

Breaking Free
The Fight For Equal Pay in the Prison Service

During the late 1980s and the 1990s administrative, secretarial, executive and support workers in the Prison Service earned many thousands of pounds less than prison officers. These workers were mainly women.

Mike Nolan, PCS Prison Service Group President

In prisons, there was rude names for admin staff, which I won't go into, but there was the clerks, they were the 'little junior office person'. You know, they didn't count. They were expected to go to meetings and pour the tea. And things like that.

Interviewer

What were some of the rude names?

Mike Nolan

The rudest I ever heard was 'Pissy-arsed clerk'. PAC.

Amanda Bailey, Personal Secretary

'Fluffy Admin' was one of the expressions I heard. And one of the other expressions used to be 'Bloody Civvies.' I do remember a PO saying to me at one point ... He was a bit put out was something had been going on and he wasn't aware and felt he should have been. 'I earned my pips. You're only a clerk.'

Geoff Lewtas, National Pay Co-ordinator, PCS

The Prison Services ethos, the management ethos was that the uniform grades, the male-dominated prison officers were the important part of the organisation. They were what mattered in terms of doing everything that was necessary in prisons and all of the so-called difficult, nasty bits of working in prisons. And the support and administrative staff were just a sort of add-on.

Alison Muddiman, Administrative Officer

The prison can't function adequately without that admin function. And they do take a lot of responsibility. Very professional. I think they underestimate the professionalism of the admin staff, really.

Sandra Knight, Parole Clerk (retired)

And the knowledge that they have. The knowledge. Because the prison officers, most of them don't have that knowledge. I was apparently the only female, non-officer, foreign nationals' officer in the whole of the Prison Service. I was the only woman who wasn't an officer who was doing that. And I know myself and my colleague, Dave Job, who is an officer, we were sort of mentioned for Best Practice because of the way we operated the foreign nationals situation. And the evaluator couldn't believe what I did.

Robin Beddoe, Job evaluation expert for PCS

The Prison Service used to push the job to its limits. So if somebody was willing to do a job, regardless of what the job description said, they could get loaded on the administrative staff. Which they were quite willing to accept. They felt it made their

job more interesting, rather than a boring, run-of-the-mill clerical job. If they tried to do that to a prison officer, they couldn't do it.

In 1996, after pressure from the women's union, the Prison Service carried out a detailed study of the relative values of operational and non-operational jobs. For a period of ten weeks, union official Larry O'Callaghan observed the job evaluation panel made up of prison governors and other managers, plus a consultant as they analysed the value of a wide range of jobs done in prisons.

Larry O'Callaghan, CPSA/PCS Prison Service Group President (1985-2003)

This is the actual outcome of the job evaluation which caused so much controversy. And it does immediately speak for itself. This person here, personal secretary, is actually Amanda Bailey. That is Amanda Bailey.

Interviewer

And what did she score?

Larry O'Callaghan

She scored 133 points. And if we just turn over the page, we then see a gang of prison officers from different prisons around the country who all scored less than Amanda. 118 points. Amanda's salary was significantly less than the prison officers. Thousands of pounds less.

But the Prison Service failed to act on the outcome of its own job evaluation. So in 1999, the union lodged Equal Pay claims.

Amanda Bailey, Lead Claimant

I had to be persuaded, there's no doubt about that. It wasn't something that had ever crossed my mind. I'd been subject to the prison service job evaluation, and that had all sort of done and been dealt with. And then out of the blue one day I had a telephone call from somebody in the PCS who basically said that the union might be going for this equal pay claim and would I be party to it? And it's likely to be a bit of a paper exercise and you'll only have to sign there and do this, that and the other and perhaps not hear anything more about it for a long while and then you'll get a cheque. And even at that point I was reluctant to put my name forward, really. For a number of reasons, not least of which, it's a bit of a big thing when it's your employer that it's all against. Anyway, having said that, there was a colleague whose opinion I valued quite a lot, and he said to me 'Come off it Mandy, women chained themselves to the railings for such as you.' And I know that's a bit extreme, but it did make me think well, yeah. I've got to go for it.

Alison Muddiman

I think that's probably the reason I didn't have any qualms whatsoever about subscribing to it because the morals of it is, equal pay for equal work.

Amanda Bailey

Yeah, and I agree, I agree, but sometimes, to stick your head above the parapet can be a bit of a daunting task.

Rosie Eagleson, PCS National Secretary

It's quite hard for people you know, we join trade unions to take collective action. To be part of a collective. And for those women, you know, when you're taking legal cases it's actually you, it's you as an individual. It's your name that goes on the application to the tribunal.

Amanda Bailey

And I think when that really came home to me was perhaps the second journey to Croydon. I arrived a bit late and didn't know which room it was in, and of course everybody had gone, so I asked one of the ushers. And he said what case is it? And I said it's the PCS and the Prison Service, and he said, 'No, it's Bailey versus the Home Office.' And I turned to my mum and said that's a coincidence, it's the same surname as me! And she said, no ducky, I think it *is* you! So that's when there was this sudden dawn of realisation.

Alison Muddiman

Good on you! I mean, we had very good ... our union representative was very proactive and kept us well informed, and I think the fact that he took responsibility for us ... He explained the situation. I think virtually everybody subscribed to it. I think I would have had greater reservations if I felt I was in a minority and that I wouldn't be supported, but –

Joan Howard, Administrative Officer

You know you're not just one person and I think you're a group of people and the union behind you.

Amanda Bailey

I think that's true.

Alison Muddiman

And the strength of the union gave most people confidence, I think. Everyone had reservations about disgruntling their employer, and I'm quite sure at the time I avoided discussing it at length with anybody above my rank! But I think we did feel we had the support as a big body to challenge it.

Glenys Morris, PCS Vice-President

If the employer, in any shape or form, hoped that members would fall away from the union over this ... They certainly didn't! It was exactly the opposite. And our membership shot up.

Tess Gill, Counsel for PCS

There were good moments, you know. We enjoyed ourselves along the way. And it became part of my life, I suppose. This was Bailey, you didn't expect it to go away after awhile. You knew that every time you won they were going to appeal and we were going to go off to the Court of Appeal and there would be other hearings about other matters.

Brian Caton, Gen Sec, Prison Officers' Association

The Prison Service on this case seemed to be belligerent beyond belief. What the Prison Service should have been saying to the Treasury Solicitors is that we know we're going to lose. We know we should have done things differently. And it was

just amazing to watch their delaying tactics, on legal advice, from very senior members of the Treasury Solicitor team. Very senior barristers employed, who must have been saying to the Prison Service, well we think we can win.

Larry O'Callaghan

No one dreamed that it would take eight years to resolve. And the amount of money that it cost as well.

Amanda Bailey

Had it not been for the union, and it not been for the union that was supporting everybody else, I think I would have backed out. A long, long time ago.

Alison Muddiman

I think I was always quite confident because we were kept well informed and our union rep was always positive, probably assumed all along we'd succeed.

Tess Gill

Sooner or later, I think I always had confidence that we would win because we were right. And the courts, on the whole, accepted we were right. We had a few setbacks, but by and large we won, and we should have won. And when we were there, we knew we were right and that gives you an added strength in a case like this. So I had that inner confidence, but it did go on a very long time.

Rosie Eagleson

For that particular situation there's a sense of achievement in having dealt with that particular issue, but I certainly wouldn't be complacent that the battle isn't going to come back again. And certainly looking across the piece on a wider basis, not only are they not tackling existing inequalities, but actually there are new areas of inequality growing up.

If you want to hear more from the people involved in Bailey vs The Home Office, please ask for the longer version of 'Breaking Free' from TUC publications on 020 7467 1294, or direct from PCS www.pcs.org.uk

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Camera: Richard Adam

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