



## Office of Manpower Economics

PRISON SERVICE PAY REVIEW BODY  
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<https://www.gov.uk/government/organisations/prison-services-pay-review-body>

The Rt Hon Robert Buckland MP  
Lord Chancellor & Secretary of  
State for Justice  
Ministry of Justice  
102 Petty France  
London  
SW1H 9AJ

21 July 2020

Dear Lord Chancellor,

### **PRISON SERVICE PAY REVIEW BODY 2020 ENGLAND AND WALES REPORT**

I have today been informed by Her Majesty's Prison and Probation Service about the Government's decision in relation to the recent recommendations made by the Prison Service Pay Review Body (PSPRB).

The PSPRB are very disappointed that the Government has not accepted our recommendation on the £3,000 increase in pensionable pay for all Band 3 Prison Officers. As I set out when we met last week, the PSPRB is an evidence-based body and we reached our recommendation based on clear evidence about the market position of Band 3 Prison Officer pay and excessively high leaving rates especially among new recruits. We believe it is crucial that significant steps are taken now to improve the relative pay position of Band 3 Prison Officers.

As you are aware, the PSPRB was established in 2001 under statute 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 336<sup>th</sup> report by the International Labour Organization (ILO), in which the Government gave a commitment only to depart from the PSPRB's independent recommendations in "exceptional circumstances" and to comply with them in practice. This pledge has never been rescinded and is unique to the PSPRB.

In 2018, the Government rejected the PSPRB's recommendations for a consolidated award of 2.75% for all staff together with targeted increases of 5.25% and 3.5% to the maximum of the Band 3 and 4 pay scales respectively. The Government has not cited "exceptional circumstances" to justify either the rejection of our recommendations in 2018 or the decision this year to withhold one of our recommendations.

In light of the Government's pledge to the ILO, we do not make our recommendations in order that they may be "cherry picked", with the Government selecting the ones it likes and adjusting or rejecting those it does not. Nor do we expect our recommendations to be used as a basis of negotiation with our stakeholders. It is our view that responding in such a way undermines the Pay Review Body process and is a clear breach of the Government's

commitment to the ILO. PSPRB members feel strongly that we cannot continue on this basis. One member has already submitted their resignation and the remaining members are prepared to continue only if the basis on which we operate is confirmed to be in line with the undertaking recognised by successive Governments.

We note that you now intend to enter into discussions with the trade unions on both our recommendation for Band 3 Prison Officers and potential future workforce reforms, and that you will return to our recommendation later in the year. Given this, we will suspend judgement until the outcome is known. I should stress, however, that the extent to which that outcome meets the spirit and the substance of our recommendation will determine whether the Review Body feels able to accept any further remits from the Government.

In the meantime, the Review Body would like to meet you at the first possible opportunity to discuss these issues. We remain committed to the Review Body process, but it can only work if all parties have a common understanding of the basis on which it operates.

I am copying this letter to the Prime Minister, the Chancellor of the Exchequer and to the organisations that represent our remit group – the POA, Prison Governors' Association and Public and Commercial Services Union.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tim Flesher', with a long horizontal flourish extending to the right.

*Tim Flesher*  
*Chair, Prison Service Pay Review Body*