



National Offender  
Management Service

**Service Level Agreement  
for Prison Services Commissioned by  
the National Offender Management  
Service from the Public Sector Provider**

**2014-17**

**Between**

**The National Offender Management  
Service as Commissioner and**

**Her Majesty's Prison Service**

**in the region**

**East Midlands**

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## SECTION 1: DEFINED TERMS

### Defined Terms

Throughout this **SLA**, the use of the singular includes the plural. The following defined terms are identified in the document in bold text and have the following meanings, except where the context requires otherwise:

<b>Annual Operating Price</b>	Price to be paid for the <b>Services</b> under the terms of this <b>SLA</b> . In effect, the NOMS-funded annual budget for the <b>Establishment</b> .
<b>Commissioner</b>	The representative of the NOMS Directorate of Commissioning and Commercial acting on behalf of the NOMS Agency to commission services from <b>HMPS</b> under this <b>SLA</b> .
<b>Establishment</b>	The business unit of operational delivery, with a single point of accountability, for which <b>HMPS</b> has agreed to provide services under the terms of this <b>SLA</b> .
<b>Her Majesty's Prison Service (HMPS)</b>	Public sector provider of prison and high-security prison services commissioned by <b>NOMS</b> under the terms of this <b>SLA</b> . (Sometimes referred to in this <b>SLA</b> as "the <b>Provider</b> ".)
<b>In-Year Change</b>	A material change to the <b>Service Requirements</b> or <b>Annual Operating Price</b> of the <b>SLA</b> .
<b>Legislation</b>	Any Act of Parliament or subordinate legislation.
<b>Management Information</b>	Information available to support the management and monitoring of service delivery.
<b>NOMS</b>	National Offender Management Service Agency, or its designated representative, acting in a corporate capacity.
<b>NOMS Directory of Services</b>	The list of <b>NOMS</b> -funded services delivered to offenders, defendants, victims and courts.
<b>Notice of Change (NoC)</b>	Mechanism by which an <b>In-Year Change</b> is affected.
<b>Operational Capacity</b>	The total number of prisoners that an <b>Establishment</b> can hold taking into account control, security and the proper operation of the planned regime.
<b>Party</b>	A party to this <b>SLA</b> .
<b>Provider</b>	See <b>HMPS</b> .
<b>Service Level Agreement (SLA)</b>	This <b>Service Level Agreement</b> between the <b>Commissioner</b> and <b>HMPS</b> .
<b>Service Requirement(s)</b>	The requirement(s) for service delivery under this <b>SLA</b> , as set out in the Establishment Local Annexes.
<b>Service</b>	A service to be provided by <b>HMPS</b> , as detailed in the <b>Service Specification</b> and/or other documents referenced under the <b>Service Requirement</b> .

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<b>Service Options</b>	An option above the national minimum, available to commission, in some <b>Service Specifications</b> .
<b>Service Specification</b>	A document specifying, for each service in the <b>NOMS Directory of Services</b> , the outcomes and outputs to be delivered.
<b>SLA Delivery Requirement</b>	A specific, commissioned output delivered by the <b>Establishment</b> or on behalf of the <b>Establishment</b> .
<b>SLA Delivery Requirement Level</b>	The agreed level at which the output is expected to be delivered. The <b>Establishment's</b> performance will be monitored and assessed against this level.

## SECTION 2: FORM OF AGREEMENT

### 2.1 Purpose and Scope of this Document

- 2.1.1 This **Service Level Agreement (SLA)** sets out an agreement between the **Commissioner** and **HMPS** for the provision of prison services commissioned and funded by **NOMS** within the control of the Deputy Director of Custody for the **East Midlands region**.
- 2.1.2 This **SLA** provides a description of a range of services that have been commissioned by funders other than NOMS for example health, education and other co-commissioned services to offenders. **HMPS** has specific responsibilities in respect of partnership working and enabling delivery. Responsibility for performance management arrangements of such services usually rests outside of **NOMS**, contained in separate SLAs, contracts or memoranda of understanding (MoU).
- 2.1.3 This **SLA** is designed to reflect the full range of **NOMS** custodial services and recognise the importance of providing a joined up system of custodial provision which supports offender management, rehabilitation and resettlement.
- 2.1.4 The delivery of custodial services by the **High Security Estate** and **Privately Managed Prisons** are managed separately and their performance is not managed as part of this **SLA**. All prisons, including **High Security Estate** and **Privately Managed Prisons**, are included within the **regional profile** of the **SLA** to demonstrate their presence in the region and the provision they offer.
- 2.1.5 This **SLA** has been agreed as part of the NOMS commissioning round. The commissioning round is the cycle of setting out the high level commissioning priorities for NOMS (taking into account service need and demand, resources, government policy and the priorities of other commissioners and funders of offender services) and securing services under SLAs and contracts to meet these priorities.
- 2.1.6 Separate internal agreements and protocols for the delivery of specific ancillary and operational support services remain in force until cancelled in writing. These include, but are not limited to:
- SLAs for estate maintenance
  - MOUs for prisoner retail
  - SLAs covering prison industries and prison laundries
- 2.1.7 For the avoidance of doubt, the **Parties** do not intend this **SLA** to be legally binding.
- 2.1.8 To support transparency, this **SLA** will be published on the Ministry of Justice website.
- 2.1.9 Further information on responsibilities, terms and conditions are outlined in section 7.

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### 2.2 Agreement

- 2.2.1 The commencement date for this Regional **Service Level Agreement** will be **1 April 2014** and it shall remain in place until **31 March 2017**, inclusive, unless otherwise agreed by the **Parties**. This Regional SLA and the individual establishment annexes for Public Sector Prisons, which form a part of this agreement, will be reviewed on an annual basis and subject to change under the **Notice of Change** process.

**Signed by the Commissioner** (acting on behalf of the **NOMS** Agency to commission services from **HMPS** under the terms of this **SLA**):

Name (Print): Simon Boddis

Signature:

Position: Head of Commissioning Group

Date: 28 March 2014

**Signed by the Provider** (as the representative of **HMPS** in respect of the services commissioned by the **NOMS** Agency under the terms of this SLA):

Name (Print): Neil Richards

Signature:

Position: Deputy Director Custody – East Midlands

Date: 28 March 2014

## SECTION 3: REGIONAL CUSTODIAL PROFILE

### 3.1 The Region

Covering the geographical area of Nottinghamshire, Lincolnshire, Derbyshire, Leicestershire and Northamptonshire, the East Midlands comprises of twelve Public Sector prisons, two privately managed prisons and one Immigration Removal Centre (IRC).

Of the 15 establishments, a number are of national significance. HMP Foston Hall is a secure women's establishment; Glen Parva is a Young Offenders Institute; HMP Gartree is a Category B Lifer establishment, HMP Whatton is a national sex offender treatment centre and Morton Hall is an Immigration Removal Centre contracted by UKBA. In addition to these nationally recognised resources, HMP Ranby is a designated Working Prison and HMP North Sea Camp is currently one of the only three Open establishments in the estate who accept Category D Sex Offenders.

In terms of the regional custodial profile, the region's establishments can address the range of offender needs (with the exception of sentenced Category A offenders) both in terms of function and rehabilitative services, which has enabled the region to be at the forefront of innovations and betterments. The region's approach to delivery is focused on placing rehabilitation at the centre of everything we do, which, in line with 'New Ways of Working' and adopting a whole prison approach to delivery, involves 'making every contact matter' and fostering an ethos that encourages offenders to engage in the regime and take personal responsibility for addressing offending behaviour.

Careful decisions have been taken in respect to the initiatives and functions delivered at a regional level. Our response to sections 4.1 (Commissioning Intentions), 4.2 (Development Objectives) and Section 5 (Accredited Programme Provision) details how the East Midlands' addresses the needs of offenders in more detail, which supported by individual annexes using segmentation data to make informed decisions on strategy and delivery, enables a holistic approach to delivery to be achieved. We deliver regional services in relation to Psychology, Drug Dog Detection, Estates and Health, Safety and Fire. We currently manage two pan-regional contracts in respect to Visitor Centre's and Resettlement Services, which both provide a quality service and deliver value for money.

Partnership working is a key element of regional delivery and with having experience of going through commercial competition in respect to HMP Onley, this has meant that the region is well placed to embed and expand our network of partnerships with other public, commercial and third sector organisations.

We believe that there is a unity of purpose in the East Midlands and with applying strong focus to protecting the public, reducing reoffending and the provision of safe, decent and secure establishments, we are able to maintain a positive approach to delivery. The current 2013/14 performance position as in accordance with quarter 2's Performance Rating System (PRS), includes one establishment rated at Level 4 (highest banding) and the remaining 13 establishments banded as Level 3. With 75% of the regions Public Sector establishments being within the top 60 performing establishments nationally, this is testament of our approach to optimising delivery.



### 3.2 Prison Population

Within the East Midlands region, there is a combined operational capacity of 10,412 places, of which 8,507 relate to public sector prisons (81.7% of which 2.6% relate to female places), 1,513 are privately managed places and 392 are IRC places. 87% of the regions prisoners are of British/ Irish origin.

Based on the September 2013 Offender Location Tool, the total number of offenders from the East Midlands was 6,635, of which 60% were being held within East Midlands prisons (largely Nottingham [22%], Ranby [14%] and Lincoln [12%]) and 35% held in neighbouring regions (West Midlands [12%], Yorkshire Humberside [7%] and East of England [6%]).

In terms of prison population, 40% of offenders are of East Midlands origin, indicating that the East Midlands is currently a net importer of offenders. The vast majority of this offender cohort are from Nottinghamshire (34%), Leicestershire & Rutland (23%) and Derbyshire (21%) and reside within Public Sector establishments (80%).

92% of the prison population are of Adult status, of which the majority of offenders (30%) are within the age range 30-39: the next highest age range being 25-29 at 19%.

The majority of the prison population are serving sentences of over 4 years (32%) and 24.8% of the regions establishment population are either IPP's (42.7%) or Lifers (57.3%).

### 3.3 Regional Segmentation Profile

The below segmentation data is compiled from a P-NOMIS extract as at March 2013.

The segmentation data is a profile of the East Midlands region, which includes 12 Public Sector Prisons (including 1 YOI and 1 Female), 2 privately managed establishments and 1 Immigration Removal Centre.

Please note that the data does not represent the whole population as it excludes non-criminal prisoners, Juveniles (< 18) and un-sentenced prisoners.

		Area - East Midlands (HMPS)		National	
Reoffending Risk Level	OGRS 0-24, Low	2,170	25%	17,658	25%
	OGRS 25-49, Medium	2,142	25%	15,374	22%
	OGRS 50-74, High	2,920	33%	22,449	32%
	OGRS 75-89, Very High	1,343	15%	12,455	18%
	OGRS 90-100, Prolific	166	2%	1,930	3%
	<b>Total</b>	<b>8,741</b>	<b>100%</b>	<b>69,866</b>	<b>100%</b>
		Area - East Midlands (HMPS)		National	
Offence Type	Sexual	1,144	13%	9,529	14%
	Violent	3,656	42%	24,987	36%
	Robbery	959	11%	7,478	11%
	Acquisitive	1,457	17%	14,361	21%
	Drugs	1,152	13%	10,013	14%
	Motoring	144	2%	1,372	2%

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	Other	229	3%	2,126	3%
	<b>Total</b>	<b>8,741</b>	<b>100%</b>	<b>69,866</b>	<b>100%</b>
		Area - East Midlands (HMPS)		National	
Sentence Length	< 12 months	574	7%	6,651	10%
	1-4 years	1,980	23%	19,401	28%
	4 years+ Determinate	3,111	36%	25,662	37%
	Indeterminate	2,528	29%	13,050	19%
	Recall	548	6%	5,102	7%
	<b>Total</b>	<b>8,741</b>	<b>100%</b>	<b>69,866</b>	<b>100%</b>
Data extract: 31 March 2013					

As the above data table demonstrates, in terms of the likelihood of re-offending, 83% of the regions offenders fall within the OGRS range of 0 – 74: more specifically, 25% in ranges 0 -24 and 25 – 49 and 33% in the range 50-74 which is a trend largely mirrored by the national picture. Whilst is below the national level, offenders with OGRS rating's of between 55-100 currently account for 17% of the region's prisoner population and are relatively evenly distributed throughout the establishment's HMYOI Glen Parva (16%), HMP Ranby (14%), HMP Nottingham (14%) and HMP Stocken (11%).

In terms of Offence Type, similar to the national trend, the majority of the East Midlands offenders are in custody for Violence related offences (42%), which is 6% greater than the national level. HMP Gartree's population accounts for 19% of such offenders with HMP Lowdham Grange (12%), HMP Ranby (12%) and HMP Stocken (10%) also holding significant population levels of this offence type.

The remainder of the population is largely represented by Acquisitive (17%), Sexual (13%), Drug (13%) and Robbery offences (11%).

The majority of the sex offender population reside at HMP Whatton and fall in the OGRS group 0-24, 50% of which are indeterminate sentenced prisoners. Using the OSP tool, the majority of this cohort is rated as having low – medium risk of re-offending.

Whilst the proportion of sentence lengths is largely consistent with the national position, the region does hold significantly more indeterminate sentence prisoners (10% greater than the national level) than any other region (of which 32% are held within the region's Cat. C establishments – largely HMP Whatton accounting for 16%, 27% at HMP Gartree and 9.3% at North Sea Camp): a proportion only matched by the High Security Estate.

Consistent with the national policy, lower investment in terms of both intervention provision and non-core delivery is apparent for lower risk offender groups. More thorough details regarding the targeting of rehabilitative services throughout the region, can be viewed within the individual establishment annexes.

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### 3.4 Custodial Provision in the Region:

Name	Security Cat	Population: Male/Female/YO/Juvenile	Size (Op cap)	Specialist/ National Function	PSP Annex to SLA (yes/no)
HMP Foston Hall		Female	310		Yes
HMP Gartree	Cat. B Lifer	Adult Male	708	Lifer establishment	Yes
HMYOI Glen Parva		Male YO	808		Yes
HMP Leicester	Cat. B Local	Adult Male Local	408		Yes
HMP Lincoln	Cat. B Local	Adult Male Local	729		Yes
HMP Nottingham	Cat. B Local	Adult Male Local/ YOI	1060		Yes
HMP North Sea Camp	Cat. D	Adult Male Open	420	Open Sex Offender	Yes
HMP Onley	Cat. C	Adult Male Cat. C Trainer	682		Yes
HMP Ranby	Cat. C	Adult Male Cat. C Trainer	1098	Working Prison	Yes
HMP Stocken	Cat. C	Male	843		Yes
HMP Sudbury	Cat. D	Adult Male Open	600		Yes
HMP Whatton	Cat. C	Adult Male Cat. C Trainer	841	Sex Offender	Yes
IRC Morton Hall	IRC	Male IRC	392		No
HMP Lowdham Grange (Serco)	Cat. B	Adult Male Cat. B	888		No
HMP Rye Hill (G4S)	Cat B.	Adult Male Cat. B Trainer	625		No

### 3.5 Resettlement Prisons

Name	Contract Package Area (CPA) - Lot
HMP Foston Hall	9 (host: lead provider) – Staffordshire & W. Midlands 10 (host) - Derbyshire, Nottinghamshire & Leicestershire
HMYOI Glen Parva	10 (host: lead provider) - Derbyshire, Nottinghamshire & Leicestershire 12 (host) – West Mercia & Warwickshire
HMP Leicester	10 – Derbyshire, Nottinghamshire & Leicestershire
HMP Lincoln	4 – North Yorkshire, Humberside and Lincolnshire
HMP Nottingham	10 – Derbyshire, Nottinghamshire & Leicestershire
HMP Onley	20 – Metropolitan & City of London
HMP Ranby	10 – Derbyshire, Nottinghamshire & Leicestershire
HMP North Sea Camp	4 – North Yorkshire, Humberside and Lincolnshire
HMP Sudbury	10 – Derbyshire, Nottinghamshire & Leicestershire

### 3.6 Offender Journeys and Provision within the region, including inter-regional relationships

In light of the reconfiguration of the prison estate, the East Midlands will be in mid- transition from April 2014, of which the below model will be adopted.

Beginning the journey at Remand establishments (HMP Nottingham, HMP Lincoln and HMP Leicester), with the exception of Category A offenders who will move to a Core Local outside of the East Midlands region or prisoners with less than 12 months to serve whom will remain within each of the above establishments as a Resettlement prison, offenders will be channelled into the regions Category B, C and D estate, depending on offence type, categorisation and length of sentence.

Based on segmentation data, each category B and C establishment within region delivers a number of Offender Behaviour Programmes to address offender need. A regional overview is provided in Section 5 and more specifically outlined within individual annexes.

On sentencing, Category B. Indeterminate prisoners will be allocated to HMP Gartree, which serves as the only Category B Lifer establishment within the East Midlands. Rye Hill (privately managed) will continue to serve Category B Sex Offenders with HMP Lowdham Grange (privately managed) serving as a Category B Training prison.

Category C Sex Offenders will be allocated to HMP Whatton, which holding 841 prisoner places, delivers a number of SOTP programmes to address offender need.

Category C Indeterminate sentence prisoners or offenders serving sentences over 4 years, will be allocated to HMP Stocken, with offenders serving less than 4 years being allocated to HMP Ranby, which undertakes a dual role as a both a Resettlement and Working Prison.

Whilst HMP Onley is classed as a Resettlement Prison, they also hold the role of being a constituent of 'Virtual London', so will largely serve offenders from outside the region.

Offenders with sentences greater than 12 months will progress through the custodial system as illustrated above, transferring to either a Resettlement or Open establishment within region, to serve the last 3 months of their sentence (please refer to section 3.5). The Category D Open establishments will continue to serve the progression of indeterminate and long term sentenced prisoners, with Sex Offenders being specifically allocated to HMP North Sea Camp.

HMYOI Glen Parva will continue its function as a Young Offender Institute, accommodating Remand, Determinate/ Indeterminate sentenced prisoners aged 18–21 from all courts. This is subject to the outcome of the 'Transforming Management of Young Adults in Custody' initiative.

HMP Foston Hall will remain as the only Female establishment within region, holding both remand and convicted offenders and un-sentenced young offenders aged 18-21.

Contracted by UKBA, IRC Morton Hall will continue to be a national resource holding male adult detainees aged 18 years and over whom have been allocated by the Detention Estate Population Management Unit.

## SECTION 4: COMMISSIONING INTENTIONS

### 4.1 A Regional Response to Commissioning Intentions

CI Title & No.	Response to Commissioning Intention	Where appropriate, name which establishment/s annex will provide further detail
<p>1. Enhance public protection and ensure a safe, decent environment and rehabilitative culture</p>	<p>The East Midlands region embraces the ethos of 'Every Contact Matters' and is committed to both NOMS values and the Civil Service Reform Plan in the provision of a professional, transparent, decent and viable service. We will support the process of desistance and enhance individuals' potential throughout all aspects of prison life. Prisons will model the pro-social behaviours of 'Every Contact Matters' and through effective, coordinated and integrated Offender Management and Sentence Planning as the driver behind regime and risk management; the delivery of effective and targeted rehabilitative services and the maintaining of a safe, decent and secure environment, engender a whole prison approach to delivery that both reinforces public protection and through encouraging prisoners to take personal responsibility for their needs, reduce re-offending. Establishments will remain committed to complying with the instructions contained within the National Security Framework and Public Protection Manual and provide assurance that both Local Security and Public Protection Strategies are maintained in line with current policy, the outcome of which will be monitored and reviewed through both local and external audit performance.</p> <p>All prisons within the region will be expected to deliver high quality and timely OASys assessments and Sentence Planning reviews. Prison staff will routinely engage with MAPPA and the use of the Regional VISOR Protocol as a means to both share intelligence with partner agencies and extract relevant intelligence to manage risk. It is expected that the Offender Management Model and Public Protection measures are integrated throughout the region's establishments, so that informed decisions on Parole, ROTL and HDC can be made. To support the skills development of the newer Offender Supervisors within the region, East Midlands Psychology Service will continue to provide training sessions and support for OMU staff where the need is identified. OASys Quality, GPP, ROTL and MAPPA Effectiveness indicators will provide broad measurement in these areas, with emphasis placed on the 'Manage the Custodial Sentence' specification.</p> <p>Through collaborative staff – prisoner engagement and continued partnership working with the Police and Probation Service, effective dynamic security measures are to be maintained to both support and enhance physical and procedural security, which in conjunction with appropriate and proportionate measures being adopted to manage prisoners and ensure that</p>	

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	<p>both the supply of drugs and access to mobile phones are limited and risk of escape and absconds minimised, will assist in delivering a safe, secure and decent environment for prisoners, staff and visitors. Effectiveness in relation to this is analysed within the region by examination of the MQPL outcomes (Decency &amp; Safety) and HMIP (Respect &amp; Safety) findings and Security procedures through IOCCO reports, Self-audit and the IA&amp;A Part Security audit, using the MDT (including national MDT Report data) and Abscond measures as monthly indicators of delivery. Establishments will ensure the level of C&amp;R and Tornado training meets the national and regional minimum requirement to assist with the management of refractory prisoners.</p> <p>In harbouring decent, trustworthy and supportive relationships with prisoners and through embedding a whole prison approach to Safer Custody whereby clear processes and stringent assessments are in place to assess risk (through the use of OGRS, RM2000, OVP, OSP and ROSH ratings) and provide multi-disciplinary support to prisoners, to reduce self harm and suicide and minimise the risk to others. Effectiveness in this area to be continued to be monitored through the IA&amp;A Safer Custody Audit; the delivery of the 'Management of Prisoners at Risk of Harm to self or others' specification, Violence Management Report, Self-harm incidents, Stability Audit and the daily Incident Report.</p> <p>The East Midlands continues to be one of the regions with the highest volume of accredited programme delivery, providing the majority of programme types at high enough volumes to match the needs of the regional prison population. Work will continue as part of the reconfiguration of the prison estate. This will ensure that the journey of prisoners through their sentence enables them to transfer to the prison delivering the intervention they require (including co-commissioned drug and alcohol services) without moving further from home than is absolutely necessary. Our commitment to intervention delivery will continue to be assessed through monitoring delivery against milestone targets assessment against the OBP/ SOTP quality baseline and 'Rehabilitation Services – in custody' specification, ensuring that delivery is aligned with need and attrition rates are minimised.</p> <p>In support to the Green Paper 'Breaking the Cycle' and delivered through the 'Regime Refresh' element of the Benchmarking process, prisons regimes are purposeful, disciplined and reflective of a 'normal' working week, to both install a work ethic and act as a source to acquire skills and experiences to best equip offenders for release. Whilst OLASS will play an instrumental role in education delivery, through assistance by 'One3One' Solutions, regimes are to compliment both components with emphasis placed on enabling prisoners to acquire relevant and meaningful work skills. Regime will be continually monitored through the use of the Work in Prisons measure, monthly Classroom Attendance report produced by the Cluster Head of Learning, Skills and Employment and HMIP prison healthy test 'Purposeful Activity',</p>	
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	<p>with emphasis placed on specifications 'Activity Allocation' and 'Prisoner Employment Training &amp; Skills'.</p> <p>Through the provision of both maintenance and specialist expertise and advice on the care and development of the building assets to establishments, the regional estates team will liaise with key stakeholders to support establishments, enabling environments to remain decent, safe, secure and fit for purpose. By the continual monitoring of both condition and remaining asset life information, the efficient identification of high priority maintenance work enables the region to remain legally compliant and risk to be appropriately managed. Planned and reactive maintenance is monitored through Planet FM and the PPM management information indicator.</p>	
<p>2. Strengthen integration of service delivery between directly funded, co-commissioned providers and wider partners</p>	<p>Through the adoption of NOMS 'New Ways of Working' throughout the region's establishments and emphasis placed on the 'Enablers of national co-commissioned services in prisons' specification, we will engage in innovative partnership working, through both embracing changes being made to the way we work and the securing and enabling of new service delivery. This enables positive developments to consequently be made to our rehabilitative culture, where prisoners can address their offending behaviour, acquire new skills and make positive changes for themselves and prison community.</p> <p>Coordinated by Offender Management Units providing overarching case management for offender pathway journeys, engagement by service providers including Probation, DWP, OLASS, NHS England and Community providers in support to 'Through the Gate' enables a whole prison approach to delivery to be achieved, ensuring services and priorities are aligned to reduce reoffending and a continuity of care and support from custody to release is assured. Our commitment to Reducing Re-offending will continue to be assessed and focussed on through the HMIP – Resettlement healthy prison test and Accommodation, Employment and Training &amp; Education indicators.</p> <p>As documented in Table 4.2 (Development Objectives), the region will work with the NOMS Health Wellbeing and Substance Misuse Co Commissioning and NHSE to provide strategic direction around health and substance misuse outcomes for prisoners through the establishment of a Regional Health Partnership Board. This will work to assist the reduction of the supply of drugs and alcohol into prisons and the diversion of prescribed medication, through ensuring appropriate sharing of information and intelligence within establishments.</p> <p>As part of the Midlands supra-region, East Midlands will continue to work towards the Personality Disorder (PD) Implementation Plan developed jointly between NOMS and Department of Health Co-commissioners. The PD Strategy aims to improve public protection by providing enhanced levels of service to those offenders who have a personality disorder and are high risk of harm or serious further offending. Consideration is still being given to the</p>	

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	<p>appropriate placement of PD Units or other additional PD services within the region to meet the needs of these offenders.</p> <p>Through establishing governance arrangements with service providers including information sharing arrangements, the needs of offenders are appropriately assessed and identified; the correct provision is made available and appropriately applied; risk is appropriately managed and assurance of expected delivery provided.</p> <p>Through the maintaining and developing of networks with public, private and third party providers, service delivery is optimised; outcomes improved; efficiency enhanced and value for money achieved.</p>	
3. Deliver an efficient, quality service	<p>Centred around an annual Assurance Statement and Regional Risk Register, a robust performance/ assurance framework is embedded, which as well as enabling both Delivery Requirements and audit performance (IA&amp;A, HMIP, MQPL and local self-audit) to be monitored, analysed and interpreted to identify and subsequently act on risk, ensures that the region's establishments have ownership and accountability for local performance and structured processes through which to provide quality, timely and cost effective delivery. The performance/ assurance framework underpins the achievement of NOMS aims and objectives, ensuring that through the delivery of minimum service specification outcomes, the required standards of Public Protection, Reducing Re-offending, Decency and Resource Management are upheld and a culture of continual performance improvement to be engendered. The monitoring of both establishment PRS aggregate band scores and level of competitiveness in respect to their Dynamic Groups, assists with optimising delivery.</p> <p>Through regular engagement with stakeholders as a means of both building effective partnerships and maintaining positive and professional working relationships, it enables establishments and providers to be acutely aware of the level of service expected; a collaborative approach to be taken regarding current and future service expectation; business priorities, roles and responsibilities to be firmly established; assurance on delivery and data quality to be credibly attained and a strong understanding of both Commissioner and provider needs to be maintained. Assurance and risk management is monitored through the IA&amp;A G&amp;O, with emphasis placed on the Assurance Framework element of audit.</p> <p>Through the use of 'Inview' levels 2 and 3, comparative over resourcing of specifications at establishment level can be identified and in turn challenged, as a means of optimising efficiency and re-allocating resource to more targeted delivery. The use of segmentation data to inform delivery assists in aligning resource with need and in turn optimising efficiency and outcome.</p> <p>In support to the Prison Unit Cost Programme, the region is committed to the adoption of the Benchmarked structures and regime, with an expectation that Phase 1 and 2 sites will reach</p>	



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	<p>steady state in 2014/15 and following the Female Estate Review, Foston Hall to have commenced the project. Through 'New Ways of Working', the maintaining of a safe, secure and decent environment throughout the process is of paramount importance, with the objective of becoming a more competitive and viable service.</p> <p>The East Midlands regional team robustly reviews the evidence-base for any newly proposed interventions which aim to tackle offending-related behaviour (using the process set out in PSO4350). Innovation will be supported within the region. East Midlands Psychology Service are committed to working with establishments to develop effective interventions where a gap in provision exists and where there is a legitimate need for such interventions.</p>	
4. Ensure delivery is matched to population, purpose and NOMS outcomes	<p>To ensure that successful outcomes are maximised, evidence informed delivery through the use of segmentation, RM2000, OVP and OSP data, ensures that interventions are suitable for the offender population; based on OGRS rating, offence type and need, the appropriate cohort of offenders are targeted, and resource is maximised through not being invested in areas of proven limited value. In conjunction with this, the distinction between core and non-core delivery is made at a local level, which further highlights prisoner cohorts where delivery should be targeted.</p> <p>Through the undertaking and continual review of offender need assessments within establishments, deliver effective, 'value for money' interventions that address need based on the key pathways (accommodation, finance benefit and debt, children and families, education training and employment, attitudes thinking and behaviour, health, alcohol and substance misuse, abuse and domestic violence, women as sex workers), ensuring public protection and reducing re-offending are central to the work carried out.</p> <p>Supported by the principles behind the 'Regime Refresh' element of the Benchmark Project, ensure that establishment's resource allocation is underpinned by both the regime and evidenced based areas of need. This fundamentally involves identifying where need should be prioritised and integrating regime activities into the core business of prisons, achieved through both enabling the service delivery of providers and through the use of 'heat maps', concentrating staff availability and services at heightened periods of need.</p>	
5. Ensure that delivery of services is responsive to individual needs and characteristics to maximise outcomes	<p>Driven through effective Offender Management and based upon the needs of offenders as identified through OASys Assessments, thorough sentence planning detailing rehabilitative requirements, supported by effective 'sign-posting', sequencing and referral to activity, will ensure that service is responsive to offender need. Emphasis is placed on specifications 'Manage the Custodial Sentence', 'Activity Allocation', 'Residential Services' and 'Rehabilitation Services', to support this outcome.</p> <p>Through the screening of offenders to identify need and use of Equality Impact Assessments in the application, review and development of policy in reference to the nine Protected</p>	

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	<p>Characteristics, adjustments are made to regime and delivery where practicable to accommodate and enhance individual offender capability. Monitoring to be undertaken in conjunction with the Equality, Rights and Decency Group for East Midlands and East of England, using the Equalities Exception Report, IA&amp;A Equalities audit, Equality Dashboard and 'MQPL- Vs BME indicator' to provide assurance on delivery.</p> <p>Through the holding of both quarterly meetings with the Operational Support Advisor (Equality, Rights and Decency Group) and the inclusion of Equalities as an agenda item within quarterly SLA Meetings with Governing Governors/ Deputy Governors, regional trend data concerning the nine Protected Characteristics is regularly reviewed, to identify and subsequently address consistent disproportionality where applicable and highlight gaps in P-NOMIS data where inaccurate representations of disproportionality can result. Recommendations provided by both Internal Audit &amp; Assurance and Commissioned Thematic Reviews undertaken by Equality, Rights and Decency Group are addressed through action plans, of which progress is reviewed on a quarterly basis through the said meetings. This in conjunction with the implementation of Equality Impact Assessment Schedules at a local level, provides assurance that both sufficient progress is made to addressing deficiency and that robust systems are in place to manage Equality at a local level.</p>	
6. Deliver priority national or specialist services	<p>Through the identification of offender risk, need and offence type and consideration given to establishment purpose, specialist delivery is targeted in support to Public Protection, Reducing Re-offending and the maximising of service efficiency.</p> <p>Existing Restorative Justice provision will continue to be supported throughout the region, however there will be no expectation for establishments to invest in RJ, if not already in a position of doing so. Where not resourced, establishments will be expected to develop a supportive environment.</p>	

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### 4.2 Regional Development Objectives

CI Title & No.	Development Objectives What do you want to achieve? What will be the measurable outcome, how will you achieve this and by when?	Where appropriate, name which establishment/s annex will provide further detail
1. Enhance public protection and ensure a safe, decent environment and rehabilitative culture  1 (c.), 1 (d.), 1 (e.), 1(f.), 1 (g.)	<p>In conjunction with the Police, develop a Regional Intelligence Structure to address a gap in joined up intelligence gathering by providing a regional capability in this area. The aims are:</p> <ul style="list-style-type: none"> <li>• to make the region's prisons safer.</li> <li>• to assist with reducing reoffending.</li> <li>• to provide a regional capability in relation to prison intelligence.</li> <li>• to assist with disrupting organised crime</li> </ul> <p>The East Midlands Special Operations Unit is currently being established (led and funded by the Police), which will include a NOMS Operational Manager. The aim is that this will be set up by April 2014 in aim of being fully embedded by September 2014.</p> <p>Outcomes will be tested through the Violence Management Report and MDT indicator.</p>	Regional Operations Manager
Enhance public protection and ensure a safe, decent environment and rehabilitative culture  1 (c.)	An ongoing evaluation will be undertaken throughout 2014-15 looking at proxy indicators of a positive prison culture, for example the frequency of violent adjudications, use of staves, incidents of Use of Force and the frequency of Serious Incidents. This will enable trends in disturbance to be identified and appropriate action to be taken.	Regional Psychology Team
Enhance public protection and ensure a safe, decent environment and rehabilitative culture  1 (a.), 1 (b.)	All prisons within region will be required to implement the 'Every Contact Matters' Strategy being developed nationally in order to ensure that staff-prisoner engagement is positive and effective (i.e. through the use of pro-social modelling). Implementation within 6 months of publication of the national strategy.	Public Sector Prisons
Enhance public protection and ensure a safe, decent environment and rehabilitative culture  1 (c.)	Develop a Regional Negotiator Strategy to meet the needs of establishments, to ensure that negotiators are deployed as quickly as possible to all incidents. This strategy will ensure consistency of approach and will aim to develop the skills and experiences of negotiators. Regional strategy to be agreed and implementation to commence by 1 October 2014.	Regional Psychology Team & Governor of HMP Nottingham with implementation required at all Public Sector Prisons
Enhance public protection and ensure a	To both remove the current regional back-log of OASys assessments and improve the quality and timeliness of assessments undertaken throughout 2014-15. The OASys Quality indicator	Public Sector Prisons

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safe, decent environment and rehabilitative culture 1 (a.) (d.)	will provide a monthly assessment of quality and the backlog of assessments will be monitored quarterly through the use of completion data provided by the OASys Business Team.	
Enhance public protection and ensure a safe, decent environment and rehabilitative culture 1 (d.)	Following publication of the MOJ ROTL and NOMS Open Prison Review, establishments are required to develop a time bound action plan from which to implement, manage and review the recommendations to ensure compliance. Progress will be monitored through the Consolidated Action Plan. The deadline for completion of the action plan will be 3 months post-publication of the reviews.	HMP NSC and HMP Sudbury
2. Strengthen the Integration of service delivery between directly funded, co-commissioned providers and wider partners 2 (a.)	<p>Partners and other providers have a positive impact on prisons beyond delivery of a service - integration of delivery by all providers is therefore vital in ensuring that we maximise investment and maximise outcomes for offenders. Recognising that the range and volume of partners with which we work is expanding, the DDC will ensure that by September 2014 prisons in this region review how they work with existing and new partners and providers (including by anticipating any changes as a result of Through the Gate) and create plans which describe how they will deliver:</p> <ul style="list-style-type: none"> <li>• A clear strategic vision for how services align to maximise outcomes and create an integrated, seamless offender management service (including a shared understanding of outcomes and priorities)</li> <li>• A clear agreed plan of how services sequence and compliment each other, providing continuity of services to offenders both within and across prisons (facilitating the needs of all providers and contractual partners to allow them to effectively deliver)</li> <li>• Leadership which actively enables and integrates services, where partnership working arrangements improve performance and aid resolution of issues</li> <li>• An understanding of resource allocation, and how delivery and choices impact on the investment and activity of others</li> <li>• An agreement on how to safely use and share data and information</li> </ul> <p>Progress towards implementation of plans will be monitored at a local level during establishment visits and at a regional level at regional meetings to ensure strategic oversight and effectiveness is maintained</p>	Public Sector Prisons
2. Strengthen the Integration of service	In partnership with NOMS Health Wellbeing and Substance Misuse Co Commissioning and NHSE, develop a regional Strategic Prison Health Board by September 2014, to both establish and review governance arrangements for health services throughout the East	Regional lead for Health & Substance Misuse

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<p>delivery between directly funded, co-commissioned providers and wider partners</p> <p>2 (c.)</p>	<p>Midlands. This will assist in prioritising engagement by establishments in retendering activity across prisons by engagement of senior staff, working with NOMS co-commissioners and jointly supporting the development of appropriate Health Needs Assessments in aim of aligning need with delivery.</p> <p>Additionally, this will assist in prioritising the refresh of Local Delivery Agreements between establishments and providers of health and substance misuse services in line with the revised National Partnership Agreement through Local Delivery Board arrangements.</p>	
<p>3. Deliver an efficient, quality service</p> <p>3 (b.)</p>	<p>With the aim of both establishing sustainable performance and ensuring that the region's establishments remain safe, respectable, decent and purposeful environments where prisoners are able to engage in activity and are prepared for release into the community, focus is to be applied to the delivery of HMIP expectations &amp; gaining of positive MQPL inspection outcomes throughout 2014-15, ensuring that action plans are implemented within deadline and an assurance system specific to addressing requirements is in place to enable continual review.</p>	Public Sector Prisons
<p>3. Deliver an efficient, quality service</p> <p>3 (b.)</p>	<p>Assessed through the IA&amp;A Governance &amp; Operational Audit and based on the requirements of the Assurance Framework Test Guide, embed a robust assurance framework by June 2014, to ensure that service specifications and delivery requirements are continually monitored and reviewed, risk is effectively managed and data quality is maintained.</p>	Public Sector Prisons
<p>4. Ensure delivery is matched to population, purpose and NOMS outcomes</p> <p>4 (a.)</p>	<p>Through 2014/2015, HMP Gartree will continue to pilot the Violence Reduction Programme as a possible alternative to the Self-Change Programme for the prison population. The evaluation strategy which supports this pilot will also be ongoing throughout the year.</p>	HMP Gartree
<p>4. Ensure delivery is matched to population, purpose and NOMS outcomes</p> <p>4 (b.)</p>	<p>Assisted through the delivery of actions established at regional reconfiguration briefings, implement a strategy to manage the population transition, ensuring that establishments are in a positive position to adopt 'Through the Gate' services expected by October 2014 and through the delivery of a needs analysis, that resources are aligned with need.</p>	Public Sector Prisons
<p>4. Ensure delivery is matched to population, purpose and NOMS outcomes</p> <p>4 (b.)</p>	<p>In line with re-configuration of the estate, the regional team will quality assure all Reducing Re-offending Strategy's by January 2015, to ensure that effective practice is in place and being adhered to.</p>	Regional Psychology Team

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6. Deliver priority national or specialist services  6 (e.)	By September 2014, the identified regional lead will both monitor establishment's implementation or progress against the NOMS Video Action Plan (ensuring that usage is optimised and consistent with type of establishment) and establish relationships with regional HMCTS HoC's (Head of Crime), to enable joint working between prisons and courts. The feasibility of further investment into Video Conferencing to support this area is to be reviewed, which will determine the degree of implementation throughout the region.	Regional Operations Manager
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## SECTION 5: ACCREDITED PROGRAMME PROVISION

A summary of the Accredited Programmes provided in the Region

Accredited Programmes Provided within the Region							
Name of accredited programme	PSP		PMP		REGIONAL TOTAL		Total National Volume (Completions)
	Number of agreed starts (expected for 2014-15)	Number of agreed completions (planned total for 2014-15)	Number of agreed starts (expected for 2014-15)	Number of agreed completions (planned total for 2014-15)	Number of agreed starts (expected for 2014-15)	Number of agreed completions (planned total for 2014-15)	
<b>Programme Type: General</b>							
Thinking Skills Programme <b>(TSP)</b>	370	333	80	72	450	405	3534
Kainos/Challenge to Change/ Living Skills Plus	72	60			72	60	180
Democratic Therapeutic Communities <b>(DTC)</b>	23	10			23	10	168
<b>Total</b>	<b>465</b>	<b>403</b>	<b>80</b>	<b>72</b>	<b>545</b>	<b>475</b>	<b>3882</b>
<b>Programme Type: Violent</b>							
Healthy Relationships Programme -High Intensity <b>(HRP-HI)</b>	32	29			32	29	137

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Choices, Actions, Relationships, Emotions <b>(CARE)</b>	24	22			24	22	36
Healthy Relationships Programme - Moderate Intensity <b>(HRP-MI)</b>	16	14			16	14	92
RESOLVE	248	222	80	72	328	294	1472
Building Better Relationships	8	7			8	7	97
Self Change Programme	20	16	16	12	36	28	174
<b>Total</b>	<b>348</b>	<b>310</b>	<b>96</b>	<b>84</b>	<b>444</b>	<b>394</b>	<b>2008</b>

Programme Type: Sex Offender Treatment Programme (nationally commissioned)							
Core Sex Offender Treatment Programme <b>(C-SOTP)</b>	81	77	36	34	117	111	613
Adapted Sex Offender Treatment Programme <b>(A-SOTP)</b> (Becoming New Me) <b>(BNM)</b>	8	7	16	15	24	22	92
Extended Sex Offender Treatment Programme <b>(E-SOTP)</b>	18	17	9	9	27	26	124
Core Sex Offender Treatment Programme <b>(C-SOTP)</b> Better Lives Booster <b>(BLB)</b>	18	17			18	17	17
Adapted Sex Offender Treatment Programme <b>(A-SOTP)</b> 'Better Lives' Booster <b>(BLB)</b>	24	22			24	22	37



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Healthy Sexual Functioning <b>(HSP)</b> Programme	10	10			10	10	43
<b>Total</b>	<b>159</b>	<b>150</b>	<b>61</b>	<b>58</b>	<b>220</b>	<b>208</b>	<b>963</b>
<b>Grand Total</b>	<b>972</b>	<b>863</b>	<b>237</b>	<b>214</b>	<b>1209</b>	<b>1077</b>	<b>6853</b>

## **SECTION 6: NOTICE OF CHANGE PROCESS**

This section describes the process by which material changes to this SLA are agreed by HMPS and the Commissioner.

### **6.1 Discretionary Changes**

- 6.1.1 Either Party may propose a discretionary change.
- 6.1.2 In the first instance, the Party proposing the discretionary change will discuss the proposal with the other Party.
- 6.1.3 If they wish to proceed, the Party proposing the discretionary change will then prepare a Notice of Change (NoC) accompanied, where appropriate, by a business case (a NoC template and business case template/checklist are provided at Annex A) for the consideration by the Parties and any relevant internal and external stakeholders .
- 6.1.4 In considering the proposed NoC, the Commissioner and/or HMPS and any relevant internal and external stakeholders may request further details or clarification to enable them to consider the proposed change.
- 6.1.5 The Party receiving the proposed NoC will respond to the Party proposing the change in an appropriate and timely way.
- 6.1.6 Having considered the responses the Commissioner will decide to:
  - Amend the SLA to include the proposed change, or;
  - Modify the proposed NoC, or;
  - Let the proposal lapse and take no further action.
- 6.1.7 The Commissioner will inform HMPS and any relevant internal and external stakeholders of the decision taken.
- 6.1.8 Where, after consultation, HMPS believes that a change will have a detrimental effect upon its delivery of the SLA and/or will result in additional costs above and beyond those provided for by NOMS; it may use the issue resolution process set out in Section 10. In this case, HMPS must start the issue resolution process within 10 working days of being notified of the Commissioner's decision to approve a change.

### **6.2 Mandatory Changes**

- 6.2.1 Where the Commissioner considers a change to be mandatory it will notify HMPS, clearly stating that the change is a mandatory change.
- 6.2.2 Any changes which the Commissioner states are mandatory changes must be implemented by HMPS. Mandatory changes do not require agreement by HMPS and must be implemented by HMPS immediately on notification or by the date specified.
- 6.2.3 Where the mandatory change is considered by the Commissioner to have

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a material impact on the Service Requirements or the Annual Operating Price, the Notice of Change process will be used.

- 6.2.4 Where HMPS believes that a mandatory change will have a detrimental effect upon itself, its delivery of the SLA and/or will result in additional costs above and beyond the Annual Operating Price, it may use the issues resolution process as set out in Section 10. In this case, HMPS must start the issue resolution process within 10 days of being notified of a mandatory change.
- 6.2.5 Whilst the issues resolution process is taking place, HMPS will still be required to comply with the requirements of the Mandatory Change.

### **6.3 Documenting changes**

- 6.3.1 Both Parties will maintain a register of all NoCs issued, together with their outcomes and a summary of all changes agreed to the Service Requirements and/or the Annual Operating Price for audit trail purposes.
- 6.3.2 Where required, the Commissioner will be responsible for issuing updated and/or amended SLA documentation (in some cases it may suffice to append a signed copy of an agreed NoC to this SLA).

## **SECTION 7: RESPONSIBILITIES, TERMS & CONDITIONS**

### **7.1 Responsibilities**

- 7.1.1 HMPS agrees to provide the Services in accordance with the terms of this SLA.
- 7.1.2 In delivering the requirements of this SLA, HMPS shall comply with all relevant legislation, statutory and regulatory requirements (and any subsequent amendments, additions or deletions to such), and all mandatory content in applicable Prison Service Instructions
- 7.1.3 In delivering the requirements of this SLA, HMPS agrees to co-operate fully with NOMS to exchange experiences and good practices.
- 7.1.4 If, at any time after the commencement of this SLA, HMPS believes that it will not be able to meet the Service Requirements for whatever reason, it shall notify the Commissioner as soon as possible, providing details of the issue. Any material changes required as a result of the issue will be managed in accordance with the Notice of Change process set out at Section 6.

### **7.2 Delivery partners**

- 7.2.1 HMPS shall work with the local community and with the voluntary and community sector, social enterprises, faith groups, private and statutory organisations and agencies and, in Wales, the Welsh Assembly Government, as well as national statutory partners to achieve the

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requirements of this SLA and to further both NOMS objectives and the objectives of partners.

- 7.2.2 HMPS may sub-contract another organisation to deliver the Services as specified in the Establishment Local Annex. Restricted probation services and restricted services to the courts cannot, under legislation, be sub-contracted to non-public sector organisations. HMPS will remain accountable for the delivery of any sub-contracted Services and must notify the Commissioner of any delivery partners, under sub-contracting or other arrangements.
- 7.2.3 HMPS shall work to meet any requirements and obligations agreed and supported by the Commissioner under joint working arrangements with NOMS partners and providers of probation services (other than the Secretary of State.) This includes the sharing of information.
- 7.2.4 The Establishment will support the delivery of projects funded by the European Social Fund.

### **7.3 Service Definition**

- 7.3.1 HMPS will deliver the outcomes and outputs in the applicable Service Specifications listed in the Establishment Local Annex. HMPS will deliver these services in accordance with the NOMS Statement of Vision and Values and subject to the Annual Operating Price.
- 7.3.2 As Service Specifications are introduced or updated, they will be introduced into the SLA through the Notice of Change process, except where the change introduced by the Service Specification(s) is not material.
- 7.3.3 HMPS will meet the SLA Delivery Requirement Levels set following negotiations with the Commissioner and documented on the NOMS Performance Hub.
- 7.3.4 Where there is a need to make material changes to the Service Requirements, HMPS and Commissioner will follow the Notice of Change process set out in Section Six. Such changes will reflect NOMS requirements and priorities, as well as any agreed recommendations arising from audit and inspection reports.

### **7.4 Audit, Assurance and Risk Management**

- 7.4.1 The Establishment shall fully co-operate with any audits or reviews initiated by the Commissioner and provide evidence that any review findings are being addressed.
- 7.4.2 The Commissioner will, where possible, provide HMPS and the Establishment with reasonable notice of any audit or inspection it intends to initiate, but reserves the right to arrange for an audit or inspection to be conducted on any area at any time without prior notice.

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7.4.3 Where any investigation is undertaken by a person or body empowered to conduct such investigation and/or proceedings, HMPS shall:

- Provide any information requested in the timescale allotted;
- Attend and permit members of the Establishment's staff to attend any meetings as required;
- Allow itself and any member of the Establishment's staff to appear as witnesses in any ensuing proceedings;
- Co-operate fully and promptly in every way required by the person or body conducting such investigation during the course of that investigation and/or proceedings; and
- Ensure that its sub-contractors (including sub-contractors of any tier) fulfil the above responsibilities.

## **SECTION 8: MANAGING THE SLA**

### **8.1 SLA Review Process**

8.1.1 The SLA Review Process will be a proportionate review of delivery against this SLA and will be conducted in a manner and at a frequency determined by the Commissioner, largely relying on HMPS's internal assurance information and processes. Findings from the SLA Review Process will be made available to HMPS and may be shared with any relevant internal or external stakeholders.

8.1.2 Any formal meeting between the Commissioner and HMPS convened as part of the SLA Review Process shall be scheduled in advance wherever possible and both Parties will have the opportunity to involve others if necessary to ensure that issues can be addressed.

8.1.3 In addition to the aforementioned SLA Review Process, the Commissioner and HMPS shall agree, as necessary, meetings and visits to any site where Services are provided. This schedule may be reviewed and revised to reflect changes in HMPS's delivery against the SLA.

8.1.4 The Commissioner shall have access at all reasonable times to information pertaining to SLA delivery. In addition, HMPS shall support reasonable requests from the Commissioner for information about the Services as required from time to time, and shall despatch promptly to the Commissioner all other relevant information, including, but not limited to, first drafts of the following reports:

- Performance reports, including audit reports
- Her Majesty's Inspectorate of Prisons reports
- Prison and Probation Ombudsman reports
- Reports by the Office of the Surveillance Commissioner
- Reports by the Interception of Communications Commissioner's Office
- Any other reports into serious operational failures

8.1.5 HMPS will provide service cost information through the INview costing

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system (supported by MyDetail and Phoenix).

### **8.2 SLA Delivery Issues and Failures**

- 8.2.1 In the first instance, the Commissioner and HMPS will seek to resolve any issues that may arise through bipartite discussion at the lowest appropriate level.
- 8.2.2 If an issue cannot be resolved at the lowest appropriate level between Commissioner and HMPS it shall be escalated to line managers. If the issue is not resolved by escalation then it shall be managed in accordance with the Issues Resolution process detailed in Section Ten of this SLA.
- 8.2.3 Where the Commissioner is not satisfied with the actions taken by HMPS in response to identified delivery issues and/or failures, or it considers the issues and/or failures to be of a serious nature, it may use the Issues Resolution Process detailed in Section 10.
- 8.2.4 Without prejudice to any improvement action that may be under way under this agreement, NOMS reserves the right to take more immediate performance improvement action where serious deficiencies are identified or there is a repetition of the same issues.
- 8.2.5 Sustained failure to deliver could ultimately result in the Commissioner ceasing to commission the services at the Establishment from HMPS.
- 8.2.6 NOMS may take into consideration the performance of the Establishment from periods prior to the term of this SLA.

## **SECTION 9: FINANCIAL PROTOCOL**

### **9.1 Financial Framework**

- 9.1.1 HMPS shall meet the requirements of the delegated financial authority issued to the Governor on behalf of the NOMS CEO and comply with the requirements of HM Treasury's "Managing Public Money" document and NOMS financial controls and frameworks.

### **9.2 Principles of the Annual Operating Price and Funding Arrangements**

- 9.2.1 The Annual Operating Price for this agreement will be the sum of the annual operating prices outlined in each local establishment annex for this region. Where the Annual Operating Price is subject to change which does not affect the delivery of the Service Requirements in this SLA, no Notice of Change is necessary.
- 9.2.2 The Establishment will receive funding for the financial year from NOMS, subject to the delegated financial authority issued to the Governing Governor on behalf of the NOMS Chief Executive.

## **SECTION 10: ISSUES RESOLUTION**

### **10.1 Issues Resolution Process**

- 10.1.1 The Parties shall seek to work together to resolve any issues (including any failure to agree a matter) that may arise under this SLA at the lowest appropriate level in a timely way, having regard for the objectives of NOMS. If an issue cannot be resolved at this level it shall be escalated to line managers.
- 10.1.2 If the Parties are unable to resolve an issue through line managers, either Party may invoke this process by notifying the other in writing and notifying the Secretary to the NOMS Commissioning and Commercial Sub-Committee
- 10.1.3 The Issue Resolution Process must be carried out in a timely manner, starting with an Issue Report, prepared by the Party which invoked the process, setting out:
- Name of the originator;
  - Date the issue was first raised;
  - Description of the issue (including any relevant evidence and history of similar problems);
  - The implications of the issue, its severity and the degree of urgency;
  - An estimate of the current and potential cost of the issue; and
  - Work being undertaken to resolve the issue.
- 10.1.4 Within 10 working days of invoking the process, the Party which invoked the process will share the Issue Report with the other Party, who may add any additional comments to it before it is submitted to the NOMS Commissioning and Commercial Sub-Committee.
- 10.1.5 If a resolution is not achieved at the NOMS Commissioning and Commercial Sub-Committee, the matter will be referred to the NOMS Executive Management Committee for a final and binding decision.
- 10.1.6 For the avoidance of doubt, the rights and responsibilities of the Parties shall not cease due to any issue.

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### Annex A: Notice of Change and Business Case templates

#### **NOTICE OF CHANGE (NoC)**

**Issued by:** [Insert: Commissioner or Provider details]

**In respect of:** [name of Establishment]

**Date of Issue:**

**Ref No:** [Insert: Unique reference number in a format agreed by Commissioner and the Provider]

<b>Title &amp; Issue</b> [Provide a relevant title for the <b>NoC</b> (including details of the subject and applicable date/period), a brief headline/outline description of the change proposed and state whether or not this NoC is mandatory. Where the <b>NoC</b> relates to a change of <b>SLA Delivery Requirement Level</b> this should be made clear and this document copied to Performance and Analysis Group]			
<b>Change Required</b> [Please provide full details of the proposed change(s) or refer to an attached document including the date from which it will be implemented.]			
<b>Financial Implications:</b>  VALUE: £  In-year figure (£): n/a (assuming implemented on date specified above)  Full year costs (£): n/a		[Please provide full details of the financial implications or refer to an attached document.]	
<b>Outcomes</b>		[Please provide full details of the outcomes expected or refer to an attached document.]	
<b>Quality Implications:</b>		[Please provide full details of quality implications]	
<b>Regional Implications:</b>		[Please provide full details of any impact this proposed change would have at a regional level]	
<b>Issued</b>		<b>Approved</b>	
Date:		Date:	
Signed:		Signed:	
Name:		Name:	
Position:		Position:	



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### Business Case template / checklist

**Issue**

[Background to and purpose, including NOMS or sponsor for the change.]

**Timing**

[Including any lead in time, details if implementation is to be phased.]

**Cost**

[Any estimated cost implication.]

**Scope of Work**

[The issue being considered including the provision of defined deliverables and timescales (what is to be delivered by when) - include the provision of any breakdown of goods and services to be provided including how its delivery is to be managed (contingency plan).]

**Benefits**

[The benefits to be obtained (financial, intangible, skills transfer) and an assessment of the benefits against the cost of the project.]

**Considerations**

[How implementation will be handled; the risks of not proceeding; other options that have been considered; availability of funding and approval.]

**Special Issues**

[Any special issues for consideration.]