

Our Ref FOI HQ 18056

Dear

18 November 2019

We refer to the above Freedom of Information (Scotland) Act 2002 (FOISA) request made on 31 May 2018, our response of 27 June 2018 and review response of 24 July 2018.

Whilst your request was correctly handled in accordance with our procedures and legislative requirements it has come to our attention that an element of the content was not entirely accurate regarding the inclusion of Prison Governors Association (PGA) within collective bargaining.

We would like to take this opportunity to confirm that SPS recognises the following Trade Unions within the collective bargaining process:

- Prison Officers' Association (Scotland) – POA(s)
- Public and Commercial Services Union – PCS
- Prospect
- Prison Governors Association – PGA(S)

For clarity, the Prison Governors Association (PGA) represents the Prison Governors of the United Kingdom. The PGA was founded in October 1987 to represent the higher operational managers in the prison Service of England and Wales and that was extended to Scotland in 2003. The status of the PGA is that of an independent registered Trade Union. PGA(S) is the Scottish branch of the PGA.

In 2012, under the terms of Paragraph 1, of Schedule A1 (Trade Union and Labour Relations (consolidation) Act 1992), SPS formally recognised PGA as a trade union. Recognition entitles PGA to collective bargaining rights, in other words the right to negotiate with SPS on matters relating to pay and terms and conditions of employment on behalf of the group of employees in their bargaining unit. The bargaining unit for PGA is operational staff in pay bands F, G, H and I.

In 2013 SPS clarified the recognition rights as set out in Forward Together (document provided in original response). Particularly that the POA(S) has exclusive recognition rights for all operational staff in pay bands C, D and E and that there are shared recognition rights for operational staff in pay band F. To confirm, SPS recognise POA(S), PCS and PGA for operational staff in pay band F and PCS and PGA for operational staff in pay bands G to I.

SPS is of course committed to the Fair Work Agenda which is reflected in our now long standing partnership agreement, Forward Together, with the TUS. Whilst it is SPS' preference that all recognised unions participate in joint negotiations, PGA(S) are currently not part of that agreement and therefore SPS has a separate and bilateral partnership agreement with PGA(S) and SPS negotiate separately with the PGA on matters which affect their bargaining unit only.

Accordingly, for completeness, we have now re-visited your request for detail of payments made to each recognised Trade Union/payments made to elected officials of each recognised Trade Union and confirm in Table 1 and 2 in Annex A.

Yours sincerely

Annex 1

RFI1 Response

Payments made to recognised Trade Unions (RFI1)

Trade Union Name

	2013-14			2014-15			2015-16			2016-17			2017-18		
	Amount	Reason	Pay Date	Amount	Reason	Pay Date	Amount	Reason	Pay Date	Amount	Reason	Pay Date	Amount	Reason	Pay Date
POA	16,173.00	Travel	21/01/14	16,173.00	Travel	13/02/15	16,173.00	Travel	01/03/16	16,173.00	Travel	26/01/17	16,173.00	Travel	31/01/18
PCS	0.00			0.00			0.00			0.00			0.00		
Prospect	0.00			0.00			0.00			0.00			0.00		
PGA	0.00			0.00			0.00			0.00			0.00		

RFI2 Response

Payments made to elected officials of recognised Trade Unions (RFI2)

Trade Union Name

	2013-14			2014-15			2015-16			2016-17			2017-18		
	Amount	Reason	Pay Date	Amount	Reason	Pay Date	Amount	Reason	Pay Date	Amount	Reason	Pay Date	Amount	Reason	Pay Date
POA	0.00			0.00			0.00			0.00			0.00		
PCS	125.81	Travel	2013-14	32.70	Travel	2014-15	0.00			156.70	Travel	2016-17	167.42	Travel	2017-18
Prospect	0.00			0.00			0.00			0.00			0.00		
PGA	0.00			0.00			0.00			0.00			0.00		