



Office of Manpower Economics

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

15 December 2020

Dear Lord Chancellor,

PRISON SERVICE PAY REVIEW BODY 2020 ENGLAND AND WALES REPORT

Thank you for your letter dated 9 December, regarding the Government's decision to reject the Prison Service Pay Review Body's (PSPRB) recommendation on the £3,000 increase in pensionable pay for *Fair and Sustainable* Band 3 Prison Officers.

I wish to put on record the disappointment of the PSPRB at this outcome and that, despite the commitment you made, no discussions with the trade unions have taken place. As I set out in my letter to you in July, the PSPRB is an evidence-based body and we made recommendation 3 based on the weight of evidence about the market position of Band 3 Prison Officer pay. Neither our terms of reference, nor the Government's activation letter, require us to align our recommendations to pay awards across the public sector. Indeed, to do so would restrict our ability to make objective judgements based on the evidence about current and future problems within the Prison Service pay structure.

The data we received clearly demonstrated insufficiently competitive levels of pay for Band 3 Prison Officers, a factor we believe is the main contributor to the excessively high, and therefore very costly, leaving rates - especially among new recruits. In recent years, we have raised concerns to Her Majesty's Prison and Probation Service (HMPPS) that the addition of the 'red' and 'amber' market supplements have introduced more tiers to an already complex and unequal pay system, and this year we were presented with evidence that showed this was having unintended consequences for other nearby prisons. Our overwhelming conclusion was that additional investment needed to be targeted at Band 3 to start to improve the relative market position of pay at this grade. By consolidating the 'amber' market supplement, anomalies in the pay system would start to be addressed while also reducing the gap between the *Fair and Sustainable* and closed grades by two thirds.

Although you state in your letter that this recommendation holds 'exceptional costs' we believe that with leadership ambition these could be largely offset by a number of productivity savings, including: reduced recruitment costs; improved retention rates; and increased effectiveness

and productivity of Prison Officers. We highlighted in our report that the 'red' and 'amber' market supplements are already paid to 38 per cent of Band 3 Prison Officers, which substantially reduces the upfront costs for HMPPS.

I note that in your letter, you write that the context in which we made our recommendations has changed. The report in which we made these recommendations was for a pay review with effect from 1 April 2020. The continued delays by the Government both in submitting written evidence to us and reaching a decision on recommendation 3, have inevitably meant that circumstances have changed. However, we have been presented with no evidence to support the assertion that the Prison Service labour market has changed or indeed that the long-term fundamental issues with the Prison Service pay structure will have significantly altered before the next pay round.

Looking ahead, I believe we each have a responsibility to ensure that engagement between the PSPRB, HMPPS and the Ministry of Justice improves so that we may actively build a more open and trusting relationship, which is essential for future pay rounds.

I am copying this letter to 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