefore recommend again this year to uphold the principle of parity.

xi. NIPS presented us with several proposals for pay scale changes effective from April 2021 in its evidence this year, along with a number of complex pensionable allowance arrangements for some grades from April 2020. As

¹ The professional trades union for prison, correctional and secure psychiatric workers.

expressed in our 2019 report, we continue to have concerns about the lack of evidence, rationale and market justification for the introduction of longer pay scales and changes to pay rates. We remain disappointed that the grading review has still not been completed and repeat our view that no significant changes should be made to the pay scales ahead of the completion of this review. We therefore ask NIPS to complete the grading review without further delay and will defer any decision on pay scale changes until this time.

Cost of our recommendations

xii. We had regard to the issue of affordability when determining our recommendations. NIPS informed us that its revised final set of proposals represented the absolute maximum of its budget and what it proposed was affordable. NIPS told us that its proposals equated to a 2.51% increase to paybill (excluding progression costs); our recommendations do not materially change the magnitude of the NIPS costing.

xiii. We are aware that NIPS faces an uncertain future financial position following Covid-19, however we believe our award demonstrates a fair investment in operational prison staff at the present time.

Looking ahead

xiv. In our 2019 report we made several requests for further information to be provided by NIPS for our next report which were not initially provided in written evidence. NIPS subsequently provided some but not all the information we requested. This led to a delay in our process as we had to request that NIPS revise its submission to include both this additional information and further details of the long-term strategy for the NIPS pay structure. We are an evidence-based body and require this information in order to fulfil our statutory duty.

xv. Looking ahead to the next pay round, we have asked the parties to address several issues, including equality and diversity, promotion routes for Prisoner Escorting and Court Custody Service grades and the timetable for our 2021 report. In addition, we also ask that NIPS expedite and prioritise completion of the grading review so we may consider the outcome for our 2021 report.

Conclusion

xvi. Staff in our remit group deliver a critical public service that attracts a significant security threat. The challenges they face have been further complicated this year due to Covid-19. Our recommendations provide all staff with a consolidated, pensionable increase to their pay, whilst also taking account of NIPS's affordability constraints. We believe this represents a fair pay award and offers value for money ahead of the completion of the NIPS grading review.

Tim Flesher CB (*Chair*)

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Professor Andrew Dickerson

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Leslie Manasseh MBE

Paul West QPM DL

Chapter 1: Introduction

Our role

1.1 The Prison Service Pay Review Body (PSPRB) was established in 2001 under statute² to examine and report on matters relating to the pay and allowances to be applied in the public sector prison services in England and Wales and in Northern Ireland. For Northern Ireland, following the devolution of justice, separate regulations were established: The Prison Service (Pay Review Body) Regulations (Northern Ireland) 2012.³ We have standing terms of reference (at Appendix A) which supplement our statutory remit.

1.2 The PSPRB was created as a compensatory mechanism for our remit group's loss of the right to take industrial action of any form. This was outlined in the 336th report⁴ (2005) by the International Labour Organization (ILO), in which the Government gave a clear and unequivocal commitment only to depart from the PSPRB's recommendations in "exceptional circumstances" and agreed that such recommendations would be complied with in practice. This pledge by the Government has not been rescinded. This therefore places a particular responsibility on us, and it is one that we take very seriously when formulating our recommendations. Given this context, we consider that, if the Government rejects any of our recommendations, the remit group should receive a full explanation detailing the "exceptional circumstances" that have led to that decision.

Outcome of our last report

1.3 In our 2019 report for Northern Ireland⁵, we recommended a consolidated award of £500 for all uniformed grades and two per cent for all governor grades. We also recommended several changes to allowances, including that the Supplementary Risk Allowance (SRA)⁶ be aligned with and equal to the Police

² Legislationline, (2001). *The Prison Service (Pay Review Body) Regulations 2001*. (online) Available at: <https://www.legislation.gov.uk/ukxi/2001/1161/contents/made> [accessed on 17 September 2020].

³ Legislationline, (2012). *The Prison Service (Pay Review Body) Regulations (Northern Ireland) 2012*. (online) Available at: <https://www.legislation.gov.uk/nisr/2012/191/made> [accessed on 17 September 2020].

⁴ The International Labour Organization, (2005). *336th report of the Committee on Freedom of Association*. (online) Available at: [https://www.ilo.org/public/libdoc/ilo/P/09604/09604\(2005-88-series-B\).pdf](https://www.ilo.org/public/libdoc/ilo/P/09604/09604(2005-88-series-B).pdf) [accessed on 17 September 2020].

⁵ Prison Service Pay Review Body, (2019). *PSPRB Eleventh report on Northern Ireland: 2019*. (online) Available at: <https://www.gov.uk/government/publications/psprb-eleventh-report-on-northern-ireland-2019> [accessed on 17 September 2020].

⁶ The SRA was introduced in recognition of the particular situation in which NIPS staff and their families live because of the jobs they do, and to compensate them for additional costs they incur, for example in varying their routes to and from work, because of the paramilitary threat.

Service of Northern Ireland Transitional Allowance (NITA) for all eligible staff and that the SRA be changed in line with the NITA on 1 September in future years. We did not endorse the proposals from the Northern Ireland Prison Service (NIPS) to extend pay scales for some groups of staff in 2020, as we were concerned about the lack of evidence for the changes in advance of the outcome of the grading review and the inconsistencies across the pay scales that would result. We further believed that the changes proposed by NIPS would commit the Service to potential staffing costs that may be unaffordable in the future.

1.4 In response to our 2019 report, the Northern Ireland Government partially rejected our recommendations, implementing a number of additional pay scale changes for uniformed grades. The Government also rejected our recommendation to align fully the SRA to the NITA, stating instead that it would be “closely matched” with the NITA rate and subject to annual negotiations with the POA Northern Ireland (POA(NI)) and the PSPRB. The Permanent Secretary for the Department of Justice in Northern Ireland, Peter May, wrote to us on 4 November 2019 outlining these changes to our recommendations. A copy of this letter is at Appendix B. We are disappointed that our recommendations have been partially rejected for two consecutive years without adequate explanation of the “exceptional circumstances” and ask the Government to be mindful of both our role and the commitment to the ILO.

Our remit this year

1.5 On 11 January 2020, the Northern Ireland Assembly was restored, and a new Executive appointed. On 5 March 2020, the Northern Ireland Justice Minister, Naomi Long MLA, wrote to our Chair asking us to commence our work for pay effective 1 April 2020. The activation letter, whilst drawing our attention to the Northern Ireland public sector pay guidance, contained no restrictions. We have therefore made recommendations that we consider appropriate in light of all the evidence available to us, and in accordance with our standing terms of reference. A copy of the letter and our response can be found at Appendix C.

Our timetable

1.6 Our standard timetable previously assumed that we would receive written evidence at the start of October 2019 and that our report would be submitted to the Government in mid-March 2020. This timetable reflected the expectation that the

Government would implement our recommendations in April, which is the pay effective date for our remit group.

1.7 NIPS informed us this year that it planned to enter into negotiations with the Prison Governors' Association Northern Ireland (PGA(NI)) and the POA(NI) in an attempt to reach an agreement on pay for 2020. These negotiations were subsequently delayed due to the coronavirus (Covid-19) pandemic. Following receipt of written evidence and oral evidence sessions with the parties, we wrote to the Justice Minister in early August to outline the revised timetable for the submission of our report. This letter can be found at Appendix D.

1.8 We ask the Government to consider the implications of delays to our process on the remit group, particularly that arise from the late publication of the Northern Ireland public sector pay guidance. We urge both the Department of Finance and NIPS to work together to ensure evidence is submitted in accordance with our standard timetable next year so that staff are paid in time for a 1 April pay effective date.

Visits

1.9 In January 2020 we undertook a visit programme to Northern Ireland. We visited staff at Maghaberry and Magilligan prisons, Hydebank Wood College and the Prisoner Escorting and Court Custody Service staff, based at both Laganside Court and at Maghaberry prison. As in previous years, the visits gave us a valuable opportunity to engage with our remit group in their working environment and to gain a greater understanding of their day-to-day duties and current concerns. This provides important context and enables us to test the written and oral evidence we receive. We are grateful to those staff who take the time to meet with us and we thank those involved in making our visits for this report possible. We know that the visits can take considerable effort to organise.

Our evidence base

1.10 Following our visits, all the parties who represent our remit group were invited to submit written evidence. NIPS and the PGA(NI) successfully concluded negotiations and submitted joint evidence to us, agreeing in principle proposals on governor grade pay scales and a revised rate for the weekend and privilege holiday Governor on-call allowance. NIPS and the POA(NI) were unable to reach a final

agreement on the pay increase for uniformed grades. The final offer put to the POA(NI) by NIPS was reflected in the NIPS written evidence.

1.11 The POA continues to maintain its position of not submitting evidence to us, as mandated by the membership vote at its 2015 National Conference. We offered the POA(NI) the opportunity to submit written evidence and to attend an oral evidence session with us, but the union declined both invitations. This year however, the POA(NI) Area Chair wrote an open and without prejudice letter to our Chair. We discuss this letter further in Chapter 2. We welcome this communication with the POA(NI) as we consider that not providing evidence to the PSPRB is a missed opportunity for the union and its members.

1.12 This year, due to restrictions as a result of Covid-19, we held oral evidence sessions with the parties via telephone conferencing facilities. We do not believe this compromised, or caused detriment to, either our evidence gathering or our decision-making process. We heard representations in oral evidence sessions from:

- The Minister of Justice for Northern Ireland, Naomi Long MLA.
- NIPS officials, led by the Director General, Ronnie Armour.
- The PGA(NI), led by Gary Alcock, Northern Ireland Area Chair.

1.13 For the third year, we also received written representations from the Community trade union.

Chapter 2: Context and evidence

Introduction

2.1 This chapter sets out the context for our recommendations. It provides information on the economic situation and describes both the financial and environmental context in which the Northern Ireland Prison Service (NIPS) made its proposals and how these informed the recommendations we have made. The chapter presents background information and evidence on our remit group in terms of recruitment and retention, motivation and morale, and equality and diversity. The chapter concludes with a summary of the main points that arose from our visits in January 2020 and the parties' proposals to us this year.

Economic context

2.2 In our reports each year we look to recent economic performance, expectations for the coming year, and the position of public sector finances to inform our recommendations. This year, due to coronavirus (Covid-19), our ability to make an informed assessment of the future economic situation is hampered by the limited official data from which to form judgements. We have therefore used the published data that was available to us at the time of reaching our decisions in early August 2020, but we note this may not be representative of the economic data for the whole year.

Economic growth

2.3 The economic shock from Covid-19 on public finances, the labour market, prices of goods and services, and pay is only just beginning to be felt. Although the economy is starting to show signs of recovery, it will be some time before it regains its previous size. Data on the Northern Ireland economy show that it shrank by 2.8% in the first quarter of 2020 (compared to 2.2% for the whole of the UK) and by 3.2% over the year (compared to 1.7% for the whole of the UK).⁷ Economic growth in Northern Ireland has been behind the UK average for some years: between 2009 and the first quarter of 2020, the UK economy grew by 18.0%, while the Northern Ireland economy contracted by 1.0% overall.⁸

⁷ NISRA, (2020). *NI Composite Economic Index*. (online) Available at: <https://www.nisra.gov.uk/statistics/economic-output-statistics/ni-composite-economic-index> [accessed on 17 September 2020]. The NI Composite Economic Index is an experimental quarterly measure of the performance of the NI economy based on available official statistics.

⁸ Ibid.

2.4 Gross Domestic Product (GDP) fell by 22.0% in the first half of 2020, due to restrictions put in place in response to the Covid-19 pandemic.⁹ Although the Bank of England said in its August Monetary Policy Report that it expected GDP to continue to recover as social distancing eased and consumer spending picked up, it does not project GDP to exceed its size in 2019 Q4 until the end of 2021.¹⁰ Government policy interventions to limit the damage to the economy from Covid-19, most notably the Coronavirus Job Retention Scheme (CJRS), are estimated to increase public sector borrowing by around £190 billion in 2020-21. The Office for Budget Responsibility said that there will be a budget deficit of between 15.0% and 23.0% of GDP this year, which will lift public sector debt to over 100 per cent of GDP.¹¹

Inflation

2.5 As part of our standing terms of reference, we are asked to take the Government's inflation target of 2.0% Consumer Prices Index (CPI) inflation into account. The latest inflation figures for July 2020 put the CPI and CPI including owner occupiers' housing costs rates at 1.0% and 1.1% respectively.¹² The Bank of England expects inflation to fall further to 0.3% in the final quarter of 2020, and pick up only gradually, remaining below 2.0% for the next two years.¹³

Labour market

2.6 The effect of the economic contraction has not yet had its full impact on employment levels, with many employers using the CJRS which has mitigated the impact on unemployment. There has been a strong impact on the number of overall hours worked in the economy, with many more employees than normal away from work.

⁹ ONS, (2020). *GDP first quarterly estimate, UK: April to June 2020*. (online) Available at: <https://www.ons.gov.uk/economy/grossdomesticproductgdp/bulletins/gdpfirstquarterlyestimateuk/apriltojune2020> [accessed on 17 September 2020].

¹⁰ Bank of England, (2020). *Monetary Policy Report and Financial Stability Report August 2020*. (online) Available at: <https://www.bankofengland.co.uk/report/2020/monetary-policy-report-financial-stability-report-august-2020> [accessed on 17 September 2020].

¹¹ OBR, (2020). *Fiscal sustainability report – July 2020*. (online) Available at: <https://obr.uk/fsr/fiscal-sustainability-report-july-2020/> [accessed on 17 September 2020].

¹² ONS, (2020). *Inflation and price indices*. (online) Available at: <https://www.ons.gov.uk/economy/inflationandpriceindices> [accessed on 17 September 2020].

¹³ Bank of England, (2020). *Monetary Policy Report – August 2020 (Table 1.2)*. (online) Available at: <https://www.bankofengland.co.uk/-/media/boe/files/monetary-policy-report/2020/august/monetary-policy-report-august-2020.pdf?la=en&hash=75D62D3B4C23A8D30D94F9B79FC47249000422FE> [accessed on 17 September 2020].

2.7 In Northern Ireland, the employment rate was 71.7% in the second quarter of 2020, below the 76.4% rate seen in the UK as a whole.¹⁴ The Northern Ireland rate was 0.5 percentage points lower than a year earlier, due to the 0.7 percentage point fall over the most recent quarter.¹⁵

Earnings

2.8 An indication of recent trends in employee pay can be seen in the experimental Pay As You Earn Real Time Information dataset from Her Majesty's Revenue and Customs. On this measure, median monthly pay in the UK was £1,804 in the three months to June 2020, down 2.5% on the quarter and 0.2% over the year.¹⁶ The median monthly pay in Northern Ireland was £1,681 in the three months to June 2020, down 1.5% over the quarter, but up 0.8% over the year.¹⁷

Financial context

2.9 Following restoration of the devolved administration in Northern Ireland in January 2020, the 2020-21 Northern Ireland Budget was agreed by the Northern Ireland Assembly and published on 5 May 2020. It states that all government departments will see a real terms increase in departmental budgets, providing a financial framework to meet the unprecedented challenges presented by Covid-19 and to safeguard public health and rebuild the economy.¹⁸ The Department of Justice's (DoJ) settlement included a 6.3% increase in real terms to its resource budget from 2019-20 to 2020-21 and an £88.1 million capital allocation.¹⁹

2.10 NIPS informed us in its written evidence that it would have been unable to meet our revised timescales if it had awaited publication of the 2020-21 Northern

¹⁴ ONS, (2020). *Labour market overview, UK: August 2020*. (online) Available at: <https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/bulletins/uklabourmarket/august2020> [accessed on 17 September 2020].

¹⁵ ONS, (2020). *LFS: Employment rate: Northern Ireland: Aged 16-64*. (online) Available at: <https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/timeseries/lfsz/lms> [accessed on 17 September 2020].

¹⁶ ONS, (2020). *Earnings and employment from Pay As You Earn Real Time Information, UK Statistical bulletins*. (online) Available at: <https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/bulletins/earningsandemploymentfrompayasyouearnrealtimeinformationuk/previousReleases> [accessed on 17 September 2020].

¹⁷ Ibid.

¹⁸ Northern Ireland Department of Finance, (2020). *Budget 2020-21*. (online) Available at: <https://www.finance-ni.gov.uk/publications/budget-2020-21> [accessed on 17 September 2020].

¹⁹ Ibid.

Ireland Budget. NIPS has therefore, once again, been unable to seek pre-approval for its proposals to us from the Department of Finance (DoF) this year.

Productivity

2.11 In oral evidence this year, we questioned the Justice Minister and NIPS on the Service's long-term strategy to improve productivity. NIPS informed us that productivity savings had been driven by its Prisons 2020 strategy and that its pay proposals would not deliver any further increase in productivity this year. We would encourage NIPS to give greater clarity in its future submissions on how productivity improvements might be used to fund additional investment in pay.

The grading review

2.12 In our 2019 report we shared the concerns raised to us by the parties about the length of time the grading review has taken and the scepticism about whether it would be completed by March 2020 – the date NIPS informed us the review was due to conclude. We stressed the importance of bringing the grading review to a conclusion and asked that NIPS took account of the key findings in its evidence to us in 2020. We were therefore very disappointed to hear again this year that the grading review is still ongoing with no clear completion date in place. NIPS informed us in oral evidence that work had been progressing, but staff interviews had been delayed by Covid-19. The Service still has around 30 interviews to complete before it can move onto the next stage of the process. We return to this matter in Chapter 4.

The composition of our remit group

2.13 We receive the latest available staffing data from NIPS on an annual basis and use these figures when formulating our recommendations. There were 1,260²⁰ staff in our remit group as at 1 April 2020, a very slight decrease since 1 April 2019.

2.14 Table 2.1 provides figures for the period 2014 to 2020. The key points are:

- Governor grades staff numbers have remained stable.
- The total number of officer and support grades has decreased, despite the six per cent increase in the number of Custody Prison Officers (CPO) in the year to 1 April 2020.

²⁰ This is headcount.

- Prisoner Escorting and Court Custody Services (PECCS) numbers have increased for the first time since 2014.

Table 2.1 – Northern Ireland Prison Service staffing, 2014-2020 (headcount as at 1 April)

Broad grade group	2014	2015	2016	2017	2018	2019	2020
Governors							
Governor 1	1	1	2	1	na	na	na
Governor in Charge / Gov 2 and Gov 3	4	4	4	5	na	na	na
Head of Function / Gov 4	6	8	10	9	na	na	na
Head of Unit / Gov 5 and Principal officer	26	23	26	25	25	22	19
Officer and support grades							
Senior Officer	121	114	129	126	117	110	99
Main Grade Officer	485	443	358	341	308	287	263
Custody Prison Officer	481	443	416	446	516	565	597
Night Custody Officer	100	96	101	102	110	107	103
Operational Support Grade	19	18	14	14	14	9	8
Prisoner Escorting and Court Custody Service	174	168	160	160	153	149	156
Totals							
Governors	37	36	42	40	37	34	34
Officer and support grades	1,380	1,282	1,178	1,189	1,218	1,227	1,226
All staff	1,417	1,318	1,220	1,229	1,255	1,261	1,260

Note: the split between Governor 1, Governor in Charge/ Gove 2 and Gov 3, and Head of Function / Gov 4 is not available after 2017.

Equality and diversity

2.15 Like other public bodies, we have a public sector equality duty and are required by our standing terms of reference to consider, as a minimum, the relevant legal obligations on the Prison Service regarding equality and diversity. We recognise that creating and sustaining an inclusive and diverse workforce which promotes employee wellbeing, mutual respect, understanding, and engagement is an important responsibility of any employer. NIPS has a similar duty, not least under Section 75 of the Northern Ireland Act, 1998.

2.16 We monitor the diversity of our remit group using the data available. The most recently available figures as at 1 April 2020 show that 32 per cent of our remit group are female. The percentage of female staff decreases by grade seniority, with only seven per cent of Governors in Charge or Heads of Function being female (see Table 2.2 below).

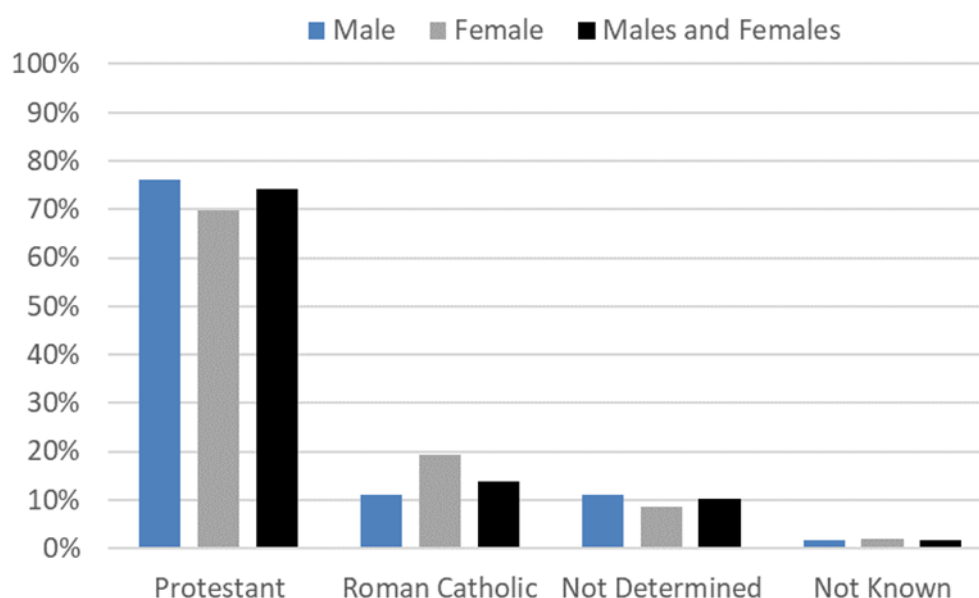
**Table 2.2: Staff headcount and percentage of staff in post by grade and gender
(as at 1 April 2020)**

Grade	Male	Male (%)	Female	Female (%)	Total	Total (%)
Gov in Charge/Head of Function	14	93%	1	7%	15	1%
Head of Unit	18	62%	11	38%	29	2%
Senior Officer	91	71%	37	29%	128	10%
Main Grade Officer	202	80%	52	20%	254	20%
Custody Prison Officer	358	63%	209	37%	567	45%
Night Custody Officer	82	80%	21	20%	103	8%
Operational Support Grade	5	63%	3	38%	8	1%
Prisoner Escorting and Court Custody Service (PECCS)	90	58%	66	42%	156	12%
Total	860	68%	400	32%	1,260	100%

2.17 As at 1 April 2020, the majority of governor grade staff were aged over 50. The Prison Governors' Association Northern Ireland (PGA(NI)) expressed concern during oral evidence about the number of governor grades approaching retirement age. We anticipate that the number of governor grades aged over 50 will reduce in the coming years due to retirements and with Senior Officers (SO) progressing through the Future Leaders Scheme - a newly introduced leadership development programme - to Head of Unit (HoU) roles.

2.18 We note that as at 1 April 2020, 74 per cent of the remit group defined themselves as coming from a Protestant community background, compared to 14 per cent who defined themselves as coming from a Roman Catholic community background. As Figure 2.1 shows, in percentage terms, slightly fewer women identify themselves as Protestant compared to men, whereas slightly more women identify themselves as Roman Catholic, compared to men.

Figure 2.1: Percentage of staff in post by community background, as at 1 April 2020



2.19 We also note that, in 2019, 0.3% of NIPS staff were from a minority ethnic background (including members of mixed ethnic groups and the Irish travelling community).

2.20 The Justice Minister informed us in oral evidence that equality and diversity was an important priority for her, and that she would be taking the lead on improving diversity in the DoJ and NIPS workforces. Although the number of female officers and applicants from females has increased in recent years, the Justice Minister recognised that there was still more to do and there needed to be more affirmative action to prepare female members of staff for more senior roles, to address under representation at senior levels and to demonstrate that promotion was possible. This in turn would feed into the gender pay gap and work to reduce that gap for the Service. During oral evidence, the Justice Minister also recognised that the underrepresentation of Roman Catholic members of staff (particularly in higher paying roles) and Black, Asian and minority ethnic (BAME) staff was also an issue and the Service needed to be more creative in addressing this. The Justice Minister stated that the Service needed to reflect the society it served, at all levels.

2.21 A key theme of NIPS's proposals this year was addressing relativities through additional restructuring of pay scales. It provided us with proposals that would remove two pay differentials in full – the difference between pre-2002 and post-2002

SO and the difference between post-2002 Main Grade Officer (MGO) and CPO pay rates. NIPS informed us in oral evidence that the Equality Commission states organisations should avoid having too many grade structures or overlaps between grades as this can increase equal pay vulnerabilities. NIPS further stated that it was conscious of age discrimination legislation. It said its number one priority was to address relativities first, and then address the length of pay scales and other priorities in the future.

2.22 In reaching our recommendations this year we discussed and considered several issues that affect equality and diversity in the Prison Service. We share our thinking and the conclusions we reached on these issues in Chapter 3. There are, however, still a number of areas where we would wish to receive better and more meaningful data next year so that they can be addressed in our 2021 report. This includes BAME representation in NIPS versus BAME representation in the Northern Ireland population. We return to this matter in Chapter 4.

Environmental context

Covid-19

2.23 As we wrote our report this year, we felt it was necessary to recognise the unprecedented conditions that staff in our remit group are working in due to Covid-19. Every prison has had to put contingency plans in place to slow the spread of Covid-19 and prioritise the safety of prisoners, staff, and visitors. These plans have included the temporary suspension of prison visits and the restriction of regimes, adding further pressure to the already challenging roles that staff in our remit group undertake. We have been enormously impressed by the many ways in which staff at all levels have confronted these challenges and the risks these entail, and we commend the bravery and professionalism of all NIPS staff during this time.

2.24 In its written evidence, we were informed by NIPS that the Justice Minister, in agreement with the Finance Minister, provided additional resources of £1.9 million to meet the challenges that have arisen due to Covid-19. These included non-pensionable special payments for staff to recognise the unique circumstances in which they were working. NIPS informed us that these payments were implemented in March 2020 and would remain in place until June 2020. NIPS have subsequently implemented a further two schemes of non-pensionable special payments to cover both July and August 2020.

Prisons 2020

2.25 In July 2018, NIPS launched its Prisons 2020 strategy. The strategy aims to ensure NIPS is structured and resourced to provide an efficient, effective, modern, and affordable service which is focused on the development of staff and is capable of rehabilitating those in custody. Prisons 2020 is a three year continuous improvement programme, of which NIPS is entering the third and final year.

2.26 NIPS informed us in written evidence that some of the key highlights from the year 2 delivery plan include: the opening of Davis House at HMP Maghaberry; the introduction of a Harm Reduction landing at HMP Magilligan; and the launch of the Future Leaders Scheme.

Prison population

2.27 NIPS informed us that the prison population as at 30 April 2020 was 1,463, a decrease of 1.5% compared to the previous year. This equates to 1.2 prisoners per establishment remit group staff member.

2.28 At the end of March, the Justice Minister announced that fewer than 200 appropriately risk-assessed prisoners would be released on a temporary basis to ease the pressures on the Prison Service due to Covid-19.²¹

Her Majesty's Inspectorate of Prisons

2.29 By invitation of the Criminal Justice Inspectorate Northern Ireland, Her Majesty's Inspectorate of Prisons (HMIP) inspected Hydebank Wood Secure College and Ash House Women's Prison Hydebank Wood in October and November 2019. The report commended prison staff for the 'remarkable progress' they had made to improve performance, noting that outcomes for young men at the Secure College were dramatically better than at comparable prisons in England and Wales.²² Levels of violence and incidents of self-harm at Ash House women's site were also found to be both lower than at the time of the last inspection and lower than at other women's prisons in England and Wales inspected by HMIP. The Chief Inspector commented that he remained concerned about the supply and use of

²¹ Northern Ireland Department of Justice, (2020). *Northern Ireland Prison Service COVID-19 update*. (online) Available at: <https://www.justice-ni.gov.uk/articles/northern-ireland-prison-service-covid-19-update> [accessed on 17 September 2020].

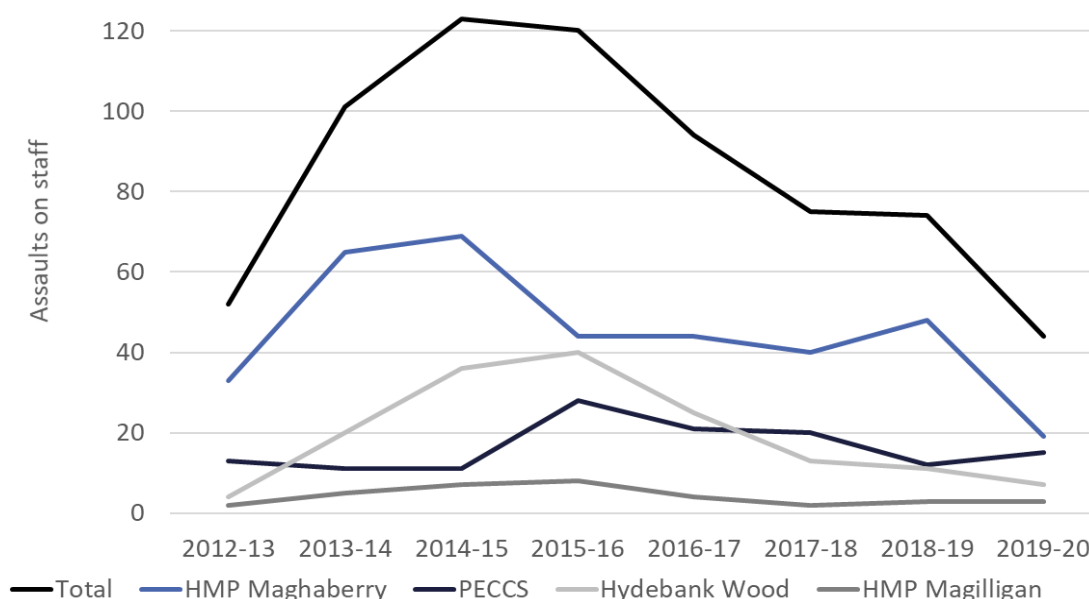
²² Criminal Justice Inspectorate Northern Ireland, (2020). *Report on an Unannounced Inspection of Hydebank Wood Secure College*. (online) Available at: <http://cjini.org/TheInspections/Inspection-Reports/2020/April-June/Unannounced-Inspection-of-Hydebank-Wood-Secure-Col> [accessed on 17 September 2020].

illegal and prescription drugs and the governance around the use of force but that overall, he was “thoroughly impressed” by the findings of the inspection.

Safety in custody

2.30 As demonstrated in Figure 2.2, the number of recorded assaults on prison staff in 2019-20 decreased by 41 per cent from 2018-19. Since a peak of 123 assaults in 2014-15, the number of assaults has continued to fall year on year.

Figure 2.2: Assaults on prison staff by prisoners 2012-13 to 2019-20



	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
Total	52	101	123	120	94	75	74	44
HMP Maghaberry	33	65	69	44	44	40	48	19
PECCS	13	11	11	28	21	20	12	15
Hydebank Wood	4	20	36	40	25	13	11	7
HMP Magilligan	4	5	7	8	4	2	3	3

2.31 The figures on assaults on staff showed:

- Although HMP Maghaberry has historically had the most assaults, it saw the greatest reduction in the number of assaults in 2019-20. Assaults reduced by 60% from 48 in 2018-19 to 19 in 2019-20.
- The number of assaults against PECCS staff increased slightly in 2019-20, whilst HMP Magilligan and Hydebank Wood Secure College saw numbers decrease or remain stable.

The security risk in Northern Ireland

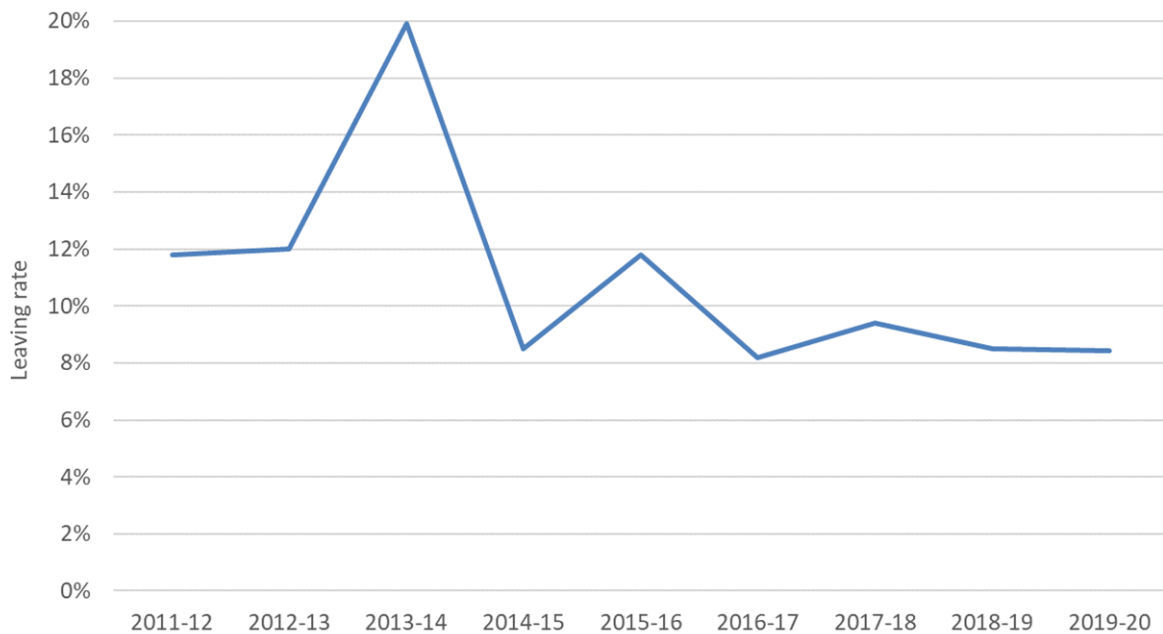
2.32 This year we continued to hear evidence from both staff on visits and the parties that the security risk for prison staff in Northern Ireland is still very real and this continues to affect their work and home lives. Despite considerable progress in Northern Ireland, security protocols remain part and parcel of everyday life for NIPS staff both on and off duty, and affect important choices for their families, such as the location of homes and selection of schools. In particular, we again heard concerns from PECCS staff about the high public visibility of their service and the potential dangers that arise from routinely being seen in public handcuffed to prisoners when walking from cellular vehicles to courts. PECCS staff felt that small but practical changes, such as having secure designated parking inside the court grounds, would decrease the risk of hostile action from violent dissident republicans.

2.33 All staff we spoke to on our visits appreciated the increase to the Supplementary Risk Allowance (SRA) in 2019 and welcomed our recommendation that the SRA should be fully aligned to the Police Service of Northern Ireland's Transitional Allowance (NITA). We again heard concerns from staff that the SRA could one day be removed, and this risk could be negated by consolidating the allowance into base pay.

Recruitment and retention

2.34 NIPS told us in its written evidence that, although historically it has not had a problem with recruitment and retention, there has been an increase in turnover in recent years. In the year to April 2020, 106 staff left the service (8.4% of staff in post). This represented a slight decrease from 8.5% in the year to April 2019 (see Figure 2.3). The main reason for staff leaving was resignation (44 per cent of all leavers), followed by medical retirement (33 per cent of all leavers).

Figure 2.3: Leaving rate of remit group staff (%), 2011-12 to 2019-20



2.35 The data we received from NIPS also show that, by grade, CPOs with 0 to 4 years of service were the category with the most leavers. NIPS stated in oral evidence that it was running small scale continuous recruitment for CPOs, Night Custody Officers (NCO), and Prisoner Custody Officers (PCO). The latest recruitment campaign had been well received and there were 125 officers at the training college at present. NIPS informed us during oral evidence that the Service had 90 more CPOs than its target staffing level and the current leaving rate was therefore manageable. It stated that retention levels were also expected to improve in the coming months as the impact of Covid-19 was felt by the labour market.

2.36 For a number of years, we have encouraged NIPS to consider introducing formal exit interviews for all staff who leave the Service as this can provide valuable data about why staff are leaving and to where. This can help indicate trends and when and where resources should be best directed. NIPS told us this year that the issue of completing exit interviews is a matter for the wider Northern Ireland Civil Service (NICS) and NICS, as an organisation, does not conduct exit interviews. We are disappointed by this response as we consider that it is important to understand in a structured way the reasons why staff leave. Furthermore, given the unique operating environment, the reasons why staff leave NIPS may be very different to the reasons why staff leave NICS.

Temporary promotion

2.37 In our 2019 report, we raised concerns about the extent of temporary promotion within some grades. High levels of temporary cover are not only unsustainable in the long term for NIPS, but also represent a missed opportunity to provide an incentive for good performance, fair and open competition, and career progression. This year we continued to hear on visits of cases where individual members of staff had been on temporary promotion for several years, particularly at the SO grade. In its written evidence, NIPS acknowledged that there are two areas where a relatively large number of temporary promotions are being utilised: at HoU level as part of the Future Leaders Scheme (due to end in January 2021) and at SO level to fill 30 vacancies. NIPS informed us that it has launched a competition to fill the vacancies at SO level which it hopes will conclude in August.

2.38 As stated earlier, in oral evidence the PGA(NI) told us that the Service would lose a number of staff within the governor grades in 2021 due to retirement, resulting in a significant loss of experience at a senior level. It said however, that the current Future Leaders Scheme had been one of the most successful schemes NIPS had ever run and the expectation was that at least half would pass the scheme and be promoted into the governor grades.

Overtime

2.39 From April to March 2019-20, overtime payments across establishments in Northern Ireland totalled £3.2 million. The total cost of overtime payments has been relatively stable in recent years but increased by 15 per cent in 2018-19 and again by five per cent in 2019-20. NIPS informed us in oral evidence that overtime payments have increased significantly in light of Covid-19 and that the Service had budgeted to spend another £2.5 million in overtime payments by the end of the summer. We will continue to monitor the total cost of overtime.

Motivation and morale

2.40 The overall picture from the range of evidence we received indicates that the level of motivation and morale is generally good in the Service. On our visits staff informed us that there was a good sense of camaraderie between colleagues and many enjoyed working for the Prison Service. The 2019 pay award was well received by the majority of staff, apart from pre-2002 SOs who thought the flat cash uplift had been more beneficial to the lower paid grades. Pre-2002 SOs, who felt that

their pay had been restrained in recent years, perceived this to be unfair. We continued to hear from PECCS staff that they still felt they were the forgotten part of the Service and were treated differently from prison staff by not being able to apply for prison jobs internally. We return to this matter in Chapter 4.

2.41 We did not receive any written evidence from the POA Northern Ireland (POA(NI)) or separately from the PGA(NI) this year on motivation and morale. During oral evidence, the PGA(NI) said that staff morale was the best it had ever been, and that Covid-19 had improved cohesive working among staff. It said that the Service had recently received good feedback from HMIP, as well as winning a number of awards. It was reported that other prison services from across Europe were now coming to see how Northern Ireland manages its prisons.

People Survey

2.42 NIPS carried out the annual NICS People Survey at the end of 2019 and its results were published in February 2020. Although the response rate increased from 20 per cent to 28 per cent for operational prison staff this year, NIPS informed us that the completion rate continues to be low because the survey is not NIPS specific and operational staff do not see themselves as civil servants. NIPS therefore believes the survey gives a different picture of the Service than the one that is seen walking around the establishments.

2.43 The questions on pay and remuneration were the lowest scoring theme for operational prison staff who completed the survey, with only 18 per cent responding positively to these questions. Due to the low completion rates, we treat the results from this survey with considerable caution.

2.44 In light of these results, we encourage NIPS to consider launching its own internal Culture Audit or People Survey. We note that the Police Service of Northern Ireland (PSNI) and the Probation Board for Northern Ireland use their own bespoke survey tools which may be more suitable to an operational service such as NIPS.

Sickness absence

2.45 We consider sickness absence in our report as it is often an indicator of low motivation and morale and can significantly affect staffing levels. The level of sickness absence had been rising since 2016-17, despite generally good levels of motivation and morale and a trend in most establishments of decreasing violence

against staff. The NIPS evidence this year however, shows a slight drop in the number of working days lost through sickness absence, from 20.9 in 2017-18 to 19.3 in 2018-19.

2.46 In oral evidence, NIPS informed us that sickness absence was still a problem mainly because it was managed under the NICS system which it felt was not fit for an operational service. NIPS also said a number of staff were off on long-term sick which skewed the levels of sickness absence. However, the Justice Minister informed us that she has set up a short, focused review of the support mechanisms in place in the Service to see what more can be done to help frontline staff in regard to wellbeing and mental health. We look forward to seeing the results of this review for our next report.

Evidence from visits

2.47 In January 2020, we visited staff at Maghaberry and Magilligan prisons, Hydebank Wood College and PECCS, both at Laganside Court and at Maghaberry prison. We have grouped the issues raised in the discussion groups into main categories for ease of reference, although many span more than one group.

2.48 The main pay and allowance issues raised with us on our visits were:

- Most staff welcomed the 2019 pay award with positive feedback. However, pre-2002 SOs and MGOs were generally unhappy with the pay award because a flat cash uplift was more beneficial to the lower paid grades, and they felt that their pay had been held back.
- PECCS grades were particularly pleased with the pay award as it targeted more to the lower paid.
- Governor grades were generally content with the pay award agreed between NIPS and the PGA(NI), although they felt underpaid when compared to the Police and Prison Service operational manager equivalents in England and Wales.
- Governor grades were pleased that the Governor on-call allowance had been increased as previous levels had been considered derisory. However, they wanted to see this increase further to achieve parity with NICS and PSNI colleagues.

- PECCS staff were unhappy that the drivers' allowance was only paid for court transfers and felt that it should be paid for all driving duties, such as Police and inter-prison transfers.
- The pay level for a CPO was too low and needed to be increased to reduce the perceived high turnover rate at this grade.
- PCOs and NCOs should be paid the same as CPOs. The training was the same and so were the responsibilities, along with having to deal with prisoners.
- The pay system was too complicated and there should be fewer grades. Some staff mentioned that all CPOs should be paid the pre-2002 MGO rate of pay.
- Some staff wanted to see pay scales shortened. Some scales were felt to be too long and did not fairly reflect the amount of time needed to become competent at that grade.
- Future pay awards should be consolidated as non-consolidated awards were seen as just bonuses. Some staff expressed a preference for flat cash pay increases whilst others wanted percentage awards, however it was agreed that everyone should get the same award. The award should at least match the current rate of inflation.
- Staff stated that they wanted overtime paid at an enhanced rate, along with working weekends and, public and bank holidays attracting enhanced pay rates. Staff noted that overtime rates in the NICS were higher for working those days. Although pre-2002 SOs and MGOs noted that enhanced rates of pay were "exchanged" in 1989 for higher base pay, newer grades noted they did not benefit from this higher pay.
- Dog handlers wanted us to review their allowances as these had not been increased for a significant number of years, despite the costs associated with looking after the dogs increasing. They also noted that dog handlers in the England and Wales Prison Service received an enhanced allowance for more than one dog.

2.49 The main issues in regard to the security environment and the SRA were:

- Staff appreciated and welcomed the increase to the SRA and the recommendation that it should be the same as the NITA.

- There was a real concern amongst PECCS staff about the high public visibility of their service. They were routinely seen in public walking from cellular vehicles to courts handcuffed to prisoners. Staff said that at some courts they were told where to park or had no designated parking. They felt this placed them at an increased risk from violent dissident republicans.
- The security risk in Northern Ireland was still very real and all expected this to be the case for some time to come.
- Nearly all staff wanted the SRA consolidated into base pay. The main reason being because it could not then be taken away and would be pensionable.

2.50 The main recruitment and retention issues were:

- There was a real concern from Governor grades down to officer grades about the retention rates for CPOs. It was felt that turnover was simply too high, and this was considered a result of current pay levels.
- Staff noted that the PSNI would be looking to recruit a further 800 Police Officers which would cause CPOs to leave the Service for higher Police pay (although not necessarily better terms and conditions).
- PECCS said recruitment had improved slightly but there was still a retention issue for PCOs, with more staff leaving to work in a range of other sectors. Again, pay levels were considered a big factor.
- The NICS recruitment process was felt to be too slow. Staff criticised the process as it did not always recruit the best people for the job.
- There had been an increase in medical retirements of pre-2002 SOs and pre- and post-2002 MGOs.
- It was reported that prisons, particularly HMP Maghaberry, had been running with staffing deficits against target staffing levels for at least 18 months. Staff felt that the situation needed to be rectified.
- Governor grades did not mention recruitment and retention issues at their grades but were concerned about CPO retention rates. They did note that the Service would, in the coming years, lose a large chunk of experienced governor grades to retirement, which NIPS needed good succession planning for. The Future Leaders Scheme had started to address this.
- Temporary promotion was still in use and staff said there were a substantial number of SO posts being covered in this way. Some staff said they had been on temporary promotion for years rather than months. Concerns were

expressed that “highflyers” would be promoted over those who had been on temporary promotion for some time. A SO promotion board was due to be run in March.

2.51 The main motivation and morale issues were:

- Motivation and morale was not a key factor in many discussion groups, although staff indicated there was a good sense of camaraderie on units and at prisons. Some felt morale in the Service was low.
- PECCS echoed a similar view as last year, in that they still felt they were treated differently from prison staff.
- There was some praise for local managers and individual Governors who staff felt were fair.
- Sickness absence levels appeared high, although these had reduced at some establishments.

2.52 Other issues raised on our visits were:

- Several SOs on the Future Leaders Scheme said they were enjoying the challenge of the scheme. It was felt the scheme was giving staff a good sense of what it meant to be a HoU, although some staff considered that six months at each establishment might not be long enough.
- Some staff said there had been recent changes to mileage rates. This had adversely affected staff who had been temporarily transferred to different workplaces and was unfairly penalising staff with higher transport costs.
- Career progression for PECCS stopped at Principal Prisoner Custody Officer and there should be a route into prison roles and wider NICS roles.
- PECCS staff again expressed frustration that they were not able to apply for NIPS or NICS jobs as internal recruits, instead having to apply externally, despite having received reassurances from NIPS in the past that this would change. Again, this fed into the narrative that they were not a fully integrated part of the Service.
- Career progression routes needed to be developed for NCO and Operational Support Grades (OSG) who wanted to progress.

- Enforced overtime was an issue for PECCS as staff could not go off duty until the court had finished or the prisoners had been driven back to establishments.
- The performance management system was seen as a “tick box” and “paper exercise”. Most staff said they did not value the system and that it did not currently work.
- Some staff had not heard of the grading review and others said it was taking far too long, having themselves being interviewed over a year ago.
- Several staff said they would be reluctant to transfer to newer grades even if the pay was higher, due to concerns over other terms and conditions that might change.

The parties’ proposals

2.53 As we noted in Chapter 1, NIPS and the PGA(NI) successfully concluded negotiations on the governor grade pay scales and the revised rates for the Governor on-call allowances. These were agreed in principle and set out in NIPS’s written evidence which we received at the end of May 2020. The key proposals in NIPS’s evidence are summarised below:

- A two per cent consolidated increase to all governor grade pay scales;
- A two per cent consolidated increase to all post-2002 SO, CPO, NCO, OSG and PECCS pay scales;
- A one per cent consolidated and one per cent non-consolidated award for the pre-2002 MGO and post-2002 MGO pay rates;
- An increase in the SRA of two per cent from 1 April 2020;
- An increase in the weekend rate of on-call for specific rostered commitments for governor grades by £1; and
- A number of pay scales changes effective 1 April 2021 onwards, including scale lengthening and shortening and a new two tier pay scale for CPOs.

2.54 NIPS also proposed two options for pre-2002 SOs:

- Staff receive a one per cent consolidated and one per cent non-consolidated award, or
- Staff move to the 2020 maximum of the post-2002 SO pay scale and receive both the SRA and a three year mark time pensionable allowance of £930 (the difference between the proposed 2020 maxima of the pre-2002 and post-

2002 SO pay rates). This allowance would erode by one third each year, completely eroding by 1 April 2023, unless pay awards fell below one per cent.

2.55 NIPS costed its proposals at 4.55% including progression. This was broken down as: 2.1% and 1.71% for restructuring and revalorisation; 0.21% for non-consolidated payments; and 0.53% for allowances.

2.56 On receipt of the written evidence at the end of May, we expressed our concern to NIPS that significant changes to the current pay scales had been proposed without supplying substantive evidence to justify the incremental expenditure beyond achieving parity with some of the previous grading arrangements. We also noted that a number of issues that we had asked in our 2019 report for NIPS to address in its written evidence this year had not been provided to us. This included evidence on motivation and morale; exit interviews; sickness absence; temporary promotion; equality data; the current status of the grading review; and comparative market justification for the NIPS proposed changes to the pay scales.

2.57 We subsequently postponed oral evidence with the parties and requested that NIPS revise its submission to include both this additional information and further details on the long-term strategy for the NIPS pay structure. NIPS responded to our request and provided us with an additional written submission at the end of June 2020.

2.58 During the subsequent oral evidence session in July, NIPS presented us with a further set of revised proposals. It informed us that these revisions were driven as a result of our England and Wales 2020 report recommendations.²³ The revised proposals were:

- A two per cent consolidated award for pre-2002 and post-2002 MGOs, instead of the originally proposed one per cent consolidated and one per cent non-consolidated award;
- Pre-2002 MGO basic pay to be revised to £32,305;

²³ This report was published in July 2020.

- Pre-2002 MGOs to be offered a ‘protected pensionable allowance’ of £7,670 to equalise the pre-2002 and post-2002 MGO and CPO base pay maxima; and
- The CPO maximum to be increased to £32,305.

NIPS did not submit any changes to its original proposals for pre-2002 SOs.

2.59 NIPS costed its revised pay award at 4.58% including progression (1.98% for revalorisation, 2.07% for progression and 0.53% for allowances). We do not consider progression within a pay scale to be part of the annual award as progression is an integral part of a fully functioning pay system, which evens itself out over time through staff movements between grades and in and out of the Service. On that basis, we note that the actual cost of the pay award component of NIPS’s proposals (including both changes to the scales and to allowances but excluding progression) represents 2.51% of paybill. NIPS informed us that its revised proposals increased the overall cost of its earlier submission by 0.06%.

2.60 In oral evidence this year, we questioned the Justice Minister and NIPS on the affordability of its proposals in the absence of prior approval from the DoF. The Justice Minister informed us that the total cost of the NIPS proposals was affordable and was consistent with the pay guidance from Her Majesty’s Treasury, allowing for average pay awards of up to 2.5%.²⁴

2.61 This year we also received written submissions from the Community union. It made the following proposals in its written submission:

- A five per cent consolidated pay uplift to all grades and pay points;
- All previous non-consolidated pay awards from 2012 to 2018 to be consolidated retrospectively into pay;
- The two SO pay rates to be merged at no detriment to staff and the increased responsibilities at that grade reflected in the pay rate;
- The PECCS and NCO pay scales to mirror that of the CPO;
- The CPO pay scale to be reduced to a maximum of three pay points;

²⁴ The Civil Service pay remit guidance for 2020-21 states that departments paying an average award of more than 2.0% and up to 2.5% must demonstrate tangible outcomes based plans, with milestones, for progress against delivery of key long term priorities such as workforce transformation and improvements, including through automation, location strategy and addressing pay anomalies.

- The PECCS drivers' allowance to be pensionable, and extended to all driving duties;
- The SRA to be made pensionable and increased to the level of the NITA;
- The introduction of a night duty allowance for NCOs;
- The introduction of two new PECCS allowances – a long day allowance and a managing and minimising physical restraint allowance; and
- A Fire Officer duty allowance to be introduced and be made pensionable.

2.62 Community also asked for a number of changes to terms and conditions which are not within our remit for example, a move from a 39 to a 37 hour working week.

2.63 The POA(NI) continue not to submit evidence to us following its 2015 conference motion. As part of our usual evidence exchange with the parties, we shared all the other parties' written evidence with the POA(NI) in May 2020. As we noted in Chapter 1, the POA(NI) Area Chair, Ivor Dunne, wrote an open and without prejudice letter on 18 May 2020 to the PSPRB Chair. The POA(NI) stated that its membership has risen to the challenge of Covid-19 as keyworkers, demonstrating professional qualities and attending work in very dangerous circumstances, something it stressed its membership does on a daily basis.

2.64 The union also made the following points relating to our remit:

- All staff deserved a meaningful and consolidated pay award;
- The PSPRB would further lose the confidence of the POA(NI) membership if the NIPS proposals are endorsed; and
- The prison officer grades within the remit group are not paid enough for the professional job they do on behalf of society.

Further request for evidence

2.65 As stated in paragraph 2.56, in our 2019 report we asked NIPS to address a number of issues in its written evidence so that we could consider them fully in this 2020 report. We are an evidence-based body and this information is therefore important to enable us to discharge our statutory duty, as well as allowing us to gain a better understanding of trends and emerging issues. We were disappointed that most of the information we requested was not provided to us in the original NIPS submission. The information then provided, including in the later oral evidence

session, went some way towards addressing the issues we had raised, but was not comprehensive.

2.66 We believe the failure to provide evidence and the information requested in a thorough and considered form and supported by data and independent research, against which the NIPS proposals could be tested robustly, represents a significant missed opportunity for NIPS. Without this information aspects of our work are limited, potentially to the detriment of our remit group.

2.67 We ask that all parties carefully consider Chapter 4 of our report this year and ensure that requests for further information, alongside the elements of our terms of reference, form the considered basis of written evidence submissions for our 2021 report.

Chapter 3: Our recommendations on pay for 2020

Introduction

3.1 This chapter summarises our analysis of the evidence we received and sets out our recommendations. The objectives that we set out to address this year were:

- To ensure that all staff in our remit group receive an above inflation consolidated pay award;
- To maintain the competitiveness of our remit group's pay scales and ranges;
- To uphold the principle of alignment between the Supplementary Risk Allowance (SRA) and the Police Service of Northern Ireland Transitional Allowance (NITA), acknowledging the security threat to operational prison staff working for the Northern Ireland Prison Service (NIPS); and
- To uphold the principle that no significant changes should be made to the pay structure in advance of the completion of the grading review.

3.2 In reaching our recommendations, we have taken account of the evidence provided by NIPS on its affordability constraints.

Summary of headline recommended pay awards

We recommend that from 1 April 2020 all staff receive a two per cent consolidated pay increase to all pay points and spot rates.

We recommend that the Supplementary Risk Allowance for those staff eligible to receive it should be aligned to the Police Service of Northern Ireland Transitional Allowance.

Analysis

3.3 When considering all the evidence available to us this year, we were conscious that the Prison Service is operating in very challenging circumstances. The impact of coronavirus (Covid-19) has had a significant effect on our remit group and those prisoners who are in their care. It is therefore positive to note that NIPS have successfully risen to this challenge which has resulted in an almost Covid-19 free prison environment. We see this as proof of the hard work and commitment by the staff in our remit group to continue to maintain a stable prison system in difficult circumstances, and staff should be commended for this.

3.4 The impact of Covid-19 has made it difficult for us to consider fully the key economic indicators and benchmarks we use when making our decisions. In reaching our recommendations we have noted the latest published figures for the Consumer Prices Index including owner occupiers' housing costs rate of inflation at 1.1%²⁵, as well as the limited data available on economic growth, the labour market and average earnings. We are mindful that the impact of Covid-19 continues to affect the economy and is therefore not yet fully reflected in the official data available to us.

3.5 We are pleased to note that NIPS continues to be in a particularly stable operational position. Levels of violence against staff have decreased substantially over the last two years, from 74 assaults on staff in 2018-19 to 44 in 2019-20. This is a decrease of 41 per cent, largely driven by a 60 per cent decrease in assaults against staff at Maghaberry prison. The Service has also had several positive inspection reports and won a number of staff and service level awards. It is pleasing to see that the hard work of frontline staff is being recognised when much of their day to day job occurs outside the sight of the public.

3.6 The recruitment and retention picture across the Service generally remains positive. The overall turnover rate has decreased slightly this year from 8.5% to 8.4%, having reduced from 9.4% in 2017-18, which suggests there are not significant upward pressures on pay in respect of recruitment and retention. NIPS informed us in oral evidence that the current turnover rate was manageable and that it continues to run small scale recruitment campaigns to tackle grade specific issues. We note that Custody Prison Officers (CPO) with 0 to 4 years of service remain the category with the most leavers; but NIPS is running continuous recruitment campaigns to keep the pipeline of new recruits open. The Prison Governors' Association Northern Ireland (PGA(NI)) raised concerns about the number of governor grades approaching retirement within the next two years; but we were pleased to see that succession planning is being actively managed by NIPS through the Future Leaders Scheme. We welcomed the chance to talk to some of the staff on this scheme and have heard positive feedback during our visits this year.

3.7 In its evidence, NIPS told us that the main comparators for prison officers were Police Constables and Firefighters. The former are paid significantly more than

²⁵ The CPIH rate of inflation as of July 2020.

post-2002 MGOs and CPOs and the latter are broadly paid a similar rate to post-2002 MGOs. NIPS therefore believe its proposed new rate for post-2002 MGOs and CPOs reflect the market rate for comparable jobs.

3.8 We compared²⁶ prison officer pay for selected grades to economy-wide earnings in Northern Ireland using the Office for National Statistics' Annual Survey of Hours and Earnings data and against other occupations we identified as suitable comparators. Our findings from these analyses suggested that the relative position of prison officer earnings compared to those in the wider economy had been maintained or had improved from 2013-14 to 2018-19 and that prison officer pay was broadly competitive with that of the comparators we examined. We discussed our findings with NIPS during oral evidence, and they informed us their main focus this year was addressing the pay differentials between grades rather than looking at comparative market justification for its proposals.

Affordability

3.9 Affordability is a part of our terms of reference that we are required to consider. This year we were again constrained in our ability to consider fully the affordability impact of NIPS's proposals due to its evidence not being agreed with the Department of Finance (DoF) before being submitted to us. Whilst we note that NIPS said its proposals are affordable within its budget, it will have to enter into discussions with the DoF following submission of this report to the Northern Ireland Government, something we regard as being less than ideal. As we note in paragraph 2.11, we would welcome evidence from NIPS on how productivity improvements might be used to fund additional investment in pay through greater efficiencies. However, our position is that we expect our recommendations to be accepted in full as per the International Labour Organization commitment, unless there are "exceptional circumstances".

3.10 NIPS's initial written proposals were costed at 2.45% of paybill excluding progression which it informed us represented the "absolute maximum possible" within its delegated budget. In its revised proposals NIPS stated that its paybill increase, excluding progression, would rise from 2.45% to 2.51%. It noted that this revised proposal was the maximum affordable and that it would still need the DoF to

²⁶ Comparisons with ASHE gross earnings include SRA and comparisons with specific occupations were undertaken with and without SRA.

approve a pay remit at that level. It believed that there was a sufficiently robust case for this award as it sought to mitigate equal pay risks that may exist.

Uniformed grades pay award

3.11 This year, the POA Northern Ireland (POA(NI)) and NIPS were not able to reach a joint agreement on the pay and remuneration for the uniformed grades. In its written evidence NIPS said that the POA(NI) were supportive of the pay scale changes but not the overall pay increase, reporting that it could not support non-consolidated payments. We received no evidence from the POA(NI) to confirm its position in respect of the negotiations with NIPS.

3.12 In its revised proposals NIPS proposed a consolidated and pensionable headline award of two per cent for all grades, with the exception of pre-2002 Senior Officers (SO) who would see a one per cent consolidated and pensionable increase with a further one per cent non-consolidated payment unless they opted to move to the post-2002 SO pay scale. It also proposed several pay scale changes, which we discuss later in this chapter. NIPS made its position clear; its primary motivation was to act decisively to address the pay differentials in the current pay structure whilst proposing what it saw as a “fair and equitable pay award” for staff.

3.13 The Community union proposed in its written submission a five per cent increase for all pay points and spot rates.

3.14 This year we saw a need for a consistent approach to pay awards for all staff to recognise the particularly demanding job that all frontline staff continue to do, and in even more difficult conditions this year due to Covid-19. Whilst we note that NIPS’s proposed plans effectively equalise the two SO grades, we felt that providing a part consolidated, part non-consolidated award for around 55 pre-2002 SOs would have a more demoralising effect on these staff than the small additional increase in employer pension costs that would arise from a fully consolidated award. NIPS will need this group of staff to mentor and train those new SOs passing promotion boards in the autumn, so any loss of morale could impact on the transfer of knowledge from experienced staff and, in turn, the stability of the Service.

3.15 We therefore recommend that all staff receive a two per cent consolidated and pensionable pay increase as set out in Appendix E. We note that this will mean a very slightly increased cost for NIPS above its revised proposals.

Recommendation 1: We recommend that with effect from 1 April 2020 all staff in the pre-2002 and post-2002 Senior Officer, pre-2002 and post-2002 Main Grade Officer, Custody Prison Officer, Night Custody Officer, Operational Support Grade, Principal Prisoner Custody Officer, Senior Prisoner Custody Officer and Prisoner Custody Officer grades receive a consolidated, pensionable increase of two per cent, as set out in Appendix E.

Governor grades pay award

3.16 This year the PGA(NI) and NIPS reached an agreed position on the pay award for governor grades which ensured all staff would see a consolidated pay increase of two per cent. The joint agreement also included a reduction in the number of pay points from six to five for all governor grades. The PGA(NI) told us that it was content with the position it had reached with NIPS and the agreement met most of its objectives for this year.

3.17 It has been our position in our previous two reports that agreements made between the PGA(NI) and NIPS should be recognised unless there is a compelling reason not to. We see no compelling reason not to endorse the joint agreement which sees governor grades receiving the same consolidated pay increase as uniformed staff.

Recommendation 2: We recommend that with effect from 1 April 2020 the Governor in Charge (Maghaberry), Governor in Charge (other posts), Head of Function and Head of Unit pay scales are increased as set out in Appendix E, which will see a consolidated, pensionable uplift of two per cent for all these staff.

Governor on-call allowance

3.18 This year the PGA(NI) and NIPS reached a joint position to increase the weekend and privilege holiday on-call rate from £20 to £21 a day. During oral evidence the PGA(NI) said this represented the best outcome achievable through negotiation this year, and it intended to return to the issue of the Governor on-call allowance rates in future years to reach its preferred position.

3.19 As for the agreement on pay, we see no reason to make alternative recommendations and therefore endorse the PGA(NI) and NIPS agreement on the

increase to the weekend and privilege holiday Governor on-call rate proposed. All other Governor on-call rates remain unchanged.

Recommendation 3: We recommend that from 1 April 2020 the weekend and privilege holiday Governor on-call rate is increased from £20 to £21 a day.

Supplementary Risk Allowance

3.20 In our 2019 report we recommended that the SRA and the NITA should be aligned to reflect the unique risks that both police and prison staff face at home and at work in Northern Ireland. We also recommended that the pay effective date of the SRA should be moved to 1 September to match that of the NITA. This recommendation was rejected and the Government's response (see Appendix B) from the Department of Justice's Permanent Secretary indicated that it would instead closely match the SRA to the NITA. This year, NIPS proposed that the SRA should increase by two per cent from £3,357 to £3,425 a year from 1 April 2020.

3.21 Whilst we note this position, we still believe it is appropriate that staff in the police and prison services in Northern Ireland should be paid the same allowance rate for the security risks they face. It is still our principle that the SRA and the NITA should be fully aligned and not just "closely matched", and we intend to uphold this principle in our recommendations this year.

Recommendation 4: We recommend that the Supplementary Risk Allowance should be aligned with the 1 September 2020 Police Service of Northern Ireland Transitional Allowance rate.

3.22 We ask the parties to inform us should the SRA and NITA become misaligned and to report this back to us in their evidence for our next report.

Other allowances and payments

3.23 Operational grades receive a range of current and legacy allowances and payments, with the full list at Appendix F. This year, we only received a submission from the Community union on these other allowances and payments (detailed in Chapter 2). No other parties requested any further changes to the current rates of allowances outside of the SRA and the Governor on-call allowance.

3.24 We considered this year, like last, that the best use of the funds available would be to provide all staff with a consolidated and pensionable increase in pay, rather than increase or introduce new allowances. We therefore make no recommendations on other allowances and payments and ask that they remain unchanged from the values set out in Appendix F.

Future pay scale changes

3.25 In its evidence to us, NIPS presented a number of complex pay scale changes which including lengthening pay scales for future years and introducing a series of pensionable allowances for others. Whilst it is positive that NIPS is attempting to address the pay differentials between the recruited-to and not-recruited-to grades, we still have reservations. In recent years, NIPS has presented us with several changes to pay scales which have seen some shortened, only to then be lengthened the following year. We find that there is no clear justification or rationale as to why these changes are needed or why they directly contradict proposals from previous years. It is especially uncomfortable for us that under the NIPS proposals this year some officer grades will now have far longer pay scales than the more senior Governor grades. This runs contrary to evidence provided by NIPS in previous years where it has expressed a desire to shorten pay scales and the advice from the Equality and Human Rights Commission that NIPS quoted in its evidence.²⁷

3.26 We are mindful that NIPS said its priority was to address the differentials before reviewing pay scales lengths this year, but we cannot support this approach which indicates a lack of a clear long-term strategy for the pay structure as a whole. We therefore remain committed to pay scales which enable individuals to progress to the top of the scale within four to five years, unless there is evidence from the grading review or elsewhere to indicate otherwise.

3.27 We also expressed concern to NIPS in oral evidence about the positioning of the proposed pay rates when compared to the broader Northern Ireland market. We felt that some of the proposals lacked comparative market justification linked to recruitment and retention, and motivation and morale. Our own analysis of the evidence on economy-wide earnings and comparator roles shows that officer grades

²⁷ NIPS's evidence stated the following: "The Equality and Human Rights Commission states organisations should avoid having too many grade structures, or overlaps between grades, as this can increase equal pay vulnerabilities".

are generally at or above comparators. We therefore believe that NIPS risks increasing pay scales beyond the market rate under its current proposals.

3.28 Although we recognise the importance of addressing differentials where they exist between grades that are, in essence, doing the same job, we reiterate our position that pay scale changes should be informed by evidence. We believe it is unacceptable the grading review has taken this long and is yet to be concluded, despite having an indicative timescale for completion of September 2018 in its terms of reference. In the absence of this data and a clear strategy for the NIPS pay structure, we believe we may risk further exacerbating existing inequalities by endorsing NIPS proposals on pay scale changes.

3.29 As an evidence-based body we concluded that, with the grading review ongoing, we do not have the appropriate information to consider the proposals and rationale for the significant pay scale changes proposed by NIPS. We therefore ask NIPS to complete the grading review without further delay and, at the very least, before the start of the next round. We will defer a decision on the NIPS proposals on future pay scales changes until the grading review is complete and NIPS has determined what actions or changes from that review are appropriate. This will then enable us to make any decisions and recommendations on pay scale changes we deem appropriate. We return to this matter in Chapter 4.

Cost of our recommendations

3.30 NIPS provided us with the cost of their proposals; this equates to a 2.51% increase to the 2019-20 paybill (excluding progression costs). Our recommendations this year will not materially change the magnitude of the NIPS costing.

3.31 We believe our recommendations offer a fair and equitable award for all staff in our remit group and provide further investment in consolidated and pensionable pay. Our recommendations will allow the Service to continue to build on its recent positive outcomes for staff and prisoners, whilst maintaining good levels of motivation and morale among our remit group.

Chapter 4: Looking ahead

Introduction

4.1 In this chapter we offer our thoughts and comments on a range of issues that we believe need to be addressed for our next report.

The grading review

4.2 We remain extremely disappointed that the grading review has still not been completed. As we noted in Chapter 3, this had an indicative timetable for completion of September 2018, we are now submitting this report in September 2020, two years after the grading review was due for completion. Whilst we are aware of the issues the Northern Ireland Prison Service (NIPS) faced at the beginning of the process and latterly, due to coronavirus (Covid-19), we see no justifiable reason why the review is still incomplete. We therefore ask NIPS to expedite and prioritise the completion of the grading review so we may consider its outcome, and NIPS's strategy arising as a result of the review, well in advance of our 2021 report.

4.3 We stand by our principle that we set out in our two previous reports that adjustments to pay scales should not be made without first being informed by the outcome of the grading review or other compelling evidence.

Equality and diversity

4.4 As we noted in Chapter 2, our terms of reference and our statutory public duty require us to consider the relevant legal obligations regarding equality and diversity legislation. In Northern Ireland this also includes community background. We continue to be disappointed by the variable data provided by NIPS on equality and diversity, particularly the breakdown of staffing by community background and race for each grade. Whilst we recognise that there are issues with data suppression due to low numbers of staff in certain protected characteristic categories, we are still required to consider this data to ensure our recommendations comply with our equality and diversity obligations. We would therefore like to see further data provided by NIPS, particularly on Black, Asian and minority ethnic (BAME) staff numbers, including data on Northern Ireland population more widely, for our 2021 report.

4.5 We take our equality duties seriously and welcome enhanced evidence of proactive consideration of equality and diversity in all aspects of NIPS work. This is

not just about the absence of discrimination, it requires concerted strategies and actions to promote equality of opportunity and to address inequalities amongst groups with protected characteristics.

4.6 It is encouraging that the Justice Minister is a keen advocate of equality and diversity, and we welcome her commitment to improving diversity within the NIPS workforce. However, we are very keen to understand what initiatives are planned to tackle issues such as the recruitment of more Roman Catholic or BAME staff into the Service. We would therefore welcome evidence for our next report on the progress made in NIPS to address these issues.

Internal promotion in the Prisoner Escorting and Court Custody Service

4.7 In our last two reports, we commented on internal promotion routes being closed for staff in the Prisoner Escorting and Court Custody Service (PECCS) who wish to apply for prison based roles, but instead have to apply externally. We noted this affects the morale and motivation of PECCS staff and therefore welcomed NIPS's commitment to resolve this issue by the end of 2019. Although we recognise that progress on this has been delayed by staffing shortfalls in PECCS, we are disappointed this issue has still not been addressed. Given the higher proportion of female staff working in PECCS we feel that this is an issue that should be given greater priority by NIPS in order to avoid any indirect discrimination.

4.8 NIPS said in oral evidence that due to the reduction in PECCS workloads following court closures in response to the Covid-19 pandemic, around 30 to 50 Prisoner Custody Officers (PCO) had volunteered to work as Custody Prison Officers inside prisons to maintain service stability. We were pleased to hear this news and believe that NIPS should expedite filling its PCO vacancies and work on opening internal promotion routes for PECCS staff, something we believe would be beneficial for morale and motivation in PECCS.

4.9 We intend to monitor this issue and ask NIPS to report back on the progress it has made for our next report.

Our timetable

4.10 For the third year running, we are submitting this report after the pay effective date of 1 April. This will again mean that staff in our remit group are receiving their pay award significantly later in the year than they should. We note there is now a

sitting Northern Ireland Assembly with Ministers in post and therefore hope that issues that have caused previous delays, such as finalising the pay guidance and consideration of our report, will not be a problem in the future. We reiterate our previous requests that NIPS provides evidence to us next year so that we can submit our 2021 report as close to the 1 April pay effective date as we can.

4.11 Given the continual delays to our timetable, we again ask that the parties consider whether it may be more beneficial to reach a consensus on a multi-year pay award, as has been achieved previously in Northern Ireland. This would provide staff with the confidence of knowing what future pay awards would be and allow these to be paid in time for the pay effective date, whilst giving the Government and the Prison Service the stability of knowing future paybill increases.

POA engagement

4.12 Following the publication of our England and Wales report at the end of July 2020, the National POA's General Secretary, Steve Gillan, informed us that the union intended to reengage with the Prison Service Pay Review Body for the 2021 England and Wales pay round. We welcome this news and hope that the Northern Ireland Area Committee will also feel able to reengage with us for our next Northern Ireland pay round. The POA(NI)'s engagement with us would strengthen our evidence base for future reports and we would welcome input from the union in both written and oral evidence next year.

Conclusion

4.13 Our recommendations this year provide all staff with a consolidated and pensionable pay increase that is above the current rate of inflation. We believe this reflects the difficult jobs that staff in our remit group undertake in what is a very challenging operational environment. This award will deliver an affordable and meaningful pay increase providing financial recognition for staff at all levels.

4.14 Looking ahead, we believe it is now vital that NIPS turn its focus to completing the grading review. This information should be used to help develop a stable, long-term strategy for the pay structure, addressing differentials where they exist and setting appropriate market rates of pay for staff in our remit group.

Appendix A: Standing terms of reference

The role of the Prison Service Pay Review Body is to provide independent advice on the remuneration of governing governors and operational managers, prison officers and support grades in the England and Wales Prison Service. The Review Body will also provide independent advice on the remuneration of prison governors, prison officers and support grades in the Northern Ireland Prison Service.²⁸

In reaching its recommendations the Review Body is to take into account the following:

- The need to recruit, retain and motivate suitably able and qualified staff taking into account the specific needs of the Prison Service in England and Wales and the Northern Ireland Prison Service;
- Regional/local variations in labour markets and their effects on the recruitment and retention of staff;
- Relevant legal obligations on the Prison Service in England and Wales and the Northern Ireland Prison Service, including anti-discrimination legislation regarding age, gender, race, sexual orientation, religion and belief and disability;
- Government policies for improving the public services, including the requirement to meet Prison Service output targets for the delivery of services;
- The funds available to the Prison Service in England and Wales and the Northern Ireland Prison Service as set out in the Government's departmental expenditure limits; and
- The Government's inflation target.

The Review Body shall also take account of the competitiveness of the Prison Service in England and Wales with the private sector, and any differences in terms and conditions of employment between the public and private sectors taking account of the broad employment package including relative job security.

The Review Body may also be asked to consider other specific issues.

The Review Body is also required to take careful account of the economic and other evidence submitted by the Government, staff and professional representatives and others.

Reports and recommendations for the Prison Service in England and Wales should be submitted to the Prime Minister and the Lord Chancellor and Secretary of State for Justice. Reports and recommendations for the Northern Ireland Prison Service will be submitted to the Minister of Justice, Northern Ireland.

²⁸ The International Labour Office 336th Report of the Committee on Freedom of Association made clear that we are regarded as a compensatory mechanism for the condition that prison officers do not have the right to strike. As a result, whilst our recommendations are not legally binding, Government has confirmed that it would only depart from them in exceptional circumstances. We note this aspect of our role.

Appendix B: Letter from the DoJ Permanent Secretary regarding the 2019 report recommendations

**FROM THE PERMANENT SECRETARY
PETER MAY**



Rm B5.10, Castle Buildings
Stormont Estate
BELFAST BT4 3SG
Tel: 028 9052 2992
email: peter.may@justice-ni.x.gsi.gov.uk

via email: Elizabeth.Waterfall@beis.gov.uk

Mr Tim Flesher CB
Chair
Prison Service Pay Review Body
Office of Manpower Economics
Fleetbank House
2-6 Salisbury Square
LONDON EC4Y 8JX

4 November 2019

Dear Tim

PRISON GRADES PAY SETTLEMENT 2019

The letter from your predecessor, Jerry Cope, dated 30 July in relation to the pay settlement for prison grades in Northern Ireland for 2019 refers. I am writing to thank the Prison Service Review Board for their approach to this pay round, the recommendations, and the targeting of pay to support recruitment and retention.

NIPS submitted the pay remit to the Department of Finance and subsequently met Sue Gray, the Permanent Secretary and her officials to discuss this in more detail. DoF were not in a position to grant approval to the NIPS pay remit until the NI public sector pay guidance issued on 31 October.

I am pleased to report that DoF has provided approval for the 2019/20 pay award, including with some further restructuring to ensure a minimum hourly rate of £10 an hour for PCO and NCO grades; the continued alignment of the OSG pay point, PCO maximum and NCO maximum with the CPO minimum; and improvements to the future maxima of CPO, SPCO, PPCO, and SO post 2002 grades. As I stated in my letter of 9 August, however, our commitment on the SRA is to closely match, rather than fully align, as it is our view that the rates should be subject to annual negotiations between Management and the POA, and the PSPRB recommendations, specific to the Northern Ireland Prison Service.

NIPS colleagues have been liaising with your Secretariat on the timing of the publication of the report on the Prison Service Pay Review Body website. NIPS will action the pay changes and pay arrears, as appropriate, in salaries at the end of November, and lay a copy of the PSPRB report in the Assembly library.

Yours sincerely

A handwritten signature in blue ink that reads "Peter May".

Working in partnership to create a fair, just and safe community where we respect the law and each other.

Appendix C: Northern Ireland Justice Minister's 2020 activation letter and PSPRB Chair's response

FROM THE OFFICE OF THE JUSTICE MINISTER



Minister's Office Block B,
Castle Buildings
Stormont Estate
Ballymiscaw
Belfast
BT4 3SG
Tel: 028 9076 5725
private.office@justice-ni.x.gsi.gov.uk

Our Ref: SUB-1137-2020

Mr Tim Flesher
Chair, Prison Service Pay Review Body
Office of Manpower Economics
8th Floor, Fleetbank House
2-6 Salisbury Square
LONDON
EC4Y 8JX

SM March 2020

Dear Tim,

I am writing to formally request the engagement of the Prison Service Pay Review Body to provide a Report and recommendations in respect of 2020 pay for operational staff in the Northern Ireland Prison Service for the 12 month period from 1 April 2020 to 31 March 2021.

I am conscious that Northern Ireland Departmental budgets are not yet set, and Northern Ireland public sector pay guidance has yet to be set. NIPS officials will ensure you are kept informed of developments to ensure you are fully sighted on the issues of affordability and authorisation for the 2020 pay round.

I would ask the Pay Review Body to:

- be cognisant of Northern Ireland Public Sector Pay guidance; and
- ensure that the award is affordable within the existing NIPS budget.

Working in partnership to create a fair, just and safe community where we respect the law and each other.

FROM THE OFFICE OF THE JUSTICE MINISTER



In doing so, there are two key aims which must be addressed:

- to make substantial time bound progress on relativities; and
- to continue to focus on lower paid salaries to ensure they remain competitive in comparison to wider market rates.

NIPS Officials will liaise with the Secretariat to agree the timescales, and will work with the Review Body to deliver against our key aims.

I look forward to receiving your report and recommendations on the pay of prison grade staff for 2020, and I thank you and your members for your commitment and support.

*Best regards,
Naomi*

NAOMI LONG MLA
Minister of Justice



Office of Manpower Economics

PRISON SERVICE PAY REVIEW BODY
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FLEETBANK HOUSE
2-6 SALISBURY SQUARE
LONDON EC4Y 8JX

Direct Telephone Line 020 7211 8257
E-mail elizabeth.drewett@beis.gov.uk

<https://www.gov.uk/government/organisations/prison-services-pay-review-body>

Naomi Long MLA
Minister of Justice, Northern Ireland
Minister's Office Block B, Castle Buildings
Stormont Estate
Belfast
BT4 3SG

11 March 2020

BY EMAIL

Dear Naomi,

Thank you for your letter of 5 March, asking the Prison Service Pay Review Body to re-engage for the 2020-21 pay round.

In January the Review Body visited Northern Ireland to meet the parties and to see the establishments and the Prisoner Escorting and Court Custody Service to ensure our understanding of the issues was up to date and to hear evidence directly from staff. We were also pleased to have the opportunity of pre round discussions with both the trade unions and NIPS officials which helped to clarify the objectives which we assume will be reflected in evidence to the Review Body. I have now asked our secretariat to liaise with Ronnie Armour and his team with the aim of commissioning evidence and producing a report for 2020 as soon as is practicable. Subject to finalising a detailed timetable, the Review Body is working towards submitting a report to you by the beginning of August this year.

I am sorry it was not possible to find a mutually convenient time to meet on my forthcoming visit to Belfast, but the Review Body looks forward to meeting you at the oral evidence session later this year.

I am copying this letter to Ronnie Armour, Director General of the Northern Ireland Prison Service.

Yours sincerely

Tim Flesher
Chair, Prison Service Pay Review Body



Appendix D: PSPRB Chair's letter to the Northern Ireland Justice Minister regarding report submission timetable



Office of Manpower
Economics

Naomi Long MLA
Minister of Justice, Northern Ireland
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BT4 3SG

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Direct Telephone Line 020 7211 8257
E-mail elizabeth.drewett@beis.gov.uk

<https://www.gov.uk/government/organisations/prison-services-pay-review-body>

14 August 2020

BY EMAIL

Dear Naomi,

I am writing to thank you for taking the time to attend oral evidence with the Prison Service Pay Review Body on Thursday 6 August to provide evidence to us on the pay and remuneration for operational prison staff for the 2020-21 Northern Ireland pay round.

Now we have concluded oral evidence with the parties, I can confirm that the Review Body is working towards submitting our 2020 Northern Ireland report to the Government at the end of September this year.

I am copying this letter to the Director General at the Northern Ireland Prison Service.

Yours sincerely

Tim Flesher

Chair, Prison Service Pay Review Body



Appendix E: Current and recommended pay levels

Current and recommended pay levels for governor grades

Grade	Current pay scale	Recommended pay scale
	£ a year	from 1 April 2020 £ a year
Governor in Charge (Maghaberry)	82,575	83,615
	81,975	83,000
	81,370	81,650
	80,045	80,295
	78,720	78,945
	77,395	
Governor in Charge (other posts)	76,555	78,085
	75,225	76,730
	73,895	75,375
	72,565	74,015
	71,235	72,660
	69,905	
Head of Function	59,965	61,165
	59,060	60,240
	58,155	59,320
	57,250	58,395
	56,345	57,470
	55,440	
Head of Unit	53,650	54,725
	52,865	53,920
	52,080	53,120
	51,295	52,320
	50,510	51,520
	49,725	

Current and recommended pay levels for officer and support grades

Grade	Current pay scale	Recommended pay scale from 1 April 2020
	£ a year	£ a year
Senior Officer (pre-2002)	42,776	43,632
Senior Officer (post-2002)	40,540	41,351
	39,655	40,449
	38,770	39,546
	37,885	38,643
	37,000	37,740
	36,115	36,838
Main Grade Officer (pre-2002)	39,188	39,972
	38,420	39,189
	38,045	38,806
	37,670	38,424
	37,300	38,046
Main Grade Officer (post-2002)	31,671	32,305
Custody Prison Officer	28,040	28,601
	27,020	27,561
	26,100	26,622
	25,180	25,684
	24,260	24,746
	23,340	23,807
<i>Completion of Certificate of Competence</i>	22,420	22,869
<i>New recruit</i>	21,500	21,930
Night Custody Officer	24,256	24,742
	23,730	24,205
	23,265	23,731
	22,968	23,428
Operational Support Grade	21,500	21,930

Note:

All pay rates shown for officer and support grades are based on a 39 hour working week, except for Night Custody Officers that work a 44 hour week.

Current and recommended pay levels for Prisoner Escorting and Court Custody

Service grades

Grade	Current pay scale	Recommended pay scale from 1 April 2020
	£ a year	£ a year
Principal Prisoner Custody Officer	28,700	29,274
	28,020	28,581
	27,340	27,887
	26,660	27,194
	25,975	26,495
Senior Prisoner Custody Officer	25,095	25,597
	24,295	24,781
	23,495	23,965
	22,700	23,154
Prisoner Custody Officer	22,050	22,491
	21,365	21,793
	20,880	21,298

Note:

Pay rates shown for Prisoner Escorting and Court Custody Service grades are based on a 40 hour working week. Prisoner Custody Officer grades also work 35 hour and 20 hour a week contracts.

Appendix F: Current and recommended allowances and payments

We make two recommendations (in bold) on allowances: an increase to the Supplementary Risk Allowance and an increase to the weekend and privilege holiday Governor on-call allowance rate.

	Current level £ a year	Recommended from 1 September 2020 £ a year NITA rate²
Supplementary Risk Allowance¹	3,357	
	Current level £ a year	Recommended from 1 April 2020 £ a year
Specialist allowances ³		
Dog handler	723	723
Physical education instructor	723	723
Works officer	949	949
Laundry officer	1,062	1,062
Instructor	1,490	1,490
Other allowances ⁴		
Dog grooming allowance	4,526	4,526
Boot allowance	92.80	92.80
Clothing allowance	603.65	603.65
	Current level £ a day	Recommended from 1 April 2020 £ a day
Dirty Protest allowance		
For periods of up to 4 hours	8.00	8.00
For periods of 4 hours or more	16.00	16.00
Governor grade on-call allowances		
Weekdays ⁵	15.00	15.00
Weekends and Privilege Holidays	20.00	21.00
Public and Bank Holidays	40.00	40.00
Prisoner Escorting and Court Custody		
Service drivers' allowance ⁶		
Tier 1: 1 to 4 cell vehicles	4.00	4.00
Tier 2: 6 and 8 cell vehicles	6.00	6.00
Tier 3: 12 cell vehicles	8.00	8.00

Notes:

1. This allowance is paid to all officer and support grades, and Prisoner Escorting and Court Custody Service (PECCS) grades, except for Senior Officer pre-2002 and Main Grade Officer pre-2002 grades, that already had a previous historical equivalent risk allowance consolidated into base pay. This allowance is non-pensionable.
2. This will be the level of the Police Service of Northern Ireland Transitional Allowance (NITA) as at 1 September 2020.
3. Specialist allowances are not paid to new staff entering these specialisms. Those in receipt of allowances continue to receive them on a protected basis while they remain in their specialism. These allowances are pensionable.

4. Paid to all officer grade staff who meet the eligibility criteria for payment. These allowances are non-pensionable.
5. Paid for on-call continuously from the end of one shift to the start of the next. This allowance is pensionable.
6. The PECCS drivers' allowance is only payable when a period of driving has been undertaken on that day. This allowance is non-pensionable.