

25 March 2020

Sent by Email Only

Dear Head of Institution

Covid-19 and Prison Education

As the recognised trade union for prison educators, UCU has written to you and HMPPS on several occasions seeking urgent discussions as to how prison education may be delivered during the current Covid-19 crisis.

We believe that employers should reach agreement with us on any terms in accordance with our statutory rights under TULR(C)A (1992)

Whilst we are pleased that the decision has now been taken by HMPPS to move to an 'exceptional delivery model' (lockdown), and many of our members have been told to work from home for the next 3 weeks at least, we are deeply concerned to hear reports that despite this development, some Governors are still expecting an education provision to continue with skeleton staffing.

UCU believes this to be wholly unnecessary and places our members and their families at heightened and unnecessary risk because they are expected to use public transport, enter prison establishments which are struggling to cope with providing basic handwashing facilities and potentially coming into contact with a whole range of people contrary to government advice on social distancing. UCU published our survey results on this yesterday and some of the findings were cited in the Justice Committee on 24 March <https://www.ucu.org.uk/article/10729/Call-to-suspend-face-to-face-prison-education-as-staff-dont-even-have-basic-handwashing-facilities>

Our position is that the safest way to continue with provision is to allow staff to prepare learning packs FROM HOME which can then be sent in to prison sites via email. If necessary, we believe that employers can courier in learning packs to prison sites once they have been printed from a much safer environment. UCU is urgently seeking an agreed framework with you by which this work can be done safely.

Under no circumstances should members be expected to deliver learning packs to wings as these have been classed as 'households' by HMPPS and education staff visiting the wings would be contrary to the latest medical and government advice. It is also completely unnecessary as other means of delivery are readily available.

UCU is therefore requesting that the employer takes the following steps:

1. Negotiate and agree a framework for lockdown delivery of education across all sites. We want to work with you on this issue in the interests of both our members and the learners.
2. In **exceptional circumstances** (agreed with UCU) **volunteers** be called for to attend work in person if, and only if, the following conditions are met:
 - It is made clear that attending is voluntary and there will be no detriment (financial or otherwise) from choosing not to volunteer;
 - Any work that is suggested to be carried out by our members is fully risk assessed and a safe system of work provided and approved by UCU's H & S officers;
 - A reward package is offered in line with those agreements reached with the POA and NTUS;
3. Employers should not attempt to pressurise precarious/agency staff to volunteer to carry out work on site as they may be particularly vulnerable to financial pressures at this current time. We believe that this would be wholly unethical and we will call out any employer which attempts to back fill skeleton staffing this way.
4. Review and agree home working policy to ensure that our members are working safely at home including a homeworking allowance.

We have advised our members of their rights under both the ERA and MHSW 1999 regulations and of course the very clear guidance issued by the Government on the importance of staying at home.

The offer has been made to all employers (and HMPPS) that UCU is available at short notice to come to an agreement on a remote delivery framework and look forward to hearing from you as a matter of urgency.

Yours sincerely

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Bargaining & Negotiations Official
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Cc:

Ian Bickers,
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