



HM Prison &
Probation Service

Probation
Service



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George Georgiou, Neil Richardson, Ranjit Singh, Leanne Plechowicz, Jim Barton, Giulia Matrigiani and Susanne Moore

Dear George, Neil, Ranjit, Leanne, Jim, Giulia and Susanne,

JTU10-2024 One HMPPS

I am writing out to you as the Chair of the One HMPPS dispute panel, which convened on April 9, 2024, in accordance with the Disputes Resolution procedure. I was joined by two panel members Ben Priestley (Unison) and Daniel Bateman (Deputy Director HMPPS HR Business Partnering). The trade unions were represented at the panel by Ranjit Singh (Napo), Neil Richardson (Unison) and George Georgiou (GMB Scoop). The presenting employer side were represented by Jim Barton (Executive Director Change), Giulia Matrigiani (Head of Delivery Strategy), Susanne Moore (Portfolio Lead People Change Delivery) and Leanne Plechowicz (Head of OneHMPPS Design and Implementation). Karida Badwah (Senior Employee Relations Manager) was also present.

Firstly, I want to extend my gratitude for your attendance, the thorough case summaries you presented, and the constructive manner in which the proceedings were carried out. From the panel submissions I also note the significant and ongoing engagement between both parties as part of the OneHMPPS program.

NAPO, UNISON, and GMB SCOOP, collectively representing the Probation Trade Unions (TUs), filed a dispute on 15 February 2024, based on the grounds outlined below. The panel thoroughly reviewed the desired outcomes presented in the TUs case summary during the proceedings, as well as the employer side response. All parties were provided with opportunity to question the relevant cases presented.

i) “Matching” approach:

We still do not believe that the employer’s approach to “matching” is satisfactory and will instead place probation staff at a disadvantage to the quantum of roles that are available to be matched to in the restructured organisation.

ii) Definition of Probation:

Linked to the above the Probation Trade unions maintain that we cannot move to implementation until we have resolved the fundamental issue on the “definition of probation”. This issue is of such fundamental importance that we believe the future of the whole OneHMPPS programme is compromised if we cannot resolve it before the implementation stage. As it impacts on individual staff opportunities for roles in the new organisation and moreover the culture of the new organisation.

The proposed solution contained in the letter from OneHMPPS which sets out that any new definition agreed in the future will be applied retrospectively post implementation of the new design. As the Probation Trade Unions, we believe that this will lead to considerable confusion amongst staff. We cannot agree to this, and any new definition must be mutually agreed before we can move on from the Design Stage to implementation. This will allow for staff to have certainty for which roles they can be matched into.

Following the respective evidence being presented by both sides, the panel reconvened to give full consideration to that evidence and the outcomes that would be recommended.

Following full and thorough consideration, the panel was split and unable to jointly agree on two matters;

1. The Trade Union’s request for a Pause in HQ Restructure activities:

I considered the rationale for the request for a pause. I noted that this had been requested at a previous dispute panel, where the panel had concluded that a pause in activities was not warranted, and that relevant consultation had taken place with Trade Unions by the employer. I considered that no substantive changes in the position had taken place since this decision was taken. The request for a pause is therefore denied.

2. The request to revisit the ‘matching’ approach followed by the employer as part of the HQ Restructure:

Having considered the evidence presented, as the chair I was content that the processes being utilised for matching purposes as part of OneHMPPS were in line with the relevant Redeployment and Restructuring toolkits in place for those on Probation terms and conditions. I noted that these procedures had been agreed subject to consultation with TU’s in 2015, and I did not find that any misapplication of these processes had taken place. It is of further note that HMPPS and the Probation Service have separate Pay and Grading structures and therefore grade equivalence between the two structures does not exist. On this basis, while I note the Trade Union’s

argument, I do not find that any breach of policies or procedures has been applied by the OneHMPPS programme.

Therefore, as the chair, I have made the decision not to recommend either a pause to OneHMPPS activities, or to recommend a reconsideration of the matching procedures currently being utilised by management in this change activity, but please see 7 below regarding actions relating to the 'balance of pay' proposals for closed competition outcomes.

It should be recorded that Ben Priestley, a member of the panel, was not able to agree with my decision on matters 1 and 2 above.

The panel proceeded to give further consideration to additional concerns raised by TU's and as a result is jointly recommending the following actions are undertaken.

Equality Impact Assessment:

1. The panel noted that a previous dispute panel had reviewed this aspect and found that Equality Impact Assessments (EqIA) had been conducted as part of Annex A processes. The panel endorses the recommendation previously made that EqIAs should continue to be iteratively updated; with reference in particular to the outcomes of matching processes, and gender-related considerations.

Definition of Probation:

2. That the employer and trade unions continue to work at pace to reach a mutually agreed definition of probation to determine when a role may attract Probation T&C's.

Ongoing Harmonisation activities:

3. The employer and Trade Unions to identify outstanding individual harmonisation issues to be jointly resolved as soon as possible with a view to assessing any potential detriment for those in the matching or closed competition process.
4. The employer and trade unions to establish, where possible, a joint understanding regarding the number of staff on Probation service T&Cs in scope for HQ reorganisation who are working on temporary (loan / secondment) assignments and subject to matching & closed competition and any implications thereof.

Pension:

5. The panel noted that pension information has been provided to staff previously. It recommends that further information (rather than advice) on pensions should be provided to staff via appropriate mechanisms.

OneHMPPS Implementation agreement:

6. The panel endorsed the efforts to conclude work on the OneHMPPS implementation agreement. The panel recommended that collectively effort should be made to finalise this by 3rd May 2024.

'Balance of Pay' provisions:

7. The panel noted the Balance of Pay (BoP) provisions set out in the employer's response. The panel recognised that this had only recently been communicated and noted some misunderstanding during discussions on the subject. The panel therefore recommends that the employer & TU's reconvene to clarify and confirm contractual implications for staff who may be subject to these provisions as a result of closed competition.

With best wishes

Yours sincerely



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