



Prison Officers Association Address to the Public Accounts Committee
Thursday 25th of October 2012 at 11.00 hrs

Good morning Mr Chairman, members of the Committee. I would like to thank you for extending the opportunity to the Prison Officers Association to come here this morning and outline our position in relation to the allowances paid to members of our Association.

The Prison Officers Association currently represents 3,221 grades in the Irish Prison Service, ranging from the grade of Recruit Prison Officer up to and including the grade of Deputy Governor. The Prison Officers Association was established in 1947 as a Staff Association. We received full Trade Union recognition in May 1988, under Section 10 of the Trade Union Act, 1941, authorising the Union to carry on negotiations for the fixing of wages or other conditions of employment. The Prison Officers Association is currently an affiliate member of the Irish Congress of Trade Unions and as a Civil Service Trade Union we operate through the agreed Civil Service Conciliation and Arbitration Scheme.

There are a number of allowances paid to members of the Prison Service and all such allowances currently in existence had to go through the agreed procedures set down in the Civil Service Conciliation and Arbitration Scheme, before sanction for payment was granted. The vast majority of allowances payable are allowances in the nature of pay, are pensionable and are therefore core pay.

The Prison Officers Association and our members have been delivering significant reform in the Prison Service over the past number of years and staff received numerous awards including the Taoiseach's Award. There was a major change program rolled out from July 2005, as a result of lengthy negotiations facilitated by the Labour Relations Commission, between management and staff and a report issued by the Civil Service Arbitration Board. Such was the magnitude of the change that the Arbitration Board commended both the Prison Officers Association and the Irish Prison Service for their participation in what were no doubt long and difficult negotiations in regard to the proposals for change. (Proposal for Organisational Change, 2005)

Reviewing this massive initiative at the 2006 Prison Officers' Association Annual Conference, the Minister for Justice, Equality and Law Reform noted that both he and the union had come through a long and sometimes torturous process, in our efforts to agree a better way forward for the Prison Service. The Minister also stated that there can be little doubt that Industrial Relations in the Prison Service are in a better state, with management and staff now using a Partnership approach to overcome their difficulties.

This process of cooperation with a problem solving approach is continuing through our involvement with the Croke Park Agreement. There has been on-going intensive engagement between the parties regarding our commitments to the Public Service Agreement and the specific measures set down to secure payroll savings of €21million including the following:

- A full in depth review of all tasks has been undertaken at all Prisons /Places of Detention, BSD, PSEC, and the OSG. These Joint Reviews have been carried out by a team comprising of both Management and Staff Side Representatives

- Arising from the aforementioned reviews, Transformation Reports have been completed and implemented at a number of locations,
- New Rosters are currently been constructed and implemented at all locations
- A 17% reduction has been achieved at senior manager level with inter alia the introduction of Campus Working arrangements at three locations
- An Incentivised Enhanced Privilege scheme for prisoners is being implemented across the entire prison network which is based on best international practice
- The introduction of 140 Prison Administration and Support Officers through redeployment from the Civil Service, thus allowing fully trained Prison Officers return to front line duties
- Agreement has been reached on a number of important policy documents including, the standard prison day, prisoner property, internal escorting, communications, etc
- Opening of new prison accommodation on a significantly reduced staffing model eg Wheatfield
- Greater use of automation so as to allow the redeployment of Officers to front line duties
- IPS have been operating on or below its Emergency Control Figure for some time now – that is operating with 338 less staff as per the last Sectoral Report

There has been significant progress to date in the Prison Service under the terms of the agreement, against a background of an increasing Prisoner population with a decrease in staffing numbers. Furthermore to date there has been no requirement to utilise any of the third party mechanisms provided for under the terms of the Croke Park agreement in the case of the Prison Service.

The Prison Officers Association and its members have delivered everything that has been asked of them under the terms of the Croke Park Agreement. All progress reports from the Sectoral Group to the Implementation Body to date verify this. This has had a significant impact on the running of the Prison Service for example the opening of new accommodation Block at Wheatfield Prison was made possible due to the implementation of new regimes brought about by the Public Service Agreement.

The Public Service Agreement however also provides that pay will not be cut in exchange for co-operation with the modernisation and change agenda. The modernisation and change agenda is being delivered in the Irish Prison Service and therefore pay should not be cut and this includes allowances. No distinction should be made regarding allowances that are simply part of basic or core pay. This is especially the case given the particular circumstances that apply to allowances in the Prison Service and the way that they historically evolved to restrict knock on pay claims. Furthermore the Irish Prison Service and the Prison Officers Association agreed as part of the

modernisation and change programme for the Prison Service that we would conduct a review of all allowances on a cost neutral basis with a view to aligning the payment of allowances with Irish Prison Service strategic priorities.

Many of the allowances come under the same heading and are paid for carrying out different tasks, for example the AIS allowance which is an allowance in the Industrial Area, can be paid to a person for their carpentry, catering or metal work skills. While the Class 2 Allowances is an allowance which is paid to Officers that work in areas such as the Main Gate of the Prison and the Prison Tuck Shop. However the allowances paid in the Prison Service will fall mainly within the following categories:

- **Operational Allowance:** This allowance forms part of the basic pay of Prison Staff (Pensionable operational allowance 8% of basic pay payable to all grades). This was the amount of pay awarded by the Civil Service Arbitration Board set out in the July 2005, Proposal for Organisational Change agreement (PFOC). This agreement introduced immediate efficiencies into the operation of the Irish Prison Service with major changes to work practices and working conditions which have been responsible for an annual saving since 2005 of over €30 million brought about through the elimination of overtime working.
- **Additional Hours:** Additional Hours bands have operated in the Prison Service since the introduction of the PFOC agreement in July 2005, which eliminated the need for overtime working. There are currently three additional hour's bands 112, 240 and 360 hours that operate within the Prison Service.
- **Attendances Allowances:** Payments made in the Prison Service under this heading are not allowances but payments made in respect of attendance for core hours of duty. The Irish Prison Service operates on a 24/7 basis and some level of staffing is required for night, Saturday, Sunday and Public Holidays. Under the Croke Park Agreement, specific to the Prison Service there is an on-going in depth Transformation review, examining in detail all current structural and operational arrangements which will allow for Prisons to operate in the most effective and efficient manner by the introduction of amongst other things enhanced regimes which will allow where feasible reduced staffing levels freeing up staff to open new areas.
- **Rent Allowance:** Rent allowances has long been accepted as part of basic pay, therefore given this position it was agreed as part of the terms of Agreed Report 5/1997 (PCW) that this allowance would be pensionable to members of the Prison Service serving on or after 1st January 1994.
- **Industrial Area Allowances:** Allowances paid to Prison Grades that work in the various Work and Training Areas of the Prisons, where constructive accredited training is provided to prisoners. All staff appointed to these grades, get appointed following National merit based competitions and staff require specific skillsets to carry out these enhanced roles and functions for which work and training programs are dependent on.

- **Class 2 Allowances:** Class 2 Allowances are paid in the Prison Service on the basis that the Office holder is performing duties that were deemed to be over and above that of what was expected from a basic grade Prison Officer. For example the Officer in charge of the school is responsible for all aspects of security within their area, he/she is required to maintain attendance records, has to ensure that prisoners get access to the school when required and is responsible for arranging interviews for new committals who want to engage in and have access to educational facilities.
- **Acting up Allowances:** Allowances that are paid in respect of Officers taking up additional duties or a higher duty, such as the Acting up allowance, the Substitution allowance and the in charge of Court allowance. The Acting up allowance is paid to a person who carries out the duties of a higher Office holder for example the Assistant Chief Officer acting up to the grade of Chief Officer for a period normally longer than thirty days. This normally only happens when it is essential for the maintenance of the chain of command, essential for the care and management of prisoners and essential to the security of the Prison. Some posts may also be required by Statute.
- **Environmental Allowance – Portlaoise Prison:** The basis for this allowance related to the presence of subversive prisoners in Portlaoise and Limerick Prisons which created a particularly tense environment in these prisons for Prison Officers and their families in their private lives. While the security status at Limerick Prison changed in recent years Portlaoise Prison remains the Countries only committal prison for the Special Criminal Court and as such remains the States “high security” prison. The purpose of the Army presence at Portlaoise Prison is to protect the security of the State. To this end, military posts are situated throughout the prison and manned on a 24/7 basis by armed soldiers. The environmental allowance is currently under review as a result of a Claim brought by the Official Side to the Justice Departmental Council (C&A Scheme) in January 2010, prior to the commencement of the Public Service Agreement 2010 – 2014.
- **Medical Area Allowances:** Allowances in this area include the Hospital or Medical Orderly allowance which was paid for the role of carrying out specific specialist medical duties relating to the delivery of medical support to Prisoners and specialist providers. The terms of Agreed Report 5/1997 (PCW) provided for the introduction of a Nursing Service in the Prison Service to discharge professional health care duties and on entering the Prison Service Nurse Officers were awarded the Medical allowance. This allowance was increased for the Nurse Officer grade by the Public Service Benchmarking Body in June 2002.
- **Plain Clothes:** Plain clothes allowance is payable to Prison Officers that are obliged to wear civilian attire on certain duties, for example Open/Semi-Open Centres, In-Patient/Out-Patient Hospital Escorts, T/R Escorts and certain Court Escorts.

Historically the above allowances evolved to restrict knock on pay claims, for example the rent allowance and the operational allowance or the allowance was granted specific to an individual grade or a specific role being carried out. The aforementioned payments were clearly paid in the form of an allowance in order to control the escalation of payments in particular during the time

period of National Wage Agreements and as already stated all allowances payable in the Prison Service had to first go through the agreed procedures set down in the Civil Service Conciliation and Arbitration Scheme, before sanction for payment was granted.

In summation, I wish to say that the allowance system in the Prison Service is largely driven by a necessity to reward members of the Prison Service for working long and unsocial hours as the Prison Service operates on a 24/7 basis or for utilising specific skillsets over and above those required of the basic grade Prison Officer which are essential for the running of and successful outcome of work and training programs. These allowances form part of the basic pay of Prison grades and are something that our members cannot do without given the difficult financial circumstances that many now find themselves in.

Finally, I would like to thank the committee for giving the Prison Officers Association the opportunity to put forward the position of our members in respect of their pay and allowances. I hope this statement was helpful to the Committee.

Thank you, Mr Chairman and members of the Committee.