



Consultation on changes to Management Information Addendum, Prison Performance Digest and Accredited Programmes publications.

This consultation begins on 28 April 2016

This consultation ends on 9 June 2016

About this consultation

To:	All persons with an interest in prison and probation metrics.
Duration:	From 28 April 2016 to 9 June 2016
Enquiries (including requests for the paper in an alternative format) to:	<p>Tracie Kilbey National Offender Management Service Ministry of Justice 5th Floor 70 Petty France London SW1H 9EX</p> <p>Email: PAG_Correspondence@noms.gsi.gov.uk</p>
How to respond:	<p>Please send your response by 9 June 2016 to:</p> <p>Tracie Kilbey National Offender Management Service Ministry of Justice 5th Floor 70 Petty France London SW1H 9EX</p> <p>Or email it to:</p> <p>PAG_Correspondence@noms.gsi.gov.uk</p>
Response paper:	A response to this consultation exercise is due to be published by 30 June 2016 on the Ministry of Justice website at www.justice.gov.uk

Contents

Background	5
Chapter 1: Summary of the proposals	7
Chapter 2: The proposals	9
Chapter 3: New structure for Annual Digests	18
Information currently published in the M.I. Addendum	19
Questionnaire	20

Consultation on MI Addendum

This consultation paper sets out the proposed changes to the National Offender Management Service's (NOMS) Management Information addendum to the annual report, Prison Performance Digest and Accredited Programmes publications for England and Wales.

The consultation falls within the scope of the Code of Practice on Consultation¹ and follows the seven consultation criteria set out at the end of this consultation.

The paper will be sent to Ministry of Justice's (MoJ) corporate database which includes over 4,000 individual contacts. Recipients will include organisations such as The Howard League for Penal Reform and Civitas.

1

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/2695/code-practice-consultations.pdf

Background

The Management Information (MI) Addendum is an annual information release that accompanies the Annual Report and Accounts for the National Offender Management Service. It is primarily published to provide transparency of statistics.

The last MI Addendum and associated reports were published for 2014/15 and are available at <https://www.gov.uk/government/statistics/prison-and-probation-performance-statistics-2014-to-2015> .

The MI Addendum provides information on headline performance indicators for the following topic areas:

- Public protection: Category A escapes; escapes from prisons and prisoner escorts; absconds.
- Offending Behaviour Programmes (for those in Prison and also those on Probation): starts and completion rates by prison function; Domestic Violence, staffing, incentives and earned privileges.

Alongside the MI Addendum, the Prison Performance Digest, the Prison Annual Performance Ratings report and details of Costs per place and costs per prisoner are published.

The Prison Performance Digest is a subset of key information used to measure prison performance over 20 years (where data are available). The topic areas covered are:

- Mandatory drug testing; prison population; crowding and doubling, prisoner escapes (from escorts and from prisons); absconds and absconders still at large; Release On Temporary Licence and temporary release failures.

The Accredited Programmes Annual Bulletin provides Official Statistics on the volumes of accredited programmes delivered across prison and probation in a financial year. The programmes are accredited via the Correctional Services Accreditation and Advisory Panel (CSAAP) and are grouped into one of five categories: Domestic Violence, General Offending, Sex Offending, Substance Misuse or Violence.

<https://www.gov.uk/government/statistics/accredited-programmes-bulletin-2014-to-2015> .

We are proposing that the MI Addendum and Prison Performance Digest be merged and replaced with two new annual publications. These reports will also include statistics on Accredited Programmes, along with some new measures. This consultation asks for your views on the proposals.

The Prison Annual Performance Ratings and Costs per place and costs per prison publications are outside the scope of this consultation.

Other publications on Prison and Probation Statistics include:

Weekly Bulletins on Prison Population Statistics (Official Statistics), published at <https://www.gov.uk/government/statistics/prison-population-figures-2016> .

Offender Management Quarterly Statistics, providing National Statistics on offenders who are in prison or under probation supervision in England and Wales. <https://www.gov.uk/government/collections/offender-management-statistics-quarterly> .

Safety in Custody Quarterly Bulletin, providing National Statistics on deaths, self-harm, and assaults in prison custody in England and Wales. <https://www.gov.uk/government/collections/safety-in-custody-statistics> .

NOMS Annual Offender Equalities Report, providing Official Statistics on the protected characteristics of offenders and staff (where information is available and of sufficient quality). <https://www.gov.uk/government/statistics/noms-annual-offender-equalities-report-2014-to-2015> .

Community performance quarterly management information release, providing performance management information for the National Probation Service (NPS) and Community Rehabilitation Companies (CRCs). <https://www.gov.uk/government/publications/community-performance-quarterly-management-information-release-july-to-september-2015>.

Chapter 1: Summary of the proposals

The key change that we are proposing is to merge together prison related data from the current MI Addendum and Prison Performance Digest. This would form an Annual Prison Digest providing statistics for the latest year, together with trend data. The change is suggested to remove current duplication of information published and to aid the user in performing analysis.

In addition, we are proposing that an Annual Probation Digest be published to include probation measures. This would be based on probation data already published in the current MI Addendum. The two publications would reflect the different stakeholders and their requirements and comply with the Code of Practice on Official Statistics, as far as possible.

We are also proposing that the information currently published on Accredited Programmes becomes part of the new Annual Prison Digest and Annual Probation Digest, and that additional content is published on the following areas:

- Prisoners released in error;
- Mother and baby units in prisons;
- Electronic monitoring;
- Prisoner Complaints;
- Litigation;
- Staff grievances;
- Conduct and discipline.

We would like to publish a complete set of information on an annual basis relating to the financial year, with key measures published quarterly.

The full proposals are set out in Chapter 2.

This package of proposals represents an improvement in terms of:

- **greater transparency and accountability** of the performance of the National Offender Management Service, in line with the Government's Transparency Agenda;
- a **wider range** of data available to cover both prison and probation relating statistics to answer existing queries;
- removal of duplication and the presentation of a **coherent overview** of prison and probation to help understanding;

Consultation on MI Addendum

- **simplifying access** to information in line with the Code of Practice for Official Statistics;
- **relevance** to what the organisation is aiming to achieve;
- being **well-defined**, with a clear, unambiguous definitions so that the data is easy to understand and use;
- being **timely**, producing data frequently enough to track progress, and quickly enough for the data to still be useful;
- being **reliable**, and accurate enough for its intended use, and responsive to change.

Views are invited from all users of NOMS prison and probation statistics. In order to ensure we can develop these proposals and publish statistics in a timely fashion, we are asking for responses by 9 June 2016 with the intention to publish the new style publications on 28 July 2016.

Chapter 2: The proposals

Proposal 1: Produce an Annual Prison Digest and an Annual Probation Digest

We are proposing to replace the existing NOMS Management Information Addendum and Prison Performance Digest with two reports – an Annual Prison Digest and an Annual Probation Digest. These will comply with the Code of Practice for Official Statistics, as far as possible.

Annual Prison Digest

We propose that the report includes commentary, a separate glossary of terms and a set of tables giving metrics and indicators at a national, regional, and prison establishment level (where the data are available). Information will be published for the current financial year together with trend data. The Annual Prison Digest will be released annually in July, following the publication of the NOMS Annual Report and Accounts.

Lower level data will be published as Excel tables or CSV files for users to perform their own analysis.

Annual Probation Digest

The proposals for the report are very similar to those for the Annual Prison Digest, but relate to offenders in the community who are on probation. Metrics and indicators will be published on a national, regional and National Probation Service and Community Rehabilitation Company areas (where the information is available). The Annual Probation Digest will be released at the same time as the Annual Prison Digest and lower level data will be available.

Question 1: Do you agree with the proposal to combine the current MI Addendum and Prison Performance Digest to produce an Annual Prison Digest?

Question 2: Do you agree with the proposal to create a separate report containing probation measures in an Annual Probation Digest?

Proposal 2: Publication of Accredited Programmes Data in the new reports

Accredited Programmes

The Accredited Programmes annual bulletin is currently published as Official Statistics on a financial year basis. It provides statistics on the number of starts and completions of accredited programmes delivered across prison and probation. The latest report is for the 2014/15 financial year and was published on 30 July, 2015.

Prison and probation services have been running accredited Offending Behaviour Programmes since the early 1990s, and this continues under the new arrangements for delivery of probation services. Accreditation is a system for ensuring that treatment programmes offered to offenders, which aim to reduce reoffending, have a proper theoretical basis, and are designed in accordance with the 'What Works' literature. Programmes are accredited via the Correctional Services Accreditation and Advisory Panel (CSAAP).

There are numerous non-accredited group-based interventions targeted at a range of offender needs which are delivered within the criminal justice system. Uptake of non-accredited programmes have increased across both prison and probation services in recent years. Data for non-accredited programmes are currently not available, so the statistics bulletin does not give a complete picture of interventions.

The Accredited Programmes bulletin for 2014/15 contained the following national information in two sets of Excel tables:

Prison

- The number of prison programme starts by type of programme, 2009/10 to 2014/15;
- The number of prison programme completions by type of programme, 2009/10 to 2014/15;
- The number of prison programme starts per 100 sentenced prisoners by programme category, 2009/10 to 2014/15;
- The number of prison programme completions per 100 sentenced prisoners by programme category, 2009/10 to 2014/15;

- The proportion of prison programme starts by programme category, 2009/10 to 2014/15;
- The proportion of prison programme completions by programme category, 2009/10 to 2014/15;
- The number of prison programme starts by programme category and gender, 2009/10 to 2014/15;
- The number of prison programme completions by programme category and gender, 2009/10 to 2014/15;
- The number of prison programme starts by programme category and ethnicity, 2009/10 to 2014/15;
- The number of prison programme starts by programme completions and ethnicity, 2009/10 to 2014/15;
- The number of prison programme starts by programme category and age band, 2009/10 to 2014/15;
- The number of prison programme completions by programme category and age band, 2009/10 to 2014/15.

Probation

- The number of probation programme starts by type of programme, 2009/10 to 2014/15;
- The number of probation programme completions by type of programme, 2009/10 to 2014/15;
- The number of probation programme starts per 100 offenders by programme category, 2009/10 to 2014/15;
- The number of probation programme completions per 100 offenders by programme category, 2009/10 to 2014/15;
- The proportion of probation programme starts by programme category, 2009/10 to 2014/15;
- The proportion of probation programme completions by programme category, 2009/10 to 2014/15;
- The number of probation programme starts by programme category and gender, 2009/10 to 2014/15;
- The number of probation programme completions by programme category and gender, 2009/10 to 2014/15;
- The number of probation programme starts by programme category and ethnicity, 2009/10 to 2014/15;
- The number of probation programme starts by programme completions and ethnicity, 2009/10 to 2014/15;
- The number of probation programme starts by programme category and age band, 2009/10 to 2014/15;

- The number of probation programme completions by programme category and age band, 2009/10 to 2014/15.

A csv file is also available giving the number of programme starts and completions by:

- Delivery setting (prison or probation);
- Year;
- Location;
- Programme category;
- Programme name.

Some information on the number of completions by type of programme is already published in the MI Addendum. It is proposed that the tables relating to prison programmes form part of the Annual Prison Digest and those for probation programmes become part of the Annual Probation Digest.

Tables showing breakdowns by gender, ethnicity and age band will be included in the NOMS Annual Offender Equalities Report, published as official statistics annually in November at <https://www.gov.uk/government/statistics/noms-annual-offender-equalities-report-2014-to-2015>.

Question 3: Do you agree with the proposal to discontinue the current Accredited Programmes bulletin and place the content in the two new reports – Annual Prison Digest and Annual Probation Digest?

Question 4: What are your views on placing information on Accredited Programmes showing breakdowns by gender, ethnicity and age-group in the NOMS Annual Offender Equalities Report?

Proposal 3: Publication of Additional information in the new reports

NOMS receive a number of queries from stakeholders requesting additional information about published statistics. For transparency, it is proposed that more detailed statistics are published and on a more regular basis (possibly quarterly).

Escapes, Absconds etc.

The current M.I. Addendum and Prison Digest include some information (at an establishment level) on the number of:

- Escapes from Category A Prisons;
- Escapes from Prison;
- Escapes from Prison Escorts;
- Escapes from Prison Escort Contractors;
- Absconds;
- Absconders Still at Large;
- Successful returns of prisoners on temporary release licence;
- Temporary Release Failures;
- Temporary Release Failures at large.

It is proposed that this information continues to be published as part of the Annual Prison Digest, but possibly supplemented with method/location of escape, time served and offence. Demographic characteristics could be published in the NOMS Annual Offender Equalities Report.

No information is currently published on the number of prisoners released in error and there is growing interest in this information. We are also proposing to publish data on the number released in error by establishment, offence, sentence length, type of error and time served.

Question 5: What are your views on publishing details of the number of prisoners released in error in the Annual Prison Digest? What level of detail do you require and why?

Mother and Baby Units

An ad hoc Management Information report was published on 6 February at <https://www.gov.uk/government/statistics/mother-and-baby-units-applications-and-admissions>. The report gave details on the number of applications and admissions to Mother and Baby Units within prison establishments.

Quarterly and annual (calendar) data were published in the report on:

- Number of applications received for admission to the Mother and Baby Unit (MBU);
- Number of applications approved by a board;
- Number of applications refused by a board;
- Number of women received into MBU;
- Number of babies admitted into MBU;
- Number of women in MBU at quarter's end;
- Number of babies in MBU at quarter's end.

It is proposed that the same information is published at the National level in the Annual Prison Digest. This would relate to financial years from 2010/11 onwards.

Question 6: Do you agree with the proposal to publish details of applications, women and babies within Mother and Baby Units within the Annual Prison Digest? What level of information do you require and why?

Electronic monitoring

Electronic Monitoring was first introduced in England and Wales in 1999 and is now used by the Police, courts and prisons, for the administration of justice in England and Wales. In 2014, Electronic Monitoring supported the management of an average of 14,000 subjects in the community at any one time.

It is proposed that information on the caseload of subjects with electronic monitoring is published within the Annual Probation Digest. Initially, data would be published for 2014/15 and 2015/16 and at a regional level. It is proposed that demographic characteristics of subjects are published in a future NOMS Annual Offender Equalities Report.

Question 7: Do you agree with the proposal to publish details of those with Electronic Monitoring in the Annual Probation Digest?

Prisoner Complaints

The number of prison complaints due a response in a reportable measure, was formerly a timeliness performance indicator. A new reporting method is being introduced and it is proposed that management information on the number of prisoner complaints received is published in a future Annual Prison Digest, once the data are of an acceptable level of quality.

**Question 8: Do you agree with the proposal to publish the number of prisoner complaints in a future Annual Prison Digest?
Litigation**

A system is being introduced to provide information on the number of litigation claims (open and closed cases), costs and outcomes for claims made by prisoners, prison staff and third parties. It is likely that data will be available for the 2016/17 reference year. It is proposed that this information is published in a future Annual Prison Digest, once the data are of an acceptable level of quality.

Question 9: Do you agree with the proposal to publish litigation data in a future Annual Prison Digest?

Staff Grievances, Investigations and Conduct and Discipline Cases

Information on staff grievances, investigations into staff and staff subject to conduct and discipline action is currently published in the MoJ Annual Diversity Report. These areas generate a large volume of external requests and responses currently rely on the published information, which is focussed primarily on a diversity perspective in terms of the protected characteristics of the staff involved.

The information currently published in the MoJ Annual Diversity Report covers all Civil Servants employed by NOMS, across public sector prisons, NOMS HQ and area services and the National Probation Service. Information is provided on

- The number of individuals raising a grievance in the year;
- Number of individuals for whom an investigation case was concluded in the year;
- Number of staff with a conduct and discipline penalty recorded during the year.

Information is provided both on the total number of individuals and the rate per 100 staff for each of the processes. Information is broken down by protected characteristics, basic grade levels and functions and split between London and outside London.

It is proposed that information on grievances, investigations and conduct and discipline are published in both the Annual Prison and Annual Probation Digests for each Prison Service Region and National Probation Service division.

Question 10: Do you agree with the proposal to include information on grievances, investigation and conduct and discipline in the Annual Prison Digest and Annual Probation Digest?

Question 11: Are there any areas that you would like to see included in the new publications?

Proposal 4: Publication of the Prison and Probation Digest on a quarterly basis

Quarterly reporting

There is interest in some measures (for example relating to safety or escapes) on a more regular basis and it is proposed that some measures are published quarterly in a digest format. The information published will be guided by the needs of stakeholders and policy makers and the changing prison reform landscape.

Question 12: Would you like to see any measures that are currently published or proposed new content published on a quarterly basis? If so, which measures and how would they be used?

Chapter 3: New structure for Annual Digests

The new Annual Prison Digest and Annual Probation Digest (introduced for the 2015/16 reference year) would include:

- a. Headline figures with commentary on the current measures and of trends over time;
- b. A separate glossary providing terms and definitions;
- c. National and local level tables (prison establishment/CRC/NPS regions) in excel, csv and pivot table formats to allow the user to conduct their own analysis.

Information currently published in the MI Addendum

Table 1 of Annex A gives details of the information currently published as Excel tables in the MI Addendum. Table 2 gives details of the information published in the Prison Performance Digest. As there is some duplication of information,

it is proposed that some of the information be removed and the items outlined in Chapter 2 be added to an Annual Prison Digest and Annual Probation Digest.

Questionnaire

We would welcome responses to the following questions set out in this consultation paper.

Question 1: Do you agree with the proposal to combine the current MI Addendum and Prison Performance Digest to produce an Annual Prison Digest?

Question 2: Do you agree with the proposal to create a separate report containing probation measures in an Annual Probation Digest?

Question 3: Do you agree with the proposal to discontinue the current Accredited Programmes bulletin and place the content in the two new reports – Annual Prison Digest and Annual Probation Digest?

Question 4: What are your views on placing information on Accredited Programmes showing breakdowns by gender, ethnicity and age-group in the NOMS Annual Offender Equalities Report?

Question 5: What are your views on publishing details of the number of prisoners released in error in the Annual Prison Digest? What level of detail do you require and why?

Question 6: Do you agree with the proposal to publish details of applications, women and babies within Mother and Baby Units within the Annual Prison Digest? What level of information do you require and why?

Question 7: Do you agree with the proposal to publish details of those with Electronic Monitoring in the Annual Probation Digest?

Question 8: Do you agree with the proposal to publish the number of prisoner complaints in a future Annual Prison Digest?

Question 9: Do you agree with the proposal to publish litigation data in a future Annual Prison Digest?

Question 10: Do you agree with the proposal to include information on grievances, investigation and conduct and discipline in the Annual Prison Digest and Annual Probation Digest?

Question 11: Are there any areas that you would like to see included in the new publications?

Question 12: Would you like to see any measures that are currently published or proposed new content published on a quarterly basis? If so, which measures and how would they be used?

Thank you for participating in this consultation exercise.

About you

Please use this section to tell us about yourself	
Full name	
Job title or capacity in which you are responding to this consultation exercise (e.g. member of the public etc.)	
Date	
Company name/organisation (if applicable):	
Address	
Postcode	
If you would like us to acknowledge receipt of your response, please tick this box	(please tick box)
Address to which the acknowledgement should be sent, if different from above	

If you are a representative of a group, please tell us the name of the group and give a summary of the people or organisations that you represent.

The consultation criteria

The seven consultation criteria are as follows:

1. **When to consult** – Formal consultations should take place at a stage where there is scope to influence the policy outcome.
2. **Duration of consultation exercises** – Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.
3. **Clarity of scope and impact** – Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.
4. **Accessibility of consultation exercises** – Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.
5. **The burden of consultation** – Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.
6. **Responsiveness of consultation exercises** – Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.
7. **Capacity to consult** – Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

These criteria must be reproduced within all consultation documents.

Consultation co-ordinator contact details

Responses to the consultation must go to the named contact under the How to Respond section.

However, if you have any complaints or comments about the consultation **process** you should contact the Ministry of Justice consultation co-ordinator at consultation@justice.gsi.gov.uk

Alternatively, you may wish to write to the address below:

Ministry of Justice Consultation Co-ordinator Legal Policy Team, Legal Directorate 6.37, 6th Floor 102 Petty France London SW1H 9AJ