Written evidence to Prison Population 2022: planning for the future inquiry

Submission by: Community

Introduction

Community represents more workers in privatised justice and custodial services than any other union. Our members work in private prisons, young offender institutions, secure training centres, courts and prisoner escorting, and electronic monitoring services, for a range of companies and organisations in the sector including; Serco, Sodexo, G4S, GeoAmey and Mitie.

Figures released by the Ministry of Justice show violence has increased significantly across the piece, and dramatically in certain prisons. This includes prisons run by both HMPPS and private sector companies. Community has launched a campaign for a Safer Justice Sector that looks to promote changes to the justice and custodial sector, that would create a sustainable model that can handle a growing prison population. Employers that we work with have signed up to our Safer Justice Sector charter and Community continue to work in partnership with them around introducing positive developments in the sector.

Over the last five years, Community has engaged with our members from across the sector. From our justice committee, made up of representatives from each of our recognised justice and custodial sector employers to a survey of prison officers. The results of these conversations and research will form the basis of our submission.

While Community’s membership in the sector largely lies in the private sector, our recommendations in this submission are primarily directed towards the government. We have good working relationships with many of the private sector employers who are constantly looking to make changes to improve their prisons. However, we believe that the widest reaching change must be systemic and must be led by the government.

With the introduction of the new competition framework for future private sector contracts in the justice sector, now marks the opportunity for government to implement a robust set of minimum standards that ensure a sustainable model for the future.

Executive summary

- Prison officers are keen to see fundamental changes to their role; including more responsibility in helping prisoners, reducing reoffending and encouraging rehabilitation. These changes must come alongside added value for the role of a prison officer from both the public and the government, higher staffing levels to enable officers to do their jobs, better pay, more training and career development opportunities, as well as additional resources.
- The rise in violence has played a significant role in high rates of staff attrition and creates an unsafe working environment. Robust policies and added resources must be implemented across the estate to curb rising levels of violence.
• There is currently no parity between private and public prisons. This includes both; the resources provided by the Government and the policies that aim to reduce violence. Ensuring parity throughout the lifetime of contract is essential and must come with added resources and support from the Ministry of Justice.

**Recommendations for government and private sector employers**

1. Both the government and private sector employers must show recognition for the work of a prison officer. This must include; recognising prison staff as professionals and building rewarding careers through more defined career paths and progression opportunities.

2. The disparity between private and public sector prisons must be immediately addressed. Prison staff in private prisons are working in the same environment as their peers working in public prisons, however they are often working more hours, for less pay and with less protective mechanisms to help reduce the flow of drugs and the levels of violence. If the mixed economy is going to succeed the Ministry of Justice need to immediately address this.

3. Minimum staffing levels in private contracts urgently need to be reviewed. In light of the introduction of numerous new schemes that require additional prison staff time like the key worker scheme, it is necessary for minimum staffing levels to be raised. This requires additional funding from the government. As part of a commitment to increasing staffing levels, there should also be a commitment to eradicate lone working.

4. Training must be thoroughly reviewed through a full audit of the current training and development opportunities available in the private sector. Prison officers working for all contractors must be given the ability to specialise in areas such as mental health. Specialising should be met with newly defined job roles.

5. The government should support the creation of a specialist training and standard setting college, similar to the College of Policing. This should provide high level, transferrable and continuous training to prison officers from both private and public sector prisons.

6. The government and employers need to work together to introduce more robust policies to address the rising use of psychoactive substances and the resulting increase in violence.

7. Mental health support for prison officers must be increased. Prison officers are working in increasingly challenging environments and this needs to be recognised through adequate counseling and support, alongside the introduction of mental health first aiders.

8. The race to the bottom culture that the tendering process can result in must end. The Ministry of Justice should set minimum levels of staffing, safety and staff facilities that cannot be adjusted in the tendering process.

**The private prison estate**

Private prisons have a role to play in the future of the prison estate. However, for the mixed economy to be a success in the justice and custodial sector, the government must commit to a parity of funds for staff resources and violence reduction measures between the private and public sector.
The Ministry of Justice is beginning to show an understanding of the changing nature of the prison estate, and the need for new technologies, increased staff and robust policies. A number of announcements made over recent months reflect that understanding. However, extra funding and new technologies are too often directed at public prisons, with no support for private sector employers to implement similar strategies. Private prisons are expected to deliver the same service to the same standard but are not supported by the Ministry of Justice to make necessary changes.

For example; the introduction of body scanners and other measures to reduce the flow of drugs into prisons should see the government either pay outright for the new equipment or give additional funds to the company. This would ensure that throughout the lifetime of a contract there is parity with public sector prisons.

The government is similarly making changes to the amount of control each prison has over the way they are run. However, employers in the private prison sector often feel like they have little control over key issues such as the population and the regime they run. The government clearly recognises that each public sector prison has a better understanding of the individual prison’s needs than the Ministry. The control allowed to public sector prisons and their leadership should also be extended to private sector companies to ensure the safe running of prisons.

**The Role of the Prison Officer**

Community undertook a number of focus groups and surveys of prison officers working in a variety of prisons across the country.

The current role of a prison officer in both private and public sector prisons should be updated. The system used in both England and Wales requires little education and provides low level training that lasts no more than ten weeks. This is combined with the expectation on officers to deliver a complex and professional service to a variety of vulnerable and challenging inmates. Officers are required to be security guards, psychiatric nurses, chefs, wing managers and mentors. Although this model poses many challenges, those surveyed for our research did not want to change it, but recognise that major reform is necessary if it is to be a sustainable model for the future; especially considering an ever-expanding and demographically changing prison population.

When asked about what they wanted to achieve as a prison officer, respondents to our survey focused heavily on; rehabilitation, reducing reoffending and ‘making a difference to prisoner’s lives’. This highlights that prison officers in England and Wales, value their role as more than a ‘turnkey’ and want to help end the cycle of reoffending which has contributed to the considerable population and subsequent overcrowding problems. If prison officers had the resources, necessary staffing levels and training to be able to meet their aspirations for
the role, we would see a reduction in reoffending and a sustainable model with a higher proportion of prisoners rehabilitated into society.

Value

Some prison officers working in the private sector today feel undervalued. As a result of this, morale among staff in prisons is particularly low and attrition is high, with many prison officers viewing the role as a short-term job rather than a long-term career choice.

This short-term job view stems from a lack of ambition for the role from leaders in government. There are few progression opportunities, and acknowledgement of long service is limited. For instance, the Queen’s Long Service medal is only given to public sector prison officers. The lack of clear progression opportunities, agreed career paths and recognition for their work leaves staff with little choice but to leave the sector if they want a career where they feel their work is valued.

The accreditation powers of officers in both the public and private sector are also different, with officers in the public sector having the equivalent rights of a constable. This adds to the feeling of private sector officer roles being undervalued in comparison with their public sector peers.

Public attitudes towards the role of a prison officer have an impact on feelings of underappreciation. Prison officers put themselves in harm’s way and their work often involves protecting the public from dangerous or violent individuals. However, the work that they do is seen as less valuable than the role of a police officer and other frontline workers. Effort must be made to raise the profile and appreciation of prison officers with the public to increase morale in the sector.

Staffing

The result of the current model, and the strains on prison officers is worryingly high attrition rates which leads to prisons having fewer experienced staff. Experienced staff are generally more capable of dealing with violence on the wings and are necessary to provide shadowing and mentoring to new officers. Working to ensure prison officers feel valued and see their work in the prison sector as a career path, will reduce these levels of attrition.

The high levels of attrition, combined with prisons struggling to recruit new officers due to an ill-defined and little celebrated role, has resulted in at times low staffing levels across the estate. Responses to our research suggest that low staffing levels play a key role in; increasing violence, an unsafe working environment and prison officers being unable to do their jobs.

In some prisons, where the minimum agreed staffing levels were met, there are still not enough staff to be able to meet the full regime. As a result of these practices, staff often find themselves crisis managing, not able to meet the basic requirements of their role let alone
build relationships with prisoners and help reduce reoffending. Minimum agreed staffing levels need to be increased to address this.

Many prison officers welcome the introduction of the key worker scheme as they believe it enhances the role of the prison officer into one which plays a bigger role in helping prisoners and encouraging rehabilitation. However, staffing levels are not being raised high enough to reflect this added responsibility and the time commitment that the scheme involves.

Additionally, there is disparity between the number of prisoners a key worker is responsible for in private and public sector prisons. In public sector prisons the ratio stands at six prisoners to a key worker, whereas in the private sector the ratio can be anything up to ten prisoners to a key worker. If this scheme is going to be successful in private prisons, the government must require the same from private companies as they believe is necessary in public prisons. This parity, again, must come with additional funds from the government.

According to our research, lone-working, a practice that is dangerous for prisoners and staff, has become a regular occurrence in some prisons due to low staffing levels. The government and private companies must commit to ending this practice across the estate.

Training and career development

Being a prison officer involves dealing with a series of difficult situations. This should be reflected in high-quality, continuous training. However, the training that some officers currently receive does not adequately equip them for the work they will be expected to do. In responding to our research, some prison officers felt that the initial training offered to them was too basic for the difficult and complex role they fulfil in the prison. Employers should work with trade unions on a local and national level for the ongoing development of training.

While training is inconsistent across different contracts, across the piece, training lasts less than ten weeks. During that time, in some contracts, there is little time spent on the wings getting a better understanding of what being a prison officer really entails. Due to the little amount of time spent on the wings and shadowing during the training period, some officers leave the job a few weeks or months into the role as it is far from what they expected.

Our research suggests there is a lack of additional training opportunities that if introduced could be invaluable. This includes both ongoing and refresher training as well as specialising opportunities. While currently, prison officer career progression opportunities are based around pay increases for service, we would like to also see opportunities to specialise and new roles brought in nationally, like the wing manager role some private contractors have created.

Staff working for some private contractors are currently unlikely to receive training on mental health, despite this becoming something they are increasingly likely to deal with. Prison officers have reported to us dealing with severe cases of mental distress on the wings.
including but not limited to self-harm. Dealing with this alongside a number of other difficult situations has a strain on prison officers and to help deal with this mental health services for officers should be provided and easily accessible.

In addition to this, the demographics of the prison estate are changing, with a new generation of prisoners now entering the estate. Our members have noted that this new generation of prisoners have less respect for authority and more tendency towards violence. The Ministry of Justice must listen to prison officers about the changes to prisoner demographics and the effect this has and then respond accordingly.

Pay

Private companies have recognised the importance of pay and in a number of cases have reflected that understanding with substantial changes to the pay structure.

Prison officer pay is not consistent across contracts and can vary across different prisons with the same employer. This helps to spread feelings of injustice and for some prison officers it adds to the sense of being undervalued. In areas where there is more than one prison, staff often hop between prisons based on the pay and terms and conditions available. This creates a strain on the sector with officers being trained multiple times and fluctuating staffing levels. To minimise this, effort should be made to standardise pay across the sector.

Development opportunities and pay are closely interlinked. In many prisons, officers find themselves on low or stagnant pay despite years of service, and with no other opportunities to increase their pay. This could be resolved with career development opportunities and pay rises to reflect experience as well as specialist skills and understanding.

Resources

Lack of necessary equipment means that prison officers do not have the resources they need to carry out new duties or deal with rising levels of violence.

For instance; while many prison officers are encouraged by the introduction of the key worker scheme which allows them to fulfil their aspirations of helping people to turn their lives around; low staffing levels, combined with a lack of resources, make delivering this strategy to its intended effect, difficult. This is due to inadequate time allowed for the task to be completed; with few NOMIS machines available, much of the allocated 45 minutes is spent finding a working machine, and inputting data, rather than interacting with the prisoner.

Rise in violence

As the Ministry of Justice Safety in Custody report highlights, assaults on prison staff are continually rising. This includes the number of violent and sexual assaults.
A strong stance must be taken on violence against prison officers irrelevant of a prisoner’s sentence. It is too often the case that offences committed by prisoners are excluded from further action due to their existing sentence, leaving them free to behave badly and use violence against prison staff without consequence.

Since 2012, the use of Psychoactive Substances in prisons has risen dramatically. The correlation between the rise in violence, and the rise in the use of these new drugs is no coincidence. The drugs present real challenges as they are easier to conceal and bring into the prison than traditional drugs and they put the health of prison staff at risk if inhaled. In addition to this, due to their highly addictive nature, they are leaving many prisoners in large amounts of debt to drug dealers and gangs operating within the prison.

Robust policies and additional resources must be brought in to stop the use of these drugs, to support staff responding to violence, and to provide adequate aftercare to those who have been a victim of violence at work.

**Conclusion**

A system in which officers feel unable to achieve their aims will not succeed and will not be able to manage the demands of a growing population. Prison officers work on the frontline and play a significant role in protecting the public, their services should be recognised. Prison officers who are well-trained, resourced and motivated will be more successful in reducing reoffending, helping vulnerable prisoners and tackling violence.

To create a prison estate that is sustainable, one that increases rehabilitation, and can manage a changing population, there needs to be systemic change. Any change must centre the voice of the prison officer and the changes they are calling for to ensure it effectively meets their needs and allows them to fulfil their responsibilities.

**Appendix**

You can find the Community Safer Justice Sector Charter [here](#).