

Letter from Cabinet Secretary for Justice, Michael Matheson, to Chairman of POA(S), Phil Fairlie – 19 December 2014.

Cabinet Secretary for Justice
Michael Matheson MSP

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Mr Phil Fairlie
Chairman
Prison Officers Association in Scotland

In 2014 Scotland Welcomes the World



19 December 2014

Dear Phil

Thank you for meeting with me yesterday afternoon. I was grateful for the opportunity to meet with the Prison Officers Association in Scotland (POA(S)) at a relatively early stage in my new role as Cabinet Secretary for Justice.

Unsurprisingly, our meeting focussed on the national ballot that is currently open on potential industrial action by POA(S) members. I undertook to write to you setting out my offer to open negotiations with POA(S) with a view to agreeing a financial settlement that would avert industrial action. Whilst we are constrained by the limits of public pay policy, I am confident that we will be able to offer an interim financial payment that recognises the changing role of prison officers in Scotland and the transition to the proposed new pay structure over the next 2 years.

Colin McConnell, Chief Executive of the Scottish Prison Service (SPS), is ready to open negotiations as early as next week. I would anticipate these negotiations being concluded by the end of January.

If you are willing to enter into negotiations with SPS, the national ballot that is currently open would need to be withdrawn. I appreciate that you would need to communicate this to your membership and explain that any ballot papers already returned would be considered null and void. I also accept that, depending on the outcome of these negotiations, you may choose to open a new national ballot on potential industrial action at a later date.

You explained that you would need to take this offer to negotiate to the Scottish National Committee to consider. I understand that it is likely you would be able to provide a response by the end of Monday 22 December.

However, regardless of the outcome of this particular issue, I would like to reiterate the Scottish Government's support for prison officers in Scotland. I look forward to continuing this Government's positive relationship with the POA(S). Let me also take this opportunity to wish you and your family a very happy Christmas.

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MICHAEL MATHESON



Letter from Chairman of POA(S), Phil Fairlie, to Cabinet Secretary for Justice, Michael Matheson – 22 December 2014



POA SCOTLAND
The Professional Trades Union for Prison,
Correctional & Secure Psychiatric Workers
ALBA HOUSE, 21 CALDER ROAD, EDINBURGH EH11 3PF



REF:GEN16/14

Mr Michael Matheson
Cabinet Secretary for Justice
St Andrews House
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22 December 2014

Dear Michael

RE POA SCOTLAND/SPS NEGOTIATIONS

Thank you for inviting us to meet with you on the 18th December, and also for your letter the following day.

Can I first of all record our thanks for what was in our opinion a very positive and worthwhile meeting, and welcome your confirmation around the present Scottish government views in relation to recognising us as a uniform service, alongside their continued opposition to privatisation of prisons here in Scotland.

You further reiterated your wish to see continuation of the positive and supportive relationship between the POA(S) and the Scottish government, and I am delighted to confirm that to be the view of our National officers on the SNC.

With regard to your offer to open negotiations and the condition attached to the offer. I indicated that I would call together our National committee and put your proposal to them for consideration, and that meeting took place the following morning.

I am pleased to confirm that your offer was received very positively by my committee, and that it was unanimously agreed to accept both the offer to negotiate, and to agree to suspend our ongoing ballot to allow those negotiations to take place in the best spirit and environment that will allow both parties to reach a satisfactory conclusion.

To that end, I have called an emergency meeting of our branch officials for today, (Monday 22nd December) to outline to them in advance, the decision taken and the rationale behind it. We will issue a circular to our full membership following the meeting, informing them of the same.

I have contacted Colin McConnell and we have agreed to have our first meeting today, (Monday 22nd December) to set out both the scope and the timetable for taking these matters forward.

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Assistant General Secretary: A Hogg Scottish Chairman: P Fairlie

I give you our undertaking that we will enter into these negotiations positively, with a commitment to be fair and open, and with the intention of seeking a genuine positive outcome for all. I am sure you will be kept fully informed as to progress throughout, but would wish to reiterate your offer in return , that we are happy to engage with you at any time should you feel it appropriate.

Finally, can I also wish you and your family, all the very best throughout the festive season.

Yours sincerely

pp KWainan

PHIL FAIRLIE
Scottish Chairman

Meetings between Cabinet Secretary's and representatives from POA(S)

The former Cabinet Secretary for Justice, Kenny MacAskill, met with representatives from POA(S) on the following dates:

2012	2013	2014
19 January 2012	9 September 2013	12 November 2014
1 May 2012		
14 June 2012		
1 November 2012		

The former Cabinet Secretary for Justice, Michael Matheson, met with representatives from POA(S) on the following dates:

2014	2015	2016	2018
18 December 2014	21 May 2015	14 June 2016	16 January 2018
	22 September 2015		

There are no records of what was discussed at these meetings. Ministerial engagements with external parties are proactively published. The link for 2012 up to May 2016 is:

<https://www.webarchive.org.uk/wayback/archive/20170401123936/http://www.gov.scot/About/People/14944/Events-Engagements/MinisterialEngagements>

The link from June 2016 is:

[https://beta.gov.scot/publications/?term=Ministerial travel&publicationTypes=transparency_data](https://beta.gov.scot/publications/?term=Ministerial%20travel&publicationTypes=transparency_data)