



To: Andy Rogers, Senior Responsible Owner for the Drug Testing Service Project

From: Dr Jo Farrar, Second Permanent Secretary of the Ministry of Justice; and
Nick Smallwood, Chief Executive Officer of the Infrastructure and Projects Authority

September 2022

Dear Andy,

APPOINTMENT AS SENIOR RESPONSIBLE OWNER FOR THE DRUG TESTING SERVICE PROJECT

We are writing to confirm your appointment as Senior Responsible Owner (SRO) of the Drug Testing Service Project in effect since January 2021. This letter sets out your responsibilities and the support you can expect from your department and the Infrastructure and Projects Authority.

As SRO, you are directly accountable to the Chief Executive of HM Prison and Probation Service (HMPPS), under the oversight of the Permanent Secretary as Principal Accounting Officer for the Ministry of Justice, and the Minister of State for Prisons and Probation.

The Drug Testing Service project forms part of the Ministry of Justice's Portfolio, under the oversight of the Chair of the Ministry of Justice's Portfolio Committee within tolerances set by the Investment Committee at each approvals point. The project is included in the Government Major Projects Portfolio (GMPP).

You have personal responsibility for the delivery of the project and will be held accountable for the delivery of its objectives, policy intent and outcomes expected. This encompasses securing and protecting its vision, ensuring that it is governed responsibly, reported on honestly, escalated appropriately and for influencing the context, culture, and operating environment of the project. You are also responsible for ensuring the ongoing viability of the project and recommending its pause or termination if appropriate. Where issues arise which you are unable to resolve, you are responsible for escalating these to the Ministry of Justice's Investment Committee.

You remain accountable to Ministers, as set out in the Civil Service Code, and should deliver the project in accordance with the objectives and policy intent as set by Ministers.

In addition to your internal accountabilities, SROs for GMPP projects and programmes are personally accountable to Parliamentary Select Committees. This means that, from the date of this letter, you will be held personally accountable to and could be called by Select Committees to account for and explain the decisions and actions you have taken to deliver the Drug Testing Service Project.

It is important to be clear that your accountability relates only to implementation, within the agreed terms in this letter; it will remain for the Minister to account for the relevant policy decisions and development.

More information on this is set out in [Giving Evidence to Select Committees - Guidance for Civil Servants](#), sometimes known as the Osmotherly Rules. Information on the roles and responsibilities of the SRO are detailed in the Infrastructure and Projects Authority's guidance on [the role of the senior responsible owner](#). You should also make yourself familiar with the [Government Functional Standard for Project Delivery](#), the requirements of the Government Project Delivery Framework, and the guidance and requirements for project delivery as set by the Ministry of Justice's Portfolio Management Office.

Time commitment and tenure

This role will require at least 30% of your time to enable effective delivery of the role and execute your responsibilities in full for the Drug Testing Service retender project.

You are required to undertake this role until achievement of project close planned for October 2023 following go-live of the new service in May 2023. Progress towards this will be reflected in your personal objectives. Any changes to the agreed time commitment or tenure of the role, as set out above, will require both departmental and Infrastructure and Projects Authority consent.

Objectives and performance criteria

The policy intent supported by this project is the refreshed HMPPS Drug and Alcohol Strategy which will be published by the end of Financial Year 2021/22 and will focus on prisons, Approved Premises (APs) and people supervised by Probation Service in the community. The project will complement the new Cross Government Drug Strategy informed by the Professor Dame Carol Black Review - *From harm to hope: a ten-year drug plan to cut crime & save lives* (2021) and the Prisons Strategy White Paper (2021).

List performance objectives

The stated aim of the project is the identification and implementation of an optimal, value for money drug testing service for custody and community probation services. In order to achieve this aim, there are two main objectives:

- To successfully procure and implement a robust drug testing service that is future proofed, supports and delivers the new drug testing strategy and any new testing technology and methodology, throughout the life of the contract; as much as is practicable within Public Contracts Regulations 2015.
- Deliver the new contract(s) prior to the expiry of the current contract to time, cost and quality within acceptable risk limits.

The project will deliver laboratory services, including all testing which requires a laboratory including prevalence studies. This will need to include urine and oral fluid analysis and Oral Fluid Point of Care Tests (POCT), which will be delivered through a contract specific to POCT kits using oral fluid as the matrix.

The proposed changes to drug testing will enable a number of wider drug strategy objectives and benefits to be supported:

- Detect a wider range of drugs, including prescribed and pharmacy medications.
- Allow HMPPS to be pro-active rather than reactive to changing patterns of substance misuse.
- Improved performance monitoring, the identification of trends, and the development of more data driven policy and practice.
- Harness advanced drug testing technology.
- Improve treatment effectiveness (effective drug treatment is a key supply reduction measure whereby the demand for drugs is reduced) will contribute to improved security objectives in custody, approved premises and community.

- Contribute to improved healthcare and drug and substance misuse treatment commissioning through better evidence of prevalence.

Your personal objectives and performance criteria which relate to the project are:

a) Issue Invitation to Tender (Financial Year (FY) 2021/22)

To ensure the delivery of the operational specification and contract documentation to commence the procurement activity with suppliers. This will require navigation of a complex stakeholder landscape that has historically been difficult to unite, exiting from a contract that has been with one supplier for a long time, and procuring the new service to a tight timescale managing significant operational risk.

b) To procure a suitable contract through competition (FY 2021/22- FY 2022/23)

To ensure successful delivery of a contract that meets cost and quality considerations, prior to the expiration of the existing Drug Testing Services Contract. This will involve working with the market to deliver a credible, competitive procurement and identify suppliers that will deliver the best value for money for one of HMPPS' business critical service.

c) To deliver the mobilisation and transition activity (FY 2022/23- FY 2023/24)

To ensure the contract, following successful procurement, is effectively mobilised with minimal disruption to the drug testing service and that the new supplier(s) will deliver a seamless transition from the existing ways of drug testing to the new services contracted.

You are expected to run your project in accordance with the [Government Functional Standard for Project Delivery](#) and other [Functional Standards](#) as applicable to this project and the requirements of the Government Project Delivery Framework, ensuring that the project follows best project delivery practice and effective risk management processes.

Extent and limit of accountability

Finance and Controls

HM Treasury spending controls will apply on the basis set out within the department's delegated authority letter. Where the project exceeds the delegated authority set by HM Treasury, the Treasury Approval Point process will apply, and the details of each approval process must be agreed with your HM Treasury spending team. You should consult departmental finance colleagues on how to go about this.

You should note that where expenditure is considered novel, contentious, repercussive, or likely to result in costs to other parts of the public sector, HM Treasury approval will be required, regardless of whether the programme expenditure exceeds the delegated authority set by HM Treasury. If in doubt about whether approval is required you should, in the first instance, consult departmental finance colleagues before raising with the relevant HM Treasury spending team.

The overall estimated budget, resourcing requirements and tolerances for your project will be agreed as part of the approval process. It is expected that you deliver within the agreed cost and deliverability tolerances and report quarterly on these as part of GMPP reporting.

You should operate at all times within the rules set out in [Managing Public Money](#). In addition, you must be mindful of, and act in accordance with, the specific HM Treasury delegated limits and Cabinet Office controls relevant to the Drug Testing Service Project. Information on these controls can be found here: [Cabinet Office controls](#).

Delegated authority

The total cost of the preferred option as presented in the Outline Business Case (OBC) is estimated to be £125.3m. As part of the departmental annual allocations process, you will be authorised to approve a set level of expenditure each financial year. This will be set out in your annual financial delegation letter from the Permanent Secretary.

You are also authorised to:

- agree project rescheduling within agreed time tolerances and milestones, but rescheduling beyond that must be agreed with the Ministry of Justice's Investment Committee; and
- recommend to the Chief Executive of HMPPS and the Ministry of Justice's Investment Committee the need to either pause or terminate the programme where necessary and in a timely manner.

These authority limits are subject to change and other conditions or tolerances may be set as part of the business case approval and ongoing monitoring processes within which you should then operate.

Where issues arise, which take you outside of these authority limits and which you are unable to resolve, you are responsible for escalating these issues to the Chief Executive of HMPPS and the Ministry of Justice's Investment Committee.

Appointments

You should appoint a full-time project director to support you in the management of this project and make other appointments as required for the control and delivery of your programme within your delegated authority.

Governance and assurance

You should pay attention to ensuring effective governance for your project, including the establishment of a project board with appropriate membership and clear terms of reference.

As primary owner, you must ensure that the project secures business case approval from the Ministry of Justice's Investment Committee, Cabinet Office and HM Treasury. You should also ensure that the project remains aligned to the strategic outcomes, costs, timescales, and benefits in line with the approved business case as well as monitoring the context within which the project is being delivered to ensure it remains valid.

Where a change impacts the scope, costs, benefits, or planned delivery milestones agreed as part of an agreed business case, you are responsible for following the agreed change request approval process and setting a new, approved, business case baseline.

You should ensure that an accounting officer assessment is completed alongside the approval of the OBC and that this is published on GOV.UK as part of the government's transparency requirements on major projects. You are responsible for bringing to the attention of the accounting officer any material changes in the project which could require a new accounting officer assessment to be completed and published.

[Guidance on completing accounting officer assessments](#) for major projects is available from HM Treasury.

Although you are directly accountable for this project, you are also expected to support delivery of the department's overall strategic objectives. This means that you are expected to work collaboratively with other SROs and project directors in adjacent projects and programmes and with the Ministry of Justice's

Portfolio Management Office and Head of Portfolio to manage dependencies, resources, schedules, and funding to support delivery of the overall change the department needs to achieve to deliver its strategic objectives.

You should ensure that appropriate and proportionate assurance is in place and agree on the level and frequency of assurance reviews through the maintenance of an integrated assurance and approvals plan. You should develop this plan and its maintenance in collaboration with the Departmental Assurance Coordinator and the Infrastructure and Projects Authority.

Project status, reporting and transparency requirements

The project status at the date of your appointment is reflected in the most recent quarterly return on the project to the Infrastructure and Projects Authority and is the agreed position as you assume formal ownership of the project.

You are responsible for ensuring the honest and timely reporting on the position of the project to the Infrastructure and Projects Authority while it remains on the GMPP and for providing reports and information to the Ministry of Justice's Portfolio Management Office as required and for submitting business cases and reports to the Key Holder process and relevant boards. Where appropriate, governance will include reference to the Ministry of Justice's Investment Committee and Executive Committee. Information on the project will be published annually by the Infrastructure and Projects Authority.

You should monitor and report on status, forecast timescales, costs and benefits, key risks established using the GMPP RAG rating (if appropriate) and dependencies, and ensure that any issues (including any likelihood of exceeding approved tolerances) are reported openly and transparently both within the Ministry of Justice and to the Infrastructure and Projects Authority.

As part of the government's commitment to transparency on major infrastructure projects, you are responsible for publishing on GOV.UK a summary of the accounting office assessment completed in line with the approval of the OBC and summaries of any subsequent assessments should they be required.

Development and support

As SRO of a GMPP project, you are required to complete the Major Projects Leadership Academy (MPLA), and you have agreed to enrol on a cohort in the near future. The Head of Profession in the Ministry of Justice can provide further information on the application process.

Becoming an assurance reviewer and completing a review will form part of your time at the Major Projects Leadership Academy. To maintain your accreditation, you will be required to participate in a review at least once every 12 months.

The department will assist you in securing the necessary resources to support the project, and will set clear guidance, requirements and standards, which align to the [Government Functional Standard on Project Delivery](#), to enable good governance and effective delivery. You will be part of the department's cohort of major project leaders who will be expected to support each other, share good practice and lessons learned and to collectively develop solutions. You should liaise with the Ministry of Justice's Head of Profession for project delivery to discuss the maintenance and development of your delivery and leadership skills.

The Infrastructure and Projects Authority will be available to you for support, advice, and assurance throughout the project's time on the GMPP.

Following approval of the business case and as a Ministry of Justice Portfolio project, the Ministry of Justice's Portfolio Committee will provide ongoing oversight and support and will take steps to help resolve and escalate risks, issues or constraints that are acting as a blocker to successful delivery.

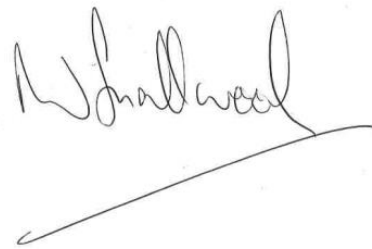
We would like to take this opportunity to wish you every success in your role as SRO.

Yours sincerely,



Dr JO FARRAR

Second Permanent Secretary of the Ministry of Justice and Accounting Officer for HMPPS



NICK SMALLWOOD

Chief Executive Officer, Infrastructure and Projects Authority

Appointment endorsed by:

Antonia Romeo, Principal Accounting Officer of Ministry of Justice: 2 September 2022

CONFIRMATION OF ACCEPTANCE OF APPOINTMENT

I confirm that I accept the appointment of Senior Responsible Owner for the Drug Testing Services Project, including my personal accountability for implementation, as set out in the letter above.



ANDY ROGERS

16 September 2022