



National Offender  
Management Service

# **National Framework**

## **Agreement for Services Commissioned from Public Sector Prisons in England**

**From 2015**

# Table of Contents

	<b>Page</b>
<b>1. CONTEXT .....</b>	<b>3</b>
<b>2. PURPOSE AND SCOPE OF THIS DOCUMENT .....</b>	<b>4</b>
<b>3. AGREEMENT .....</b>	<b>5</b>
<b>4. SERVICE DELIVERY .....</b>	<b>5</b>
4.1. Delivery partners .....	5
<b>5. SERVICE REQUIREMENTS .....</b>	<b>6</b>
5.1. NOMS Service Specifications .....	6
5.2. NOMS Commissioning Intentions .....	8
5.3. Agreed National Delivery .....	9
5.4. Rehabilitation of Offenders in Prison .....	11
5.5. Core Rehabilitation Services .....	12
5.6. Additional Range of Rehabilitative Services .....	12
5.7. Effective Targeting of Resource .....	13
5.8. Service Delivery Requirements (SDRs) .....	14
5.9. Performance Management .....	15
<b>6. AUDIT, ASSURANCE AND RISK MANAGEMENT .....</b>	<b>15</b>
<b>7. CHANGES TO THE AGREEMENT .....</b>	<b>17</b>
<b>ANNEX A: NOTICE OF CHANGE AND BUSINESS CASE TEMPLATES .....</b>	<b>19</b>

## 1. CONTEXT

- 1.1.1. **National Offender Management Service (NOMS)** both commissions and provides offender management services in the community and in custody ensuring best value for money from public resources.
- 1.1.2. **NOMS Agency Board (NAB)** acts corporately in the role of the **Commissioning Authority** that commissions services from a number of providers.
- 1.1.3. **Commissioners** and **Providers** have different but complimentary roles in achieving NOMS aims and objectives. The responsibility and accountability for the delivery of agreed outcomes sits within the provider operational line. The responsibility and accountability for ensuring agreed outcomes will deliver the NOMS objectives and represent value for money sits with commissioning.
- 1.1.4. In providing **Public Sector Prisons (PSP)** in England, including **High-Security (HSE)** prison services, NOMS acts on behalf of the Secretary of State for Justice.
- 1.1.5. PSP must comply with the requirements in HM Treasury's "Managing Public Money" document and NOMS financial controls and frameworks. Public Sector Prisons will receive funding for the financial year from NOMS, subject to the delegated financial authority issued to the Governing Governor of each prison on behalf of the **NOMS Chief Executive Officer (CEO)**. The Annual Operating Price for this agreement will be the sum of the annual operating prices for each Establishment. These will be published on the [www.gov.uk](http://www.gov.uk) website.
- 1.1.6. PSP is a directly managed delivery function within NOMS and will deliver services under **Service Level Agreement (SLA)**. NAB as the commissioning authority set the requirements for the SLA and when agreed, the NOMS CEO will hold the Director of Public Sector Prisons to account for delivery. Both are members of the NOMS Agency Board. NOMS governance for the SLA and agreeing **Service Delivery Requirements (SDRs)** will be via the Commissioning Working Group and Commissioning & Contract Management Sub-Committee, with final approval via NAB.
- 1.1.7. The NOMS CEO will oversee the entire delivery structure. The Director of Public Sector Prisons will report to the NOMS CEO and will be responsible for the delivery of the SLA in each of the 10 Regions and HSE.
- 1.1.8. PSP and Commissioners agree to work together to ensure effective delivery of services in accordance with the SLA and the applicable NOMS Service Specifications as set out in section 5.
- 1.1.9. In delivering the requirements of the SLA, PSP shall comply with all relevant legislation, statutory and regulatory requirements and NOMS policies, and any subsequent amendments, additions or deletions to such. This includes compliance with the mandatory content in applicable Prison Service Instructions.

## 2. PURPOSE AND SCOPE OF THIS DOCUMENT

- 2.1.1. This National Framework is one component of the Service Level Agreement and sets out how custodial services are commissioned and delivery expectations for Public Sector Prisons in England.
- 2.1.2. This National Framework 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. Prisons have 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 National Framework is underpinned by **Regional Delivery Plans** which provide details of agreed priorities and objectives. The plans will describe how the region will respond to the overarching **NOMS Commissioning Intentions (NCIs)**. The Regional Delivery Plan is developed and agreed between the **Deputy Director of Custody (DDC)** and Lead Custodial Commissioner with contributions from other stakeholders.
- 2.1.4. Each publicly managed prison within each region will have an Establishment Delivery Schedule setting out the specific service delivery requirements relevant to them and delivery outputs that will contribute to meeting the agreed outcomes.
- 2.1.5. The delivery of custodial services by Privately Managed Prisons (PMP) is managed separately and their performance is not managed as part of this framework.
- 2.1.6. The delivery of custodial services by prisons for the Youth Justice Board (YJB) is managed separately and their performance is not managed as part of this framework.
- 2.1.7. This National Framework and the Regional Delivery Plans have been agreed as part of the NOMS commissioning cycle. The commissioning cycle sets 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 secures services under SLAs and contracts to meet these priorities. The Regional Delivery Plans and Establishment Delivery Schedules are live documents that remain under review by the DDC and Commissioners throughout the year and subject to change by mutual agreement in line with the notice of change process outlined in this framework. The plans will be reviewed at least annually.
- 2.1.8. The SLA Review Process will be a regular and proportionate review of delivery of the Regional Delivery Plan and Establishment Delivery Schedules. The review process will include regular discussions and feedback between Commissioners and DDCs.
- 2.1.9. For the avoidance of doubt, this Agreement is not legally binding.

- 2.1.10. To support transparency, and in line with the section 8 of the Offender Management Act 2007, this Agreement will be published on the [www.gov.uk](http://www.gov.uk) website.

### 3. AGREEMENT

- 3.1.1. This National Framework was agreed by Director of Commissioning and Director of Public Sector Prisons on 31 March 2015.
- 3.1.2. The commencement date for this **Agreement** will be **1 April 2015** and it shall remain in place, unless otherwise agreed.

### 4. SERVICE DELIVERY

- 4.1.1. Delivery of the services within the SLA fall within the control of the Deputy Director of Custody (DDC) in each of the 10 geographical regions and prisons within the High Security Estate (HSE)
- 4.1.2. Responsibility for delivery of the services within the SLA will be included in the appropriate Staff Performance and Development Records (SPDRs) and service delivery failure will be dealt with through performance management processes.

#### 4.2. Delivery partners

- 4.2.1. PSP shall work with all relevant partners to deliver the requirements of the SLA and to further both NOMS objectives and the objectives of partners. These can include, but are not limited to: the National Probation Service, Community Rehabilitation Companies (CRCs), NHS (England) and Public Health England BIS / Skills Funding Agency (England), DWP / Job Centre Plus (England and Wales), local authorities (social care), the local community and with the voluntary and community sector, social enterprises, faith groups, private and statutory organisations and agencies as well as national statutory partners. NOMS Commissioning Intention Theme 2 focuses on the importance of these relationships.
- 4.2.2. PSP will be expected to work in partnership with service providers not commissioned by NOMS but which support delivery of services specified in the SLA. Partnership working is expected to be in line with relevant NOMS specifications, instructions and established partnership governance arrangements for individual service areas. In addition a number of national agreements set out the respective expectations of PSP in supporting delivery, for example, 'The National Partnership Agreement for the Co-Commissioning and Delivery of Healthcare in Prisons (England)'.<sup>1</sup>

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<sup>1</sup> See: <https://www.gov.uk/healthcare-for-offenders>

- 4.2.3. Partnership working should seek to go beyond minimum expectations of enabling services<sup>2</sup> to support (without cutting across contract management responsibilities) integrated service delivery across the range of providers operating in the custodial environment. 'An Introduction to NOMS Offender Services Co-commissioning' provides further information about the range of commissioned organisations operating in prisons in both England and Wales<sup>3</sup>.
- 4.2.4. The National Framework does not include within its scope services delivered by CRCs under contract to the Commissioning Authority, but does include requirements for joint/collaborative working between PSP and CRCs. PSP shall work to meet any requirements and obligations agreed and supported by the Commissioner under joint working arrangements with NOMS partners and providers of custodial services (other than the Secretary of State.) This includes the sharing of information under the powers set out in section 14 of the Offender Management Act 2007.
- 4.2.5. PSP will support the delivery of projects funded by the European Social Fund.

## **5. SERVICE REQUIREMENTS**

### **5.1. NOMS Service Specifications**

- 5.1.1. This National Framework is supported by the NOMS Directory of Services, which sets out the full range of services that NOMS Commissions. Each service specification sets out the minimum mandatory outputs and outcomes to be delivered by the provider for which NOMS is funded to commission for offenders, defendants, victims and to the courts on behalf of the Secretary of State.
- 5.1.2. PSP will deliver the national minimum outcomes and outputs in the applicable NOMS Service Specifications listed and as NOMS Service Specifications are introduced or updated.

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<sup>2</sup> See the NOMS service specification: 'Enablers of National Co-commissioned Services in Prisons': <https://www.gov.uk/government/publications/national-offender-management-service-noms-service-specifications-for-secure-and-decent-custody>

<sup>3</sup> [www.justice.gov.uk/downloads/about/noms/Introduction-to-NOMS-offender-services-co-commissioning.pdf](http://www.justice.gov.uk/downloads/about/noms/Introduction-to-NOMS-offender-services-co-commissioning.pdf)

<b>Mandatory NOMS Service Specifications applicable</b>
<b>The following specifications are mandatory for ALL establishments. For the full list of NOMS Service Specifications, please refer to the <a href="https://www.gov.uk/government/collections/noms-directory-of-service-specifications">www.gov.uk website: https://www.gov.uk/government/collections/noms-directory-of-service-specifications</a></b>
Early Days & Discharge – First Night in Custody
Early Days & Discharge – Induction to Custody
Early Days & Discharge – Reception In
Early Days & Discharge – Discharge
Cell and Area Searching
Catering
Visits – Services for Visitors
Visits – Visits Booking
Visits – Conduct Visits
Prisoner Property Services
POSOE – Communication & Control Rooms
POSOE – Gate Services
POSOE – Internal Prisoner Movements
Residential Services
Nights
Prisoner Discipline and Segregation – Prisoner Discipline Procedures
Prisoner Discipline and Segregation – Segregation of Prisoners
Immigration, Repatriation & Removal Services
Faith and Pastoral Care for Prisoners
Physical Education
Mandatory Drug Testing
Prisoner Communications Services
Management of Prisoners at Risk of Harm to Self or Others
Security Management
Activity Allocation
External Movements and Appearances
Manage Prisoner Finance
Prisoner Retail
Enablers of National Co-commissioned Services in Prisons
Processing & Resolution of Prisoner Complaints
Categorisation & Allocation for Prison Custody
Manage the Custodial & Post Release Periods
Rehabilitation Services - In Custody
Bail Accommodation Support Services (BASS)
Prisoner Employment, Training & Skills

<b>The following specifications may be applicable to particular prisons depending on the prison function</b>
Specialist Units (HSE)
Bail Services
Deliver Accredited Programmes
Mother & Baby Units
Deliver Victim Offender Conferencing (Restorative Justice)

## 5.2. NOMS Commissioning Intentions

One of the ways the Commissioning Authority will identify the expectations and ambitions for PSP is through the setting of NOMS commissioning intentions. There are currently six overarching NOMS commissioning intentions and further information on the NOMS commissioning intentions can be found at:

<http://www.justice.gov.uk/downloads/about/noms/commissioning-intentions-2014.pdf>

- 5.2.1. In meeting **NOMS commissioning intention 1, enhance public protection and ensure a safe, decent environment and rehabilitative culture**, all prisons will be safe and decent and a place where people treat each other with respect and courtesy. All those working with offenders will consistently support and encourage offenders to desist from crime. There will be an understanding of how a safe, decent rehabilitative culture can be described, achieved and maintained and this culture will ensure that individuals feel safe, hopeful and are treated fairly and with consistency.
- 5.2.2. In meeting **NOMS commissioning intention 2, strengthen integration of service delivery between directly funded, co-commissioned providers and wider partners**, all prisons will ensure that the work of nationally co-commissioned providers<sup>4</sup>, commercial industry stakeholders, partners from the wider public, voluntary, community and social enterprise sectors (together with other providers directly commissioned by NOMS (including Prisoner Escort Contract Services (PECS), the NPS and CRCs), is underpinned by a clear strategic vision, shared understanding, and agreed plans that enable and align delivery by their own staff and with each other. In doing so offenders should receive the right services at the right time in a coordinated and effective manner which supports safe, legal and decent custody, rehabilitation, protection of the public and reduced reoffending.
- 5.2.3. In meeting **NOMS commissioning intention 3, deliver an efficient, quality service**, all service delivery will be evidence informed, efficient, quality assured and well targeted. Resources will be targeted on interventions and services that are likely to deliver the best outcomes for the investment i.e. that target the risk factors that lead to reoffending.
- 5.2.4. In meeting **NOMS commissioning intention 4, ensure delivery is matched to population, purpose and NOMS outcomes**, prisons will ensure that the right interventions and services are delivered to the right prisoners, in order to get the best possible outcomes for offenders, victims and their communities. Prisons will work with commissioners, co-commissioners and with other NOMS contractors, using the segmentation approach and other available data, to ensure that this happens.

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<sup>4</sup> These include providers of health, substance misuse, social care, learning and skills, employment and welfare benefits and children and family services. For more information see the Enablers of National Co-commissioned Services in Prisons specification.



- 5.2.5. In meeting **NOMS commissioning intention 5, ensure that delivery of services is responsive to individual needs and characteristics to maximize outcomes**, prisons will identify individual characteristics, understand the significance of resulting needs and ensure that services are sequenced or adapted to meet them. These activities will be underpinned by effective information sharing arrangements.
- 5.2.6. In meeting **NOMS commissioning intention 6, deliver priority national or specialist services**, prisons will support or enhance delivery in relation to; extremist offenders, victim- offender conferencing (Restorative Justice), local bail strategies, Home Detention Curfew (HDC) and Bail Accommodation Support Service (BASS), commercial and economically beneficial work in prisons and the use of video links.

### **5.3. Agreed National Delivery**

#### **5.3.1. Time In The Open Air and PE**

Benchmarking has reduced time in the open air in most establishments to a minimum of 'at least half an hour'. PE delivery should be 2.5 hours in all establishments, except HSE where 4 hours is delivered, and this is supported by the Business Development Group (BDG) Benchmarking.

#### **5.3.2. Violence Reduction**

Levels of violence have increased across the prisons estate, particularly during the 2013-14 and 2014-15 business years. NOMS has established a two-year broad-based Violence Reduction Project, building on the earlier Violence Management policy review, to understand, address and reverse this increase and support safer prisons through a coherent Violence Reduction Strategy combining a policy framework with practical operational solutions that can be tailored to local threats, risks and needs. In recognition that prisoner violence is a system-wide issue, the Violence Reduction Project is working in partnership between public and private providers as well as the commissioning, policy and operational arms of NOMS. PSP will contribute to the development and implementation of the Violence Reduction Project.

#### **5.3.3. Personality Disorder (PD)**

Offender Personality Disorder services are co-commissioned by NOMS and NHS England Specialised Commissioning in order to improve health outcomes and reduce reoffending. Services are primarily targeted at men who present a high risk of harm to others and women who present a high risk of committing further violent, sexual or criminal damage offences, and who are also likely to have a personality disorder linked to their offending (complex, long standing, interpersonal problems). The programme focuses on providing a 'pathway' of services which aligns with an offender's sentence plan. It includes improved identification and assessment of offenders early in their sentence; increased treatment capacity; progression services in custody and approved premises to support offenders to maximise the gains they have made in treatment, and improve their management in prison and in the community.

Since the former Dangerous and Severe Personality Disorder (DSPD) unit at Broadmoor Hospital was decommissioned in March 2012, the funding is being used to co-commission new services in the pathway, mainly within the Criminal Justice System. This includes:

- New community based personality disorder services across the whole country for those on probation to identify and assess offenders meeting criteria
- Up to six new personality disorder treatment services for men in prisons - (total of 300 places by 2016); the first at HMPs Garth, Swaleside and Wayland started up operations in 2014. Also new PD services started at HMYOIs Aylesbury and Swinfen Hall for young adult offenders
- New personality disorder progression services in prisons and in approved premises - twelve services are already in operation
- Up to four new personality disorder treatment services for women in prison (total of 80 places by 2015), new services have opened in 2014 at HMPs New Hall, Foston Hall and Eastwood Park
- Personality disorder workforce development in prisons and probation – including roll out of general personality disorder awareness training to a range of prisons and National Probation Service regions, and a separate MSc level leadership programme
- A five year independent evaluation of the impact of the programme, including an economic evaluation started in 2014

#### 5.3.4. **Social Care**

The Care Act (2014) reforms social care provision in England from April 2015 and clarifies the responsibility of local authorities to provide social care for adults in prisons and approved premises is provided on the basis of equivalence to people living in the community. The Act places a duty on prisons and probation services to cooperate with local authorities. From April 2015 English local authorities will be responsible for assessing and meeting the eligible social care needs of adult prisoners in England. PSP in England will have a key role in working with Local Authorities to introduce new social care assessment and delivery within establishments.

The Social Services and Wellbeing (Wales) Act 2014 introduces broadly comparable responsibilities for prisons in Wales from 2016. Public Sector Prisons in Wales will be expected to work together with NOMS in Wales, the Welsh Government and local authorities to prepare for the implementation of the Act from April 2016.

#### 5.3.5. **Smoking Cessation**

NOMS is committed to reducing smoking levels amongst prisoners and expect all prisons to work in partnership with NHS Services to ensure every prisoner who wants to stop smoking has access to effective smoking cessation services at the point they need them. Governors will ensure the policy set out in PSI 09/2007 is implemented fully and are encouraged to find effective ways of promoting, encouraging and supporting prisoners to stop smoking, including implementing voluntary smoke-free wings where this is practicable.

#### 5.3.6. **Grants programme**

PSP will support the delivery of NOMS Grant funding to Voluntary, Community and Social Enterprise (VCSE) organisations.

Prisons will utilise the opportunities afforded by the NOMS Grants Programme to develop local initiatives which offer learning, good practice or enhanced capability in meeting priority outcomes for offenders and for the Agency.

### **5.4. Rehabilitation of Offenders in Prison**

#### **Resettlement Services**

- 5.4.1. A number of prisons have been designated resettlement prisons. These prisons will facilitate delivery of the mandatory Through the Gate (TTG) delivery model in all local prisons, including those services and interventions that will be delivered by prison staff and those that will be delivered by NOMS contractors.
- 5.4.2. PSP will aim to ensure that at least 80% of offenders in the last twelve weeks of sentence are held in a resettlement prison allocated to their home Contract Package Area.
- 5.4.3. CRCs will work within resettlement prisons delivering resettlement services. In non-resettlement prisons, CRCs are contracted to provide resettlement services. Prisons will work with CRCs to ensure a whole prison approach to enabling the CRC to deliver resettlement services to offenders in resettlement prisons. Prisons will continue to ensure that existing resettlement provision is maintained during the transition period until the CRC takes contractual responsibility for providing in scope resettlement services.
- 5.4.4. Prisons which are not designated as resettlement prisons are likely to see an increase in the number of prisoners serving longer sentences and a decrease in the number of prisoners coming up to release. Any resettlement delivery, such as support for offenders to find accommodation, will be provided by CRCs. Most long-term offenders will be transferred to a resettlement prison three months prior to release so that they are able to access these services and engage with the CRC that will supervise them on licence. Non-resettlement prisons will

continue to release a small number of prisoners who will access resettlement services on an individual basis via their 'home' CRC.

## **5.5. Core Rehabilitation Services**

- 5.5.1. In delivering core rehabilitative services all prisons will provide access to information or services that can assist prisoners to overcome the impact of imprisonment and address basic issues linked to their offending that are considered critical to the delivery of custody which is safe, legal and decent. Core rehabilitative services enable prisoners to manage the disruption to their domestic and other responsibilities brought about by imprisonment, including those that have immediate impact e.g. tenure of accommodation, and those that remain relevant throughout their imprisonment and may impact on their reoffending e.g. maintenance of family relationships. The core level of service also supports prisoners in developing responsible citizenship; having the confidence and competence to negotiate and manage interactions with providers of essential facilities and services: for example, housing providers.
- 5.5.2. Although the minimum level of service that must be delivered by all prisons is defined in the Rehabilitation Services – In Custody Specification, the way it should be delivered is not. Prisons retain the freedom to deliver services flexibly in conjunction with local partners and providers. Wider local engagement will identify those objectives that NOMS shares with other delivery organisations and prisons will need to work alongside CRCs and other partners in order to avoid duplication and to maximise efficiency by enabling prisoners to access mainstream services wherever possible. For those services delivered by other agencies, partnership working is a pre-requisite.

## **5.6. Additional Range of Rehabilitative Services**

- 5.6.1. Prisons will be aware that delivering the core level of rehabilitative service only will not always be sufficient to facilitate effective rehabilitation and to protect the public. Where core services on their own are assessed as insufficient to tackle the offending related risk and needs of individual prisoners, additional, evidence based services that meet a defined rehabilitative outcome may be made available by CRCs. It is for CRCs to decide what specific additional rehabilitative services they will provide but they will be targeted at offenders based on an assessment of needs and appropriate use of resources.
- 5.6.2. Although provision of additional services is the responsibility of CRCs, prisons may choose to support these with services which aim to reduce the risk of further offending that are complimentary to the rehabilitative services provided by CRCs in agreement with commissioners e.g. services which help to build constructive relationships with partners as part of the prison's provision of services to visitors.

## 5.7. Effective Targeting of Resource

### 5.7.1. Segmentation

Prisons will ensure that the right interventions and services are delivered to the right prisoners, in order to get the best possible outcomes for offenders, victims and their communities. Prisons will work with commissioners, co-commissioners and with other NOMS contractors, using **the segmentation approach** and other available data, to ensure that this happens.

### 5.7.2. Segmentation Data Tools

Segmentation Data Tools for the custodial commissioning round 2015-6 (available via the NOMS Performance Hub), will be used by commissioners, DDCs and prisons to cut the data about the prison population in different ways to answer different questions about how to target interventions and services and how to integrate services across provider boundaries.

### 5.7.3. Commissioning Strategy and Response to Evidence

PSP will contribute to the development and implementation of NOMS **Sex Offender Commissioning Strategy**, which sets out the evidence for risk factors for sexual reoffending, characteristics of different subgroups of sex offenders, and the impact of various interventions, leading to a set of recommended commissioning strategies for using resources for greatest impact with this group.

PSP will contribute to the development and implementation of NOMS **Young Adult Commissioning Strategy**, which will be published in spring 2015. This will set out the evidence relating to young adult offenders, including the principles that are relevant to better understanding psycho-social maturity. It will outline the needs of young adult offenders and evidence on the impact of various interventions and rehabilitative activity in order to better meet those needs. This will provide a clear public statement on NOMS' position for service provision for this group of offenders which will support engagement with providers, co-commissioning bodies, and interest groups. It will link to efforts to improve staff awareness around maturity and refer to related policies such as transition to adulthood and care leavers.

### 5.7.4. Women prisoners

Women's prisons will detail the services they plan to provide for women differentiated for segments defined by risk level and offence type and linked to the emerging evidence base on effective practice.

Commissioned and co-commissioned interventions and services will be sensitive to the contextual issues that impact upon women's ability to engage. These issues often include caring responsibilities, lack of transport (in the community) and higher rates of mental illness. They will include delivery to women only groups and where that is not possible,

the measures required to ensure women's ability to engage with the service is not adversely affected.

Where possible, PSP will build on the recommendations of the **Review of the Women's Prison Estate**. The Review recommended the creation of strategic hubs of an appropriate size to serve the courts, hold women from the surrounding region and provide a range of interventions. Moreover the review stated that the hubs should provide an appropriate physical environment to support women's caring responsibilities through family visits, which maintain and build upon relationships with children and other family members.

PSP will contribute to the development and implementation of NOMS **Commissioning Strategy for Offender Services for Women**, which will set out the evidence base for and encourage the development of those integrated, holistic interventions and services that are most likely to reduce re offending in women.

#### 5.7.5. **Innovation**

PSP is committed to innovating to develop more effective and/or efficient ways of delivering outcomes for offenders and supporting the delivery of safe, decent, secure and rehabilitative regimes. Ideas, promising approaches or issues requiring development of a new approach will be shared with the Innovation Steering Group so that prisons can be supported in evidencing the impact of initiatives and sharing relevant learning and effective practice at other establishments.

### **5.8. Service Delivery Requirements (SDRs)**

- 5.8.1. Performance will be measured and assessed against a set of Service Delivery Requirements (SDRs).
- 5.8.2. The minimum SDRs that PSP will be required to meet will be published on the [www.gov.uk](http://www.gov.uk) website. The detailed definitions of the SDRs and the performance assessment criteria, data source, baseline data etc. used in the performance assessment can be found on the NOMS Performance Hub.
- 5.8.3. The Commissioning Authority will review performance measures annually and re-issue new delivery requirements prior to the commencement of each year of the SLA. Requirements may also be subject to negotiation throughout the SLA period.
- 5.8.4. The SDRs reflect the key outcomes for PSP to deliver the sentences of the court, protect the public and reduce reoffending. SDRs are set nationally by the NOMS Agency Board (NAB), informed by discussion between commissioners and DDCs. Where there are no local differentials, SDRs are set at level consistent across all prisons. Where there is rationale for local differentiation, SDRs are set regionally or locally. The methodology used to agree SDRs considers a number of factors not limited to; analysis of offender need, what is evidenced and

acknowledged as being effective, analysis of past performance and available resource.

- 5.8.5. SDRs relating to sex offender treatment programmes are set by the Sex Offender Management Board. SDRs relating to living skills are set by the Programmes and Interventions working group, reporting to Commissioning Working Group.
- 5.8.6. PSP will aim to meet the Service Delivery Requirement levels set following discussions and agreement with the Commissioner and documented on the NOMS Performance Hub.
- 5.8.7. Service cost information will be made available through the INview costing system (supported by MyDetail and Phoenix systems).

## 5.9. Performance Management

- 5.9.1. SDR performance will be monitored as a way of assuring that PSP is delivering high quality services in line with commissioning priorities and will display transparency in terms of PSP providing value for money.
- 5.9.2. The SDRs will be measured on a monthly basis to enable prompt management responses to actual levels of performance and the Prison Rating System (PRS) will be published quarterly.
- 5.9.3. Performance data will be collected from ICT systems used within Establishments and other HQ departments.

## 6. AUDIT, ASSURANCE AND RISK MANAGEMENT

- 6.1.1. Assurance is the process by which the Director of Public Sector Prisons and the Director of Commissioning are able to ensure as far as possible that key work is being delivered and that Governors are aware of and mitigating the risks of non-delivery.
- 6.1.2. The assurance tools the Governor is responsible for are;
  - The **Annual Assurance Statement** – this should focus on the establishment’s ability to deliver the core commissioned specifications. The Governor must articulate which specifications they may struggle to deliver and how they expect to ensure they are still achieving the outcomes required by commissioners. It should be sufficient to enable the DDC to assure commissioners that the Governor has sufficiently mitigated the risk of non- delivery.
  - A **Risk Register** – this will usually be broader than the Assurance Statement and reflect wider establishment issues. It may focus on the threat to order and control in the establishment for example, the risk of not having decent

conditions in the prison, or the risk of escape. It can be underpinned by a broader range of source information, e.g. HMIP, MQPL, audits etc. The assurance statement and risk register are normally closely linked, as failure to deliver some of the specifications may impact upon the risk register.

- The new **Assurance Framework** – this is a newly designed tool for 2015/2016 which will focus on delivery of both PSP Priorities (Safe Decent Secure Reducing Reoffending and People) and Commissioning Intentions. This tool will form the basis of the SLA discussions between DDCs and Commissioners, and between DDCs and the Director of Public Sector Prisons. However, the **Assurance Statement** and **Risk Register** may also be discussed.

- 6.1.3. Establishments shall fully co-operate with any audits or reviews initiated by the Commissioner and provide evidence that any review findings are being addressed.
- 6.1.4. An Information Sharing agreement exists on the information to be shared between DDCs and Commissioners. There should be an assumption that information will be shared unless there is a specific reason not to.
- 6.1.5. Public sector prisons will provide honest and reliable data and have open and transparent relations with commissioners. Governors will ensure internal Quality Assurance processes are in place. Commissioners provide an independent and objective view so NOMS does not solely rely on establishment's self-assurance. Monthly performance meetings will take place between Regional SLA Assurance managers and Commissioners and quarterly meetings will be held with commissioners and DDCs.
- 6.1.6. MOJ Internal Assurance and Audit provide an agreed cycle of assurance on the control of environment and the risks faced by the organisation and results from these assurances will inform strategic and operational decision making throughout the year and inform Governors' annual assurance statements and risk registers.
- 6.1.7. External independent scrutiny and assurance is provided through HMIP Inspections, MQPL surveys, Annual Independent Monitoring Board reports, IOCCO Inspections and operational assessments. Establishments shall fully co-operate with any audits or reviews initiated by the Commissioner and provide evidence that any review findings are being addressed.
- 6.1.8. PSP will maintain a business risk management framework which operates in accordance with the NOMS Business Risk Management Framework.



## **7. CHANGES TO THE AGREEMENT**

- 7.1.1. Appropriate governance and approvals processes are in place to allow changes to the agreement to be made at any time upon agreement of both the DDCs and Lead Commissioners.
- 7.1.2. Examples of when a Notice of Change would be required include, but are not limited to:
- Change of role/function of a prison
  - Partial closure of a prison
  - Change to delivery of interventions based on need or demand for services that will improve outcomes for offenders, defendants, victims or the courts, within available resource. If SDR levels are not met, reasons for this will be considered through the Prison Rating System moderation process
- 7.1.3. Any agreed changes to the service delivery will be sent to the Commissioning Design Unit for record keeping, for which it is recommended the 'Notice of Change' form at Annex A is used.

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

Name (Print): **I Blakeman**

Signature:

Position: Director of Custodial Services – Commissioning and Contract Management

Date:

**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): **P Copple**

Signature:

Position: Director of Public Sector Prisons

Date:

## 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]

<p><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]</p>			
<p><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.]</p>			
<p><b>Financial Implications:</b></p> <p>VALUE: £</p> <p>In-year figure (£): n/a (assuming implemented on date specified above)</p> <p>Full year costs (£): n/a</p>	<p>[Please provide full details of the financial implications or refer to an attached document.]</p>		
<p><b>Outcomes</b></p>	<p>[Please provide full details of the outcomes expected or refer to an attached document.]</p>		
<p><b>Quality Implications:</b></p>	<p>[Please provide full details of quality implications]</p>		
<p><b>Regional Implications:</b></p>	<p>[Please provide full details of any impact this proposed change would have at a regional level]</p>		
<b>Issued</b>		<b>Approved</b>	
Date:		Date:	
Signed:		Signed:	
Name:		Name:	
Position:		Position:	

## **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.]