

REPORT ON

Health and Safety (H&S) within Prison Systems Settings



PROJECT: PLUS DIALOG

PLUS DIALOG PARTNERS

National Trade Union of Prisons' Policemen (SNPP) (coordinator)

The National Administration of Penitentiaries (RO) (NAP)

European Federation of Public Service Unions (EPSU)

Yrkesorganisasjonenes Sentralforbund (YS)

European Association for Social Innovation (EaSI)

AUTHORS OF THE REPORT

Elena Patlagica | EaSI

Laura Țencaliuc | EaSI

Tiago Leitão (Coordinator) | EaSI

WITH THE SUPPORT OF PARTNERS

Adrian Neagoe | SNPP

Stefan Teoroc | SNPP

Cornelia Plesa | ANP

Lucian Ionut Niculae | ANP

Tore Leirfall | YS

DESIGN

European Association for Social Innovation (EaSI)

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Introduction

Keywords: *Health and safety, Prison system, H&S Training, Working Conditions*

The international legislation covers decent work in its specific Decent Work Agenda adopted by the United Nations General Assembly in September 2015. This Agenda formulated by the International Labour Organization in 1999 includes 4 pillars – employment creation, social protection, rights at work, and social dialogue; these are elements that were further integrated in the 2030 Agenda for Sustainable Development. One of the 17th goals of the Agenda, more precisely goal number 8, encompasses the promotion of sustained, inclusive, and sustainable economic growth, full and productive employment, and decent work. Moreover, decent work is an objective included in several major human rights declarations, UN Resolutions and outcome documents from high-level conferences, including Article 23 of the Universal Declaration of Human Rights (1948), the World Summit for Social Development (1995), World Summit Outcome Document (2005), the high level segment of ECOSOC (2006), the Second United Nations Decade for the Eradication of Poverty (2008-2017), Conference on Sustainable Development (2011) and in the UN's 2030 Agenda for Sustainable Development.

In the European landscape, decent work first made it to the public agenda through

the European Development Agenda in 2006 and the first European Consensus on Development. In 2011 Agenda for Change brought a stronger emphasis on employment promotion. In 2017 the EU's agenda aligned to the UN Sustainable Goals. In terms of employment and decent work, the focus is on 4 priority areas:

- ▶ Maximise decent job creation, supporting job-rich growth.
- ▶ Improve the quality of existing jobs in terms of earnings and working conditions, both in the formal and informal economy.
- ▶ Increase the access to decent jobs, particularly of the most vulnerable, through improved employability based on better education and training, responding to private sector needs and through efficient labour market policies.
- ▶ Mainstream employment in all economic policies and programs, as well as in other sectors (agriculture, energy, health, gender equality, etc.).

Focusing on the prison staff working conditions there are several EU institutions that tackle this subject, and we would like to name a few: Council of Europe Conference of Directors of Prisons and probation services, European Committee on Crime Problems (76th plenary

meeting 25 April 2019) and European Federation of Public Service Unions. The European Code of Ethics for Prison Staff it is issued by the Council of Europe and wants to ensure that throughout the whole of the continent of Europe member states guarantee respect for the fundamental values of human rights, democracy and the rule of law.¹

Along with this, the European Parliament promotes 20 principles that are supposed to guide the European society: **social dialogue and involvement of the workers, healthy, safe, and well-adapted work environment and data protection, the workers have the right to a high level of protection of their health and safety at work and to working conditions adapted to their profession which can ensure a prolonged career.**

In Romania, social dialogue is regulated by the law 62/2011, updated in 2018 by a governmental ordinance. Under the right to free association, staff in Romanian prisons are organized under the National Trade Union of Prisons Policemen (SNPP)² of the National Administration of Prisons (NAP)³. It has 44 branches and more than 6 500 members out of 12 502 prison workers, where the local teams are coordinated by a branch president, and at

the national level, there are one president, 3 vice presidents and a general secretary. They are also part of the European Public Service Unions⁴ and have a member in the European Economic and Social Committee.⁵

In Romania, there are 34 penitentiaries, 2 detention centres, 2 educational centres, 6 hospital prisons, 2 rest and recovery centres, 4 vocational training centres (without legal personality), 1 Supply, Management and Repair Base.⁶ The Târgu-Ocna National School for the Preparation of Prison Junior Officers it is the reference educational establishment training for the future prison staff.⁷

The prison staff usually consists of the following categories: officers (in general with studies in basic psychology, criminology, criminal law), junior officers and administrative personnel (contractual or direct employees).

The prison staff usually consists of the following categories: officers (penitentiary police officers with higher education, graduated with a bachelor's degree issued by accredited institutions) and agents (penitentiary police officers with high school degrees graduated with a baccalaureate degree).

¹ [European Code of Ethics for Prison Staff](#), accessed online

² National Trade Union of Prisons Policemen, <https://snpp.ro/>

³ National Administration of Prisons, <http://anp.gov.ro/>

⁴ European Public Service Unions, <https://www.epsu.org/>

⁵ European Economic and Social Committee, <https://www.eesc.europa.eu/>

⁶ NAP [Activity Report](#) - 2019

⁷ The training provided to staff in H&S will be detailed in the correspondent chapter.

In terms of the operational sector, the operational field consists of activities ensuring detention security and prison regime functionality – security of the offenders, the other categories of staff and the community, with the aim of guarding the perimeter, supervising inmates' activities. On the other hand, the social reintegration department organizes and carries out activities preparing the offenders for their social reintegration. It also includes health care staff (doctors and mostly female nurses) and administrative staff. According to the [Annual report](#) presented by the NAP in 2019, in the Romanian penitentiary system there were 12 502 employees, 7 889 working in the operational sector, 773 in the - educational and psychosocial assistance, 822 in the medical sector, and 3018 were covering other sectors.⁸

In any prison in Romania, the operational and administrative staff comprises the largest number of employees. For several years in a row, extra hours have been reported. In 2018, the prison staff started being compensated for the extra hours worked, including via additional vacation days. A work overload that adds to work in unsafe environments, e.g., as it is the case of those working with high-risk inmates, or with associated diseases like HIV or with other transmittable diseases, besides a wide set of other risks naturally linked to the job.

The National Administration of Penitentiaries (NAP) was and it's still involved in a substantial number of projects that are focussed on its employees and organisational development such as (naming some few): [Credem în schimbare](#) (2009-2012) - strategic organisation change and development project covering training, leadership, process redesign, quality, special programmes and transfer of knowledge, practices and experiences within European and worldwide organisations, institutions and other prison systems/services), [CCJ4C](#) project which seeks to analyse the process of cultural change in correctional settings, reflecting on the career of staff and the support provided to prisoners (ongoing), [IDECOM \(2014-2017\)](#) was focused on the development and testing of new educational methods in the training of prison staff covering transversal skills such as communication, teamwork competencies, TIC, innovation and entrepreneurship, [LEADCOR](#) project aims to reduce occupational stress through leadership development in the prison context and many others (ongoing). Other projects could be named since NAP and SNPP invest continuously in cooperation and development for some time.

The social dialogue cooperation between NAP and SNPP in project implementation has already some track record that can be spotted. For instance, [Itinerariul Dialog](#) project (2014-2016) that focused on social

⁸ [NAP Activity Report - 2019](#), accessed online

dialogue and working conditions training and the development of a social dialogue roadmap. This cooperation is undergoing in a context of a wide variety of challenges faced by the Romanian Prison Services and, of course, its prison staff. The complexity of the challenges evidence problems that are hard to tackle or cannot be solved overnight, since they cross levels (local to national), multi-agency decisions and even EU level policies. One of these problems is the functioning of the Health and Safety Committees (HSC) within the prison system, a problem that is **addressed** and aimed to be solved through the implementation of the Plus Dialog project. Within the present document it is a contribution to the conjoint effort to find solutions to the challenges of organisation development and modernisation.

In this document, the reader will find the analysis of Romanian legal framework in terms of working conditions and health & safety, diving into the phenomena in the particular case of prison services, using other 3 countries that provide some terms of comparison. This is only the first step to a comprehensive approach collecting data from primary sources, complemented by searching existent studies and documents. Furthermore, the research provides a look into the H&S within NAP taking in consideration desk research, 11 interviews to primary sources and 8 focus groups. The reader will find chapters on topics such working conditions, H&S, HSC functioning, H&S Training will be presented, discussed, analysed, and showcased. This will support some recommendation to Plus Dialog implementation, but above all to H&S future development.

Methodology

The main point of the Plus Dialog research is to conceptualize, map and understand the issues regarding health and safety at work faced by the staff working in the Romanian prison services. Throughout an exploratory approach to screen the existent conditions, the Plus Dialog partnership will be enabled to design a strategy and actions to develop an effective awareness and education raising process amongst prison professionals.

In this line, the research has pursued causes, impacts and what can be done to mitigate or tackle systems and personal factors concurrent to a comprehensive and effective approach on health and safety in prison settings. So, firstly we got a closer attention to pre-existent documentation (desk research): policy, legislative, normative regulation, previous studies, and research. Afterwards, we have developed several data collection instruments: semi-structured interviews,

observation grids for study visits and two focus groups guidelines. With this effort we pursue the aim to better understand the causes of the existent situation in terms of training staff, prison units and its promotion and continuous improvement on matters of health and safety at the workplace, mainstream training, organizational and of course also individual, and the impact of the current preparation both at the level of the individual (stress, burnout, absenteeism), and at the level of the system (how overcrowding affects the staff, the lack of personnel, the lack of sanitary points, plus the lack of prevention and preventive policy, with its risk in terms of human, social and economic cost, etc.). On the second hand, we expect to use and contribute to the development of a capacity building offer, based on a multimethod learning approach using a blended learning format, but also strong active methods such as workgroup and experts' supervision.

Since this research is dealing with limited resources the research team will work on efficiency to obtain and treat key data. The basis will be to use in terms of methods: induction, quantitative and qualitative and in terms of techniques a mix: pre-existent data (literature analyses), interviews to key stakeholders, focus groups and a generic survey-questionnaire to the wide public (in this case, prison staff).

The research resulted in analysing almost 30 different references – either article, projects, publications, case series, reports, studies, national policy and legislation, by-laws, SOPs for relevant organizations – revolving around the following various topics: occupational health and safety (H&S), job satisfaction, workers wellbeing, and work conditions. The aim was to understand the Romanian prison system and societal perceptions in terms of working conditions, workers wellbeing and H&S, and how it stands in relation to European ones. It becomes clear that the subject of research does not have abundant authors or available studies, being this a major limitation. Anyway, we managed to use the collected information in support of developing a conceptual framework and the guidelines for the semi-structured interviews and the focus groups.

More than that, the responsible partner for the research, European Association for Social Innovation, together with partners, organized 11 interviews on primary sources⁹, covering with trade union leaders (local, national, and transnational), Prison Management representatives (Top and middle management) and H&S Committees (HSC) members to obtain key and critical information on all the research concepts. The transnational interviews with union leaders were performed with trade union members

⁹ Any engaged source was provided previously with the scope and objective of the interview and with an informed consent in which it was clear that they would be given the opportunity to read the transcriptions performed.

from Spain, United Kingdom, Norway and with one representative of EPSU (European Public Service Union).

Due to the pandemic situation, it was not possible to implement four **study visits**¹⁰: 2 from Romania representative to Norway and 2 from Norway representative to Romania. This is a setback to the research since the study visits included a set of events focused on comparison between two different prison services. For keeping this observational research as objective as possible and focused on the objectives of the experience exchange, the participants have been provided with an observation grid template per group.

The study visits reports, and conclusions would provide key information and insights for the work to be delivered and would supply information of the most significant practices and knowledge exchanged and with improvement potential. The study visits are still expected to be implemented - once the conditions allow - and the research team will review the present research considering those activities.

With the support of SNPP and NAP, in Romania have been organized 7 regional focus groups with the trade union leaders and the H&S responsible from different units to gain a deeper and updated understanding on how things function on the ground and find out which are the barriers in implementing health and safety measures and practical solution proposals. This means the present research managed to get insights from all prison units in Romania. In these focus groups participants were asked to provide their opinion on their leaders' statements without knowing if it was from a union or management leader. The last focus group (no. 8), organised at a national level, has been organized to validate the most common issues that surfaced during the interviews and focus groups and collect recommendations or suggestions for the improvement of the Occupational Safety and Health (OSH) training, work conditions and the activity of the HSC.

¹⁰ The results from these study visits are not yet inserted currently in the document since due to the pandemic context it has not been possible to complete them. After their implementation we'll review the document and insert a chapter only focused on the study visit's learnings.

Table 1 - Key information on focus groups participants

	GENDER	PROFILE	REGIONS
FOCUS GROUP 1	10 males 2 females	6 SNPP leaders 6 H&S representatives	<ul style="list-style-type: none"> CRAIOVA PENITENTIARY CRAIOVA DETENTION CENTER CRAIOVA PELENDAVA PENITENTIARY DROBETA TURNU SEVERIN PENITENTIARY TG. JIU PENITENTIARY GIURGIU PENITENTIARY
FOCUS GROUP 2	11 males 3 females	7 SNPP leaders 7 H&S representatives	<ul style="list-style-type: none"> MIOVENI PENITENTIARY MIOVENI HOSPITAL PENITENTIARY GĂEȘTI PENITENTIARY MĂRGINENI PENITENTIARY TÂRGȘOR PENITENTIARY PLOIEȘTI PENITENTIARY CODLEA PENITENTIARY
FOCUS GROUP 3	6 males 5 females	6 SNPP leaders 5 H&S representatives	<ul style="list-style-type: none"> RAHOVA PENITENTIARY JILAVA PENITENTIARY JILAVA HOSPITAL RAHOVA HOSPITAL PENITENTIARY
FOCUS GROUP 4	10 males 2 females	6 SNPP leaders 6 H&S representatives	<ul style="list-style-type: none"> BACĂU PENITENTIARY TÂRGU OCNA HOSPITAL PENITENTIARY IAȘI PENITENTIARY BOTOȘANI PENITENTIARY SNPAP TÂRGU OCNA TÂRGU OCNA EDUCATIONAL CENTER
FOCUS GROUP 4	10 males 2 females	6 SNPP leaders 6 H&S representatives	<ul style="list-style-type: none"> BACĂU PENITENTIARY TÂRGU OCNA HOSPITAL PENITENTIARY IAȘI PENITENTIARY BOTOȘANI PENITENTIARY SNPAP TÂRGU OCNA TÂRGU OCNA EDUCATIONAL CENTER
FOCUS GROUP 5	11 males 1 female	5 SNPP leaders 1 Publisind representative 6 H&S representatives	<ul style="list-style-type: none"> DETENTION CENTER BRĂILA TICHILEȘTI BRĂILA PENITENTIARY FOCȘANI PENITENTIARY GALAȚI PENITENTIARY MIERCUREA CIUC PENITENTIARY TULCEA PENITENTIARY

	GENDER	PROFILE	REGIONS
FOCUS GROUP 6	12 males	5 SNPP leaders 1 Publisind 6 H&S representatives	<ul style="list-style-type: none"> • BUZIAȘ EDUCATIONAL CENTER • ARAD PENITENTIARY • DEVA PENITENTIARY • ORADEA PENITENTIARY • SATU MARE PENITENTIARY • TIMIȘOARA PENITENTIARY
FOCUS GROUP 7	8 males 3 females	5 SNPP leaders 6 H&S representatives	<ul style="list-style-type: none"> • AIUD PENITENTIARY • BAI MARE PENITENTIARY • DEJ PENITENTIARY HOSPITAL • GHERLA PENITENTIARY • TÂRGU MUREȘ PENITENTIARY • BISTRITA PENITENTIARY
FOCUS GROUP 8	9 males 5 females	6 SNPP leaders 5 H&S representatives	<ul style="list-style-type: none"> • TÂRGU MUREȘ PENITENTIARY • MÂRGINENI PENITENTIARY • BAI MARE PENITENTIARY • IAȘI PENITENTIARY • ARAD PENITENTIARY • SNPP: MIOVENI, JILAVA, IAȘI, TICHILEȘTI, MIERCUREA CIUC, DEJ HOSPITAL

After completing the data collection, the document circulated between project partners and other reviewers for consultation and clarification. Each participant filled in an informed consent for the purpose. The last step of the Plus Dialog research was based on a descriptive research approach, to be performed after this document publication, meaning that the partnership will design and apply a structured survey in the prison system, targeting the staff and the HSC members. The aim is to obtain the general perceptions on H&S within prison settings and potential solutions.

LITERATURE REVIEW:

Key findings and concepts framework

Prisons are considered to be hazardous locations to work in – some of the buildings are old, and easily facing overcrowding, they also hold dangerous individuals that can cause harm to both the officers and to other inmates – what is called the work-related third-party violence and harassment.¹¹

The subject of the conditions in Romanian's prisons has been an apple of discord in many public debates, especially in the period when the Romania's EU ascension negotiations started (early 2000, 2004), but also after 2007, being a period in which many lawsuits have been intended at the European Court of Human Rights on cases related to inhumane treatment of prisoners.¹²

Authors who discuss this issue (i.e., inhuman treatment in prisons) find explanations in the communist past, more precisely on the "punitive culture" that stands at its basis, even after the demilitarization of the prison staff, which happened only in 2004. The transition towards a more inclusive, humane, and European system has been marked both by many impediments, and efforts to humanize it.¹³

The imprisonment rate in former socialist countries is almost twice as high as the average rate of the fifteen countries that were EU member states before the expansion in 2004. This rate is slightly lower in Central European countries but is nonetheless significantly higher than the average for the fifteen old EU member states, all located in Western Europe.¹⁴

The transition towards a more inclusive and humanizing approach is called by international organizations and justice bodies. Apart from some measures and recommendations that have to do with internal procedures or additional medical surveillance to deal with the needs of the inmates and prison staff stuck into a violent environment, there is also a need to humanize the detention structure by investing in infrastructure. There is a conflict in combining security and humanization aspects within prison architecture. Security requires view control and implicitly large spaces that most of the time are noisy as well, and humanization, on the contrary, requires a human scale (space in proportion to user's body) that considers the perception and experiences of the different users (prisoners, staff, visitors of different kinds).¹⁵

¹¹ Andrew, Fraser, *Staff health and well-being in prison leadership and training*, p. 186, consulted online

¹² European Court of Human Rights, *Detention conditions and treatment of prisoners*, p. 4, consulted online

¹³ Krzysztof Krajewski, *Sentencing in Poland: Failed Attempts to Reduce Punitiveness*, 2016, consulted online

¹⁴ Miklós Lévy, *Imprisonment Patterns in Central and Eastern Europe*, p. 3, European Society of Criminology, 2005, consulted online

¹⁵ Cordeiro S., *The Humanization of Prison Spaces*, Adv. Civil, Eng Tech. 3(3). ACET.000561.2019. DOI: 10.31031/ACET.2019.03.000561.

In Romania, the late demilitarization and the penal law reform (in 2006) equally contributed to the challenging situation that the prison staff faces. In the period 2004-2008, important progress was registered, especially through the modification of the relevant legislation, the initiation of computerization projects, the modernization of detention facilities, as well as by carrying out initial training and staff specialization programs. However, at the level of the penitentiary system, dysfunctions generated by the discontinuity of the adoption and implementation of the initiated decisions and policies, as well as by the inefficiency of the strategic planning of the actions were also signalled, frequent changes in the management of the National Administration of Penitentiaries have had a negative impact on the pace of reform of the Romanian penitentiary system and have made it difficult to implement a strategy in this area.¹⁶

Another important variable worth taking into consideration that highly contributes to the situation of the Romanian prison system is the lack of investment in prison building and infrastructure – the last prison built in Romania was in 2000 and some new wings for the existing prisons.¹⁷

There are many studies related to the Romanian prison system dealing with the imprisonment conditions and their impact on the wellbeing of prisoners, but little attention is paid to the **wellbeing at work for the prison staff**, despite the important role they play in the process of reintegration and health of the inmates (18 collected materials). For correction officers, the most obvious occupational stressors are likely to arise from perceived physical or psychological threats, or events that occur while on duty. However, the correction officers are also subject to stressors arising from their home and personal lives that could have significant results in the workplace because of the need for vigilance and situational awareness while on duty.¹⁸

This imminent issue is steeped by another one: recognizing to feeling stressed. The (long-standing) cultural expectation that prison officers will be courageous, resilient, authoritative and fearless in all situations and that they will suppress those emotions thought to be 'nonmasculine' (for example, anxiety, fear and depression) prevents officers who are experiencing such emotions from seeking help.¹⁹

¹⁶ Grigore Rusu, Adrian Lupaşcu, *Theoretical-practical considerations regarding the Development Strategy of the National Administration of Penitentiaries in Romania in the period 2010-2013*, p.1-2.

¹⁷ Report to the Romanian Government on the visit to Romania carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), from 7 to 19 February 2018, consulted online

¹⁸ Alan Walmsley, *Physical Readiness Assessment and staff resilience*, consulted online

¹⁹ Elaine Crawley, *Doing Prison Work - The public and private lives of prison officers*, Willan Publishing, 2004, p. 38.

The recent literature tends to focus more on the staff's perceptions on the working environment and on the impact that it might have on the staff attitudes toward inmates (Shannon and Page, 2014). Other studies deal with the psychological impact that working-related factors might have and with the level of stress and the perceptions of job satisfaction of correctional officers (Lambert et al. (2015), EPSU (2016)). Not only do staff attitudes and behaviours have significant effects on private prisons, but work environments impact the attitudes and behaviours of employees.

In relation to the variable regarding the increasing of the inmates' number, it can be mentioned that the addition of more inmates without appropriate resources reinforcement also amplifies officers' workloads. One obvious phenomenon is that inmates' requests will naturally increase putting pressure on officers' time and attention.²⁰

Job stress, job satisfaction and organizational commitment are three salient areas in which the work environment and workload can affect correctional staff. Work stressors are one dimension of the work environment that should help shape the job stress, job satisfaction, and organizational commitment of private prison employees. Role conflict, role ambiguity, role overload, and dangerousness of the job are four major types of work stressors which may impact staff.²¹

In Romania, as mentioned above, there is poor research on the working environment and the risks and stress factors that affect prison staff, and the studies address the problem either from the legislative point of view or have a focus on elements that have to do with organisational factors and human resources management at a small scale. Additionally, we haven't found any study or research about the impact of working in these "harsh" environments in the long term.

In the paper Staff satisfaction with communication at organization level (2019) we can observe the main complaints regarding the communication in the penitentiary system and the biggest differences between the "expectation" chart and "reality" are in situations as: quick and easy obtaining of information from other sectors, timely reception of necessary documents from other sectors, consulting the superior with subordinates about the decisions that directly affects their activity, manifestation of openness by the director of the unit to the proposals of improvement of the activity coming from the employees of the unit, providing the superior with constructive feedback on how to perform tasks.²²

²⁰ Benjamin Steiner, John Wooldredge, *Individual and Environmental Sources of Work Stress Among Prison Officers*, 2015, p. 802, consulted online

²¹ Eric G. Lambert, Nancy L. Hogan, Eugene A. Paoline III and Alan Clarke, *The Impact of Role Stressors on Job Stress, Job Satisfaction, and Organizational Commitment among Private Prison Staff*, Security Journal 2005, 18 (4), p. 35, consulted online

²² Corduneanu. Loredana, Melinte A., Petre M., *Staff satisfaction with communication at organization level*, Revista de Practică Penitenciară Nr. 2/2019, p. 6

Regarding the findings that the biggest gaps between the expectations and reality while talking about the communication in the penitentiary system are related to the relationship of the employees from different sectors, the authors presume that the last three years were dominated by rapid and significant changes in the staff structure, simultaneously with the massive generational change, replenishing the workforce with a considerable number of new employees, amid the real difficulties of adapting some of the newcomers to the requirements and working principles of the penitentiary environment, and possibly also those of seniority in the novelties brought by the new employees, it is plausible that both categories feel in this transition period a higher level of dissatisfaction with communication with colleagues from other sectors.²³

According to sociological perspectives on the prison working environment, the prison staff works in a closed and “total” system, with a high degree of professional isolation, maintained by strict routines and regime hierarchy similar environment with mental hospitals.²⁴ This means that they have a relatively higher exposure to hazards and threats related to health and safety, because they are working mostly on their own (in terms of operational field), and so, there is a need for higher scrutiny ensuring the necessary checks and balance and safeguards than other workers would need.

Moreover, the relationship inmates - prison staff requires a kind of adversity in a total institution as prison is. Each grouping tends to conceive of the other in terms of narrow hostile stereotypes, staff often seeing inmates as bitter, secretive, and untrustworthy, while inmates often see staff as condescending, high handed, and mean. Staff tends to feel superior and righteous, inmates tend, in some ways at least, to feel inferior, weak, blameworthy, and guilty.²⁵

In a closed space, public scrutiny is the key in preventing abuse from taking place and to foster positive change including training and compliance with health and safety.

The prison officers have a high-risk occupation considering the psychological risks because of the dual demands of regular exposure to operational (often traumatic stressors) and a higher regulated bureaucratic organizational system.²⁶ Their type of work affects their health and functioning, including major incidents like death, violence, harassment, personal attacks,

²³ Ibidem, p. 8.

²⁴ **Ervin Goffman**, *Asylum Essays on the Social Situation of Mental Patients and Other Inmates*, p. XIII.

²⁵ Ibidem, p. 7.

²⁶ **Paula Brough, Amanda Biggs**, *Occupational stress in police and prison staff*, Cambridge Handbook of Forensic Psychology, 2010, p. 714, consulted online

typically over years of exposure. Job stressors such as interpersonal conflicts with colleagues and supervisors, inadequate pay, training, or career advancement, missing or faulty equipment and bureaucracy, paperwork and red tape have all been associated with stress outcomes.²⁷

In the article *Stress in the Norwegian police service* the authors consider that most studies used stress inventories that do not adequately cover the specific demands of police work and the value of these studies are limited.²⁸ The results of the study show that female police perceive and experience all factors on the stress measure as more severe than their male colleagues. The results show that serious operational tasks, however, were rated as considerably more frequent than work injuries. This factor is assumed to cover daily challenges. The results also suggest that females are more worried about various work situations than their male counterparts, although they appear to be exposed to severe incidents less frequently than male police.²⁹

The overcrowding in prison alongside intercultural conflicts, violence and gang crime, language problems, drug use, ageing buildings in poor repair and, frequently, insufficient staff levels with poor training to support the prison staff ask for urgent attention that should be given to the pressure on staff.³⁰

Some concerns are raised by the fact that to manage stress at work the prison staff generally use individual-level secondary and tertiary interventions, usually peer support or trained professionals but it is ineffective at producing long term outcomes.³¹

As of 2019, there were almost 20,000 inmates in Romania, and comparative data indicate that Romania has a higher rate of imprisonment compared to the EU average, along with other countries from Central and Eastern Europe. Data from Council of Europe (Eurostat) show that Romania occupies the 11th position in the top of the countries with the higher rate of prisoners per 100 000 inhabitants (2016-2018).³²

²⁷ Ibidem, p. 708.

²⁸ Berg A.M., Hem E., Bjørn L., Kjell H., Øivind E., *Stress in the Norwegian police service*, *Occupational Medicine* 2005, p. 113.

²⁹ Ibidem, p. 121.

³⁰ Andrew, Fraser, *Staff health and well-being in prison leadership and training*, *consulted online*

³¹ Paula Brough, Amanda Biggs, *Occupational stress in police and prison staff*, Cambridge Handbook of Forensic Psychology, 2010, p. 712, *consulted online*

³² Prisoners per 100 000 inhabitants, *consulted online*: https://ec.europa.eu/eurostat/statistics-explained/images/2/2f/Prisoners_per_100_000_inhabitants%2C_EU-27%2C_average_2016-2018.png

The jurisprudence of the European Court of Human Rights addresses the issue of prison overcrowding (Articles 3 and 8), as an important factor that can lead to violation of fundamental human rights, that can cause severe physical and psychological trauma, and, as the prisoners spend more time this situation is aggravating – putting at risk also the health and safety of the officers, because of the existing set of risk, in these including the danger of attacking the prison’s officers (World Health Organization Report, “Prison and Health”, 2014). Overcrowding is responsible for many health problems for the inmates: accelerated transmission of infectious diseases, HIV, hepatitis B and C and it is one of the causes of bloodborne diseases, morbidity and mortality in prison settings.

In 2019, the European Court of Human Rights dealt with 3263 applications concerning Romania, of which 3016 were declared inadmissible or struck out. It delivered 62 judgments (concerning 247 applications), 56 of which found at least one violation of the European Convention on Human Rights.³³

As the European Agency for Safety and Health at Work (EU-OSHA) states, the psychosocial risks and stress are believed to be more difficult to manage than “traditional” occupational safety and health risks. In the article *Staff health and well-being in prison leadership and training*, the author provides recommendations for training necessary during the complex work of a prison officer: basic training in the laws and duties of care for prisoners, the right to health and access to health care in prison as in the community, the ethical duties of staff and health professionals working in prisons, and the ability to deal with health emergencies and administer first aid and first aid mental health.

In many cases, the prison staff must deal with circumstances that go beyond their current qualification, including offering support for people with addictions, mental health crises and suicide attempts they need a training to be able to offer appropriate care. Caring such a responsibility imposes an additional stress that should be overcome with appropriate psychological counselling and training programs.

In any prison in Romania, as already stated the operational and administrative staff comprises almost the entire working force within prisons. One of the main challenges faced by the prison

³³ [Press country profile](#), consulted online

staff, as stated above, is the available personnel, which eventually leads to existing staff working extra hours. Between 2010 and 2017, the number of extra hours situation has worsened, thus leading to the organization of several rounds of discussion for improving the legislative framework, particularly concerning working conditions and a need for raising the number of employees. The number of employees has been kept steady at 12 000 plus some hundred staff being some years more critical in terms of turnover and replacement, such as 2006 (almost 2 000 employees got retired) and more recently for the same reason.

Apart from that, it is important to outstand that this has happen in context of world crisis with heavy negative impacts on prison services, the vacant functions were erased, impossibility to hire new staff and so on, the payment was cut with 25% and other factor concurring to reduce prison staff wellbeing and satisfaction besides reducing service attraction for new workforce. Later, in the referred years one project called Itinerariul Dialog (EEA Grants 2014-2016) made possible to work on the standardization, together with the administration. The conclusion shared between union and administration was that there was a need for 20 000 staff members to ensure the normal function of the NAP. This must be compared with 12 500 staff employed and around 15 000 staff positions foreseen in the law.

Started from 2010 and until 2017, the prison staff was compensated for the extra hours worked only by awarding them additional vacation days. Since 2018, the extra hours that could not be compensated with free time started to be paid. It has been recognized that the penitentiary system cannot correspond to everyone's health care requirements of detainees especially for customized services. In cases where medical staff are not available on site, at night and on weekends, staff must be trained in providing first aid and administering the medication.³⁴

The acute lack of health care staff can force the prison management to delegate certain tasks related to health care to the security staff.³⁵ In this case the prison staff holds an extra responsibility in maintaining the health requirements of the inmates.

Last but not least, relevant for the importance of training and education of staff in matters of health and safety issues is that the educational establishments training future prison staff, the Târgu-Ocna National School for the Preparation of Prison Junior Officers and the Police Academy, do

³⁴ Andres Lehtmetts, Jörg Pont, [Health care and medical ethics in penitentiaries](#), p. 10, *consulted online*

³⁵ World Health Organization, [Prison and Health](#), 2014, p. 12, *consulted online*

not include a complex curricula on safety and health in the working environment, but just one optional course on health & safety and it is not considered enough for the future career of the police officers. (*Interview 1*)

This brief preliminary analysis guided our research to identify key concepts which are being utilised in different statutory institutions and organisations. We have selected for the present purposes some key concepts which are described below:

- ▶ **Occupational Safety and Health,**
- ▶ **Workplace Wellbeing,**
- ▶ **Psychosocial Risks,**
- ▶ **Workplace Violence,**
- ▶ **Decent Work,**
- ▶ **Social Dialogue.**

Occupational safety and health (OSH) - is defined by the European Agency for Safety and Health at Work as the anticipation, recognition, evaluation, and control of hazards arising in or from the workplace that could impair the health and well-being of workers, considering the possible impact on the surrounding communities and the general environment.

Workplace Wellbeing - includes all aspects related to the working life – from the quality and safety of the physical environment, to how workers feel about their work, their working environment, the climate at work and work organization. Several studies show a direct link between productivity levels and the general health and well-being of the workforce (International Labour Organization).

Psychosocial Risks - are a direct effect of poor work design, organization and management, poor social context of work, which further result in negative psychological, physical and social outcomes, as work-related stress, burnout or depression. Some working conditions that lead to psychosocial risks are excessive workloads, conflicting demands and lack of role clarity, poorly managed organisational change, job insecurity, psychological and sexual harassment, third party violence. At the level of the organization, the negative effects include poor overall performance, increased absenteeism and presenteeism (workers that show up at work when they are sick and/or unable to function) and increased accident and injury rates (European Agency for Safety and Health at Work).

Workplace Violence - has various dimensions; violence is a type of behaviour that humiliates, degrades, or damages a person's well-being, value, or dignity. Workplace violence is usually referring to all kinds of incidents at work, including third party violence and harassment at work. Third – party violence is used to refer to threats, physical violence, and psychological violence by third parties - in this case inmates, supervisors, or colleagues (International Labour Organization).

Decent Work - includes various substantive dimensions: employment opportunities, adequate earnings and productive work, decent working time, combining work, family and personal life, stability and security of the work, equal opportunity and treatment in employment, safe work environment, social security and social dialogue, employers', and workers' representation (International Labour Organization).

Social Dialogue - as defined by ILO - includes negotiations, consultations, or any other type of information exchange between representatives of governments, employers and workers on subjects relating to economic and social policy. It can have various forms – bipartite (between labour and management; trade unions and employers' organizations), with or without indirect governmental involvement; the processes can be informal or institutionalized (or a combination of the two – as it usually is); the discussions can take place at the national, regional or at the organisational level.

Concept Analysis framework

CONCEPTS	DIMENSIONS	INDICATORS
WORK CONDITIONS	ENVIRONMENTAL	<ul style="list-style-type: none"> • INFRASTRUCTURE INVESTMENT • SOCIETY PERCEPTION • PUBLIC EXPENDITURE
	ORGANISATIONAL	<ul style="list-style-type: none"> • WORK EQUIPMENT SUITABLE AND ADAPTED TO THE FUNCTIONS • MEDICAL SUPPORT • STAFF FACILITIES: E.G. SLEEP, SHOWER, LOCKERS • CLEAR SCHEDULE
	INDIVIDUAL	<ul style="list-style-type: none"> • PERSONAL EQUIPMENT • REMUNERATION AND FRINGE BENEFITS • TRAINING (MODALITIES) AND LIFE-LONG LEARNING
WORKER WELL-BEING	MANAGEMENT AND ORGANIZATION	<ul style="list-style-type: none"> • SUPERIOR VS STAFF RELATIONSHIP • FEEDBACK, APPRAISAL, AND RECOGNITION • ACCESS TO SERVICES AND FACILITIES (MEDICAL SERVICES, SPORT FACILITIES)
	COLLEAGUES	<ul style="list-style-type: none"> • ENGAGEMENT IN COMMON SPARE TIME AND WORKPLACE ACTIVITIES • EFFECTIVE COMMUNICATION AND SUPPORT, GIVING AND RECEIVING FEEDBACK
	INDIVIDUAL	<ul style="list-style-type: none"> • WORK MOTIVATION, AUTONOMY, AND CHALLENGES • WORK-LIFE BALANCE

CONCEPTS	DIMENSIONS	INDICATORS
JOB SATISFACTION	CAREER PROGRESSION	<ul style="list-style-type: none"> • FAIR AND CLEAR PROCESSES • STAFF EVALUATION AND PROGRESSION • TRAINING AVAILABILITY AND USEFULNESS • GENDER BALANCE
	FUNCTIONS	<ul style="list-style-type: none"> • WORK ORGANIZATION AND DISTRIBUTION • CLEARNESS OF DUTIES AND MULTITASKING LEVEL • RESPONSIBILITIES DIVERSITY • GENDER BALANCE
	BENEFITS	<ul style="list-style-type: none"> • WORK-LIFE BALANCE • EXTRA WORK COMPENSATION • PAYMENT AND FRINGE BENEFITS • LEAVE, HEALTH INSURANCE, PARENTAL LEAVE AND OTHER
HEALTH AND SAFETY	HAZARDS AND RISK	<ul style="list-style-type: none"> • CLEAR AND ACCEPTED HAZARDS AND RISKS • CAPACITY AND KNOWLEDGE FOR PREVENTION • RESOURCES TO PREVENT RISKS • MARKED DANGEROUS AREAS • EMPLOYMENT INJURY LEGISLATION • LABOUR INSPECTIONS (OR CORRESPONDENT COMMISSION)
	HR AND ORGANISATIONAL SUPPORT	<ul style="list-style-type: none"> • H&S COMMITTEE FUNCTIONING • RATE OF ABSENTEEISM OR PRESENTEEISM • VIOLENCE AND INJURIES • AVAILABLE MEANS TO FILE A COMPLAINT • HARASSMENT: STAFF AND INMATES • TRAINING: TOPICS, RECURRENCE, FORMAT, METHODS AND ALIGNMENT WITH NEEDS

CONCEPTS	DIMENSIONS	INDICATORS
HEALTH AND SAFETY	JOB RELATED STRESS	<ul style="list-style-type: none"> • STRESSORS: OVERCROWDING, EXCESSIVE NOISE • ROLE-FUNCTION CONFLICT • CONFLICTING DEMANDS • JOB INSECURITY • EXCESSIVE WORKLOADS
	PSYCHOSOCIAL RISKS	<ul style="list-style-type: none"> • OVERCROWDING • WORK DESIGN: FACILITIES • PSYCHOLOGICAL HARASSMENT • BULLYING • VERBAL ABUSE, MOBBING, VICTIMIZATION
	THE WORK RELATED THIRD PARTY VIOLENCE	<ul style="list-style-type: none"> • WORK RELATED INJURIES • RATE OF INJURY RATES – FATAL AND NONFATAL • TIME LOST DUE TO OCCUPATIONAL INJURIES • CAPACITY AND KNOWLEDGE FOR PREVENTION (TRAINING, RULES TO BE APPLIED, LEGISLATION)
	SAFETY EQUIPMENT AND RESPONSES	<ul style="list-style-type: none"> • ACCESS TO EQUIPMENT • PSYCHOLOGY CONSULTATION • MEANS TO INFORM AND GET HELP FROM COLLEAGUES

CONCEPTS	DIMENSIONS	INDICATORS
TRAINING ON HSC	PROGRAMS	<ul style="list-style-type: none"> • OFFERS, DURATION AND SCHEDULE AVAILABILITY • PROVIDERS, RECOGNITIONS, ACCREDITATIONS • TRAINERS, MENTORS AND COACHES
	MODELS AND FORMATS	<ul style="list-style-type: none"> • FIXED OR MODULAR COURSES • CLASS, BLENDED AND E-LEARNING
	METHODOLOGIES	<ul style="list-style-type: none"> • ACTIVE, EXPOSITIVE, INTERROGATIVE, WORKGROUPS, EXPERIENTIAL
	CONTENTS	<ul style="list-style-type: none"> • RESOURCES, AVAILABILITY, ACCESSIBILITY, UPDATE, RELEVANCE, SUITABILITY • INVESTMENT IN THE DEVELOPMENT AND UPDATING



Health and Safety in the prison environment:

Brief European overview

► Legal framework: four countries case studies

A brief analysis of the ratio between the number of the employees working in different European and the inmates number shows that the lack of staff is a shared problem in Romania, Spain, United Kingdom. In Norway, on the contrary, the number of the prison guards is slightly higher than the inmates' number (please see table below).

Table 2 - Country profiles (Romania, Spain, United Kingdom, Norway)

Country	Number of employees in the penitentiary system	Number of inmates
ROMANIA	12 502 employees (2019)	21 574 INMATES (2020) ³⁶
SPAIN	18 543 employees at surveillance posts and 3 104 employees working in the socio-educational sector (2020). ³⁷	55 723 INMATES (2020) ³⁸
UNITED KINGDOM	22 630 employees (March 2019) ³⁹ 21 928 employees (March 2020)	79 083 (2020) ⁴⁰
NORWAY	4950 employees 2 678 prison guards ⁴¹	2 653 (2020) ⁴² 3650 INMATES

³⁶ <http://anp.gov.ro/organizare/unitati-subordonate/>

³⁷ <https://www.prison-insider.com/fichepays/espagne-2020?s=vue-d-ensemble#vue-d-ensemble>

³⁸ Interview 11

³⁹ Staff in post (prisons), <https://data.justice.gov.uk/prisons/additional#prison-staff-in-post>

⁴⁰ <https://www.prisonstudies.org/country/united-kingdom-england-wales>

⁴¹ <https://www.prison-insider.com/en/countryprofile/norvege-2020>

⁴² <https://www.prisonstudies.org/country/norway>

Romanian legislative framework

In Romania, the law 319/2006 establishes general principles prevention required in occupational safety and health (OSH) and the main requirement covers the employer obligation to ensure the safety and health of workers in all aspects related to work. The law clearly delimits the conditions that an employer must provide to the employee: equipment, hygienic-sanitary materials, the participation of employees in decision making, first-aid, work accidents regulations, how to act in cases of imminent danger, the functioning of labour inspection, health, and safety training at work.

Furthermore, the article 50 from the law 319/2006 states that

“Ministry of National Defence, military structures and structures in carrying out the activity of civil servants with special status within the Ministry of Administration and Interior, General Directorate of Penitentiaries within the Ministry of Justice, the Romanian Intelligence Service, the Intelligence Service Foreign Intelligence, Protection and Guard Service, Telecommunications Service Special, as well as the National Commission for the Control of Nuclear Activities organizes, coordinates and controls the safety and health activity in work in their units, through the prevention and protection services created or designated by these institutions for the purpose of applying the provisions of this Agreement laws.”

As in other countries the “general law” provides the standards for any other agreement, meaning it should not be below the standards and the provisions stated in the law 319/2006. The law 319/2006 offers an overview and the general principles that should be respected to specific workplace situations where the employees shall be protected from any possible harm or inconvenience.

The law 346/2002 frames the work accidents and professional diseases, the quantum of insurance for work accidents or the possibilities to ask for labour inspection (this last possibility doesn’t apply to the penitentiary system and other Défense related bodies), the insurer or HSC if the employer doesn’t take accident and occupational diseases prevention measures.

The 1091/ 2006 Government Decision completes the law 319/2006 with minimum occupational safety and health requirements focusing more on prevention activities, infrastructure investments and facilities and, the 1146/2002 Decision is related to the minimum safety and health requirements

for the use of work equipment (periodic checks, special verifications, conditions to delegate the competent persons to fix any problem that may occur with the work equipment).

The topic of work equipment is also covered in the provisions of 1048/ 2006 Decision which establish the minimum health and safety requirements for the work equipment. The 1146/2002 Decision with provisions regarding the personal protective equipment answers to the questions like “What is and what is not a personal protective equipment, which are the conditions to meet for a personal protective equipment, what are the employers' obligations regarding the information to offer to the employees about the use of equipment, instructions and what kind of protective equipment's are necessary in case of exposure at physical, chemical and biological risks.”

The Romanian legislation is comprehensive and very specific to topics as: manual handling of masses presenting risks to workers, protection of workers for the risks related to exposure to carcinogens or mutagens, minimum occupational and health requirements for the use of display screens, occupational safety and health risk assessment, monitoring of health of workers, ensuring the protection of workers against the norms on the medical and psychological examination of personnel responsible for transport safety and the periodicity of the examination risks related to the presence of chemical agents, protection in case of biological agents exposure, protection in case of extreme temperature.

All these amendments and principles cannot be avoided by any employer, but as we have said before military and law recognised State departments and structures that have the right to design their own regulations. The reason for this exception is rooted in the idea that the ability to comply with military unit missions should not be affected.

A document issued by the Ministry of National Defence on the 27th September 2019, *Instructions on the organization and development of occupational safety and health*, article 3, paragraph 2, explains the necessity of having specific regulations for the National Defence field:

“The system of measures and rules established by these instructions shall be supplemented by occupational safety and health provisions contained in specific normative acts, regulations, orders and additional specifications on specific occupational safety and health measures, so as not to affect the ability to comply of military unit missions.”

Romanian penitentiary legislative framework

The Romanian penitentiary system in what regards health and safety is not excepted from regulations and decisions issued by the National Administration of Penitentiaries (NAP) and the Ministry of Justice. Moreover the law 145/2019 regulates the status of civil servants with special status within the penitentiary police, the rights of a novice prison officers, the training schedule for penitentiary police officers with higher education and for agents with high-school studies, induction training, the mentoring programme and evaluation of the knowledge and practical skills, career-progression possibilities, evaluation documents (report of activity, individual objectives sheet, the questions of the evaluation interview).

Regarding H&S, aspects the law specifically points out the following rights of prison officers (article 104): uniform and specific equipment and food rights, medical and psychological assistance, medicines, prostheses and medical devices intended for the recovery of organic or functional deficiencies (free of charge), rest leave, study leave, paid leave and unpaid leave, medical leave, maternity leave, for raising a child up to the age of 2 or a child with a disability up to the age of 3, paternity leave, as well as for other situations, compensation granted from the budgetary funds of the institution, if his / her life, health or property, that of his / her spouse and dependent children are affected in the exercise of or in connection with his / her duties, medical treatment abroad for medical conditions acquired during the exercise of the profession, if they cannot be treated in the country.

Decision 530/2008 with instructions regarding the organization and development of the work safety and health activity in the units of the penitentiary administration system deepens the topic of health & safety at the workplace and contains specific details regarding the occupational diseases, personal protective equipment, procedures in case of serious and imminent danger of injury, the assessment of the risks of occupational injury and illness, reporting and bureaucratic aspects in case of work accidents, the conditions for nomination of employees to deal with the activity of safety and health at work.

The Regulation of Organization and Functioning of the HSC from November 1 2018 issued by the NAP regulates the **Health & Safety Committees (HSC)** functioning in penitentiaries, the attributions of HSC, what can be done to ensure the employees welfare and security at the workplace (prevention of occupational risks, safety and health of staff, elimination of risk factors for injury), the authority and power it has throughout the penitentiary system, the members

requisites to be part of this structure and the conditions under which the members of the committee can meet, organisational details regarding HSC meetings and the related deadlines, election of workers' representatives, the duties of the president of the HSC, information, consultation, training of staff and their representatives in the field, in particular cases, specific to the activities and actions of the prison administration system.

The Collective agreement on service relations at the level of the group of units - the penitentiary administration system (2019)⁴³, is also an internal document which brings together at the same table the representative members of NAP and SNPP. The agreement document contains information about the improvements of work conditions, the benefits for extra-hours, night-shifts regulations, the participation of the union in scheduling the training courses, employee vacation scheduling, professional development, H&S matters (protection equipment, work equipment, conditions to complete the H&S instructions, ergonomic arrangement of the workplace, medical assurance).

The last legislative measure⁴⁴ regarding the penitentiary system was issued on 11th of May 2020 by the Ministry of Justice - *Standards on working conditions provided to prison police officers* and it established the minimum safety and security conditions to ensure a healthy and safer work environment, security requirements regarding the infrastructure and endowment of the buildings that house the workplaces, as well as regarding the ergonomics of the workplaces.

The most important aspects regulated in this order issued by the Ministry of Justice are those regarding the standards that must be met for the following investments in infrastructure: the conditions for building consolidation, the correct marking of transparent doors, construction indications for floors, chairs, permissible noise level, proper mixed lighting, staff facilities, adequate number of showers, lockers, and others.

⁴³ <https://www.snlp.ro/wp-content/uploads/2014/12/acord-colectiv-privind-raporturile-de-serviciu-la-nivelul-grupului-de-unitati-2018.pdf>

⁴⁴ <http://legislatie.just.ro/Public/DetaliuDocumentAfis/226000>

Summary Table

	Details	Year
H&S LEGISLATIVE FRAMEWORK	Law 346 frames the work accidents and professional diseases, the quantum of insurance for work accidents or the possibilities to ask for labour inspection expertise.	2002
	Government Decision no. 1146 with provisions regarding the personal protective equipment	2006
	Law 319 establishes general principles prevention required in occupational safety and health (OSC)	2006
	Decision no. 1091 completes the law 319/2006 with minimum occupational safety and health requirements focusing more on prevention activities, infrastructure investments and facilities	2006
	Government Decision 1048 which establish the minimum health and safety requirements for the work equipment	2006
	Government Decision 1146/2002 with provisions regarding the personal protective equipment	2002
PENITENTIARY LEGISLATIVE FRAMEWORK	Decision 530 with instructions regarding the organization and development of the work safety and health activity in the units of the penitentiary administration system	2008
	Regulation of organization and functioning of the HSC from November 1, 2018 regulates the Health & Safety Committees (HSC) functioning in penitentiaries, the attributions of HSC	2018
	Collective agreement on service relations at the level of the group of units - the penitentiary administration system	2019
	Standards on working conditions provided to prison police officers	2020

United Kingdom legislative framework

The basis of British health and safety law is the Health and Safety at Work Act 1974. What the law requires here is what good management and common sense would lead employers to do anyway: that is, to look at what the risks are and take sensible measures to tackle them.⁴⁵ Anyway, the interviewee has been working more than 20 years in the UK prison system and considers that if the management doesn't cover the insurance that a prison officer would need to feel safe at the workplace they can walk off from their job.

"[...] If the health and safety is compromised then, the prison officer can justify why they have to walk off the job, if something happens and it is too dangerous the legislation of this country (...) we have the right to walk off-from the job with no decrement."

During the interview we found out that there have been debates in the House of Parliament regarding the safety of prison staff and it started to increase the number of officers that are coming back to the system. Another aspect that drew our attention is the fact that the union in the UK has asked for a Royal Commission to look into the early death rates of front-line prison staff and "[...] the Government are refusing to do it for the simple reason. They believe that it is going to come out and show them exactly that I mean a lot of prison officers were dying young." Royal commissions are called to investigate matters of great importance and usually controversy and it informs the Government regarding the results of the inspection.⁴⁶ It seems that just the application of the law Health and Safety at Work Act 1974 does not assure the necessary protection the prison staff need in UK penitentiary system:

"[...] there is no law in this country apart from health and safety at work that can put a duty on the employer to ensure that's going to work and comes to work and health and safety is not compromised."

⁴³ <https://www.hse.gov.uk/pubns/hsc13.pdf>

⁴⁴ <https://www.encyclopedia.com/history/modern-europe/british-and-irish-history/royal-commissions>

Spain legislative framework

Spain's presence in the European Union led to the need to harmonize the H&S policies with the birth of Community policy in this area, which is increasingly concerned with the study and treatment of occupational risk prevention. In this context it was mandatory the need for a coherent, coordinated, and effective policy for the prevention of occupational risks. The law 31/1995 issued by King Juan Carlos I lays down general principles relating to the prevention of occupational hazards for the protection of safety and health, the elimination or reduction of risks arising from work, information, consultation, balanced participation, and training of workers in prevention, under the conditions set out in this provision. For different sectors where the H&S requirements may differ (police, security, customs protection, forensic expertise, and civil protection activities) the law 31/1995 will inspire the specific regulations issued to protect the safety and health of workers in these activities.

In penitentiary establishments, those activities whose characteristics justify a special regulation must be adapted to this law, which is to be carried out in the terms indicated in Law 7/1990, of July 19, on collective bargaining and participation in the determination of the working conditions of public employees.

The law mentioned the aim of promoting an authentic preventive culture, by promoting the improvement of education in this field at all levels of education, involves society as a whole and is one of the basic objectives and perhaps the most important effects for the future.

Chapter V regulates, in detail, the rights of consultation and participation of workers in relation to issues affecting occupational safety and health. Based on the system of collective representation in force, the Law attributes to the so-called “Delegados de Prevención” (Prevention Delegates) - elected by and among the staff representatives in the field of the respective representative bodies - the exercise of specialized functions in the field of prevention of risks at work, giving them the necessary skills, powers, and guarantees. Along with this, the Health and Safety Committee, continuing the experience of acting as an ingrained and traditional figure of the labour system, is configured as the meeting body between these representatives and the employer for the development of a balanced participation in matters of risk prevention.

National Institute for Safety and Hygiene at Work is the specialized scientific and technical body of the General State Administration whose mission is to analyse and study the conditions of

safety and health at work, as well as the promotion and support by improving them.

The Labour and Social Security Inspectorate is responsible for supervising and controlling regulations on occupational risk prevention. The attributions of the Labour Inspectorate are focused a lot on prevention, counselling, informing the employers and employees to follow the right measures in ensuring health & safety conditions, just in case of an imminent danger for the safety and security of the employees the entity can order the immediate cessation of work.

The National Commission for Safety and Health at Work is created as a collegiate advisory body for public administrations in the formulation of prevention policies and a body for institutional participation in occupational safety and health issues.

The Commission is composed of a representative from each of the autonomous communities and an equal number of members of the General State Administration and, together with all of the above, representatives of the most representative business organizations and trade unions. The Commission can make proposals in connection with criteria and general action programs, draft general provisions, coordination of actions carried out by public administrations responsible for labour, coordination between public administrations responsible for employment, health and industry.

The article 34 from the law specifies the conditions to function of the HSC. In general, there is a single Health and Safety Committee set up within the scope of the representative bodies provided for in the Law on Staff Representatives in the Public Administration Service, which will be composed of prevention delegations appointed in that area, both for staff with administrative or statutory relations, as well as for the working staff, as well as by the representatives of the administration in a number not exceeding that of the delegates. However, the Health and Safety Committees may be set up in other areas when the reasons for the activity and the type and frequency of risks are recommended.

The article 39 is more specific with the attributions of HSC and they are the following:

- a) Directly know the situation regarding the prevention of risks at work, making the visits that you consider appropriate for this purpose.
- b) Know how many documents and reports related to working conditions are needed to perform their functions, as well as those in the activity of the prevention service, if applicable.
- c) Know and analyse the damage caused to the health or physical integrity of workers, to assess their causes and propose appropriate preventive measures.
- d) Knows and reports the annual report and the programming of prevention services.

The law 319/1995 assures the right to protection against occupational hazards, occupational risk prevention plan, risk assessment and preventive activity planning, information, consultation and participation of workers, training of workers, emergency measures, serious and imminent risk, health surveillance, protection of workers who are particularly sensitive to certain risks, maternity protection, temporary employment relationships, obligations of workers in risk prevention, prevention services.

The Royal Decree 67/2010 was issued as a completion and adaptation of Law 31/1995 and it applies to the general state administration and to public bodies linked to or dependent on it that have a civil servant or statutory staff. There have been some changes to the law 31/1995 but respecting the principles already mentioned there. For example, it offers the possibility to find another designation system of the prevention delegations in accordance with the provisions of Article 35.4 of Law 31/1995, with the prior agreement of the Technical Commission for the Prevention of Occupational Risks. Also it regulates the special conditions for the functioning of HCS: health and safety committees may be set up in other areas when the reasons for the activity and the type and frequency of risks are therefore recommended, for example in the ministerial departments when their activity is clearly differentiated from the department on which they depend and reaches a minimum personal volume of 2000 public employees in the total dependencies it has in the province where its central services are located, in any department, autonomous body, administrative entity or joint service of the social security or the state agency, a committee may be set up, unique for each territorial area in which its organization is structured.

Norway legislative framework

Norway's legislative system occupational safety and health is rooted in the *Act relating to the working environment, working hours and employment protection*⁴⁷ issued by the Parliament and represent the minimum requirements on H&S subjects. The document contains references to duties of employer and employees, working environment measures, requirements regarding the working environment, safety representatives, information, and consultation, working hours, entitlement to leave of absence.

Into the penitentiary system, new rules and regulations can be internally issued in different branches or units, or even sectors if more rules are considered necessary. All these internal regulations should enhance the principles stated in the *Act relating to the working environment, working hours and employment protection*, and the standards cannot get below this landmark. The proposals for the new agreements can be pursued by the employers, employees, or even HSC representatives.

Comparative with other legislative systems staffed with many specific regulations, indications and details, the *Working Environment Act* is a compact guide, well-structured and caring clear expression where the general principles of sectors of work activities are presented. A norm is not understood in its basic sense but as a style of social organization and let us say a philosophy of work. In application of a norm that is not very detailed offers greater flexibility in application and, implicitly, ingenious solutions can be found to the problems encountered, as we have mentioned before regarding the possibility for new agreements when the situation requires it.

Within the legislative framework in Norway, can be found other essential acts or regulations that impacts the prison system:

- Act on state employees etc. (state employees act)⁴⁸
- Act relating to the execution of sentences etc. (The Execution of Sentences Act)⁴⁹
- Act relating to Holidays⁵⁰
- The main collective bargaining agreement in the stat⁵¹
- Norwegian Labour Inspection⁵²

⁴⁷ <https://www.uio.no/english/about/regulations/personnel/core/working-environment-act-2012-12-14.pdf>

⁴⁸ <https://lovdata.no/dokument/NL/lov/2017-06-16-67>

⁴⁹ https://lovdata.no/dokument/NLE/lov/2001-05-18-21#KAPITTEL_1

⁵⁰ <https://lovdata.no/dokument/NLE/lov/1988-04-29-21>

⁵¹ <https://tinyurl.com/3dm4bwpw>

⁵² <https://www.arbeidstilsynet.no/en/>

► Comparative analysis of the legislative framework: Romania and Norway

In the Romanian legislation besides the 319/2006 - Occupational health and safety law, there are other laws, subsidiary legislation on Health & Safety aspects (Government Decision no. 1091 of 16 August 2006, concerning the minimum safety & health requirements for the workplace, Decision 1048/2006 with minimum security requirements regarding personal protective equipment, or law 346/ 2002 that regulates the work accidents and professional diseases). Also, specific regulations are issued about the protection of workers against the risks related to the presence of chemical agents (Decision 1219/2006) or protection in case of biological agents' exposure (Decision 1092/2006) or requirements for the use of display screen equipment (Decision 1028/2006). In this case, there is less that can be done or proposed as a solution outside the legal provisions, meaning that HSC does not have enough freedom to intervene.

Not the same thing can be said about the Working Environment Act where in the [Section 7-2, The duties of the working environment committee](#) article 5 it is mentioned the recommendation for a working environment committee to impose some concrete measures when it is necessary to improve the employees working environment, into a time limit with the supervision of a Labour Inspection Authority.

Article (5) "If the working environment committee considers it necessary in order to protect the life or health of employees, it may decide that the employer shall implement concrete measures to improve the working environment within the framework of the provisions laid down in or pursuant to this Act. (...) The committee shall impose a time limit for implementation of the decision. If the employer finds that he is unable to implement the committee's decision, the matter shall be submitted without undue delay to the Labour Inspection Authority for decision."

A good collaboration between the health & safety committees and Labour Inspection Authority is regulated in section 7-1, article 3:

"When a working environment committee is established, this shall be reported to the local Labour Inspection Authority office. Notices shall be posted at the workplace giving the names of the persons who are members of the committee at any given time."

Another aspect that triggers the attention is that in [Section 6-2, Duties of safety representatives](#),

article 2, one of the attributions of the safety representative is to ensure that the employees receive the necessary instruction, practice and training, a responsibility that in the Romanian legislation, for instance is on the employer's shoulders (Human Resources Department) but not delegated to the health & safety representative, meaning that its contribution is not significative. In Norway talking about cooperation, the employees have the duty to cooperate and get involved in the health & safety matters - Section 2-3. Employees' duty to cooperate, article (1) *Employees shall cooperate on the design, implementation, and follow-up of the undertaking's systematic work on health, environment and safety.*

Regulations on psychological risks are also embodied in the document and to make a comparison, in the Romanian legislation the psychological risks, stress or harassment is not well regulated, just neuropsychological overload is considered occupational disease. This is an indicator of the approach each country has on this matter.

In the Norwegian *Working environment act*, section 4-3, few articles refer to the preservation of the employees' integrity and dignity, measures to assure the communication with the peers or measures to avoid harassment at work:

- (1) The work shall be arranged to preserve the employees' integrity and dignity.*
- (2) Efforts shall be made to arrange the work to enable contact and communication with other employees of the undertaking.*
- (3) Employees shall not be subjected to harassment or other improper conduct.*
- (4) Employees shall, as far as possible, be protected against violence, threats, and undesirable strain because of contact with other persons.*

In conclusion, the Norwegian legislation on health & safety proposes a teamwork model and implications of all the stakeholders involved. The Health & Safety Committees have a greater value and importance in ensuring employees best working conditions and well-being and can impose measures that are under Labour Inspection Authority monitoring. Prevention on psychological risks is also under the employer's duties and should assure a proper working environment free of harassment, violence between peers or other threats.

► Synthesis of Case Studies

There can be observed four different approaches (country level) on the same topic - occupational health and safety (OHS). Even if the legislative system provides protection on health and safety of the employees this does not mean it can be enforced.

- ▶ In the UK, according to the POA representative the law allows prison officers to walk out of the job if their health and safety is compromised. The law on H&S is quite comprehensive and advanced, but the HSC are classified as just a formality whereas the Union only has a consultative role. and the decision power is on the side of the Governors;
- ▶ In Spain, the interviewed mention a law change, which pushed HSC from the unit level to a regional one - members elected from different unit are part of it - making harder to solve unit level problems, delaying decision making and jeopardizing any efficiency according to the interviewee;
- ▶ In Romania, the law 319/2006 that covers all aspects regarding health & safety protection of the employees is strengthen by internal regulations and a collective agreement between NAP and SNPP but, it lacks the enforcing power since most participants also classify the HSC as not efficient, nonetheless at central NAP there is an effort to intervene and balance the power balanced to Governor side;
- ▶ In Norway, the law empowers, besides complete and with a wide set of functional checks & balances, the HSC, there is one function specifically for the H&S responsible, which is elected for a mandate, receives specialized training, has the right to ask employees for new measures when considers necessary in order to protect the life or health of employees, time limit for implementation of the decisions and ultimately, respecting a complex set of proceedings shut down one unit.

► **Working conditions in prison: infrastructure, facilities, equipment, medical services, society perceptions**

Following the presentation of the Romanian legislative framework regarding health & safety conditions, it could be observed that the penitentiary legislative framework has a set of specific regulations. This chapter will mainly be focused on the appliance of the legislation” on the ground”.

At the early stage of the research, we have conducted 11 interviews with primary sources from national and European countries, in Romania with Top and Middle Management, both NAP and SNPP, with work experience, expertise and responsibilities in the field of health & safety (H&S). This first approach feeds the implementation of 8 focus groups (in 7 regions from Romania plus 1 at the national level).

During the regional focus-groups have been collected a vast amount of data, testimonials from prison staff working on behalf of NAP as the representatives of the employer with responsibilities in the field of H&S at work and the representatives of the employees - leaders of the SNPP - trade union. Maintaining the parity as it occurs in the health & safety committees (HSC), we could gather data from both sides and have a broader image regarding the working conditions, H&S and H&S Training in the prison environment. In this sub-chapter we'll be looking at working conditions and collecting data.

Infrastructure

Regarding the infrastructure we could identify a few major challenges: derelicted prison buildings, especially military buildings or historical buildings that were not designed for hosting a penitentiary, the lack of some modern systems: access cards or any automated access system (few penitentiaries have this facility) and lack of proper workspaces leading to crowded offices, few locker rooms, insufficient showers. While talking about derelict prison buildings we could notice a common observation coming from European trade union leaders to Romanian Penitentiary representatives and prison staff working every day in these buildings. Their main concern is that even if there would be funds and investments in refurbishing and adapting the buildings' structure the modernization is actually impossible because the construction itself doesn't allow any modifications.

Moreover, in the penitentiaries from Transylvania (a region with many historical buildings of

national heritage) it is even more difficult to make investments, it is necessary to sign agreements between NAP and cultural institutions responsible for the national heritage, and these procedures and bureaucratic will issues slow down or discourage investments in penitentiary buildings.

In the interview with a representative of NAP we gather data regarding the budget dedicated to investments in infrastructure.

“As a total value, for 2020 it is an amount of 55.395.000 RON total value, of which for the infrastructure is provided an amount of 33.864.000 RON for the headquarter of the central apparatus because NAP means central apparatus plus subordinated units. For the central headquarters in the building, we are in now, it is about an amount of 5.223.000 RON, because you know the location where we now carry out their activity, it is a location where we are not owners, where no investment works can be done, but only maintenance. (Interview 6)

Is this budget enough to complete the needs of investments in infrastructure? The answer is that the budget might not be mirroring the actual needs because it depends by “[...] the budget forecast or the request made by the institution or the level to the authorities or both the level entitled to grant this budget, but ultimately depends on the total budget in the Ministry of Justice and what exists in the country's budget”.

The conclusion is that for 2020 “[...] we can appreciate that in general, everything that is allocated in this area is enough.” (Interview 6)

Comments about the buildings that host penitentiary units were retrieved in many interviews and focus-groups. The prison staff asked for a uniformity of investments and amenities and one of the leaders of union did an overview of current situation:

“Only three units from the entire penitentiary system were built with this destination, [...] meaning Rahova is separate, Giurgiu and Arad are two units that have a pattern, respect it, are very similar and are built in more modern times (about 15-20 years ago). These are the most modern, recent units. The rest are former military units adapted, patched, compartmentalized and ready for detention, they do not look like each other, some are in city centres, others are further away, on the outskirts or in the field, where they have nothing to do, but most are close to civilization, even in cities.” (Interview 4)

It is a systemic problem that even blocked the respondents to offer suggestions for improvements in 7 of the focus groups. However, a recurrent topic which was revealed by the prison staff

as an urgent need is that regarding the penitentiary access system, it is recommended to be automated, with access cards or fingerprint access systems. In extreme cases the automated system can make a difference; if the life of a prison officer is endangered or any other reason for urgent intervention it is needed, an automated access would influence the outcome in a better way. It has also been noticed as an impact on daily work, especially on the employees who are required to walk at least 5 kilometres per day to open the entrance gate every time a colleague or guest enters the building. Thus, the automated system or other modern system introduced can also impact staff allocation, increasing job efficiency besides the contribution to H&S.

“[...] the penitentiary project provides a security and surveillance system, but we are especially interested in the area of access, door opening and then thinking that if an employee holds a card with a certain access level, there is no need for another colleague who is 100-150 meters away to make an almost useless road. That road is not part of his duties, he may have a much more important job at the other end of the section, he moves and loses time, precious time with which he could somehow improve his activity.” (Interview 4)

It is a burden that brings physical exhaustion, stress and less time dedicated to other procedures like palpation, security checks, amongst others. *(Focus group 6)*

The third recurrent challenge regarding the infrastructure is related to crowded offices and workspaces, few locker rooms, insufficient showers, and weak endowments as the most mentioned in focus groups and interviews. Additionally, in interviews it was mentioned a few times the fact that at European level, Romania is known for not being able to provide four square meters of space for every inmate. In this regard, there were lawsuits won by inmates due to the poor detention conditions. We can assume this to be a problem shared by a significant part of the prison staff considering the fact that in 2019, 7 889 out of 12 502 (63%) carried out their activity in the operational area, in direct contact with the inmates.⁵³

“Now, if we have inadequate accommodation conditions, we cannot provide surfaces, we can't provide natural light, we can't ensure the non-existence of mold, ventilation, dining rooms, obviously the staff, the vast majority, work in these conditions. Of course, we also have people who work in the office in the administrative, economic part, but the whole operative and medical structure works in the conditions in which we guard the detainees. Then their safety is endangered, you have doors that are very old, sometimes give way to riots, you have very poor lighting conditions,

⁵³ [Annual Activity Report](#), p. 36, consulted online

you have no natural light, and then everything has an impact on the health and safety of staff.”
(Interview 7)

Another complaint regarding the insufficient office space was raised by a focus group participant that has found a connection between the pandemic chaotic working schedule and the crowded offices. It was a burdening period amplified by working tiring shifts, a situation that could be avoided if more offices, and implicitly enough space to maintain the social distance would be available. (Focus group 7)

Facilities

Within the *Standards on working conditions provided to prison police officers* document, the most recent law issued by the Minister of Justice in 2020, there are references to the employers duty to ensure adequate and sufficient number of showers, when showers are not necessary, washbasins with running water and hot water should be provided, separate toilet for men and women, in workplaces where staff must wear special clothing during the activities that require compliance with special conditions or it is necessary to change the clothing of persons with the special one, it is necessary to provide appropriate locker rooms, which should be spacious enough.

These locker rooms are not available in all the units, in some places there are few but not always compartmentalized by gender, some are old, crowded, small and sometimes there is no sufficient space to add the new ones.

In case of, challenging epidemiological context, for instance, the lockers could be used to keep the civil clothes apart from the work equipment and the risks to bring in or out the virus is limited. (Focus group 5, 7)

The same issue that pandemic brought, and it was mentioned for the necessity of lockers is regarding the hygienical extra needs, functional showers will decrease the risks to bring or take the virus in or out the penitentiary units. (Focus group 5) The same topics were raised regarding the showers, in some units there are not available, in others it is difficult to have intimacy because the showers and toilets are unisex. The resting room was considered, by the focus group responders, a vital investment because the tiring shifts, the employees who work at

night find different inappropriate places to stretch.

“They sit where they grab, in the dark, on a bench.” (Focus group 4)

The pandemic brought a few more dissatisfaction topics regarding the way the hygienical measures have been applied, even though there were no problems with the assurance of hygienical materials, paradoxically some employees were affected by the extra-measures taken by the prison administration. For instance, in some units the employees complained about the protective gowns to wear which make activity difficult for workers, they were too thick and wearing them during the summer was a burden. There are no regulations governing why these gowns are used, the plan of measures did not include any specifications related to the thickness of the gowns. The recommendation was to find gowns that are suitable for the employees needs and the members of HSC could get involved in finding a solution. (Focus group 5)

The pandemic has exposed already identified fragilities in the existent infrastructure.

Work equipment

The poor quality of the work equipment was a recurrent issue exposed by the participants in focus groups, but also in some interviews, especially for the employees that accompany the inmates in work; from agriculture to other workshops. The main issue is the resistance and suitability of the equipment to adverse and sometimes extreme meteorological or work-related conditions in which the work equipment fades and deteriorates quickly or fails to respond to the intensity of use required. In the last years, the National Administration of Penitentiary introduced a new method of assuring work-equipment for the employees. They receive a monthly rate for purchasing by themselves work equipment. This measure received pros and cons, but a unitary dissatisfaction could be identified between the prison staff since they have not received from the NAP a list with homologated suppliers to purchase the work equipment. In this case, the employees are not equipped uniformly, and they are dressed differently.

“We come to another situation in which one employee has navy pants, another has blue, others black and so on. It is about working conditions, after all.” (Interview 4)

Regarding the warning systems, they are provided but it can happen not to function, for working

with the inmates outside the penitentiary the employees are not sufficiently equipped with special warning systems. One of the respondents working at logistics explained that the reason for this inconvenience has to do with the fact that purchases are made at the lowest price and not based on specific quality standards and criteria. *(Focus group 7)*

Medical services

The employees have the right to access medical services free of charge, generally there are not many complaints regarding this aspect, there is a framework contract in the area of medical settlements, certain services, prostheses, devices and so on, including psychological counselling. In the Romanian penitentiary system, there are available medical examinations for different contexts: medical examination at employment, adaptation, periodically, at the resumption of activity, special supervision, and promotion of health at work. At employment are done general clinical examination, clinical and paraclinical medical examinations results that are recorded in a medical file. The medical examination of adaptation determines the detection of some medical causes of non-adaptation to the new job and recommends measures to eliminate them. The periodical medical examination (mandatory for all the employees) it is a bit more complex and it is done to confirm the employee's health is not affected by the work that he/she does, and to detect or diagnose occupational diseases.

The occupational health service that monitors the health of workers will draw up and present to the employer, annually, a report that will mainly include the conclusions of the assessment of the health of workers, as well as medical recommendations on health promotion at work.

Most of the focus group responders are aware of the existence of an occupational health & safety report issued by the occupational medicine doctor and it was considered that the recommendations coming from the doctor are followed by the NAP.

However, during the focus groups arose recommendations of including the possibility to have a staff doctor that closely monitors the staff health, or it can intervene anytime the health of an employee might be under threat.

“There is no staff doctor, in case of emergency, the unit doctor takes care of the staff.” (Focus group 6)

Moreover, some employees work away and to get a medical prescription from their family doctor would have to travel 200 kilometres so a doctor that keeps their medical tracks in the prison would be welcomed. (*Focus group 2*) The same recommendation for the problem regarding the necessity of a doctor exclusively looking after prison staff was received during a focus group.

“There is no doctor just for staff, employees are forced to turn to doctors outside the system to whom they have or do not have access and it is hard.” (Focus group 7)

While discussing the prevalence of diseases of prison staff, often, the responders connected the cardiovascular diseases or diabetes with the high level of stress. Some conclusions of the study - *Diagnostic study on deficient areas and existing imbalances in the field of human resources in the penitentiary system* shows that “[...] there is an almost linear relationship between the accumulation of demands at work and the incidence of various chronic diseases. An additional requirement is an increased risk of penitentiary workers being diagnosed with cardiovascular disease, diabetes, gastrointestinal disorders, osteomuscular disorders or headaches, migraines, vertigo. It should be mentioned the high incidence of osteomuscular diseases, at the level of the entire sample 17.8% of workers say they have been diagnosed with such diseases, so that at the level of jobs characterized by three requirements this share to increase to 25.7% of workers. Similarly, at the level of the entire sample, 11.9% of workers declare that they suffer from headaches, migraines, vertigo, so that at the level of jobs characterized by three requirements, this share reaches 23.6%. Regarding the incidence of cardiovascular diseases, 13.1% of workers are already diagnosed with such diseases, but at the level of jobs characterized by three requirements this share increases to 17.1%.”⁵⁴

⁵⁴ [Annual Activity Report](#), p. 66, consulted online

Society perception

While analysing the **society's perception** on prison staff working conditions, it is mainly a negative one. In the article *History and reform of Romanian prisons* conducted by Bruno Ștefan we can see that the society's criticism regarding the penitentiary system has a long history

“Since its birth, the prison has been the subject of much criticism. From theories about its uselessness (does not re-educate, does not individualize punishments, develops a useless culture, is unprofitable, does not diminish the feelings of insecurity of population, does not reduce the crime rate, etc.), quickly moved to those regarding the harmfulness of the prison institution (creates delinquency and increases recidivism, becoming a real university of crime, throws the families of detainees into dangerous public, favours abuses and robberies of staff impossible to control, absorbs huge sums, significantly higher than other public institutions, etc.).”⁵⁵

Nonetheless, it was possible to identify situations in which the penitentiaries work aside with local communities and, inmates work, they become a “visit card” for the whole system interacting with public institutions and they are well seen for the work they do. (*Interview 3*)

The interviews and focus groups were about unanimous in considering the general, as we stated before, society's perception about the penitentiary systems is distorted because of a wide range of characteristics and factors. Its nature being highly complex, and a closed and secure environment makes it harder to feed and sustain interaction with the outside. Thus, it is harder for the society to get acquainted with the prison staff working conditions.

Moreover, the society associates the prison staff work with the inmates and the profile of the guarded population (*Interview 6*). Unfortunately, the topics that draws the mass-media attention are those related to something negative that happens, such as, escapes, riots or conflicting as when the union launches a protest action, when a prison officer is attacked or if a politician, a person known in public life is imprisoned or makes all sorts of demands. At some point, even one of Romanian Justice Minister launches some media attacks saying the prison officers are well-paid, are too many and do not work enough:

⁵⁵ Ștefan, Bruno, *The history and reform of Romanian prisons*, Revista Română de Sociologie, anul XVII, nr. 5-6, 2006, p. 22, consulted online

“Of course, when a minister, a member of the Government, makes such statements, public opinion is influenced, and the image is altered. I repeat, I do not think that the perception of society is really correct, there are people from the media area who know that what is a condition of detention also means a condition of work, but there is not much visibility on this subject.” (Interview 7)

► **Workers' well-being and job satisfaction: stress-management, psychological risks, burnout, peer-conflicts, authority-employee conflicts**

In European legislation regarding Health & Safety the Article 5(1) states: *“The employer shall have a duty to ensure the safety and health of workers in every aspect related to the work”*, and Article 6(1) states: *“Within the context of his responsibilities, the employer shall take the measures necessary for the safety and health protection of workers, including prevention of occupational risks and provision of information and training, as well as provision of the necessary organization and means.”*. This means that under the European law psychosocial risks must be addressed in organizations' H&S strategies, particularly as a European Court of Justice case found that health is a state of complete physical, mental and social well-being (ECJ, Case C 84/94, UK v Council, para 15). All EU member states have transposed the Framework Directive into their national law. This means that psychosocial risks are implicitly covered by national legislation in all member states. *“[...] A majority of EU members (19 out of 28) have gone further, including a reference to psychosocial risks, or some aspect of psychosocial risks in their national health and safety legislation.”*⁵⁶

The ESENER survey⁵⁷ provides some evidence that organizations find tackling psychosocial risks more difficult than tackling physical risks, as a higher proportion said they lacked information or tools to deal with psychosocial risks than said the same about physical risks.⁵⁸

⁵⁶ [Well-being and occupational safety & health \(OSH\) in central government administrations: tackling psychosocial risks at work- Background Study - Executive Summary](#), Labour Research Department for the Social Dialogue Committee for Central Government Administrations, 2017, consulted online

⁵⁷ [Summary Second European Survey of Enterprises on New and Emerging Risks \(ESENER-2\)](#), consulted online

⁵⁸ Ibidem, p. 4.

On average, in public administration in the EU, only just over a quarter (28%) of establishments have an action plan to prevent work-related stress. Just over half of workplaces (51%) in public administration have a policy in place to deal with violence or abuse.⁵⁹

Tackling psychological risks appears to be difficult to solve it. A union leader with a broad perspective on the penitentiary system recognizes the need for more investments on this matter.

“Healthcare is quite easy for staff, of course everyone wants more than that and we have vulnerabilities in the psychological area. Here perhaps the effort should be sharpened.” (Interview 7)

In the article *Staff health and well-being in prison leadership and training* (2014), Andrew Fraser mentions that studies of the health of prison staff have outlined problems arising from stress, particularly reflecting on the interaction between work and distinct factors in the prison setting.

Referring to Goffman E. in the book *“Asylums. Essays on the social situation of mental patients and other inmates”*, the author emphasises the idea that the prison staff works in a closed and “total” system, with a high degree of professional isolation. Strict routines and regimes, hierarchy, depersonalized relationships and bureaucracy serve to remove some amount of control for staff over their work circumstances.”⁶⁰

Strict regimentation of work by rules is regarded as a stress factor. As the responsibility of the correctional officers is often reduced and restricted to duties of provision and guarding, they feel unchallenged.

In addition, a poor working atmosphere (lack of loyalty and cooperativeness) and inadequate organisational structures adversely affect job satisfaction and can initiate stress. Satisfaction increases as soon as staff members obtain both more rights to speak out and autonomy and influence on official work and care tasks.⁶¹

A more pressing topic was psychological counselling. The focus groups participants mentioned the number of psychologists from the NAP to be scarce, in the entire penitentiary system there are 8-10 psychologists available for staff. *(Interview 7)*

⁵⁹ Ibidem

⁶⁰ Andrew, Fraser, *Staff health and well-being in prison, leadership and training*, consulted online

⁶¹ Lars, Møller, Heino Stöver, Ralf, Jürgens, Alex, Gatherer and Haik, Nikogosian, *Health in prisons - A WHO guide to the essentials in prison health*, WHO Regional Office for Europe, 2007.

Other concerns that need addressing are the perception that visiting a psychologist means having a problem, a mental problem (*Focus group 3*) and that the confidentiality might not be assured with a psychologist from NAP, due to the perceived risk to be exposed and their problems to be known by the Director, managers or the colleagues (*Focus group 4, 6*). The necessity of a psychologist in every prison was an observation shared by the employees in the different 7 focus groups (*Focus group 2, 6, 7*).

In 4 focus groups, prison staff answered that in their penitentiary nothing is known about the work-related stress studies (*Focus group 1, 3, 4, 6*) but in some penitentiary units' stress questionnaires were completed. The situation seems to be different in other units. During the focus groups (*5, 7*) it was revealed that a study regarding the stress level of the staff has been conducted in the penitentiary system but just in one penitentiary the results of stress level questionnaires were revealed in a board meeting showing the causes of stress. The results were not approached during the HSC quarterly meetings, so its members were not aware of the main stressors at work, and implicitly, could not propose any measure. In another focus group arose the discussion that questionnaires and studies were made but it lacked further measures. (*Focus group 2*)

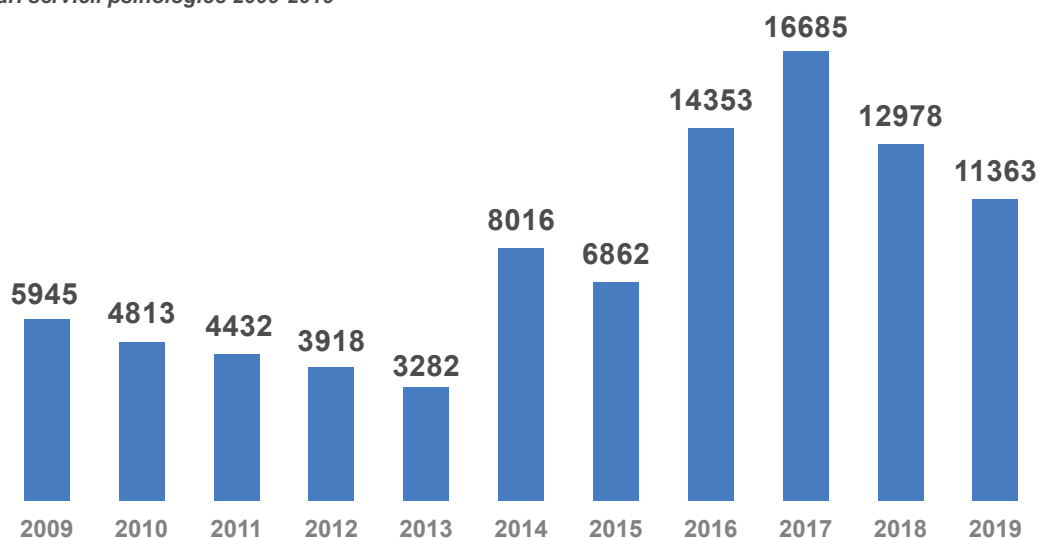
"It was found that there is a tendency to stress due to bureaucracy, controls, on detention sections is another stress, others stay 11 hours in the same position, the biggest stress due to lack of staff, lack of coordination from the NAP that turned into controllers and the employees were not informed regarding the conclusions of such a report." (*Focus group 7*)

We have an overview regarding the evolution of the number of consultations performed by the psychological services: candidates' evaluation; staff routine evaluation and those employees who asked for assistance; from 2009 the number increased from 5 945 beneficiaries to 11 363 in 2019.⁶²

⁶² [Annual Activity Report](#), 2019, p. 38, consulted online

Source: Annual Activity Report 2019, NAP

Beneficiari servicii psihologice 2009-2019



The chart presented above shows that 11 363 employees benefited from psychological services. Considering the contradiction with the testimonies prison staff gave us while conducting the focus group, when the responders suggested that they have restraints in demanding psychological counselling in the report it is explained that:

- 3 074 were candidates evaluated psychologically for the purpose of personnel selection;
- 7 704 employees were psychologically evaluated employees (periodic evaluation);
- 571 employees asked for other evaluations / assistance.

We can assume that 571 people who asked for other evaluations were those that sought psychological counselling in a proper sense, not just for recruitment procedures or periodic evaluation.

Staff complaints

During the interviews conducted, the prison staff mentioned about the close-system they work in and about some complaints that are not always solved. In three focus groups, but also in some interviews, the discussions on the complaint's topic revealed limited budget as the requests not being solved: *"When complaints are received, the reply "lack of money" is received" (Focus Group 3),*

“Even if there is goodwill on the part of the management, sometimes the financial part does not allow the problems to be solved” (Focus Group 5),

“If there is a problem related to working conditions, we try to find a solution that is as cheap as possible, which does not have a financial impact, everything is related to money” (Focus Group 7).

There is not a clear way to fill complaints, a transparent system, sometimes they are addressed verbally, sometimes they are written (internal note). We checked the H&S representatives' opinions regarding the consultation of the employees and in all the focus-groups (7) they answered that it is done by the union leaders, additionally the direct superior or health & safety representatives.

Even that the possibility to make complaints is covered by law, it is a lack of autonomy in regard to addressing a complaint.

One of the studies related to the effects of overcrowding and work overload (aspects that were often mentioned during the interviews) concluded that the staff of the Romanian penitentiary system feels the effects of overcrowding, associated with a large volume of work, overtime, staff in the operational and medical sector suffering a high percentage of chronic diseases. Supervisors in the detention wards, employees in the positions that ensure access to the unit, as well as in the detention facilities have the highest level of physical and mental overload, determined by insufficient staff, large workload, insufficient material resources, overlapping activities, the constant need to exceed the working time of 12 hours.⁶³

Working more than 48 hours report negative health and well-being outcomes than those working 35 to 47 hours, with the largest differences found among workers reporting that work negatively affects their health, work-related stress and sleeping disorders. Irregular working hours are also associated with poorer health and well-being outcomes, particularly with sleeping problems and musculoskeletal disorders, which can be related to a greater prevalence of irregular hours in certain economic sectors.⁶⁴

⁶³ SNPP & INCSMPS, Diagnostic study on deficient areas and existing imbalances in the field of human resources in the penitentiary system, Dialogos project, 2019, p. 13.

⁶⁴ Eurofound and EU-OSHA (2014), Psychosocial risks in Europe: Prevalence and strategies for prevention, Publications Office of the European Union, Luxembourg, p. 37.

Doing overtime, it is a common practice in the Romanian penitentiary system due to cumulation of functions, special missions that require more time than scheduled or for taking the place of those who are absent from work.

There are clear regulations negotiated between the NAP and the National Union of Penitentiary Workers regarding the overtime and the legal working hours stated in the *Collective agreement on service relations at the level of the group of units - the penitentiary administration system*. We can observe that extra hours are paid but the cumulated not more than 48 h (as exception it can be more than 48 h but in 4 months it should not exceed 48 h/week, no more than 360 h/year). In the case of extra hours exceeding 180 h/year it is necessary the union agreement, after 12 hours of work follows 24 hours of rest.

There was a modification from 2015 to 2019 regarding the extra-time payment, starting with 2015, the payment of the additional work was provided, but from 2019 in Romania the payment of the additional work was given up and it is compensated exclusively with free time, that should be recovered in 60 days from the time they do overtime. If in this interval the overtime is not recovered, then the employees benefit of payment. During the interviews, we could find out that the employees are content with the benefits for overtime, but the opinions are divided, some of them preferring to be paid and not to compensate with free time. SNPP tries to interfere in this matter understanding the life-balance ratio and the impact on the health of prison staff:

“Many workers in the operating area prefer to work overtime, and as much as possible on Saturdays and Sundays, there it is the most money [better payment]. We as a union, without being able to have a firm public position in this area, recommend a balance.” (Interview 7)

Regarding the overtime the employees expressed their dissatisfaction considering that the family life and health is affected, they spend more time at unity than at home, they get home at night only for rest, quarrels due to extra-work and divorces may result, the benefits cannot compete with the time that should be spent with the family. One of the solutions proposed by the prison staff is hiring more people would solve the problem. (*Focus group 1, 5*)

The National Administration of Penitentiary (NAP) puts pressure to recover overtime, employees are somehow forced to take time off, and the pressure remains on those who are at work and needs to cover two positions, results in vulnerability of the activity, pressure on employees, and the missions get vulnerable (Focus group 5). People are subject to risks (instead of 2 supervisors there is only one), they stand for too long, and sometimes it is even difficult to take the lunch

break. The employees that must compensate the extra-hours with days off reduce staff that it is already insufficient and overwork is on the shoulders of the employees in service. (*Focus group 5, 7*)

In the study Romania: *Conflicts between prison employees in Satu Mare Penitentiary* we can see that the level of stress of the employees working in the operational field is higher. The numbers show that 63.9% of those in the operational field feel stressed, in comparison with 19.4% of those in the administrative, 11.1% in the social reintegration department and 5.6% of those in the medical offices. The survey shows that most of the staff in the administrative and operational field characterize the relationships between prison employees as stressful, overburdening, tense, though in teamwork and as involving effort. The same study shows that 33.3% of the respondents agreed with the assertion that “the measures set out by the prison management sometimes reach the respondent late and altered”, 36.4% of the prison staff participating in the survey feel that many of the conflicts are generated by employees interpreting messages sent down by hierarchical bosses in different ways”.⁶⁵ This conclusion can be related to the statement of one of our responders:

“Employees often notice problems, and they omit to present them to the management or find a more tangled, more dizzy way by which it communicates to them that nothing is understood anymore. Unfortunately, or fortunately, people have felt this and then choose the best and most effective option and address the union. This is not actually ok because the superior also has responsibilities and has responsibility for the employees he has under his command. He must register and communicate the problems to the unit is management.” (Interview 4)

Lack of staff

The lack of staff was mentioned as a major problem in the penitentiary system, even from European level because of measures of austerity. Understaffing is a systemic problem that causes the cumulation of functions and impacts the H&S work activities since staff can only cover partially what is necessary to do:

⁶⁵ Liliana M. Lupșica, Adrian G. Pop, Romania: Conflicts between prison employees' in Satu Mare Penitentiary, Conflict Studies Quarterly Issue 15, April 2016, pp. 42-61, 2016.

“[...] when we say understaffing it includes, you know security staff, but also Health Care staff, training, and probation staff; prison work [prison service] is very broad and it has to be seen as a broad, as a broad institution with many different staff workers involved. So, if the lack of resources is combined with overcrowding [...] being a prison, or hospital, or school, or Psychiatric Hospital, you cannot do a good job.” (Interview 10)

The time dedicated to H&S matters is reduced because the staff allocated by the prison management team must complete other tasks. Thus, then is a matter of priority and when working in an institution with structural lack of staff then the work is focused on solving urgent matters or those considered at the top of priorities, meaning e.g. security. This also affects many other aspects related to the well-being of the employees. One example given was on extra-hours; the employees who do extra-hours are encouraged to compensate them with days-off in 60 days from the time they work overtime. The colleagues that remain to complete the tasks at work must cover the responsibilities of the missing employees sometimes for two or three colleagues. So, they will do overtime as well.

Understaffing is related to a wide range of factors from which we can name infrastructure, leadership, work organisation and functions, job description, training, equipment, and technology and so on. Despite its causes and the obvious need to act on them it is critical to understand their impact on health & safety.

Burnout

The World Health Organization (WHO) defines “Burnout” as a syndrome conceptualized as resulting from chronic workplace stress that has not been successfully managed. It is characterized by three dimensions: feelings of energy depletion or exhaustion, increased mental distance from one’s job, or feelings of negativism or cynicism related to one’s job and reduced professional efficacy.⁶⁶

⁶⁶ https://www.who.int/mental_health/evidence/burn-out/en/

At the European level there are just two countries that recognize burnout as an ‘occupational disease’ to date, namely in Italy and in Latvia. In France, a proposal to recognise burnout as an occupational disease was rejected in 2017 and again in 2018.⁶⁷

Romania includes neuropsychological overload in a 2010 amendment of Law No. 319 on Safety and Health at Work – a factor that can cause certain occupational-related diseases⁶⁸ such as hypertension, ischaemic heart disease, neuroses, and other neuropsychiatric disorders, while excessive working hours leading to death can also be recognised as an accident at work.⁶⁹

The Romanian government made several adjustments to its Labour Code, such as the legal provision of 2010 that illness or death caused by additional working hours is classified as an accident at work if there was no agreement on the extension of the working hours of the employee.⁷⁰ Not being so much referred to as a medical diagnostic, it makes it difficult to introduce burnout on a medical agenda, especially when it is about sick-leave.

Latent stress arising from various factors is very often noticeable in prisons. Continuous stress affects people mentally, physically and cognitively, with results ranging from psycho vegetative exhaustion to burnout. Post-traumatic stress disorder may accelerate this development, especially when the prison climate is characterized by disturbed communication, depreciation of work by superiors, low social team spirit among working groups, lack of corporate identity and organisational parameters, such as overtime accumulating as a result of a poorly organized work process.⁷¹

Burnout can be linked to absenteeism but **in the Romanian penitentiary system the absenteeism is not a phenomenon.** We have a testimony of one of our respondents that says that:

⁶⁷ Eurofound (2018), Burnout in the workplace: A review of data and policy responses in the EU, Publications Office of the European Union, Luxembourg, p. 9.

⁶⁸ In the **annex 23** regarding the occupational diseases, the neuropsychological overload is seen as a factor for causing heart diseases, neurosis, and other neuropsychiatric disorders.

⁶⁹ Ibidem, p.10.

⁷⁰ Ibidem.

⁷¹ Lars, Møller, Heino Stöver, Ralf, Jürgens, Alex, Gatherer and Haik, Nikogosian, Health in prisons - A WHO guide to the essentials in prison health, WHO Regional Office for Europe, 2007.

“Otherwise, there were cases reported, but sporadically, so, I do not know, at the unit level, one lost here and there, at intervals of years. I cannot say that I am talking about absenteeism, because it is also about the regime in which we work, you are not like in the corner to stay hidden somewhere, things being, for the most part, continuous activities, immediately your absence is obvious. You cannot say that being on guard post 7, they do not come to work, and things go by themselves. Not because everything is a chain, it is a team, if you do not come, it means that someone else will be affected [...].” (Interview 5)

► Working conditions in other European countries

Violence against the staff

While in the Romanian penitentiaries the violence against the staff is not considered a challenge, in the UK and Spain the assaults on staff are at a record high. In Romania, the officers working in the operational field have access to many information and procedure manuals in dealing with the inmates:

“In the operational area there are sets of procedures, tactics, all kinds of intervention methods. People are trained how to proceed in all kinds of situations, there are very complex manuals of procedures that are at the level of state secret, written and updated at the level of the central apparatus by specialists in this field.” (Interview 7)

Fortunately, the assaults on staff is not a phenomenon *“We have cases of violence from inmates to staff, but at a much lower level than other states, although at a lower level are also the means to counter violence. But it remains the same element that I pointed out, respectively, the mood. So, we have no violence against staff [just] exceptions, violence from staff to inmates occurs in interventions, but they are also subjective, punctual situations, it is not a phenomenon.” (Interview 7)*

Data from the paper *Prison Safety in England and Wales* shows that assault on staff is at a record high. In June 2019, there were 10 424 recorded assaults on staff, including 995 serious assaults. Looking over time, there were 123 assaults on staff per 1 000 inmates in 2018, which was a rise of one quarter on the previous year and almost three and a half times the number that there had been in 2010 (34 per 1 000 inmates).

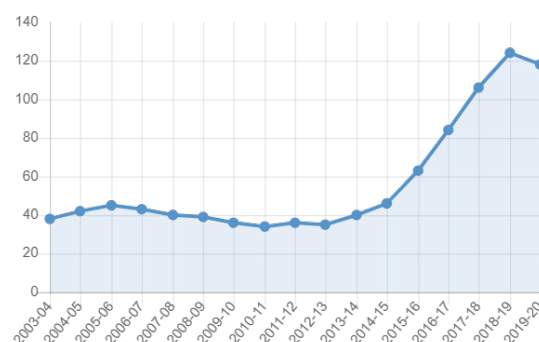
In January 2019, the Prisons Minister Rory Stewart said that the Ministry of Justice recognised the importance of staff feeling safe within the prison environment. He said the ministry was “under no illusions about the challenges that staff face”. He gave two examples of measures being taken to reduce assaults on staff: extending the use of body-worn cameras and making PAVA spray available.⁷²

The interview with a member of the UK union confirms that violence is a major threat for prison staff in the UK and Wales:

“Every day in our prison system in England and Wales 23 prison officers are assaulted every day. 5 of those would be hospitalised, that's our average.” (Interview 8)

Another aspect that drew the attention is the professional reconversion of the employees who start working in the penitentiary and their disappointment regarding career progression in the system. The interviewed person from the UK penitentiary system observes a lack of perspective regarding the new employees.

“So, I think a lot of people are joining the prison service to get it on their CV, and then go elsewhere, once they have been in the prison service anywhere between two and five years. A lot of them leave and join the police force. You look at the prison service and it is not the career that they thought they would have. When I joined it was a career, now, I'm seeing young people who would join in and we do need them, but who will be put off by the violence, they're put off by the bullying and intimidation they get from their managers, the unsafe working conditions that have been working in”. (Interview 8)



Assaults on staff per 1,000 prisoners⁷³

⁷² **Jacqueline, Beard**, Prison Safety in England and Wales, Commons Library Briefing, 28 November 2019, <https://commonslibrary.parliament.uk/>

⁷³ <https://data.justice.gov.uk/prisons/safety-and-order/assaults-rate-staff>

Talking about the relationship between inmates and prison staff and knowing that the prison should not be an environment that promotes, by contrary a place of reinstatement, one of responders, a member of EPSU recognizes the need for better training and equipment dealing with violence:

“There is a basic issue of resurgence of the of violence increasing services in Spain, in France, in the UK and here prison staff feel can feel under-equipped in dealing with violence, which can be again due to overcrowding, lack of prospects, lack of training, use of drugs or synthetic drugs which can lead also to violent behaviours. So here, prison staff can feel under-equipped and in fact the question is „should you be trained in dealing with violence?” And I mean, yes and no, because okay, you have no choice. But again, the first objective is how to reduce violence and not to get used to a violent environment. But acts of violence have become an issue in several countries, but then it is about psychosocial risk, I suppose.” (Interview 10)

A survey issued by EPSU in 2016, Prison staff perspectives gathered data from the unions from different countries asking for more details regarding violent attacks on staff. We can clearly see in the table below a few problems, apart from the high incidence of violence: moving staff between prisons, the staff is outnumbered and stressed, the effects of understaffing etc.⁷⁴

UNION (COUNTRY)	EXTENT OF AND ISSUES AROUND VIOLENCE
ACV-OD/CSC SP (BELGIUM)	There are around 1.000 accidents at work a year, of which 700 are a consequence of violent attacks.
FP CGIL (ITALY)	There were around 900 violent incidents involving attacks on staff in 2014, with assaults using boiling oil and water being the most common.
FNV OVERHEID (NETHERLANDS)	It is difficult to provide statistics because the recording of incidents is poorly organised. However, because there are fewer staff, those remaining are under greater pressure and have less time to interact with detainees. Moving staff between prisons also creates problems, as does the fact that new flexible staff receive less training and have fewer opportunities to train.
SNLP (ROMANIA)	Prisoners are more demanding than in the past; conditions still need improvement; and the staff are outnumbered, ageing and more stressed.
ACAIP-USO (SPAIN)	The reduction in the number of staff has worsened the situation in terms of staff safety.
POA (UK)	The number of violent assaults on staff has increased by 36%.

⁷⁴ Lionel, Fulton, Prison staff perspectives an EPSU survey of the impact of the economic crisis on prisons, Labour Research Department, June 2016, consulted online

In **Spain**, the violence against staff follows a perpetual motion, happening at a time interval. We see that even there are more assaults on staff than official data considering our responder's testimony:

“Our units have like 300-315 attacks every year on police [prison] officers. Those are official figures, we know that are more, but the official figures are between 300-315 physical attacks and, in many cases, this always happens the same. Two months ago, an inmate attacked the prison officers, it happened again two months after, so, the graduations in each prison should be notified after one, another, judicial investigation to know why that happened, what had happened and how you can avoid that happening again”. (Interview 11)

The lack of staff is reclaimed as a major problem in Spain, we can observe in the table presented above that staff safety is related to the reduction in the number of staff. This conclusion was valid in 2016, but we notice that it is still valid nowadays and that the respondent from Spain reinforces it in the following statement:

“[...] the main problem, I think, is also the same in European countries is the lack of the staff. This is the main problem [...] in concrete prisons also around the system where we have more staff than number of the direct physical attacks against prison officers, officers who are directly in touch with the inmates, I guess, a surveillance, then, well, we have more staff then the number of physical attacks decrease.”

Relationship with the management is something that was reported as deficient by the participants from European countries and Spain is no exception. The results of some questionnaires applied for a social assessment in a Spanish penitentiary shows that the prison staff requests and needs are not always met:

“[...] most of them say that prison officers think prison's management do not take them into account, they take the decisions, but they do not ask them how that could be done, not the prison officers ruling the prison, but taking them into account, ok, we have to do that, how can we do it, ok? They do not come to us, is stressful at work, many of them have sleeping problems, stomach problems, lots of debates between prisoners and the staff, and do not start more or less, the most important facts of those secret social evaluations that could be better for our wellbeing.” (Interview 11)

Labour inspection

Labour inspection is a public function of labour administration that ensures the application of labour legislation in the workplace. Its main role is to convince the social partners of the need to observe the law at the workplace and their mutual interest in this regard, through preventive, educational and, where necessary, enforcement measures.⁷⁵ In tackling psychological risks, labour inspection is considered a support structure alongside trade unions, health and safety experts, health and safety experts and others.⁷⁶

The EU member states have a system of labour inspection, although again there are major differences in how they operate, with some countries favouring generalist inspectorates, where others have specialist services.

EU-OSHA figures show that the proportion of establishments inspected in the previous three years varied more than ten-fold, from 86% in Romania to 8% in Luxembourg in the public administration.⁷⁷ It is obvious that in other public institutions (except from penitentiaries) the Labour Inspection is active and does a lot of checks and controls.

⁷⁵ Labour Inspection - What is and what it does, International Labour Office, p. 8, consulted online

⁷⁶ Well-being and occupational safety & health (OSH) in central government administrations: tackling psychosocial risks at work-A Guide, Labour Research Department for the Social Dialogue Committee for Central Government Administrations, 2017, p. 27.

⁷⁷ Well-being and occupational safety & health (OSH) in central government administrations: tackling psychosocial risks at work, Background study, p. 39, consulted online

Country	Proportion of establishments inspected by labour inspectorate in the previous three years	
	Whole economy (%)	Public administration (%)
Austria	71	18
Belgium	71	67
Bulgaria	78	53
Croatia	62	20
Cyprus	65	63
Czech Republic	55	44
Denmark	81	76
Estonia	58	67
Finland	59	51
France	38	16
Germany	64	56
Greece	53	19
Hungary	50	33
Ireland	40	25
Italy	33	16
Latvia	62	81
Lithuania	43	27
Luxembourg	24	8
Malta	53	17
Netherlands	28	48
Poland	49	45
Portugal	48	42
Romania	90	86
Slovakia	47	40
Slovenia	52	53
Spain	48	35
Sweden	39	38
UK	49	45
EU 28	51	37
Source: ESENER-2 EU-OSHA, 2016 (based on interactive survey dashboard)		

In the Romanian legislation, the **Labour inspection** is mentioned in the law (319/2006) and in different regulations (Decision 1051/ 2006, Decision 1425/ 2006, Decision 1092/ 2006) as a **control mechanism** and we can just mention how it is referred to in law 319/ 2006 which is the reference law regarding health & safety field. Article 47 clearly mentions the attribution of Labour Inspection that are not just coercive but also have an advisory function: controls the implementation of occupational risk prevention programs, requires measurements and determinations for clarification of events or dangerous situations, orders the cessation of activity or decommissioning of work equipment, investigates events according to competencies, coordinates, in collaboration with the National Institute of Statistics and other institutions involved, as appropriate, the system of reporting and recording of accidents at work and incidents, reports to the Ministry of Labour, Social Solidarity and Family the special situations that need to be improved regulations in the field of occupational safety and health.

The penitentiary system along with other National Defence system structures are excepted from this requirement having the possibility to design a personalized control structure. Article 50 al. (3) specify that “they can elaborate their own regulations for the application of the present law, in addition to the existing ones at national level”.

The Labour Inspection topic brings a lot of different approaches and opinions from different people from the penitentiary system. The attributions of the labour inspection are divided in the functionality of three departments: management of human resources, health and safety at work and environment protection, and Penitentiary Inspection Directorate.

As we could understand from the representatives of NAP there were discussions, in consultation with trade unions regarding the viability of having an independent structure and the conclusion was that it is not efficient to have an independent structure.

“[...] it is inefficient, useless to have two control structures, the Labour Inspection which deals only with the verification in the field of labour relations and health & safety and the Penitentiary Inspection which deals with the verification of all areas of the system. I said that we bring the attributions to the penitentiary inspection because it is a control structure anyway.” (Interview 1)

Another NAP representative doesn't find inefficient the actual functioning of the control mechanism but in perspective finds it functional within the system.

“In the future, it would be ideal to have a structure dedicated only to the Labour Inspection that fulfils these prerogatives. [...] Such a structure, theoretically and practically, from my point of view, should be functional within the NAP as the central apparatus of the system.” (Interview 6)

A representative of the union considers appropriately a functional Labour Inspection because now *“It is not independent but subordinate”* and it was explained a case when it was not possible to sanction a non-compliance to a clause of the collective bargaining focused on H&S.

“[...] but there were no procedures, tools and legal grounds for the protection of our work in the unit to sanction or amend him because they did not know how. Is there no concrete framework in which to exercise these prerogatives that include sanctions, otherwise how do you keep control in the area of labour law if not sanctioning non-compliance? With us the sanctions for non-compliance, I do not know what I could identify [...]” (Interview 7)

If we respect the same dichotomy and arrange the answers in two categories opinions of representatives of the employer with responsibilities in the field of health & safety at work and the representatives of the employees - leaders of the SNPP - trade union, we can have a broader image on the debate regarding the question: *“In the penitentiary system it is necessary or not an independent Labour Inspection?”* The participants were not consensual, they have different

ideas and perspectives which can leave an open discussion on labour inspection topics that can be further developed.

During the focus-groups, the representatives of the employer with responsibilities in the field of health & safety at work considered that the Labour Inspection it is not very useful, because there are sufficient control structures and there will be more pressure in the system. It was suggested that a person within the Health & Safety department from the central structure to become a Labour Inspector, because the Labour Inspectorate should completely understand the activity in the penitentiary which is quite complex.

Another opinions gathered from the same groups find it opportune a Labour Inspection: there are times when it is necessary such a structure, things can start moving a little differently with a Labour Inspection structure, it would be appropriate for the Labour Inspectorate to be independent of the Penitentiary Inspection Directorate, the Labour Inspectorate should be a very specialized structure which not only comes under control, but to present how measures must be applied, national labour inspection legislation can be harmonized with penitentiary system specific legislation.

The opinions of the representatives of employees - leaders of the SNPP - were also diverse. Part of the group consider that an independent structure is welcomed, in a scenario when an internal Labour Inspection is settled there are not specialized employees in this sector and an external audit would be ideal (even to assess the working conditions in the penitentiaries), an external operator would be impartial to ask for clear implementation deadlines and would sanction non-compliance with labour law.

Other representatives of employees consider that Labour Inspection must be activated at the level of each unit (but NAP to occupy the position of guidance and control), internal and functional structure would be better than an independent one, but its members should be let do their job, without cumulation of functions, a structure not necessarily independent, but the issues raised would be imperative, proposals must be taken into account, and this control structure to get involved in assuring the working conditions in the penitentiary.

The labour inspection is a topic under discussion in which it is possible to observe many views, but the mainstream seems to be to reduce the number of structures while concentrating resources to better perform the required work. Additionally, it seems that the evolution will be also to increase the decisions enforcement capacity.

► Conclusions

This chapter outlines by one side the legislative framework that shapes the working conditions of prison staff or any employee after all and the way the legislation is applied in the prison system. There are many challenges, not just in Romania where we conducted interviews with representatives of the NAP, managers, union leaders and focus groups with prison staff from 8 regions of Romania, but also in other European countries.

The legislation is applied in general matters, those that cover employment rights, medical assurance, the payment and so on but there are challenging issues common in the penitentiary system: understaffing, stress caused either by having more responsibilities or cause by dealing with violence, lack of communication between management and staff, old infrastructure, distorted society perception toward prison staff working conditions.

Part of the research was focused on the working conditions in the Romanian penitentiary system and in European countries (Spain, UK) and, the way EPSU sees the main challenges.

In Romania there are problems with old buildings, infrastructure that it is difficult to refurbish, facilities that are not standardized for every unit, old fashioned lockers, sometimes insufficient with no gender partitioning, understaffing and poor quality of the work equipment.

The society's perception regarding the prison staff working conditions is distorted and it has a long history being connected with the inmates' profile and it is recommended that the medical services be assured by a doctor for the personnel.

In the UK, the violence against staff is a common problem and brings discussions regarding this issue in the Parliament and the young employees are not willing for a job progression inside the penitentiary system.

In Spain, the violence against staff is also a major problem, the lack of staff is also a pressing issue and relationship with management is weak with no feedback required from the employees.



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Health and Safety Committees functioning

► How are the Health and Safety Committees organized?

In the previous chapters we have been analysing the legislation from different European countries and focusing more on the Romanian legislative framework. We continued the analysis going into the depths of working conditions in the prison environment, especially those that are challenging or difficult to totally comply with the legislation considering the characteristics of a close setting and the particularities of the guarded population. In this chapter we will see the particularities of Health & Safety Committees in the penitentiary system in Romania, and in other few European countries.

Decision 1425/2006 establishes the condition to form a Health & Safety Committee that shall be set up in units with at least 50 employees (Article 57). The Regulation of organization and functioning of the HSC from November 1, 2018 issued by the National Administration of Penitentiary is rooted in 1425/ 2006 Government Decision and establishes the H&S Committees functioning in penitentiaries.

The composition of the HSC is the following: representatives of the employees (2 years term, and 1 or 2 representatives exceptionally), respectively leaders of the trade unions, the representatives of the employer, meaning the managers of the following structures: medical, human resources, logistics/ financial, the occupational medicine doctor and the representative of the Department of occupational health & safety and environmental protection (secretary).

In the case of the National Administration of Penitentiaries, the composition of the HSC is nominated by the decision of the General director, and, in the case of subordinated units, the HSC composition is nominated by the decision of the unit director.

In the HSC composition the number of employees' representatives with specific responsibilities in the field of occupational safety and health is equal to the number of the employer's representatives. To have parity, if the employer increases its number of representatives, the employees' representatives will automatically supplement the number of members.

The president of the HSC has the obligation to ensure the HSC meeting occurs at least once every 3 months or whenever it is necessary. For instance, during the pandemic there were extraordinary meetings because of the new measures and procedures that had to be implemented.

The HSC meetings may be attended by guests from other specialized structures or experts if they can provide information on the topics on the agenda. The HSC is legally convened if at least half plus one of its members are present and makes decisions by vote of at least two-thirds of the members present. Minutes shall be drawn up at each meeting by the secretary of the HSC, who shall be signed by all participants and copies of the minutes would be exposed in a visible place, on the internal portal of the unit or on the notice board.

At the end of every year, at the level of the central administration (NAP), the health and safety coordinator prepare a report which contains information regarding the responsibilities of the health & safety representatives, work related accidents and the causes identified, priorities and further actions to be taken.

Scope, attributions, and activity of the HSC

The internal regulation from November 1, 2018 issued by the National Administration of Penitentiary at article 13 highlights the attributions of Health & Safety Committee:

- ▶ **analyses and formulates proposals** regarding the occupational safety and health policy, as well as the prevention plan and protection in the field of health and safety at work;
- ▶ **pursues the implementation of the prevention and protection plan** in the field of health and safety at work, including the allocation the means necessary to achieve its provisions and their efficiency in terms of improving the conditions of the work;
- ▶ **analyses the introduction of new technologies and the choice of equipment**, taking into account the consequences on safety and health of employees and makes proposals in case of deficiencies, analyses the choice, purchase, maintenance and use of work equipment and protective equipment, proposes measures for arranging jobs, taking into account the presence of groups sensitive to specific risks;
- ▶ **analyses the requests formulated by the employees regarding the working conditions** and the way in which they fulfil their attributions persons designated for occupational safety and health;

- ▶ **monitors the manner in which the legal regulations regarding safety and health at work are applied and observed**, as well as the measures ordered by the control structures in the field of occupational safety and health and in the field of protection environment;
- ▶ **analyses the proposals of the employees regarding the prevention of work accidents and occupational diseases**, as well as for the improvement of working conditions and proposes their introduction in the prevention and protection plan;
- ▶ **analyses the causes of work accidents, occupational diseases and events** and may propose technical measures, in addition to the measures ordered following the research;
- ▶ **carries out its own verifications regarding the application of its own and working instructions**, and, when necessary, draws up a written report on the findings made, debates the written report, present it to HSC, by the head of the unit, at least once a year, on the situation of safety and health at work, the actions taken and their effectiveness in the year ended, as well as the proposals for the plan prevention and protection, which will be achieved in the next year, if the revision of the plan is required.

During the focus-groups, one of these attributions was questioned, respectively the capacity of Health & Safety Committee **“to carry out its own verifications regarding the application of its own and working instructions, and, when necessary, draws up a written report on the findings made”**. The participants at the focus groups were asked if in their units HSC carry out its own verifications, and what happens when they find out some measures are not taken accordingly with their own working instructions. The answers vary but by summarizing them we find out that in some units the representatives of the employer with responsibilities in the field of health & safety at work do the verifications and draw up a control note, sometimes even the union representative joins the verification activity. In other units no verifications are made but the recommendation is that it would be appropriate to be done. In a penitentiary unit this activity it is below on the priority list, but the verifications would be useful, employees trusting that something is improving.

► The view of the HSC members

Positive factors that influence the activity of the HSC

The role of the union representatives in the Health & Safety Committee is recognized as essential in impacting the improvements in the prison staff working conditions and welfare. In the law 319/2006, article 18 clearly mentions this right of the employees *“The employers consult the workers and / or their representatives and allow their participation in the discussion of all the issues related to safety and health at work.”*

Moreover, the union leaders we have interviewed strengthen the idea that the Health & Safety Committees the union voice is well-represented:

“We are members of committees, we participate in meetings, we debate, we participate in conclusions, at [proposing] measures, we are 100% involved”. (Interview 7)

In a unit “out of 330 employees, 300 are in the union, I can say that we are an important player on the principle that the problems we have and are brought to our attention by the colleagues we discuss in these committees.” (Interview 11)

During the focus groups, the responders from both groups (NAP and SNPP) agreed that generally, when there are complaints or suggestions regarding health & safety matters, the employees prefer to address them to the union leaders instead of the administration and HSC.

In the Penitentiary system organisational Chart exists a job position named “Integrity Officer” that shall be aware of the employees’ needs, complaints, and to handle the conflicts between peers, or employees vs. management. The function is received as complementary by cumulation of functions, in some units the employees know about it and others no, the employees do not know how to approach the Integrity Officer as long he/ she also has other functions. *(Focus group 2)*

One of the interviewees could observe the impact of a better representation from the union side:

“For some years and with the growing importance of trade unions, basically, people, [...] people have the courage to express themselves and have the courage to express themselves [...] People are complaining about everything now. [...] The good part is that people have the audacity to write on paper and ask and express a point of view and ask for something, a thing or an aspect that is not found in other structures.” (Interview 5)

Negative factors that affect the HSC functioning

- **Cumulation of functions**

The **cumulation of functions** was a major topic while talking about the factors that negatively influence the activity of Health & Safety Committees. It is a challenge for the whole penitentiary system, the lack of staff that leads to the cumulation of function phenomenon. If we question what means “the lack of staff”, how many new employees would fill the gap, the answer would be around 4000 or, ideally, 8000.

*“If we had all the 16,000 jobs provided and not just 12,000, if we actually had 20,000 jobs as needed according to the standards we have identified. We are not in the ideal situation, and when you are not in the ideal situation obviously divergences, disciplinary procedures appear.”
(Interview 7)*

Obviously, the lack of staff affects the activity regarding health & safety matters and this problem was identified in the interviews with the representatives of NAP, the union leaders and the members of Health & Safety Committees. Not all the time the representative of health & safety is a titular specialist almost half of the positions are occupied; other half is occupied by the cumulation of functions. *(Interview 1)*

The legislation requires specialization in technical studies and for those that occupies the position by cumulation of function this situation weakens the activity of the committee:

“Because in this area of safety and health at work we do not unfortunately have in all the detention units a titular specialist in this position. In certain situations, it is practically a cumulation of functions, a person in charge of safety and health at work fulfils other attributions. Practically, his working time is not dedicated exclusively to this activity of health and safety at work, respectively the protection of the environment.” (Interview 1)

A recurring idea in the focus groups was that not being titular on the position leads to a lack of authority regarding health & safety matters and the activity has more of an advisory function. How does the prison staff perceive this challenge? We gathered their opinions (during the focus groups) and the most common ideas are the following: health & safety representative function is not a priority for the system; it is the problem of the unit manager not valuing enough this function, they should be motivated to develop this niche, to do a management analysis from the

perspective of occupational health and safety; the meetings are too formal, it is difficult to meet the Health & Safety Commission; the same topics are discussed over and over, there are only written reports and fewer measures, it is not evaluated what has been done but what is written about what has been done.

- **Failure in completing studies, statistics regarding health & safety**

Another aspect that triggers our attention regarding the impact of the functionality of the Health & Safety Commission has to do with the failure of completing internal studies regarding the welfare of the employees. There are not sufficient studies regarding the level of the stress, burnout, absenteeism, in some units the psychologist conducted some questionnaires, but the results of the research are unknown and haven't been presented in the Health & Safety Committee meetings. The cause looks to be, again, the lack of staff and necessary time to conduct studies and statistics.

"If you do not have staff to take care of that piece, to do studies, statistics, you can't. We prioritize over prioritization. It is hard to do so much. Some work harder to do more and develop something." (Interview 1)

▶ **The Summary of the Report on occupational safety and health from the units of the penitentiary administration system for the year 2019**

While analysing the Health & Safety 2019 activity report, *Report on occupational safety and health from the units of the penitentiary administration system for the year 2019* we can see the last year priorities of National Administration of Penitentiary ensuring the safety and protection of workers' health, prevention of work accidents and occupational diseases, information, and training of workers, ensuring the organizational framework and the means necessary for safety and health at work.

The report shows the responsibilities of the health & safety representatives which includes a wide range of activities: from the elaboration of the training theme of the workers, prevention activities including the update of the actual instructions, performing periodic checks, researching

the events in which employees and inmates were involved, supervising the health of workers by organizing and coordinating occupational safety and health activities, included in the contract of occupational health services.

In 2019, the negative element is the fact that there was an increase of 41 work incidents, from 134 work events in 2018, to 175 work events in 2019, but there was no accident resulting in the death of the victim.

The most **common causes of work accidents** were the following: inattention of workers in performing work tasks, non-observance of one's own instructions, non-use and / or non-granting of personal protective equipment, incomplete training of staff, the use of unskilled workers for activities for which a certain qualification is mandatory.

We can observe that the cause of some accidents has to do with worker's inadvertently, lack of attention and non-appliance of the instructions, but some of the accidents were caused by not granting personal protective equipment or **not offering enough training**. Between the measures for compliance with legal provisions in the field of occupational safety and health there are also two that are related to the main discontent of the health & safety workers: **not having enough time to pursue all the health & safety duties**.

The measures we have mentioned involve ensuring the necessary time for the personnel with attributions in the field of safety and health at work and in the field of environment, according to the provisions of art. 22 para. (2) of H.G. no. 1425/2006, ensuring the professional training of the worker with attributions in the field of safety and health at work, as well as in the field of environment, according to the provisions of art. 12 of Decision no. 530 / 22.09.2008, corroborated with the provisions of art. 3 of the Decision of the general director of the National Administration of Penitentiaries no. 410/2012. In the penultimate paragraph of the report are recognized the efforts of the health & safety staff in pursuing their duties even with the cumulation of functions.

"We mention that, although some of the workers with responsibilities in the field of occupational safety and health had a wide range of tasks - responsibilities in the field of emergency management, logistics, members of various inventory commissions, reception or disciplinary commissions - or others, workers had by delegation responsibilities in the field of safety and health at work is to be appreciated the effort made by all workers."

► Health and Safety Committees functioning in Europe

In Spain, before 2014 there was a Health & Safety Committee in every prison but now there is one Health and Safety Committees in each region, the average is one committee for seven or eight prisons.

Our responder from Spain considers this a challenge because the impossibility to solve the health & safety matters from every prison:

"[...] in Madrid, for instance, there are like 3000 workers and other prisons like 6000-7000 inmates, it is impossible to manage with all that. From the Spain responder's testimony, we find out that the Committee is composed by the representatives of the management of the prisons and the representatives of the workers. The representatives of the workers are elected by the unions according to the representation after the elections, there is one in each province, there is one organ, called Junta de Personal (Staff Board) that those are the elected delegates for that province, not only for the prisons, for all the administration? And they elect their Health and Safety Committees for other committees, also the committee in that province for prisons."

Having three-four worker's representatives in each province means that there are some prisons without representation from the employees' side. The Health & Safety Committee meets quarterly or whenever it is necessary, we can see a similarity with the recurrence of HSC meetings in the Romanian penitentiary system. The representatives of workers also complete other tasks, they are not only responsible for the position held in HSC (a similarity with the HSC from Romanian penitentiary system). The impact of the Health & Safety Committee to the well-being and the welfare of the employees looks to be small because there is a variable mentioned by the majority of the responders at the interviews and focus group: money, the lack of funds.

Before the 2014 shift, when every prison had its own Health & Safety Committee it was easier to make some changes, even if the funds were not enough.

"[...] but it was easier to reach agreements with the administration and the committee and to solve small things, now, in provinces, where there are many prisons, even the small things are very complicated to solve because it is impossible."

United Kingdom

In the United Kingdom there is a H&S Committee in every prison, also a national one which is called Whitley Council system, health and safety executive that governs basically the health and safety right across the country.

The risk assessment, even though works properly should be done first and afterwards to decide how much staff is needed not to fit the employees to the risk assessment and then to pass too much time until the procedure is done, during this time the health & safety aspect being compromised. What is interesting to mention, considering the testimony of a interviewed union member from UK is that the union externalized the health safety problems and tried to get the safety issue on political level making, on the House of Parliament where the debates that brought changes: increasing of the number of the officers that are coming back to the system. There is a negative perception regarding Occupational Health in the UK penitentiary system because the prison staff believe the employer wants to get rid of them.

“Occupational Health [...] is looked at very suspiciously by our members because it is usually Occupational Health when they go out of them. This is when management is trying to get them out of the job. So, if they have been off work with serious injury or they've got mental health problems, the employee will use Occupational Health to get them out of the job rather than to use Occupational Health to fit them.”

Instead of working on fixing prison staff challenges the management prefers to employ other people. What is kind of surprising, considering the pandemic and the inconvenience that this virus brought to society, is that during COVID- 19 lockdown prison staff felt more secure with more protocols regulating their activity.

“It is become a safe place to work even with the aspect of catching COVID because of the protocols that have been put in place.”

There is a tension between the trade union in the UK prison system and the management, the problem of early-deaths of frontline prison staff becoming a reason for the trade union to ask for a Royal Commission that the government refuses to do it. Even using the prerogatives of Occupational Health which can make recommendations in terms of the health status of an employee, the governor has the last word in taking a decision.

“The Occupational Health side of the referrals got to come from management and the occupational health is a separate company from the prison service. Now if for instance I come and see you and your occupational health and you turn around and say <My advice is that this person should have, for argument's sake, a change to the job the next four months in order for it to get them back into the prison service>. The governor does not have to accept that. The governor can just turn around and say <Thanks very much for your advice. I do not want that. So, I will go to this one.>”

The union has more a consultative function and it is not a real actor in the decision-making process.

“Union is [...] involved in the risk assessment and we can turn around and say, << Well, actually you need to look at that, you need to look at that and you need to look at that.>> <<Yes. Thanks a lot for your observations, but I only have to consult with you, and I have consulted with you. Thanks very much. This is what we're doing.>>”

Norway

During the interviews and focus-groups discussions many issues and challenges regarding an optimal functioning of Health & Safety Committees arose. The good news is that we have an example of good practice in Norway where the Health & Safety topic is taken seriously and maintaining independence.

In the Correctional system there is a Health & Safety agent and a regional agent but in case the unit has more than 50 employees then the number of Health & Safety agents can rise in different sectors of activity, for example in administration, kitchen, workshops, education, etc. What is different than any other system is that the Health & Safety agent is chosen by the employees but necessarily is a member of the union, he is not representative of the union. The correctional service health and safety structure are divided at three levels, the same way as the rest of the organisation (correctional - & probation service): local (prison level, within bigger units there may be H&S representatives for sections of the prison, and one head H&S representative, regional (pr now Norway is divided into five geographical regions) and central (KDI-the directorate level). Every unit has a Health & Safety board with representatives of the employer side as of the employee side and every second year the presidency of the chair is switched between these two groups. The activity of the board covers the physical environment, work environment or

psychological environment and it gets involved in approving a work shift plan already negotiated by the unions and the management. The Health and Safety agents are independent even more towards the employees than unions having the right to reject let's say a work shift plan that might not work for the health of an employee. The power of the Health & Safety agents is at a high extent being and valued. Even the health and safety representative on a higher level in the organization cannot command another further down.

“So, they are very independent and actually have more rights. I am talking over the Health and safety agency. They have more rights and more privileges than union representatives because, actually, the Health and Safety representative can actually close down a prison, if they mean that, if they see that this is not this cannot go on and it has been done actually and the union, we would like to do but we can't, so that they have a very strong position in our recent work life.”

Duties of the H&S representatives are covered in the following parameters: the H&S representative is representing all the employees, including the employers and is independent from the unions, he/ she looks after employees' rights in relation to the working environment act, ensure that the act/intentions of the act is fulfilled (as an ombudsman for that), he/she advises the employer in work environment matters, including working hours/shift plans, is a part of the Work environment board (AMU), which has representatives from both the employer and the employees, including the H&S representative(s). The chair is switched every second year among the employer and the employees' side.

In case of an accident a Health & Safety agent and board makes an evaluation to understand what caused it and decide what can be done in the future to avoid another work accident.

“The Oslo prison, for example, got fined. It is kind of strange the state got fined by the state because there was something wrong with their ventilation [...] It was something wrong with the fire protection system or some kind so the work environment directorate fined the correctional service for something that the government hadn't given them money for so they can actually be fined and in the worst case.”



Health and Safety training

► Training and preparation of the prison officers (European and national level)

It is common sense that training is a key-factor in assuring employees well-being and productivity. There are sufficient studies that prove this interrelation, but we can mention one of them that sees the training as a generator of added value for any organization.

“Training has been invaluable in increasing productivity of organizations. It does not only enhance employees resourcefully, but also provides them with an opportunity to virtually learn their jobs and perform more competently. Hence, increasing not only employee’s productivity but also organizations’ productivity. Various research indicate the positive impact of training on employees’ productivity.”⁷⁸



Source: Rohan & Madhumita (2012)

From European Trade Union representation level (EPSU) we understand that training is viewed as a mechanism of change in the society as a whole and that investments are not only necessary in building new structures in “brick and mortar” but also in the training.

“After you pass all the exams before you start to work, they must attend a course, it is like six weeks, but it is mostly legislation, regulation, only like three days personal defensive skills. [...] two days they know how to manage fights and like two or three more days, emotional skills, managing problems and something like that. So, maybe, in total, for 90 days, you do practical things in order to know how to react when somebody attacks you [...] After that, maybe, in your penitentiary life for 30 or 35 years, you will do once again that personal defence course and another one that how to deal with a fire in the penitentiary life. So, this is all the training we get here.” (Interview 11)

⁷⁸ Maimuna, Muhammad & Nda, & Yazdanifard, Assc. Prof. Dr. Rashad. (2013). The Impact of Employee Training and Development on Employee Productivity, p. 92, consulted online

Dealing sometimes with violent inmates, people under pressure in a close-system, unpredictable, pose a threat to the prison staff, especially those working in the operational field so the investment in training is welcomed.

A surprising aspect regarding the duration of the admission training in the penitentiary system is that in the United Kingdom the training lasts 10 weeks and for admission and to meet the admission requirements is easy (level 2 qualification in English and maths.)

“Then, they come into the prison service and go through a 10-week training school where they’re taught various things, security, how to knock down the prisoners, different classes on the securely different ways of fighting fires, then they all get trained in first aid, and come back, and also what we call control and restraint for 1 week, which is self-defence.” (Interview 8)

There is an interrelation between the well-being and a positive attitude toward training and an online survey was completed by 210 responders that have been participated at different training programs and the results showed that positive psychosocial characteristics (positive personality, positive coping, positive work characteristics, organisational citizenship behaviours and commitment) had significant associations with positive attitudes towards training (motivation to learn, learning and transfer intention) and positive well-being.⁷⁹

“Training is important for developing and enhancing one’s expertise to meet current and future job demands and continue personal development. At the same time, well-being needs to remain positive and high to ensure that they can perform well in their job and become more productive, and to prevent any mental health issues.”⁸⁰

In this research, we tackled the well-being concept but not in the relation with the attitude toward training. Even so, in the Romanian penitentiary system there is no training on well-being, not even at a conceptual stage and the employees are just trained to complete missions. In this case it would be interesting to study, in the future, the impact of the well-being variable in evaluation training programs.

“Well-being training did not exist at the concept level either, much less happen physically or

⁷⁹ **Zaiedy Nor, Norshaffika & Smith, Andrew**, Attitudes to Training and Their Relation to the Well-being of Workers, p. 1. and Development on Employee Productivity, p. 92, consulted online

⁸⁰ Ibidem, p.13.

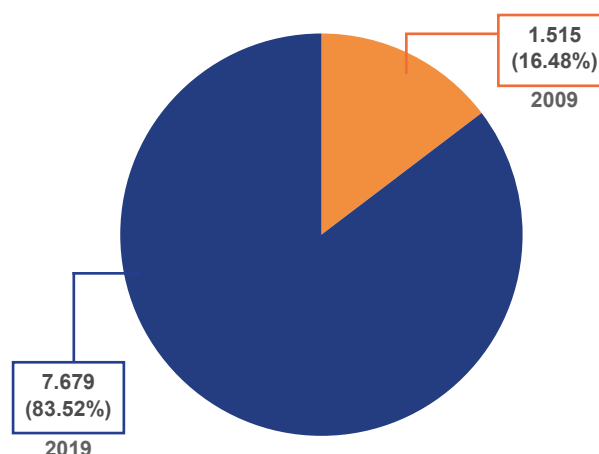
practically. A minimal discussion happens at the human resources office when you enter the system, when you have that initial training. If you come from outside the system, from an external source to the competition, you have a year, in fact now it has been shortened to 6 months of debut, in which you are supposed to be ready for work, but it is not about well-being. You are ready for your career, for your missions, for your system.” (Interview 7)

► Training in the Romanian Penitentiary System

There is available continuous training in the units during the year (15th of January - 15th of November), it is mandatory for all staff and each superior is having the obligation to train his subordinates, by departments. There are 60 hours, 48 dedicated to the speciality and 12 hours for support and transversal disciplines: rules of the CPT, Human rights, topics of general interest that apply in the penitentiary system.

The evolution of the training from 2009 to 2019 shows a big difference, from 1.515 (16,48%) beneficiaries in 2009 to 7.679 (3,52%) beneficiaries in 2019.⁸¹

Numărul polițiștilor de penitenciare care au urmat cursuri de formare profesională în anii 2009 și 2019



Source: Annual Activity Report 2019, NAP

⁸¹ Annual Activity Report, 2019, p. 37, consulted online

Starting with the year 2021, OMJ NO 3513 / C / 2020 for the approval of the Methodology for organizing and conducting the professional training of criminal police officers, the act will produce effects for multiple activities related to the professional training of prison police officers, as well as improving existing ones.

The future methodology will establish the Register of Trainers, a register that will be made on the basis of unitary and clearly established criteria related to the registration of trainers, their selection (e.g., communication skills, position held) providing the possibility for the best specialists the system to contribute to the training and improvement of both the beginner staff and the existing staff in the activity.

Regarding the training of students in our own educational institutions or other institutions that train future prison police officers, we specify that they must make proposals for their own institutions to increase the number of training hours in terms of occupational health and safety.

During the implementation of a Norwegian grant project (NAP beneficiary) regarding training needs identification, a questionnaire was created, and it is completed by the heads of service with options for courses. Depending on the results received, a draft chart is designed for the following year with courses that people should take next year. The options are appealing with courses for staff working in the:

- Operational sector (Negotiators of operational and critical incidents, Increasing communication skills with people with mental disorders, Crisis management),
- Social Reintegration department (Educational counselling, The phenomenon of radicalization in penitentiaries, Foreign languages),
- Economic-Administrative sector (Penitentiary management, Legislative news in the field of acquisitions, Legislation and quality system in construction),
- Medical department (Hospital care management for managers and assistants' heads, Courses required for the hospital accreditation procedure),
- Human Resources and Training (Human resources manager, Competency assessor, Stress management),
- Crime Prevention in the Penitentiary Environment (Intelligence Analysis / Tactical Analysis, Ethics and integrity expert, Organizational analysis),
- Psychology Staff (Psychological evaluation of staff, Psychotherapy of anxiety disorders, Therapeutic approaches to addictions (alcohol, gambling).

The list can continue with courses for the IT department, Legal department, Secretariat, Archive and Public Relations, Education / Coordination of students, Cooperation, access and implementation of programs, Classified information, Emergency management, Internal Public Audit, Penitentiary Inspection.

Considering that Penitentiary Inspection has the Labour Inspection attribution it is interesting to see the courses options for this department with control function. We see that there are three courses but tackling general topics and not so much specialized on control, audit or inspection characteristics (Leadership, Penitentiary management, Effective communication / Development of communication skills).

For the **Health and Safety section** there are few course options: Occupational safety and health specialist, Risk assessor and occupational safety and health auditor, Environmental manager, Occupational safety and health management system auditor, Occupational safety and health management system manager. There is also mentoring and job shadowing that is considered a part of the training programme as well.

The questionnaire is sent to the heads of services who choose the training options and the Director of NAP approves a training chart depending on the funds available, from the list presented above just the courses that suit the financial funds can actually be accessed. Sometimes the trainers can be specialists from the penitentiary system (internal trainers) or external providers. For the trainings organized with external training providers just one fifth of the total amount of the funds necessary have been approved in 2019/2020.

*“If we refer to the financial funds, mainly, we are allocated about 18-19% of what we would need.”
(Interview 2)*

Looking at the vast options of courses and considering the complaints raised by the prison staff and other interviewed people regarding the poor quality of the training then we can ask where is the gap, what blocks a performant training in the penitentiary system?

One answer can be the **lack of funds** considering the fact that only 18-19% of the allocated funds are addressed to the external training providers. A complaint regarding the low quality of the training has to do with the impossibility to engage experienced employees in the training, since the training takes place in a different location, with less facilities that generally attract young employees, with insufficient experience in training skills.

“Training in the prison system is down, is formal, 90% of the activities. It is about the difficulty of involving a lot of valuable, experienced employees in the training process. [...] They go and apparently train the staff, but more [get bored] boring them, they fail to shoot [get their interest] them with interesting, well-prepared topics of competent people. What is left after such courses we have never been able to clarify, if we start from these convocations with very good things.”
(Interview 7)

In the penitentiary system we could observe that the needs for training can't meet the necessary funds the institution receives to complete courses with external training providers and the experienced employees are not always available or ready to provide the training experience.

Before starting to analyse, based on the career path variable, the training received by the prison staff and students (to get into the system) we will present some numbers that show the investment in training in 2020. If we make the ratio between the total investment in training for 2020 and the intended value especially for the health & safety training, we observe that from the total budget available - 250 000 RON for the health & safety sector is allocated 6 800 RON (**2.73 %**).

“As a value, I can tell you that for 2020, 250 000 RON were allocated per training, of which 6 800 strictly on health and safety at work.” (Interview 6)

Analysing the *Collective agreement on service relations at the level of the group of units - the penitentiary administration system (2019)* an internal document with diverse topics negotiated by NAP and SNPP, regarding the training we find out that:

- ▶ The employer should raise with minimum 10% the previous year the expenses for training.
- ▶ Continuous training schedule is elaborated by the employer with the participation of the union, at least 50% of the personnel should participate at the training programs, the offer and the calendar should be accessible to all the employees and the costs are supported by the employees.
- ▶ The priorities for the training programs include: the knowledge of a foreign international language and medium computer skills.

► OSH training of workers in Romania

- **National School for the Training of Penitentiary Agents
Tg. Ocna and Police Academy**

Modern infrastructure is an “ally” in assuring professional training, and the National School for the Training of Penitentiary Agents Tg. Ocna provides a simulator with detention rooms where the students must solve various situations related to working with inmates and to see, in fact, how to work in a penitentiary. They are trained exactly on how to cope with work in prisons. This is an investment with external funds and a good practice example in showing how modern infrastructure impacts the training activities.

It is expected to also modernize other vocational training centres adapted to current requirements.

“I believe that these centres should be modernized in order to be able to carry out training activities in an environment adapted to current requirements.” (Interview 2)

The actual H&S training offered for the students it is not sufficient, at the Police Academy it is an optional subject that lasts 2 hours and at National School for the Training of Penitentiary Agents Tg. Ocna and Police Academy a health & safety course is not available.

“[...] the training on the subject on health & safety is weak. [...] we are somewhere at the beginning and there is not so much emphasis, the colleague raised the issue of what to do, right from school. We need to put more emphasis on school training.” (Interview 1)

The employer is obliged by law (319/2006) to make instructions on health & safety to the employees when entering the job, when changing jobs or transferring, when introducing new work equipment or modifications to existing equipment, upon the introduction of any new technology or working procedure, when executing special works.

In the 1425/2006 Decision we see what kind of training is necessary in different stages of the employment. When hiring somebody new, or there are delegated workers from another units, **an introductory-general training should be done by the health & safety representative**, then it is on-the job training which is provided by the **direct manager** as well as the periodic training under the supervision the superior and the health & safety representative.

► Training of HSC members

An important fact is that the employees who give training to all prison staff should be well-informed and trained in health & safety matters.

The Decision 530/2008 with instructions regarding the organization and development of the work safety and health activity in the units of the penitentiary administration system, in the article 57 regulates the basic training of staff working the field of occupational safety and health that should achieve the following forms:

- a) postgraduate courses organized by competent institutions, based on programs developed in collaboration with the line ministries;
- b) basic, intermediate or higher-level courses, organized by vocational training providers authorized according to the legislation in force;
- c) annual training calls with the internal structure of prevention and protection within the National Administration of Penitentiaries.

Every two years, there is organized training for the representatives of employees with health & safety curricula, a course with **40 hours**. After completing the course on the E-learning platform, an evaluation is performed through a grid test and the minimum score is 70, followed by a Diploma signed by NAP. If the employee could not get the 70 points it has to repeat the course.

The heads of the internal prevention and protection structures must cumulatively meet the following minimum training requirements: technical higher education, a course in the field of occupational safety and health with a duration of at least 80 hours and a postgraduate course of risk assessment with a duration at least 180 hours.

For the representatives of the employer with responsibilities in the field of health & safety at work, every year there are trainings organized by the National Administration of Penitentiary

“We also have training courses provided by external providers which are provided in the schedule and, annually, for those who are responsible, the officers responsible for occupational health and safety in the participate in various courses. So, this is separate from the training that takes place at work. And I repeat the same, depending on the financial funds allocated, but every year, there

are occupational health and safety officers who take such courses.” (Interview 2)

From a specialist in the field of health & safety, information also confirmed during the focus-groups, we found out that in the system, every year, is organized a convocation of the Health & Safety officials where are assessed the activities that were implemented the year before and discuss future perspectives.

“Here is a kind of training [...], because everyone comes with the problems they have in the units, we debate them, we propose what to do for next year, what normative acts we should promote.” (Interview 1)

Talking about **convocations** we observe they are well-received by the employees and it is considered to impact job satisfaction.

“We even have some positive feedback because people there meet and exchange ideas and good practices and then their satisfaction increases and they have a positive perception of the job, they also see what other colleagues are facing and I think so, I think it increases their job satisfaction.” (Interview 2)

Other interviewee considers the convocations not enough interactive and would welcome some new methods of putting into practice what is already known by the employees.

“I would like that in the convocations that are made, apart from immobilization procedures and intervention tactics, there is that kind of way [...] through which to see the person how he would react, to exist interactivity in training. We do not have this kind of applications, tests, situations, they are very rare, I do not know they exist.” (Interview 7)

We received other recommendations regarding the health & safety training from prison staff that have been participated at the focus groups and the summary of their conclusions looks like that: the courses should be accessed by a larger number of employees, periodic zonal meeting with Health & Safety representatives would be welcomed, the **40-hour health & safety course should be followed by all the managers and Health & Safety Committee members** not just for the representatives of the employees, considering the fact that the courses are on E-learning platform it is necessary to allocate a time especially for this activity even though it is on an online platform and it can be access anytime.

OSH Training curricula

Accessing the 2019 Health & Safety course (90 pages) addressed to the representatives of the employees we can make an overview of the content. We have found a plenty of theoretical information regarding the legislative framework of the health & safety matters (European directives and national legislation), what actually the term “health” means from a broader perspective, terms and expressions explained, the duties of the employer and the employees and the functionality of Health & Safety Committees and the training of the employees, means to complete the workers’ health surveillance, the work accidents legislation, risk assessment objectives and methods, the prevention activities.

During the focus-groups many discussions about the E-learning platform occurred, some of the responders appreciating the format of the platform, being accessible, with information up to date, it is useful because any employee can use it at work. Other responders appreciated that E-learning location does not mean understanding them, so they called for a practical approach. E-learning is not for those who work on gazebos, escorts do not have time to open the computer to read the materials, for the employees working in Administrative sector might be easier to access the platform, but the employees from Operational sector it is not feasible, for a true professional training one is needed some physical contact and E-learning cannot meet this requirement. Even if the information from E-learning can be accessed, the terminology is not explained and just reading the topics does not mean understanding them, the platform is accessed during the program when other urgent tasks might occur, so the lack of concentration will affect the outcome.

(Ongoing) OSH Training for the union leaders who become members of the HSC in the Romanian prison system

MODEL	Standard
FORMAT	E-Learning
TRAINER	Self-learning
TOPICS	Conceptual delimitations; European Directives and Romanian legislation regarding H&S; General principles in HS practice; Health & Safety Committees functioning; Health & Safety instructions; Workers’ Health Surveillance; Work accidents; Risk assessment; First aid measures.
EVALUATION	Evaluation is performed through a grid test



Conclusions and recommendations

► Recommendations received during the focus groups

The last focus group (number 8) organized under the Plus Dialog framework brought together participants from the previous focus groups where the audience was divided in three groups of discussions: H&S representatives, union leaders and the other members from the committee: labor medicine, HR and logistic department specialists.

This activity was designed differently from the other focus groups being focused in finding solutions and recommendations for the challenges and issues regarding HCS functioning, working conditions and training.

HSC functioning recommendations		
Recommendations received from the H&S representatives	Recommendations received from the union leaders	Recommendations received from the labour medicine, HR, logistic department specialists
<p>Cumulation of functions:</p> <p>Compliance with the legislation regarding the cumulation of functions in the case of the OSH officer.</p> <p>The number of employees in the H&S department within the units to be according to the number regulated in the national legislation.</p>	<p>Cumulation of functions:</p> <p>The HSC meetings should be organized on a certain date in accordance with the HSC members program.</p> <p>The members of the HSC should be paid for overtime and for the activities dedicated to H&S that are not listed in their job description.</p> <p>H&S representatives should have separately allocated hours per week for H&S activities.</p>	<p>Cumulation of functions:</p> <p>Avoidance of cumulation of functions, duties to be respected according to the job description, depends on the decision of the director of the unit.</p>

HSC functioning recommendations		
<p>Formal meetings:</p> <p>More flexibility regarding the organization and conduct of the meetings. During the meetings, the members should cover at least the main topics of the convener.</p>	<p>Formal meetings:</p> <p>A clear procedure of solving problems and a follow up before moving on to other proposals, problems, etc.</p> <p>Clear and simplified procedures with deadlines, responsible persons, activities that each responsible person must do.</p>	<p>Formal meetings:</p> <p>An analysis on the controls made by the H&S representatives should be made quarterly.</p> <p>New responsibilities to be included regarding the discussions on the issues mentioned in previous HSC meetings.</p>
<p>Independent checks:</p> <p>It is necessary to grant the necessary time for verifications to all HSC members.</p> <p>All members of the HSC should participate in the verifications, at least periodically.</p>	<p>Independent checks:</p> <p>Allocated time, separately, 2 hours per week, when the committee can meet and make the regular checks.</p> <p><i>Supporting the verification activity through legislation. The H&S department and NAP should centralize the problems that are identified during verifications.</i></p> <p>Share the list of problems with the Labour Inspectorate (according to the Norwegian model - they should be able to stop the activity, if necessary)</p> <p>The procedure should be clear from the beginning (support and through legislation) without problems related to the budget but an urgent solving of the problems.</p> <p>Deadline for responding to complaints made after verifications (forcing those responsible to give an answer).</p>	<p>Independent checks:</p> <p>An analysis on the controls made by the H&S representatives should be made quarterly.</p> <p>New responsibilities to be included regarding the discussions on the issues mentioned in previous HSC meetings.</p>

HSC functioning recommendations		
<p>Lack of importance given to the Committee, including the H&S representative:</p> <p>The employees and their representatives should be involved in the problem-solving process.</p> <p>Increase the confidence in the HSC committee and the head of H&S department.</p> <p>The OSH manager should receive consistent support from the unit management. Consider the subordination of the H&S manager under NAP not under the director of the unit (delegate from NAP).</p>	<p>Lack of importance given to the Committee, including the H&S representative:</p> <p>The minutes of the HSC meetings should be sent to the Director of the unit and to NAP.</p> <p>Be able to stop the activity and notify the Labour Inspectorate, which may also intervene within the NAP.</p> <p>Making the tasks of the Committee and the H&S responsible known.</p> <p>The necessity of a legislation specific to the activity of the HSC and the internal procedure adapted to the respective legislation.</p>	<p>Lack of importance given to the Committee, including the H&S representative:</p> <p>The professional training of H&S managers is important. Negative actions must be sanctioned + stimulating positive contributions (motivation).</p> <p>The importance of H&S should be realized, communication and training in this regard must be designed and implemented.</p>
<p>Labour Inspection:</p> <p>The Labour Inspection should be coordinated at the level of the NAP within the H&S department, where a labour inspector should be employed.</p> <p>Should not be subordinated to the head of the department of H&S on the line of Labour Inspection.</p> <p>It should be a structure outside the system that knows the specifics of the work (consisting of specialists in the field with experience in the system).</p>	<p>Labour Inspection:</p> <p>Independent Labour Inspection, in this way would not be subjectivity.</p> <p>Independent, but to know the specifics of the activity, each sector is of great importance, and the Health & Safety must be considered important.</p> <p>Good legislation for detainees, but not for employees, if detainees can make complaints, so can employees.</p> <p>The need for a resolution term then HSC to be sent to the Labour Inspection if it is not solved internally. Another opinion: the NAP should be excluded from the start, the CSSM directly notifies the Labour Inspection, and they give the verdict.</p>	<p>Labour Inspection:</p> <p>The Labour Inspection is perceived as an additional control structure. The inspection body must make appropriate recommendations, for which reason the Inspection would not want an external structure.</p> <p>Possible solution: the tasks should be divided between the control structures.</p> <p>The Labour Inspection should also impose measures following controls.</p> <p>The Labour Inspection to be coordinated at the level of NAP, but it is not clear how it can be done within the Health & Safety department.</p>

Working conditions		
Recommendations received from the H&S representatives	Recommendations received from the union leaders	Recommendations received from the labour medicine, HR, logistic department specialists
<p>Facilities and infrastructure:</p> <p>Meeting the decision makers, inviting those with direct involvement in solving the identified problems.</p>	<p>Facilities and infrastructure:</p> <p>These problems can be discussed within the HSC, but the person in charge of the H&S should make a notification, find a solution, and take the problem further, being necessary to “forcing” the managers to deal with certain problems.</p> <p>Deadlines for requests would lead to solving some problems more efficiently.</p>	<p>Facilities and infrastructure:</p> <p>Allocation of necessary funds Inventory & compliance with approved standards</p>
<p>Extra-hours:</p> <p>Solving the problem of the insufficient number of employees.</p> <p>A better organization of activities and a more judicious use of the available staff from other sectors that reduced their activity.</p>	<p>Extra-hours:</p> <p>Staff sizing to normal standards.</p> <p>The Human Resources department in collaboration with H&S and the head of each sector should intervene in case of overload</p>	<p>Extra-hours:</p> <p>Personal employment</p> <p>Eliminate deficiencies in personnel management</p> <p>Automation (in connection with staff overload)</p>
<p>Work equipment:</p> <p>Centralization of technical requirements (nomenclatures with minimum requirements).</p> <p>Changing the mode of purchase - legal basis - the lowest price and respecting the minimum quality standards.</p>	<p>Work equipment:</p> <p>The purchases should not be based on the "cheapest" principle.</p> <p>The units should decide from which company to buy locally so that they can have quality control (a price range established with NAP).</p> <p>The company that produces equipment to offer a warranty (at least for 1 year). HSC should participate in the process of purchasing the equipment.</p>	<p>Work equipment:</p> <p>Improving procurement specifications, can be done centrally.</p> <p>Changing the orders of the equipment - respecting the visual identity.</p>

Working conditions		
Recommendations received from the H&S representatives	Recommendations received from the union leaders	Recommendations received from the labour medicine, HR, logistic department specialists
<p>Lack of psychological counseling:</p> <p>Completing the organizational chart in all units.</p> <p>Awareness of the importance and role of the psychologist, with the help of the management of the unit. Job leaders should be aware of the abnormal behaviour of subordinates.</p>	<p>Lack of psychological counseling:</p> <p>Vouchers that can be settled outside the system, but to keep the staff psychologist, it is necessary.</p> <p>To hire more staff psychologists. Hiring a specialist on certain days of the week (like the occupational medicine service).</p>	<p>Lack of psychological counseling:</p> <p>Gradual recruitment of doctors and psychologists for units.</p> <p>Mental health education, including prevention.</p>
<p>System to address the complaints:</p> <p>The system exists (HSC), but it must be promoted by the workplace leaders or the employees' representatives.</p> <p>Improving the communication between employees and the workplace manager, HSC, etc. Knowledge of the HSC operating regulations.</p> <p>Training of workplace managers regarding the process of consulting employees.</p> <p>The problems to be presented to the HSC, if they cannot be solved otherwise - directly, by the workplace manager (work environment, schedule, etc.)</p>	<p>System to address the complaints:</p> <p>Boxes that open once a week, in which problems can be transmitted (under anonymity).</p>	<p>System to address the complaints:</p> <p>Digitization of petitions</p>

Training programme		
Recommendations received from the H&S representatives	Recommendations received from the union leaders	Recommendations received from the labour medicine, HR, logistic department specialists
<p>SNPAP:</p> <p>The importance and role of H&S should be addressed from the school.</p> <p>For each subject to present information related to the environment and H&S (operative, etc.)</p> <p>General notions - SSM, HSC</p> <p>Include in the curriculum a H&S module (1 semester/1h week)</p>	<p>SNPAP:</p> <p>Present the risks to which the students will be exposed at work: psychological, mechanical risks (course) and the risks in all sectors of activity (course).</p>	<p>SNPAP:</p> <p>An introductory course for H&S can be introduced</p> <p>Introduction of extra-hours of training</p>
<p>Introductory H&S instruction:</p> <p>Head of H&S: Should have a framework for presenting H&S materials</p> <p>Compliance with the legislation regarding the minimum endowments (separate room, endowment with video projector, etc.)</p> <p>Create and customize training materials</p>	<p>Introductory H&S instruction:</p> <p>To be extended for all sectors of activity</p> <p>Available accommodation, training for temporary functions (changes within the system)</p>	<p>Introductory H&S instruction:</p> <p>Trained staff + extra time</p>
<p>On-the-job instruction:</p> <p>To be completed with practical demonstrations (see the Law)</p>	<p>On-the-job instruction:</p> <p>To maintain the focus is on wearing protective equipment</p>	<p>On-the-job instruction:</p> <p>Awareness programs, improvement of the material received from H&S department</p>
<p>Periodical instruction:</p> <p>Once a year to do knowledge verification tests</p> <p>A more practical and less bureaucratic approach</p>	<p>Periodical instruction:</p> <p>E-learning is useful</p>	<p>Periodical instruction:</p> <p>The same measures as those for on-the-job training</p>

Training programme		
Recommendations received from the H&S representatives	Recommendations received from the union leaders	Recommendations received from the labour medicine, HR, logistic department specialists
<p>Annual training:</p> <p>Convocation - based on the exchange of experiences and good practices</p> <p>To have several annual meetings, possibly held online (mixed format)</p>	<p>Annual training: :</p> <p>The theoretical dimension supplemented by practice.</p> <p>Even online, it is welcome for members of the HSC because there is a uniformity of training.</p>	<p>Annual training: :</p> <p>Occupational risk assessor course - done by external suppliers</p> <p>First aid course - for all staff</p>
<p>Job shadowing & mentoring</p> <p>These programs offer the chance to obtain certain competencies acquired from the experience of those with whom they collaborate</p>	<p>Job shadowing & mentoring</p> <p>These forms of professional training are not visible, it is an unofficial form of mentoring.</p> <p>There should be job shadowing in each sector (1 day spent in each compartment).</p>	<p>Job shadowing & mentoring</p> <p>Job shadowing and mentoring was not done for H&S (only for executives), but it can be a solution.</p>
	<p>H&S annual training (union leaders):</p> <p>Format: also face-to- face, online with a trainer.</p> <p>Trainer: self-learning but with a trainer it is more interactive.</p>	<p>H&S annual training (union leaders):</p> <p>Introduction of synchronous sessions (for more interaction)</p> <p>Presentation of good practices online</p> <p>Covered subjects: The structure is provided by the implementing rules, but the content itself can be improved - the legislation provides 40 hours</p>

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