

MKC Prison Education Branch

January 2014

Welcome to the second newsletter from your branch committee. They are as follows;

Chair – Rachel Barnes, HMP Birmingham
Vice-Chair – Matthew Fisher, HMP Onley
Secretary – Gina Hillsdon, HMP Winchester
Membership Secretary/Treasurer – Martin Keighery, HMP Bullingdon
Equality – Marion Pitt, HMP Stocken
Union Learning Rep (ULR) – Umran Greenaway, HMP Swinfen Hall
Health and Safety Convenor – Jennifer Tarafdar-Forker, HMP Birmingham

The Branch Committee met with Sally Alexander (SA), Executive Director of Offender Learning, and Suzanne Hawkins (SH), HR manager of Offender Learning, at the quarterly meeting on 17th January. The key points of the meeting are below.

Core Day Changes

Individual prisons have issues relating to the times of the core day being changed by the prison. Some establishments have longer (3.5 hours) sessions with no break, lack of time for DD, lunch breaks and other issues. SA said that she would hope that any issues could be discussed with the local manager and resolved in this fashion. If this does not solve the issue, reps need to liaise with the Branch committee so that they can advise and support as appropriate.

The committee asked if there could be flexibility to allow staff members to ensure they completed their DD on site, on their allocated working days, to save them from having to come into work on additional days. Models from TMC prisons include coming in earlier or working 10-15 minutes at lunch. This would prevent having to come in on a non working day to do DD. SA did not seem averse to this, but did say it was something that needs to be managed locally.

The committee also stated that some managers were being very rigid in terms of DD being conducted on site. This has brought many issues around practicality where the core day has been extended. There are also problems with some staff not having access to a computer (insufficient machines or no prison log on) or internet access. The committee understand that there is a need to conduct some DD onsite, but it is not always practical to do it all on site. SA said that this must be reasonable and again needs to be managed locally. She has said that if there are local issues then the rep can have a discussion/meeting with regional HR to address the problems. SH also said that this is something that she hopes the managers' training programme will address.

Level 4 Teaching Qualification

New Level 3 and 4 teaching qualifications are being introduced at the college. These are the qualifications that new teachers need to undertake. However, there is very little information about them as yet and it is not known where else they will be taught. The college hopes to introduce a distance learning course which would be very useful for those wanting/needing to get these qualifications. More information regarding these qualifications will be given to the branch by the college in the future.

Sickness Management

In the previous meeting, SH raised sickness management with the committee and that she wanted to begin using the Bradford Factor to manage sickness. She explained that the sickness for OLASS was costing the college far too much. SH felt that there are staff who abuse the sickness policy and use it as additional holiday. She does accept that this is not true of all staff. We are concerned that those

staff who are genuinely ill could be disadvantaged. She assured us that she wanted to use Bradford Factor as a tool and would have clear guidelines about the implementation. She also stated that all managers would have very thorough training on its use. The committee said that we did not support the use of the Bradford Factor and we hope there is an alternative. We understand the need to manage the sickness and the cost to the college. We thought it important that the college address the reasons why staff in OLASS have so much sick leave.

The committee asked for what progress had been made on this matter. SH said that the Bradford Factor was still her preferred method of tracking absence as it removes emotion from the equation. She explained in her previous employment it was used in a very supportive manner. The branch committee said they had had the opposite experience of the implementation of the Bradford Factor.

We would like to investigate why people in OLASS have so much sick leave and how the college can help address this. We have asked for the data held by the college on sickness absence to help determine the contributing factors. We highlighted staff shortages, high workload, lack of support, threat of redundancy, stress, bullying and other issues. The college have committed to a joint working party to develop sickness management procedures. One part of this is developing a joint survey for all staff to complete. A meeting is to be scheduled in March to work on this area.

A couple of supplementary questions were asked with reference to uncertified sick days being used as part of the scoring process when skills matching during the restructuring consultation.

If an individual has been advised to stay off work following an operation they would need to show evidence stating this. If, in the future, uncertified sick was being looked at for any reason, this would be taken into account. It was also suggested that a manager should use their discretion when dealing with sickness issues and that if someone came in to work and were obviously unwell then they should be sent home, and this would also be taken into account at a future date if necessary.

Learning and Teaching Observation (LTO) Policy

The Committee raised the new LTO policy and the changes there in. The Branch Committee did not see the new document until the eleventh hour and did not have sufficient time to fully digest and comment upon. The changes have gone through and we feel that they are detrimental to staff and have voiced this concern.

SH assured us that this is not the case. We were especially concerned that if someone who was graded a 4 had not improved after re-observation; they would be placed under capability procedures. We felt that this is not supportive and is counter-productive. SH explained that the capability procedure is a very supportive process designed to help those staff who need it. The Branch felt that members would not feel this way and were concerned that some managers could abuse the system and use this punitively. SH assured us that she will not allow this to happen and has a training programme for all managers. It was also noted that the current policy is not always followed and the committee has concerns that although training is being put in place, not all managers will follow it. This brought us to the next agenda item.

Disciplinary Policy and Management Training

UCU was concerned about managers not adhering to the college's policies and procedures. This was especially true of the Disciplinary Policy.

There have been several instances where following investigation/fact find meetings, and a disciplinary had ensued, that further information/evidence has been added which has not been investigated. This has meant that an individual may not have had a chance to discuss the added issues before the formal process has begun. SH admitted that there had been some issues with how the process had

been followed but has adjourned meetings where appropriate so everything could be investigated appropriately.

The committee also raised concerns over the amount of time that it took for cases to be investigated and brought to the hearing stage (if that is the next step). SH acknowledged that there had been difficulties especially as there are so many cases that are in progress. The committee asked for confirmation as to the process and timeline following a suspension. SH is putting together a flow chart which will make it clear as to how the process should take place.

It was asked if letters relating to the above could be sent by recorded delivery as there had been several instances where letters had gone astray. SH informed us that MKC had decided all post was to be sent out by second class post unless there was specific authorisation. However, where packs of information and evidence were sent out this would be sent by recorded delivery.

It was also noted that there have been several cases of Security Investigations. This has been particularly around the Virtual Campus where passwords have been shared (with other staff, not learners). This has led to suspension, disciplinary proceedings and warnings but could have resulted in dismissal. It should be made absolutely clear that no password should ever be shared, even if a manager or regional manager says it is okay.

SH added that there will be compulsory training session for managers over the next 6 months. The College is moving to a position where local managers will take on more responsibility for handling things locally, reps will be able to try and resolve issues at local level in the first instance. MKC has organised a series of training sessions for managers so they are aware of what is expected of them. We welcomed this commitment from the college.

The areas to be covered in this training programme are; Contract Management, Recruitment, Capability Procedure, Disciplinary Procedure, Investigations, Sickness Management and Exit Procedures for Leavers. Your branch was keen to see how the college approach this training and the college have agreed to allow UCU to observe some of the management training. This will help the Branch committee to have a clear understanding of the college's viewpoint and assist members by ensuring that local manager's adhere to the college's vision.

Restructure and Consultation Process

HMP Birmingham

The consultation is way off the time line that had been put in place back in September. The PSD strand consultation has not yet been completed. Whilst it appears there are no jobs at risk, there has been some confusion as to what contracts would be available, especially to those on Annualised Hours (AH) contracts. Information given by the manager and area manager has been unclear. SH has said she will look into this. The committee reiterated that it is essential that reps attending consultations should have as much notice as possible to ensure they can attend and minimise disruption in their own establishment.

HMP Winchester

Whilst the consultation is over, there is still a lot of uncertainty for those whose hours have changed. Most staff are working less hours and sessions. Although information has been given out to each teacher as to their salary changes there has been no indication as to when it will happen. SH to investigate.

HMP Bullingdon

Staff at Bullingdon are generally working the same number of sessions as before the change in the core day but this results in substantially longer hours. Some are teaching 28 hours a week, leaving

very little time for planning thus possibly affecting the quality of teaching. The maximum a teacher should be teaching in a week is 24.5 hours although it can be increased to 28 hours per week in an emergency but not regularly. This burden of teaching will undoubtedly cause problems in the long term.

ALS Tutors

At Winchester and Bullingdon these tutors have been given timetabled sessions to teach each week despite being unqualified and inexperienced. At Stocken, ALS tutors are regularly scheduled to take the induction, but 'in an emergency' are asked to teach a class. The understanding was that their teaching hours should be cover only whilst undertaking a teaching qualification. SH to investigate. Please let us know what ALS tutors are expected to do in your establishment.

Trainers Contracts, Pay scales and Non Contact Time

There was continued concern about the recognition for trainers who have completed qualifications. Contractually under the time of Manchester College, they were to receive a pay increase on completion of qualifications. Some trainers have had recognition, whilst others have had this withheld. SH stated that this had now been resolved.

It was also stated that, due to regime changes and increased paperwork for qualifications, trainers where finding it increasingly difficult to meet the demands of running a workshop. SA accepted that there was added pressure on trainers with OLASS4 and regime changes. She said that cases had to be reviewed separately by their managers. This would identify how best to assist the trainers in coping with the increased demands on their time. In some establishments, an additional member of staff has been employed to cover two or three sessions to allow the lead tutor to do their associated duties. If you have trainers who need support with the increased demands of their role, then reps should inform them that managers are required, by the college, to look at ways to help them cope with these additional demands. What is going on in your establishment?

Clarification was requested about the method of calculating leave for these trainers. Was it by day or by hours? HR stated that this would have to be investigated.

Prison/Education Relationship

There was some discussion about the numbers of learners having fallen because of the new core day; the early start, prisoners not being unlocked, some wings not now being included for education, the disparity in pay between education and work. Some officers do not seem to think that Education is important and this has a knock on effect on attendance, thus affecting the ability of the department to draw down funding. The College stated that the Area managers are working closely with prisons in order to maximise attendance.

The next meeting was scheduled for the 2/5/14.

If you have any issues at a local level, in the first instance, contact your local representative. If you do not have a rep in your establishment, please contact a member of the branch committee who will be able to assist you.

Many thanks,



Rachel Barnes
Chair, MKC Prison Education Branch