

## Justice Committee

Oral evidence: [The prison operational workforce](#), HC 917

Tuesday 7 February 2023

Ordered by the House of Commons to be published on 7 February 2023.

[Watch the meeting](#)

Members present: Sir Robert Neill (Chair); Janet Daby; Maria Eagle; Edward Timpson.

Questions 1 - 95

### Witnesses

[I:](#) Mark Fairhurst, National Chair, POA.

[II:](#) Carl Davies, National Officer, Prison Governors Association.

Written evidence from witnesses:

- POA ([PRI0025](#))
- Prison Governors Association ([PRI0011](#))

## Examination of witness

Witness: Mark Fairhurst.

**Chair:** Good afternoon and welcome to the Justice Committee's first session of our inquiry into the prison operational workforce. We are grateful to Mr Fairhurst for coming to give evidence.

Before we ask any questions we must make our declarations of interest. I am a non-practising barrister and formerly a consultant to a law firm.

**Maria Eagle:** I am a non-practising solicitor.

**Edward Timpson:** I am a former Solicitor General with a practising certificate, but I am not currently doing any court work. My brother is chair of the Prison Reform Trust.

Q1 **Chair:** Mark, please introduce yourself.

**Mark Fairhurst:** I am national chair of the POA.

Q2 **Chair:** Good to see you again.

You know the scope of our inquiry. From the union's perspective, what is your estimate of the shortfall in prison officers? It seems to be accepted that there is a shortfall, but what is your assessment of it?

**Mark Fairhurst:** Pre-2010, we had what we would assess as sufficient staffing numbers to run safer regimes. Now, we have 2,200 less prison officers and 2,500 less operational support grades. We would like to go back to those figures.

Q3 **Chair:** Will you explain for those who aren't familiar with it the distinction between officers and operational support grades?

**Mark Fairhurst:** A prison officer has the powers of a constable while on duty—the power of arrest—whereas operational support grades do the non-operational stuff like control room, gate escorts, visitors and contractors around the estate. They still have, in some instances, prison-facing roles in reception and visits, but they do the ancillary stuff; they are not warranted like us. They don't have the powers of a constable, but they're still essential to the running of jails.

Q4 **Chair:** I understand that.

Within that shortfall, are there areas of the country where the pressures are greater than in others?

**Mark Fairhurst:** There's a lot of pressure in London and the south-east; they seem to be the main sticking points. In other areas of the country, where they're not inner city, they're difficult to get to, they're in remote areas and affluent areas—the likes of Long Lartin, which is a prime example—they're struggling with staff. Also at Wayland, Norwich, Woodhill, Bullingdon.

Q5 **Chair:** Are there areas where you don't have problems?



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**Mark Fairhurst:** Recruitment is not an issue in the north-west and north-east, and some parts of Yorkshire, but retention is an issue throughout the entire country.

Q6 **Chair:** What is your assessment of where retention is?

**Mark Fairhurst:** We are at the highest attrition rate that the service has ever seen. We are currently running at 16% for prison officers and 19% for operational support grades. Some areas of the country have seen attrition rates of between 35% and 45%. The majority of people leaving the service is within the first two years of joining. It really is not a good picture at all.

Q7 **Chair:** Again, historically, how does that compare?

**Mark Fairhurst:** When I joined in 1992 we had an attrition rate of less than 2%; it was a career.

Q8 **Chair:** What has changed?

**Mark Fairhurst:** A lot of things have caused people to leave the job. I might as well start with the recruitment process.

We feel that recruitment is not fit for purpose. For example, you do an online assessment and then you do a job simulation, which is assessed via Zoom. It is not relevant to prison officer work. You could be, for example, a manager in a shopping centre dealing with complaints from angry customers.

There is no interview process at all. For such a responsible role, there is absolutely no interview panel. You are getting people in charge of prisons—governors—who don't know who they've actually recruited because they never get to see them face to face or put them under pressure in an interview panel.

For such a responsible job, I just don't get it. We could save a hell of a lot of money by scrapping job simulation and reinvesting in interview panels, so that governors can see who they are recruiting. You can learn from someone, face to face—how they react when they're under pressure. We don't have any of that.

Q9 **Chair:** We will come back to that in a bit more detail, but the MOJ says it will recruit another 5,000 people. Will that be enough, and do your concerns about the process by which they are recruited apply?

**Mark Fairhurst:** HMPPS will paint a rosy picture, because, in their words, in the last five months less people have left the job than have joined. That doesn't tell you the entire picture. For example, over the last year we have had 3,900 new recruits but 3,600 people leave. In December, we had 279 joiners and 298 leavers.

They might paint a rosy picture, saying that we have less people leaving, but does that mean that more people are leaving than we are recruiting?



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The latest stats up to the end of last year do not paint a good picture at all.

Q10 **Chair:** What about the extra help that is put in—the operational stability and resourcing panel? What does that mean in practice?

**Mark Fairhurst:** If governors are short of staff, they have to bid for additional money to fund bonus schemes and Payment Plus, which is overtime for prison officers. A panel sits and decides whether it warrants staff going in. For example, we currently have 40 detached duty staff at Long Lartin, because it is a remote high-security prison and it can't recruit or retain staff. We have loads of staff in Woodhill, Bullingdon, Wayland and Norwich. Berwyn in north Wales is another example.

If you're struggling to retain staff, you bid for additional staff from the stability panel. But a lot of prisons out there are struggling to run regimes and don't get that support.

Q11 **Chair:** According to the stats we have seen, there have been 647 occasions between November 2020 and November 2022, with it being used in 46<sup>1</sup> prisons as of January this year. Has that gone up or down?

**Mark Fairhurst:** That stays pretty stable, to be fair. What you've got to look at is the overall pay bill for all the overtime and bonus schemes. You're looking at £37 million so far on Payment Plus, which is basic overtime for prison officers. You have £11 million for OSG, and then you have the PP bonus schemes—the constant watches and bed guards where we supervise people in hospital. You're looking at over £50 million already—£50 million that could be put towards a decent pay rise for prison officers to entice them to stay in the job or to recruit the right type of people.

Q12 **Chair:** At what level does the stability and resourcing panel operate? Is it a national or regional panel?

**Mark Fairhurst:** All the directors get together for a specific stability panel led by one director. They get together once a week, look at the bids and decide whether they warrant additional support.

Q13 **Chair:** That is across the country.

**Mark Fairhurst:** Across the country, nationally, yes.

Q14 **Chair:** You talked about the cost of Payment Plus and the overtime. What percentage of the wage bill does that £37 million represent?

**Mark Fairhurst:** I wouldn't know, Bob, but it is well over £50 million now, all paid for by the taxpayer because we can't recruit or retain staff.

Q15 **Chair:** I am sure we can work it out.

On average, how many hours a week of overtime have your staff been

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<sup>1</sup> The Ministry of Justice subsequently confirmed that the correct figure is 38 prisons



doing?

**Mark Fairhurst:** It varies, but I have had members come to me, saying, "If I don't work at least 50 or 60 hours per month of PP I can't live—I can't live on the wage." Some people are working massively excessive hours—up to 100 hours a month—on Payment Plus to make ends meet. The staff salary, although attractive now, is not competitive enough.

Q16 **Chair:** Again, does that vary across the country? Is there more overtime pressure in London and the south-east?

**Mark Fairhurst:** Difficult-to-recruit areas are classed as red sites and get a market supplement up to a maximum of £5,000 additional. But that can be removed at any time. It is not pensionable. In some areas, because of the recent pay rise we had for Fair and Sustainable grades, that has now been eroded. An amber site got a £3,000 market supplement; a red site like London and the south-east, a very difficult-to-recruit area, got £5,000. With the recent pay rise, that has been eroded.

Q17 **Maria Eagle:** You have referred to why staff might be leaving. Is there an obvious reason, or is there a broad range? There have been over 4,000 in the last 12 months.

**Mark Fairhurst:** There are some specific reasons. Let us look at the facts.

If I join now as an 18-year-old recruit, I have to work for 50 years on the frontline before I can access my full pension, because our retirement time is now 68; it is related to the state pension.

We must be the only uniformed frontline service in the entire country that expects staff to work in what I class as the most volatile, hostile workplace environment in western Europe—for 50 years. That is not practical, and it puts off a lot of people. You don't realise when you join at a young age that you are going to have to work to the ripe old age of 68.

The starting salary is attractive now because of the recent pay rise, but it doesn't compete with other public sector services. I could join the police force today and in seven years' time I would be earning a minimum of £41,000 a year. I could join the fire service and get more money. I could join certain parts of the NHS and get more money. I could level transfer to Border Force and get more money. We are just not competitive enough.

They are all safer workplaces. Look at the equipment the police get. They're walking the streets with PAVA spray, tasers, batons, stab-proof vests and rigid bar cuffs. They have armed response.

We very rarely get that level of protection. In the closed adult male estate in 2018 they promised us a PAVA roll-out to improve our safety.



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We are still waiting, all those years later, for PAVA to be rolled out in the estate, as they promised us back in 2018.

If I work in the youth custody estate—the most volatile and violent cohort that we have to deal with—working with juveniles under 18, I am walking round with a polo shirt. I have no protection at all. Only over the weekend I heard about one of my members who was seriously assaulted by an under-18 and ended up with a broken jaw and six teeth missing.

We want protection for those people. That's why they're leaving. You're getting rid of experience in the youth custody estate. We have people who have worked with juveniles for over 20 years but are now being told that they've got to do a professional qualification or transfer out. That's another reason.

The lack of support for new recruits on the landings is unbelievable. You very rarely see a governor on the landings. You very rarely see a middle manager or a custodial manager because their workload is so great. They are just invisible leaders, and that has been highlighted time and time again by Charlie Taylor in his inspection reports.

I don't want to work until I'm 68. I want decent pay competitive with other public sector services. I want protective equipment in place. I want support for new recruits. I want to stop feeling undervalued and unsupported. We have closed grades who very rarely get a pay award that matches Fair and Sustainable. These are the most experienced people who have kept the ship afloat for decades. They just feel so unwanted and undervalued.

**Q18 Maria Eagle:** That is quite a litany. The results of the most recent civil service people survey reveal a fairly disappointing picture of staff attitudes, and their experience of work is not outwith what you have said. Do you think that the findings of the survey are representative? Is it the same in all parts of the Prison Service?

**Mark Fairhurst:** I am not saying all prison managers are bad people—I have worked with some fantastic prison governors—but the majority of them now are over-promoted, inept and bullies. The most revealing part of the staff survey will back that statement up. Staff are feeling bullied and intimidated by senior managers.

If you're a disabled member of staff trying to get a reasonable adjustment, it's like trying to move heaven and earth. God forbid if you put a grievance in. Most staff refuse to put grievances in because they're scared of the repercussions from higher up the food chain.

**Q19 Maria Eagle:** Are you talking about the public sector male estate?

**Mark Fairhurst:** Public sector, yes.

**Q20 Maria Eagle:** What about the private sector? Is there a difference? You don't cover all the private sector, but no doubt you have some members.



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**Mark Fairhurst:** We have a good relationship with the private sector, but the private sector tends to poach the decent governors in the Prison Service who have all the experience. They offer more money, and it is more attractive. They have less managers in place so they're more streamlined and more innovative. They don't have to wade through red tape or get permission from Ministers to innovate.

Our wages rose by £3,000 last year because of pressure from this union, not because Ministers wanted to do it, so now the private sector that is winning the contracts for the new jails has to compete with us. It is raising its bar.

In the private sector you will have a level of bullying in every prison—of course you will—but it seems to be so rife in the public sector.

Q21 **Maria Eagle:** Is there a difference in the women's estate?

**Mark Fairhurst:** The women's estate is as bad as everywhere else. In fact, for some strange reason smaller jails in the women's estate are even worse. Governors seem to target staff. I don't know whether they are bored and don't have enough work to do, but it just seems to be rife throughout the service. There just needs to be a culture change.

Q22 **Maria Eagle:** What do you put that down to? It didn't always used to be like that, did it?

**Mark Fairhurst:** No, back in the '90s the duty governor used to walk around the wings when they were on duty. They would know your first name. They would get to know you and sit down and have a cup of tea with you. They would ask what the problems were, and they would come up with solutions. These days, you don't see governors on the wings—very rarely.

Q23 **Maria Eagle:** What are they spending their time doing?

**Mark Fairhurst:** You're going to have to ask the governors, because I haven't got a clue and neither have my members. There are enough of them in a jail to get around.

Q24 **Edward Timpson:** You were talking about the importance of experienced officers, particularly in the youth estate. I want to ask about how the loss of experienced staff impacts on the operation of prisons and the prison workforce. We know, for example, that at HMP Coldingley and Erlestoke around 40% of the staff have less than two years' service, and at HMP Wymott almost a quarter of band 3 officers have had only up to two years' experience.

What impact, operationally, is that having within the prison estate? Where, over and above the youth estate, do you suggest there are significant issues, perhaps in different categories of prison, for example?

**Mark Fairhurst:** Since 2010 we have lost near enough 100,000 years of experience. We have never recovered from that. I don't think we ever



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will. The problem that you'll find is that we have people coming straight out of training, which now is only six weeks long because they have paused the apprenticeship scheme, which was for 12 months. Why they have done that, you will have to ask them. They got funding for it, but all of a sudden it is paused.

I imagine they are trying to get boots on the landings as quick as they can, so after six weeks you have people who are live. We have come across scenarios in some jails where the most experienced member of staff on that same wing has nine months in the job. It is the blind leading the blind.

The massive knock-on effect for us is that as experienced members of staff we have to nurture the new recruits. We've got to make sure that they're all right—that they're competent at the job. We've got to coach them and give them the benefit of our experience.

Then, after between nine months and two years, they are leaving the job. That has a knock-on effect on experienced staff: "Why am I bothering to do this? They're only going to leave anyway." Morale reduces.

When you have inexperienced staff dealing with experienced prisoners who have been in and out of prison all their lives, it has a massive knock-on effect on stability. You don't have that experience that can build those relationships and have been through what is being thrown at new staff and can cope with it. I don't feel that the training is fit for purpose. It doesn't prepare them for the reality of prison life.

HMPPS directors will come to give evidence and say, "But we have new colleague mentors, and we have the buddy scheme." That is not resourced. There is no additional resource; it is all at nil cost. They rely on volunteers. If I want to volunteer to be a new colleague mentor, I will sit down with the new staff. I may be able to coach on the landings, or if I'm a buddy, I'll show them where the locker room is and the layout of the prison.

What happens if a prison doesn't get volunteers to do that? What happens if morale is that low that I don't want to volunteer to do that? What then?

The Prison Service runs on pilot schemes—they have more pilots than British Airways. It runs on volunteers, because they don't want to pay us for the additional skills that we have.

It has a massive effect on instability, because experienced staff build positive relationships with prisoners; inexperienced staff, probably for the first time in six weeks, have seen an angry prisoner. How are they going to deal with that without someone by their side to calm things down?

**Q25 Edward Timpson:** Are any prisons bucking this trend and managing to hold on to more experienced officers that it would be worth our looking at



to understand how they have managed to achieve that, despite the backdrop that you have just explained?

**Mark Fairhurst:** The old Victorian jails, like my own in Liverpool, still have a lot of experienced staff. We have a lot of experienced staff who are partially retired and working part time—that works well. Some of the big London jails have a fair few experienced staff.

It seems to be the inner-city, big Victorian jails where there has been a tradition of experienced staff who stay as a career that bode well, whereas the likes of Berwyn, a fairly new jail, are having massive problems with staff attrition and keeping experienced staff.

**Edward Timpson:** The Wrexham jail?

**Mark Fairhurst:** The Wrexham jail, yes.

Q26 **Edward Timpson:** You mentioned how the south-east is struggling with recruitment. Are there parts of the country where the recruitment of operational staff is playing out rather better? What are they doing over and above other parts of the country?

**Mark Fairhurst:** They're not doing anything different to recruit, but what you've got to understand is that a starting salary of £30,000 is attractive if you live in the north-west or north-east, but you are relying on pay awards after that £30,000 and you are looking at your working conditions and the fact that you can't get a flexible working pattern, you can't have a work-life balance, that if you're disabled it is very hard to get a reasonable adjustment.

You have all those factors to take into account. What you tend to find in the north-east and north-west is that some prisons over-recruit. For example, Frankland in County Durham has, I think, about 50 staff over the target staffing figure. They will send them on detached duty, because, don't forget, we are a mobile grade. At the moment, although all people on detached duty are volunteers, they can force you to go on detached duty whenever they want, because you're a mobile grade.

It's going to come to a point in the not-too-distant future when our employers will do what they call compel staff to go on forced detached duty for a period of two weeks at a time. All that will do is compound the situation. If I'm a new recruit, I'm used to living at home. I've never been away from home, but I'm being forced to live 200 miles away at a prison that is unfamiliar, extremely violent, where I will get no support and no induction and I won't know the staff I'm working with, so they won't be too bothered about what I'm doing.

That will encourage people to leave the job. What we're saying is that detached duty has been with us for a decade now. It has never reduced. When's it going to end?

Q27 **Edward Timpson:** Can you give us a sense of the prevalence of that



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practice across the prison estate?

**Mark Fairhurst:** We have about 200 people out on detached duty at the moment in red sites, difficult-to-recruit sites or sites where the operational stability panel has decided it will throw in a bonus scheme to entice people to work longer hours for more money. That's only going to increase the more we lose staff.

**Q28 Edward Timpson:** Are organisations like Unlocked Graduates effective in supporting recruitment to the Prison Service?

**Mark Fairhurst:** Unlocked Graduates is a separate entity to HMPPS and it was set up to get future leaders of the service. What you're finding there is that we have them for two years as a band 3 prison officer, but then they get the choice of whether to stay on or leave and go into another field within the civil service or another public sector body.

I don't know how many people stay in a job after an initial two years when they have got a free master's degree out of us. You would have to ask them. What I find with Unlocked Graduates, although I do support it because at least they're getting operational experience, whereas with accelerated promotion schemes in the Prison Service they are a prison officer for probably all of about six weeks, the Unlocked do two years on the landings.

The problem with Unlocked is that they seem to be getting more opportunities than experienced staff. For example, I was in Wandsworth not so long ago and staff with 25 or 30 years in the job were saying, "We've been overlooked for temporary promotion in favour of an Unlocked graduate." Unlocked graduates seem to get opportunities to go non-operational at headquarters, on promotion, at the end of their two years, whereas band 3 prison officers with 20 or 25 years in the job don't seem to get the same opportunities, which I feel is a bit unfair.

It seems to me that experience counts for absolutely nothing within the Prison Service, when it should count for absolutely everything.

**Q29 Edward Timpson:** Going back to the initial application and interview process for the Prison Service, you mentioned that much of it has become digitalised and is on Zoom, losing the face-to-face contact necessary to eyeball someone and understand more about whether they are up to the job. I remember from when I worked in children's social care, looking at the way frontline social workers were being trained, that there was a lack of experience in a live child protection situation, so I see some parallels.

Tell us more about the online test. I understand that there is an integrated assessment centre, with role play, strengths-based interviews and behaviour-based assessment. Is that your understanding? What feedback can you give us about that part of the interview process and its importance in ensuring we have high-calibre candidates coming into the Prison Service?



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**Mark Fairhurst:** If you want to join the Prison Service you go online and do an online test, which is basically maths and English. If you're successful, you get invited to a job simulation assessment centre. It used to be face to face, but now it is done by Zoom. You are put through three or four different scenarios not particularly related to the Prison Service. If you pass that, you then do a fitness test and a medical, and you get a start date for the training course.

I don't know how you can assess people for such a responsible job. Don't forget that we have the powers of a constable on duty. The people assessing you via Zoom are psychologists. As soon as you start to listen to psychologists in the Prison Service it is a recipe for disaster, because what works in theory definitely doesn't work with unpredictable human beings.

There is no face-to-face interview at all to join such a responsible job, and I just can't get my head around that. The vetting procedures are not fit for purpose. When you join the police, as part of your medical a DNA sample is taken to see whether you're a drug abuser. Why aren't we doing that in the Prison Service?

I have an example of a member of staff who was recruited as a prison officer and had a caution for assault on police, but was walking the landings as a prison officer. That was missed during the vetting procedures. It's an absolute mess.

Q30 **Edward Timpson:** How recently did that occur?

**Mark Fairhurst:** That member of staff resigned of their own volition but worked as a prison officer for over 12 months. It was highlighted to directors. I believe vetting is starting to improve but it's still not thorough enough.

Q31 **Edward Timpson:** What is the minimum first-hand experience on the landings that a new prison officer must have before being deemed to be qualified to do the job?

**Mark Fairhurst:** We have a 12-month probation period, but that brings its own problems because custodial managers who are line managers are supposed to have meaningful conversation with everyone in their hierarchy every eight weeks. The MOJ are trying to align policies with HMPPS. There seems to be a bit of a power struggle between HMPPS and the MOJ, the problem being that the MOJ are bringing about policy change within our service that doesn't relate to the operational line.

It is all very well and good someone in the MOJ saying that as a line manager you must sit down with the six staff you manage in an office-based, non-operational role and have meaningful conversations with them every eight weeks.

If you are a custodial officer in the Prison Service, you have between 18 and 26 staff to look after. You are doing nights looking after the jail. You



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are dealing with incidents. You are doing Act reviews. Now, you have to sit down with 24 staff every eight weeks and have a meaningful conversation and make sure they are all right. It's not practical. It doesn't happen. It is a complete and utter failure.

After 12 months' probation, if you have no disciplinaries, if you haven't had your probation extended, if you've done okay, you pass probation and are deemed a competent prison officer. The problem now is that we have people in the job with 13 months, 14 months, 18 months, being temporarily promoted to band 4 supervising officers and band 5 custodial managers. When I joined the job you had to have at least four years in the job before you could take the senior officer exam. By the time you passed that and sat an interview, you had a minimum of five years in the job, so I think we need to go back to something like that.

If you are going to supervise or manage staff, you need operational experience. To do away with that, and just say, "Well, as soon as you have completed your probation, you can be temporarily promoted," or, in some instances, substantively promoted—it is no wonder our jails are in such a mess. That is not the fault of the staff. The only way they can earn additional money is by getting promotion.

**Q32 Edward Timpson:** What opportunities are there for them to have the requisite training to progress through the various grades?

**Mark Fairhurst:** You do not get any training when you are a manager. You go from a band 3 prison officer to a band 4 supervising officer. There is no training. There is no training course. You go from a band 4 to a band 5 custodial manager, which is a middle manager, one rank below a governor grade—a line manager: you get zero training whatsoever to be a custodial manager. You do not know how to give a sick leave excusal; you do not know how to process ill health retirement; you get nothing. There are no training courses. You are thrown in at the deep end, and if there isn't an experienced custodial manager to show you the ropes, you are going to sink before you swim.

**Q33 Edward Timpson:** Is the governor sufficiently involved in recruitment and progression through the Prison Service?

**Mark Fairhurst:** No, because you have to do an assessment centre to be a custodial manager; so you have to fill in a workbook and then go to an assessment centre—which is, again, done by Zoom—and you get assessed. If you pass, you can put in for a custodial manager's job.

**Q34 Edward Timpson:** In terms of the operational staff who are coming into the service, what sort of oversight or involvement would a prison governor have in that?

**Mark Fairhurst:** To become a custodial manager you would actually sit an interview panel once you had passed what is called the custodial manager assessment centre, the problem being that we have not got enough spaces on those assessment centres for everybody who wants to



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progress on promotion. You could have, for example, 12 people in your jail who want to be custodial managers. Yet that jail has only been given four spaces on a custodial managers assessment centre, so then the governor has to sift and decide which four are the most suitable—and, of course, we all know about nepotism.

Q35 **Chair:** Nepotism manifests itself in what way?

**Mark Fairhurst:** Well, if I am challenging you as a governor because I think your decision making is wrong, and I am temporarily promoted to custodial manager, and yet you have a nodding dog with a few years in the service who is keen for promotion, you are not going to choose me to go on an assessment centre, are you? You do not want me challenging you.

Q36 **Chair:** It is as simple as that, you think. You rock the boat—

**Mark Fairhurst:** Well, yes. If you put your head above the parapet, Bob, it will get cut off. That is the Prison Service. They do not like being challenged.

Q37 **Chair:** That seems almost a complete breakdown in trust between yourselves and management, doesn't it?

**Mark Fairhurst:** We are the only frontline uniformed service where our leaders do not wear a uniform: tell me why.

Q38 **Chair:** What response do you get when you raise that? I know you are never backward in coming forward with your concerns about members, Mark.

**Mark Fairhurst:** They just bury their heads in the sand and pretend it doesn't go on; but I know it does, because I have enough complaints from my members to prove it. Look at the staff survey.

**Chair:** Fair enough.

Q39 **Janet Daby:** Good afternoon, Mark. The chief inspector's report on the experiences of black adult prisoners and prison staff found evidence of racism and barriers to promotion. As a union, do you recognise these concerns?

**Mark Fairhurst:** That was really painful reading for someone like me, so dedicated to the service, and proud of what I do. It was really painful reading, but we have highlighted to directors in the Prison Service time and time again that they are not proactive enough. They do not do enough to stamp it out. As a union, we do. We have expelled people from our union for being racist, homophobic, misogynistic or sexist, and time and time again, through disciplinary procedures, HMPPS has kept people who are blatantly racist in the job. I just hope that, from that thematic review, they take action in a timely manner.

They are still considering the Lammy report. They have not implemented everything in that. I am hoping that this time they actually do something



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about it and listen to the voice of our black prisoners and black staff; that they get into the communities, engage with community leaders and break down those barriers, but, more importantly, that they put robust procedures in place to rid the service of these people.

- Q40 **Janet Daby:** Would you say that black prison staff are disproportionately leaving the job, more than their white counterpart staff?

**Mark Fairhurst:** I would not say that across the board. I would imagine that in certain areas, through experiences, they are probably looking for something better because of what they have gone through; but when you look at the demographics there are certain areas of the country where we are very short of representatives of communities. Go into some London jails and it is very representative of the communities, but go into some north-eastern jails and it is not. We need to do more to recruit more ethnic staff—to recruit more minority staff to represent the people we care for.

- Q41 **Janet Daby:** Do you feel that the HMPPS race action plan is good enough to address the structural barriers faced by black, Asian and minority ethnic staff? What is your view?

**Mark Fairhurst:** That remains to be seen, because they are still formulating a race action plan, and we are heavily involved in that. I would like them to have more focus groups with the staff it affects, to ask them what they want in a race action plan, to get around the country, interview staff and find out what they want to see and what action they want taken to deal with it. I don't think they do enough of that.

- Q42 **Janet Daby:** Do you have members who come to you to talk about those issues, and how do you support them, as a union?

**Mark Fairhurst:** We have loads of support mechanisms in place. We can help them locally, because we have local committees in every jail, so we can make our committees aware. We can help them through the whistleblowing process or the grievance process, and we can support them in every way possible.

You will find, though, that there are a lot of people who are suffering but do not want to come forward, because they are scared of the repercussions from senior managers. That is quite sad. We have a whistleblowing policy that is simply not fit for purpose. They should call it a sweep-it-under-the-carpet policy, because that is what happens.

- Q43 **Janet Daby:** What do you think needs to change to make a difference? You have mentioned some stuff already.

**Mark Fairhurst:** You need to engage with staff. You need to engage more with black prisoners. You need to engage more with communities that are under-represented. We need to come up with a plan that is practical, suitable and workable for everybody. We definitely need to recruit more people to diversify our prisons, because we are under-



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represented, but there are a lot of barriers in those communities, where they are anti-authority and distrustful of the uniform we wear. Maybe we need to get into those communities and find out why, and break down those barriers—encourage people.

- Q44 Janet Daby:** You have mentioned the Prison Service being understaffed. Pre covid, a lot of prisoners spent a lot of time locked in their cells. With few staff to run activities, work and education, how do you see things at the moment? Do you see that prisoners have these regimes back in place, or are things still at pre-pandemic levels?

**Mark Fairhurst:** It is a mixed bag. There are some prisons where they have decent staffing levels, where they are putting on more activities and there is more time unlocked, the problem being that not every jail has enough activity spaces for the people they are looking after; so, for example, you could be locking up 1,000 prisoners and have only 500 activity spaces.

That means you have to go to part-time working. In the morning, I might only be able to get out for a shower, a phone call and half an hour's exercise, and maybe clean my cell, before the next lot gets out, but in the afternoon I will be going to work.

We want activity spaces for all prisoners, but then you are relying on recruiting staff to work in workshops and teachers to work in education blocks. They have the same problems as us: it is difficult to recruit people to work in a prison, because the wages are so poor and the environment is so hostile. That is a big, big issue.

There are some jails now where they can provide a stable, productive and predictable regime, but there are a lot of prisons that, simply because they cannot recruit enough staff, have very restricted regimes.

- Q45 Janet Daby:** Are the regimes different during the week and at the weekends?

**Mark Fairhurst:** Yes. You are more restricted at the weekend, because you only have half the complement of staff on duty of a weekend. The problem is that we work on a 20% non-effective: so 20% of the staff will be on leave, on the sick, or training. Most jails now are running at 30% non-effectives; and they have only 50% of the staff that they can recruit, because of recruitment difficulties. So already you are down to less than 50% of the staff you should have to try to run a full regime. You cannot do it. That is another issue—another pressure on staff.

Some governors are adamant that they want to go back to a full regime, but you can only run a full regime if 100% of the staff are on duty. If only 50% are on duty, 50% of the regime has to fall. You have to drop tasks. Some governors do not want to do that. They want to do everything, to make themselves look good. That has a knock-on effect on staff.

- Q46 Janet Daby:** What does that look like in terms of hours? During the



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week, how many hours, on average, would they have out of their cell? And at the weekend, what would that be like?

**Mark Fairhurst:** In a decent jail, with decent staff levels, I imagine you would have a minimum of about five hours unlocked during the day and about three hours of a weekend. For restricted jails, I know there are some prisons where they are lucky to unlock for an hour a day, because they simply do not have the staff on duty, which is quite sad.

We don't want that. We don't advocate prolonged periods of bang-up for prisoners. We want to see prisoners active, addressing their offending behaviour, and learning skills that can get them employment upon release. That is what we want to see, but it is going to take a major investment.

Q47 **Janet Daby:** You have mentioned pay, and people having to work significant overtime, and pay scales, but I am going to ask this next question anyway, to see whether you want to add anything more. Do you feel that the current pay and reward package reflects the complexity of the prison officer role?

**Mark Fairhurst:** No, not at all. If you look at our pay awards—or lack of pay awards—since 2010, we have never had an inflation-matching or inflation-busting pay rise. We have been subject to pay freezes for several years, and pay pauses. Last year, we forced the Government to implement the £3,000 pay award for Fair and Sustainable staff. That brought them up to a level similar to closed grades. It is now an attractive starting salary, but to earn any more you rely on pay awards or promotion. That is the problem.

We are trying to compete with other bodies. People are leaving to get jobs on the railways, as train guards, on the same money as a prison officer. Train drivers are on significantly more. We have people leaving for less money, to work in supermarkets, because it is a safer environment and they can earn just as much money working in a supermarket on an hourly rate, with a bit of overtime, as they can on the landings.

Q48 **Janet Daby:** As well as an increase in the pay award, what additional benefits or support do you think prison staff need or should have?

**Mark Fairhurst:** For starters, our retirement age needs to be reduced. We cannot work in that environment in our 60s. Would you want your grandparents, in their late 60s, rolling around on the floor with a violent 21-year-old? No, you would not. It is not practical. It is cruel. It is actually inhumane, and it needs to be sorted. The only people who can sort it are the people sitting in front of me—the politicians—by putting pressure on the Government and the Treasury to fund it. We are a unique workforce in a unique environment, and we need bespoke policies. We need bespoke things in place for us, and retirement age is one of those. We need it reduced.



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Nobody else would put up with the levels of violence that we face on a daily basis, without the protective equipment to deal with it. That is not encouraging people to stay in the job. There is a host of things that we need sorted out, but the big ones at the moment are retirement age, pay and protective equipment at work.

**Q49 Maria Eagle:** I was going to ask—I think you have half answered it in the question that you have just answered—what you think the appropriate retirement age is. You said you did not think people should be on the landings in their 60s. Are you saying that you should have the same retirement age as, say, the police and firefighters, at 60?

**Mark Fairhurst:** What I am saying is we do not have the right to strike. It is illegal for us to take any sort of industrial action. I cannot even inform my members they should work to rule or refuse to work overtime, because I will end up in the High Court for breaching a High Court injunction.

If you are going to class us as such an essential service to the public that you cannot allow us to go on strike, why would you then expect us to work to the age of 68? The police can retire after 30 years' service, or aged 60. The fire service can retire aged 60. They are a frontline uniformed service. Why can't we retire aged 60?

Lord Hutton neglected to include us as a frontline uniformed service. He classed us as civil servants who are deskbound. We are not. We are unique. We face violence every single shift. The police do not. They might go through the entire week dealing with pleasant people, and of a weekend they have to deal with a bit of violence when the pubs spill out. We deal with violent people every single shift, and we are expected to do that in our late 60s.

There is no support if you have mental health problems. More and more of my members are getting diagnosed with PTSD, because of the trauma that they deal with and the things they see. There is no mental health support on site for those staff. They are leaving the job with ill health or capability retirement, so there is no support there for mental health.

As I say, if you are going to say to us, "You can't have the right to strike," at least treat us like the police and fire service, and allow us to retire with dignity instead of expecting us to die in service.

**Q50 Maria Eagle:** Okay, that is very clear. Damian Hinds is the current Minister. He recently said that "no discussions have taken place with...colleagues from Treasury or Cabinet Office on...pension age." What is your response to that?

**Mark Fairhurst:** The Government keep coming back to two different scenarios, where we have had two separate offers to reduce our retirement age—the last one was in 2017, but it was not a stand-alone offer. The last offer was that you could have state pension age minus three, and the Treasury would fund it; but that, as it stands, gives us a



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retirement age of 65. If the retirement age, as suggested and reported, rises to 70, we are back to square one, a retirement age of 67. If we are that important to running the country, and that essential that you cannot allow us to go on strike, why would you expect us to work in our 60s? We had a retirement age of 60 when I joined the job in '92. In 2007 it was increased to 65. That was supposed to be for a generation. A generation, when I was at school, was 25 years. Then it was changed, in 2015, to state pension age.

We are saying that we are less than 5% of the civil service pension scheme, and we are a bespoke, unique, workforce. It would not cost a great deal to say to us, "You can retire from the age of 60 onwards, but we are not going to abate the pensions you have accrued." People could have a choice. If they had to keep on working in their 60s, because of individual circumstances, they could; but if they had had enough and wanted to retire, they could, without abatement. Why abate our pensions? We have earned them. They do not do that in the private sector. Why do it in the civil service?

**Q51 Maria Eagle:** Okay. You have mentioned that there is an impact from this on retention, probably, rather than recruitment, because I do not know too many 18-year-olds who are thinking about when they are going to retire. You suggest that there is an impact on retention. What are you seeing happening since the increase in the pension age, with the more experienced?

**Mark Fairhurst:** We are seeing more and more experienced staff deciding, nah, they don't want to stay in the job, and they are leaving for other industries, and in some circumstances taking a pay drop. We are seeing that more and more.

**Q52 Maria Eagle:** Is this people in their 60s?

**Mark Fairhurst:** This is people in their 50s.

**Q53 Maria Eagle:** In their 50s, okay. You have also made reference to there being no mental health support for prison officers, who often see a lot of difficult things that do not leave you very easily. What impact is that having on your members?

**Mark Fairhurst:** Our employer will tell you that they have a 24/7 helpline where you can phone up and get support over the phone; but we do not want to phone someone we do not know, or when we do not know what their qualifications are. We do not want to do that.

You get six sessions of counselling if you need it, but only six. If you want, or require, more than six, then the prison has to put a business case forward to fund more than six.

They do not have any residential support for people with mental health problems, or with physical injuries. The only people that do are the union—the POA. We share the firefighters' rehab centres across the



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country, where people with mental health conditions or who are recovering from serious assaults, with physical injuries, can go and stay residentially for a period of five days, at our expense.

The civil service is a massive organisation, as is the Prison Service, and we have nothing that supports staff in that way—and I do not know why.

I would like to see a counsellor, mental health nurse, psychologist or psychiatrist on site in every prison, so that when I am involved in something traumatic, instead of going off duty and phoning in sick the next day, and maybe having a prolonged absence from work, maybe I can walk off the landings into a room and offload to a professional person, knowing that that support is in place. It might reduce the sickness levels we are seeing, and certainly might help to prevent me from getting PTSD—but there is none of that. There is absolutely nothing. What we have is not fit for purpose, and is not helping our staff.

**Q54 Maria Eagle:** Have you seen, in your time, the trend of mental ill health among officers increasing?

**Mark Fairhurst:** Massively, because the job is more violent and traumatic. We see more and more things that we never used to. We deal with more self-harm and more self-inflicted deaths, and we deal with more prisoners who have mental health conditions. We are not trained to deal with them. We do not get any mental health training whatsoever. Before the pandemic, we used to get a three-hour session on mental health awareness. I have been in the job for 31 years and I have never been mental-health trained. I haven't even done that course. They expect us to learn in three hours what a mental health nurse goes to university for, for three years. We have no training whatsoever. We have no training to deal with the elderly population. That all adds to the pressure.

**Q55 Chair:** Finally, Mark, you mentioned more protective equipment. You mentioned PAVA, for example, and the roll-out. Have you been given a date for when it is supposed to be rolled out?

**Mark Fairhurst:** The criteria for rolling out PAVA are so strict that we are still waiting, years later, to get it rolled out. Our employer hopes by the end of March this year to have it rolled out within the entire closed adult male estate, but, again, those estates, those prisons, have to meet the criteria. For example, I could train you in PAVA today, Bob, but you would not get it issued straightaway, because I would be saying to you, "Oh, no, you have to wait for 50% of the staff in the prison to be trained in PAVA before I issue it." That could be nine months later. It is like sending the Army into Afghanistan with a rifle but not giving them bullets. In the youth custody estate they have absolutely nothing.

**Q56 Chair:** Is it intended to roll it out in the youth estate, or not?

**Mark Fairhurst:** The youth estate is getting worse. Because, politically, we are dealing with children, I think there is a lot of pressure not to issue it; but I do not know a copper who stops to ask you your age before they



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spray you with PAVA or taser you. If you are violent, they are going to protect themselves. Why can't my members have that protection? I am only talking about an irritant that makes your eyes water. When it has been used in the closed adult male estate it has been very successful. I would not want my members carrying batons to deal with juvenile prisoners, but I am quite happy for them to spray them with a pepper spray.

**Q57 Chair:** In the adult estate, are there other things that you would want? Would batons be suitable in the adult estate?

**Mark Fairhurst:** We have batons in the adult estate. We do not have batons in the female estate or closed estate. The female estate is becoming more violent. Again, I would be happy for PAVA to be rolled out there.

The open estate has its own problems—particularly of a night, with intruders bringing stuff in. They need more protection.

That is why people are leaving—because they do not feel valued. In the House of Commons, Bob, when do you ever hear politicians say, "We value our public services," and mention prison officers? They don't. They mention the NHS, the police and firefighters. They very rarely mention prison officers. That is why my members are saying we are part of the forgotten service; no one values us, and no one cares about us. Morale is at rock bottom.

**Q58 Chair:** Body-worn cameras—would that help?

**Mark Fairhurst:** We have got body-worn video cameras, but, again, that is only because the POA campaigned for them.

**Chair:** I understand that, yes. Any other questions from colleagues?

**Janet Daby:** I just want to say that I do value the prison staff and prison officers, and thank you for coming to share with us today.

**Mark Fairhurst:** Thanks for the opportunity. I really hope that something comes of this.

**Chair:** It has been very helpful evidence, Mark. Thank you very much for your time and for giving your evidence to us.

**Mark Fairhurst:** You are very welcome, Bob. Thank you all.

### Examination of witness

Witness: Carl Davies.

**Q59 Chair:** Thank you for coming to give evidence to us. Would you just like to identify yourself, for the record—and your role?



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**Carl Davies:** My name is Carl Davies. I am a national officer for the Prison Governors Association.

Q60 **Chair:** That is appreciated. Just as I asked Mr Fairhurst, before, from the POA's point of view, what is your assessment, from the PGA's perspective, of the current shortfall in prison officers? Can you put a figure on it?

**Carl Davies:** I suppose it has to be a best-guess estimate. I would envisage there are probably in the region of 1,300 or 1,400 prison officer vacancies at any given time.

Q61 **Chair:** Has that got worse over the years, or not?

**Carl Davies:** It has certainly got no better. I think sometimes things are described as having some green shoots of recovery. Unfortunately, there is always a hard frost that follows, and we end up losing more people than we recruit.

Q62 **Chair:** That is where you are at the moment, is it—losing more than you recruit?

**Carl Davies:** I believe so. We are not increasing significantly.

Q63 **Chair:** Is that across the country, or do you find variations?

**Carl Davies:** I think the feedback that we currently get is that there are some differences geographically with some parts of the country and some types of establishments that are less significantly impacted by the lack of prison officers.

Q64 **Chair:** Can you spell those out for us?

**Carl Davies:** I think the list would probably be familiar: the likes of Wayland, Swaleside—predominantly those establishments that have a local or reception function. Some areas of the country are less impacted, and I think are pretty much at their target staffing levels, but whether all those staff are effective and deployable is probably a different matter.

Q65 **Chair:** It has been suggested to us that things are less pressured in the north-east and north-west as opposed to, say, London and the south-east, for example. Would that fit with your assessment?

**Carl Davies:** Yes.

Q66 **Chair:** You mentioned particular types of estate. Is it more of an issue, say, in the closed estate, in the youth estate, or in the female estate?

**Carl Davies:** I think there are still things to consider. One is the number of prison officers or staff against an establishment's target staffing figure, and, then, how many of those staff are actually available to deploy to frontline or their resource duties; so the boots on the ground is probably a better picture. Most establishments probably do not have the right number of prison officers who can be regularly deployed.



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Q67 **Chair:** So it is both vacancies in the establishment, and those who are not actually effectively available.

**Carl Davies:** There is also an issue—and, again, it is really difficult to put a figure on, because I do not have access to the management information—

Q68 **Chair:** They do not share that with you.

**Carl Davies:** They do, but I don't think it would be my place to share information that has been given to us on a management embargoed basis—

Q69 **Chair:** I can ask the MOJ about that.

**Carl Davies:** There is also an issue in terms of the number of prison officers we have. There are also vacancies at grades above those—at custodial manager, the grades we represent. So out of that prison officer pool there is also a draw upwards. I would say there are—again, this is a very well-educated guess—probably another 900 people out of that prison officer pool who are temporarily promoted into more senior grades.

Q70 **Chair:** I get that. I was looking at one example, which was Berwyn, where there are about 117 vacancies out of what should be 730 staffing; but of those vacancies, about 80 were band 3 officers. Is that a problem more generally, across the piece?

**Carl Davies:** Again, I think the picture is quite varied at the moment. It used to be pretty much across the board. We have some prisons that are, I would say, probably around 70% or 75% against their target staffing figure for prison officers. We have some establishments that are approaching 90% or 95%. As a system-wide figure, I would hazard a guess we are round about 85%, but, again, that is not the true figure. That is not the boots on the ground that are available, for a variety of reasons.

Q71 **Chair:** Approximately, what percentage could you add on for boots on the ground?

**Carl Davies:** You probably have about 20% on top of that who aren't available through sickness, temporary promotions or being used for duties other than what they were originally intended for.

Q72 **Chair:** What powers do you have as a governor to address those shortages? Can you do anything on your own initiative, or do you have to go to MOJ or HMPPS?

**Carl Davies:** There is a range of systems and mechanisms in place which governors can use to manage shortfalls in staffing and balance resource risk and delivery of a regime, but if the governor of a prison was presented with a position where they needed 15 extra prison officers it would not necessarily be in their gift to go out and say, "I am recruiting 15 extra prison officers because I am short." It is done on a more estate-



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wide, regional approach. The power and influence that the governor has in recruitment is limited.

Q73 **Chair:** Do you think that if you were given more power as governors you would be able to address it more effectively on a national basis?

**Carl Davies:** I do not think that gift would ever be given, and I think most of our members would not torment themselves with that degree of freedom.

Q74 **Chair:** Why is that?

**Carl Davies:** I suspect the reality would be that the business, the organisation, would not let go of that degree of control.

Q75 **Chair:** What are relations like between yourselves and the business?

**Carl Davies:** We are a mature organisation. I think we have extremely good relationships with all parts of HMPPS and the MOJ. That said, we do not agree with the direction of travel on a number of fronts, but we are mature and recognise that there is a job to be done. I think we all agree we would like to do significantly better than what some people believe we are doing at the moment.

Q76 **Chair:** What are the areas where you do not agree on the direction of travel?

**Carl Davies:** The interference around pay and the Government's unwillingness to accept fully the recommendations of the pay review body. While it is not the decision of the Ministry of Justice, you cannot help but think that there is some involvement.

I think there are some differing views on some of the structural arrangements around functional leadership, where governors are not in a position to have on-site financial support and, more importantly, do not have the right level of HR specialist support. Bearing in mind that we are a people organisation and are in the middle of a people crisis where we are struggling to recruit, train and retain and do a whole range of things with people, the governor is not allowed to recruit their own HR specialists or HR team. Most establishments have one HR performance analyst. That is something on which we fundamentally disagree with the organisation.

Q77 **Chair:** How does the system of bidding to the operational stability resourcing panel work from a governor's perspective?

**Carl Davies:** I would say it is a bureaucratic process, probably through necessity. There are very limited resources. At the moment we do not have a very large cake and the slices are very thin, so from necessity putting in checks and balances has to be bureaucratic, but to some degree it is a bit of a theoretical process. You could be given the additional resource; you could bid for detached duty. Whether that is



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delivered upon is a different matter. The amount of overtime payment under a variety of schemes which is offered is rarely taken up.

Q78 **Chair:** Is overtime a big issue? From your perspective, do you think you are over-reliant on overtime?

**Carl Davies:** Overtime Payment Plus is some of the offer which comes from the stability panels. I would say that at the moment our organisation and prisons would not survive without it. Anecdotally, people reflect back to the pre-“Fresh Start” era of the Prison Service where the organisation survived on overtime. It compensated prison officers’ poor basic salary. They had a reasonably good salary but lived on overtime and were working excessive hours as well.

Q79 **Chair:** The Ministry has said it will recruit 5,000 extra officers. Do you think that will be enough to deal with the problems you have?

**Carl Davies:** I would like to have confidence that it will recruit 5,000 extra prison officers. I think that in its response to the White Paper it said it would achieve that within a couple of years. It is not going to happen. Looking at current performance, we are losing more people than we are recruiting.

Again, through involvement in different briefings and meetings, at best the Prison Service has informed us quite recently that it has capacity to train prison officers at no more than 420 a month, I think, and we are losing more people than they can train.

Q80 **Janet Daby:** Over 4,000 prison officers left the service in the past 12 months. Why are so many operational prison staff leaving the Prison Service?

**Carl Davies:** If you look at some of the information provided by HMPPS, there is a whole range of reasons. Disenchantment probably captures everything. If I was new to the Prison Service, would it be the role I expected it to be? Probably not. Would I feel I had been properly equipped and trained to do the most challenging of roles we ask of people? I would probably say I had not been trained enough.

I do not know where people get their energy from to remain in those roles. Our prisons are overcrowded. You know the figures. You only have to turn to the Howard League and the 10 most overcrowded prisons in the country. The population is over 83,000 at the moment. The challenges and the ask that we put on our prison officers are so significant that I struggle to comprehend how they get through their daily lives.

We have some fantastic, amazing people working in our prisons. I think that we, society, underestimate the ask and challenge they face. For some people there are issues around pay; some people will say, “This is not what I signed up for,” in terms of the challenge: the emotional demands, the physical demands and the feelings of being threatened.



The physical environment in some of our prisons is best described as being dilapidated. It is the simple fact that it is not for everybody, but at the moment we are asking too much of them. We have far too many prisoners for the prison officers we have to look after them. We cannot stem the increase in the demand on capacity and spaces. If we cannot reduce the prison population, we absolutely need to be doing something to increase the number of prison officers to reduce some of the pressure and stress we place on them.

There is also something about variety of work. Through various workforce reforms we have shoehorned prison officers solely to doing prisoner-facing work. There is no respite for them any more. There was a time when our prison officers could do work which was not prisoner facing, giving them the ability to recharge and take them away from that constant stress. We do not do that any more; we value-engineer and have driven the cost of a prison place down to a level where it is just not sustainable, and we see that through people leaving.

- Q81 Janet Daby:** The results from the most recent people survey reveal a disappointing picture of staff attitudes and experience of working for HMPPS, as you have just explained. Would you say these findings are representative of all prisons in England and Wales?

**Carl Davies:** It is difficult to say whether it is representative, is it not? It has to be representative because, as far as I am aware, we do not exclude people from completing the staff survey.

Are the questions loaded in a certain way to present the findings differently? When I look at some of the exit survey questions, if you were to group together a couple of those questions it would emphasise that pay and reward is probably a greater issue, but as it stands it seems to drift more towards satisfaction-type issues around leadership.

I think it is probably representative. There will be some establishments which would present a significantly poorer picture, and equally there will be some where, for a range of reasons, the picture is better, but I think it broadly represents a less-than-positive picture.

- Q82 Janet Daby:** What would you say prison governors are doing to address the findings of the survey?

**Carl Davies:** I think the majority of the members we represent are doing as much as they can. Although I hate the term, some products are being developed by the Ministry of Justice—retention toolkits. They are great if you have people to retain.

Most of our members are focusing, rightly so, on delivering a safe and predictable regime. They are focusing on the wellbeing of the people they lead, but, as difficult or impossible a job as we ask our prison officers to do, it does not get any easier the further up the organisation you go.

- Q83 Edward Timpson:** You said earlier that you felt there was now a people



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crisis in the Prison Service in relation to recruiting, training and retaining prison officers and staff. At the heart of that are experienced officers. Is it right that you are a deputy governor at Foston Hall?

**Carl Davies:** That was my last operational post. I have done a headquarters role since then and I have worked in a number of areas.

Q84 **Edward Timpson:** Based on that probably less contemporaneous experience and that of your members, what impact is the loss of experienced staff, about which we have heard in the evidence we have taken, having on governors' ability to operate their prisons effectively?

**Carl Davies:** I do not think you can take it in isolation and apply it solely to prison officers, because for most of the critical services provided in prisons—you could look at healthcare provision—you probably have a similar issue in recruiting and retaining qualified staff. You can look at some of our administrative grades and the essential work they do. It all feeds into a situation where you just manage from one day to another.

I think the issue around prison officers is slightly different because, with the volume of new people coming in, you are in a position where the facts and figures speak for themselves. You only have to look at the recent "Bromley Briefings" on how many prison officers have less than three years' service and how many prison officers have more than 10 years' service. While there is formal training, it is questionable whether that is sufficient or effective.

I do not like to use the term "on-the-job training", but that nurturing, protection and having somebody to cocoon new staff to stop them stubbing their toes and making the wrong choices and decisions is not there any more. I reflect back to when I started as a prison officer in 1991. There were then 41,000 people in prison and about 130 prisons. I was one of two prison officers who started at my prison within six months. I had people supporting me informally and formally to make sure I was able to flourish, develop and not expose myself to naive decision making and silly decisions.

I think we have lost that. That is a real issue. In utilising experience and making sure it is applied in the riskiest situations, some of our prisons do not have that luxury any more. Everybody on a wing is new. You put young, inexperienced prison officers in situations in which I think the general public would shudder to think we were leaving such inexperienced people, in charge of chaotic, challenging people.

Q85 **Edward Timpson:** Are there any governors or prisons you are aware of that are able to buck that trend and have held on to more of their experienced staff, and are still able to offer the training opportunities that you say are now missing in many parts of the prison estate to those who are new recruits and want to progress through the service?

**Carl Davies:** There are establishments which are able to retain people for longer. The reasons are probably related to the type of establishment,



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the location of the establishment and how challenging that type of establishment is. It would be wrong of me not to say that some of it is down to the exceptionally skilled leaders we have governing our prisons. Are there prisons out there bucking the trend? Probably. Is it through hard work, commitment and the products and initiatives from the present service pushing out? Probably. Is it down to good luck? Probably. There is a whole range of reasons why some prisons buck the trend.

**Q86 Edward Timpson:** I am interested in whether there is anything we should look more closely at in those prisons and perhaps recommend should be scaled up or given greater oxygen within the rest of the system. It may be you are saying it is a very difficult thing to do in one fell swoop and there are lots of moving parts here, including trying to recruit the calibre of people you need into the service and then giving them the opportunities to grow and develop.

**Carl Davies:** If we look back at what most people consider to be the line in the sand where everything went wrong, it was around Fair and Sustainable and when benchmarking was applied across the entirety of the prison estate.

**Q87 Edward Timpson:** When was that introduced?

**Carl Davies:** In about 2012 or 2014. There is a correlation with the massive increase in the level of violence and when we started to lose people. There is something around those prisons where governors feel empowered and are trusted to do the right thing for their prisons and you probably get a better result rather than just a one-size-fits-all approach which was applied during benchmarking and did not take account of the particularisation needed for the very unique circumstances of some of our prisons.

**Q88 Edward Timpson:** Let me take you back briefly to recruitment, which is one of those areas of the people crisis within the prison system that you have spoken about and the really important bands 3 to 5 roles. Do you think the Government are doing enough to recruit sufficient numbers in those roles, as well as both the quality and diversity of people coming into the service in bands 3 to 5 of the employment system?

**Carl Davies:** I mentioned earlier that we have some fantastic people who want to be part of that organisation. I make that comment directly about prison officers. From the new cohort of prison officers I have seen and some of the feedback we get, they are great, but people grow into the role. There is not a finished product when somebody leaves the six-week training school and four weeks at the prison. In 10 weeks you are not a finished article. I would say it takes 18 months to two years before somebody is fully competent. We are not supporting those people when they come into prisons during that 18-month to two-year period—in the PGA's opinion—and I think that is down to a variety of reasons.

Could the Government do more? At the moment I believe we can train only 420 people. There is some suggestion that the acceptance of raising



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the starting pay for band 3 prison officers may be having a slight improvement in attracting people into the organisation, or it is about retaining them once we have them, but that was pre the cost of living crisis we are in. I suspect it is a competitive job market at the moment, is it not?

**Q89 Edward Timpson:** Do you think governors are involved enough in the recruitment process for operational staff in their own prisons?

**Carl Davies:** Our members' feedback is that they would like to be more involved. They would appreciate the ability to see the whites of somebody's eyes and expose somebody to their prison and show them around as part of that recruitment and selection process. Anecdotally, we hear of people not being interviewed by anybody, whereas the HMPPS or MOJ, who look after the recruitment process, always tell us that there is a face-to-face interview, but I do not think that it is by anybody who is currently operational or based within a prison.

**Q90 Edward Timpson:** Is that done differently between public sector and private sector prisons, and what bearing does that have on their ability to recruit?

**Carl Davies:** I could not speak about private sector prison recruitment.

**Q91 Edward Timpson:** You must have some idea of what is going on there.

**Carl Davies:** The only observation I would make is that I think the private sector prisons or organisations can be more responsive to market forces than public sector prisons. There are stories of private sector prisons, which share the same sites as public sector prisons, putting up big notices outside the gates of their prisons so that public sector prison officers can see that their starting pay is £1,500, £2,000 or £3,000 more than is being paid next door. I suspect there are some flexibilities which private sector prisons have which public sectors do not have.

**Q92 Maria Eagle:** Retention seems to be one of the big problems at the moment. It is all very well recruiting hand over fist, but more are leaving at the other end for various reasons. You mentioned the Government retention toolkit and said it was all very well if you had people to retain, but, where you do have people to retain, what is this toolkit and what does it enable you to do as a governor? Is it just one of those things that goes on a shelf?

**Carl Davies:** It goes next to the other management books.

**Q93 Maria Eagle:** And all the other things that come from the MOJ. I used to be the Prisons Minister.

**Carl Davies:** I suspect you even know the shelf on which the book is sitting. In fairness, the recruitment toolkit contains a number of suggested initiatives, some of which are beneficial and thought provoking and some of which are a bit of a nudge to look at what you would



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normally expect to happen. Some of it talks to induction and welcoming people into the organisation.

**Maria Eagle:** Teaching grandmother to suck eggs.

**Carl Davies:** I would probably describe it in a very similar way.

Q94 **Maria Eagle:** Do I gather that governors were not particularly consulted on the design and implementation of it—it was just something that they received?

**Carl Davies:** In our engagement with HMPPS and the Ministry of Justice people group, they always engage. Whether it is early enough or prior to the initiatives being designed, there is engagement. It would be unfair to say there is not engagement, but it does not fill that gap.

I mentioned the functional leadership model. Having a retention toolkit is great if you do not have an HR department, training department, personnel department or OD department to support the functional heads, the inexperienced custodial managers and the governor. It is an essential piece of work, but, if the only HR specialist you have is a performance analyst, you have multimillion-pound businesses. Some of our governors are managing budgets in excess of £20 million and they do not have an HR manager.

Q95 **Chair:** We have about three votes coming up, so it could take some little time. I do not know what members feel. We have a few questions left, but not very many. Is it easier if we put those in writing? Otherwise, you might be hanging around for ages.

**Carl Davies:** I will be led by you.

**Maria Eagle:** We may lose our quorum as well.

**Chair:** You have covered a lot of the ground and we are very grateful to you. If we write to you on our remaining four or five questions, would you be happy to respond on that basis?

**Carl Davies:** Absolutely.

**Chair:** Thank you very much for your time and evidence.