



Ministry of
JUSTICE

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

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Introduction

The Management Information (MI) Addendum¹ has been published on an annual basis to support the Annual Report and Accounts for the National Offender Management Service (NOMS). It has primarily been published to provide transparency of statistics, but it has also given 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 and as part of the wider package of releases on prison and probation performance statistics, NOMS publish the Prison Performance Digest, the Prison Annual Performance Ratings report and details of Costs per place and costs per prisoner.

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 Bulletin² provides Official Statistics on the volumes of accredited programmes delivered across prison and probation by 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.

¹ www.gov.uk/government/statistics/prison-and-probation-performance-statistics-2014-to-2015

² www.gov.uk/government/statistics/accredited-programmes-bulletin-2014-to-2015

From 28 April 2016 to 9 June 2016, the Ministry of Justice ran a consultation exercise³ on changes to the Management Information Addendum, Prison Performance Digest and the Accredited Programmes Annual Bulletin.

The consultation set out the following proposals:

- Produce an Annual Prison Digest and an Annual Probation Digest;
- Publication of Accredited Programmes Data in the new reports;
- Publication of Additional information in the new reports;
- Publication of the Prison and Probation Digest on a quarterly basis.

Users' views were invited on these proposed changes and six responses to the consultation were received.

This document provides feedback on the comments received and clarifies the changes to future publications.

If you have any feedback, questions or requests for further information about this consultation response, please email statistics.enquiries@justice.gsi.gov.uk.

³ The consultation paper is available at www.gov.uk/government/collections/ad-hoc-justice-statistics.

Summary of responses

Six responses were received to the consultation. These were from the Chief Executive of the National Offender Management Service (NOMS), the Chief Statistician at the Ministry of Justice, NOMS policy and analytical staff and the Prison Reform Trust.

The majority of responses were made by email (rather than by use of the questionnaire). A summary of the main comments received is given below.

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

The consultation paper proposed the replacement of the existing NOMS Management Information Addendum and Prison Performance Digest with two reports – an Annual Prison Digest and an Annual Probation Digest. These would comply with the Code of Practice for Official Statistics, as far as possible.

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?

From the responses provided, there was agreement to create an annual report. Some respondents were concerned about having two separate reports for probation and prison data.

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

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. Some information on the number of completions by type of programme is already published in the Management Information Addendum. It was 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 were proposed for inclusion in the NOMS Annual Offender Equalities Report.⁴

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?

Respondents were in general agreement with the proposals as long as there was no loss of already published information. One felt that equality data should be published along with the number of offenders (by group) who were eligible for particular programmes.

One respondent did not agree with the proposal for Accredited Programmes data to be split across a publication for prisons and a publication for probation. It was felt that integrated services were being provided across prison and community settings and the proposal to have two separate Digests did not align with this.

One respondent would like to see more detailed information published on Accredited Programmes, with the ability to analyse the data across multiple protected characteristics e.g. gender and ethnicity.

Proposal 3: Publication of Additional information in the new reports

The consultation paper included a proposal that additional content be 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.

⁴ <https://www.gov.uk/government/statistics/noms-annual-offender-equalities-report-2014-to-2015>.

The proposal was to publish a complete set of information on an annual basis relating to the financial year, with key measures published quarterly.

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?

There was agreement for the number of prisoners released in error to be published. It was suggested that this be presented along with a measure the number of releases in order to given additional context to the data. There was also a request for data on the recall of prisoners to be included.

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?

Respondents agreed with the proposal to publish information on Mother and Baby Units. One respondent said that it would be helpful to publish information on the reasons for an application to a Mother and Baby Unit being refused.

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

There was agreement to publish Electronic Monitoring information within the new report. One respondent requested that demographic data also be published which enabled analysis of multiple protected characteristics. There was particular interest in the number of women and mothers who had Electronic Monitoring following proposals announced in the Prime Minister's speech on Prison Reform.

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

Although there was agreement with the publication of complaints data in a future report, there were a number of concerns raised with the quality of the underlying data and availability of complaint forms to prisoners. The responses also raised the need to consider:

- How complaint numbers would be used to indicate the performance of a prison;
- The need to measure responsiveness to complaints raised.

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

Respondents agreed with the intention to publish litigation in a future report and requested that the main grounds for litigation be categorised.

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?

There was agreement that the information should be published but that it would be more suited to a statistical report on NOMS staff.

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

Those that responded said that they would like to see more information published on:

- The reasons for failure for those on Temporary Licences
- Age-groups of offenders (and particularly the identification of young adults aged 18-24)
- Indicators such as time out of cell on purposeful activity, sustainable accommodation and employment outcomes.

These items would be considered for a future publication.

One respondent would like to see the same information be made public about public, private and “reform” prisons in the future. Another respondent was clear that information in this publication should not duplicate data released in other MoJ statistical releases.

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

Quarterly reporting

The consultation paper also included a proposal to publish some key measures published quarterly in a digest format. This would help to improve transparency and public access to the data especially for measures of greater public interest, such as escapes and safety, on a more regular basis. 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?

There was little interest in the proposal to publish data on a quarterly basis. One respondent commented that the Community Performance Quarterly MI report⁵ provides performance measurement data on probation and a quarterly Digest would need to avoid duplication of the publication of data.

⁵ www.gov.uk/government/statistics/community-performance-quarterly-management-information-update-to-december-2015

Summary of Changes to Publications

Following a review of the proposals and consultation responses, we will be merging the Management Information Addendum to the NOMS Annual Report and Accounts, the Prison Performance Digest and Accredited Programmes Annual Bulletin into a single publication. This will be titled the Annual Prison Digest 2015/16 and will be published on 28 July, 2016 and annually thereafter.

The report will contain

- a. Headline figures with commentary on the current prison performance measures and on trends over time;
- b. A separate glossary providing terms and definitions;
- c. A separate methodological and technical guide detailing how the measures are calculated;
- d. National and local level tables giving trends over time. The tables will be organised into topic areas and show trends for prison areas.

Topics that will not be included at this time

Information on protected characteristics, for example, on Accredited Programmes will be published in the Annual Offender Equalities Report 2015 – 2016 on 24 November, 2016.

Information on staff grievances, investigations and conduct and discipline will not be published in the Annual Prison Digest. Some data on NOMS workforce outcomes are currently published as an Annex to the MoJ Diversity report. NOMS will continue to provide underlying data for the main Diversity Report but intend to publish NOMS specific outcomes including those cited above as a separate Official Statistics bulletin, NOMS Workforce Equalities Report, scheduled for release on 24 November 2016.

Other measures related to the ethnicity of NOMS workforce that were previously published in the MI Addendum and Prison Performance Digest will also be moved into the NOMS Workforce Equalities Report. This includes:

- Staff in Post (Headcount) as at financial year end;
- Number of BAME staff;
- Staff without ethnicity data;
- Percentage of BAME staff.

Consideration will be given to the publication of prisoner complaints, litigation and other topic areas raised through the consultation for future reports. The data for these measures are currently not considered to be of sufficient quality to formally release in a publication. A new measure was recently implemented for complaints which will provide a suitable reporting metric as the data matures. Quality reviews are also underway to improve the litigation databases and reporting. Data will be released in subsequent years when quality concerns have been resolved.

Performance on the Through the Gate measures of education, employment and accommodation on release from prison, have been withdrawn from the 2015/16 release. This is a result of responsibility moving to the National Probation Service and the Community Rehabilitation Companies from April 2015 onwards at the end of 2014/15. New measures for through the gate are currently under development and are intended for inclusion in the release from 2016/17.

Probation measures will not be included in the Digest for 2015/16. As part of Transforming Rehabilitation, probation trusts have been replaced by the National Probation Service (NPS), which manages the most high-risk offenders across seven divisions; and 21 new Community Rehabilitation Companies (CRCs), who manage medium and low-risk offenders. Since the introduction of the Offender Rehabilitation Act (ORA), the National Probation Service (NPS) and Community Rehabilitation Companies (CRCs) have been monitored against new performance frameworks.

These new performance frameworks were introduced in February 2015 (for CRCs) and April 2015 (for NPS) to enable effective performance monitoring. The performance frameworks measure delivery throughout the offender journey, including:

- Court Work and Allocation (NPS only)
- Starting the Sentence
- Completion and Compliance with the sentence of the court
- Delivery of Programmes and Requirements
- Through the Gate
- Enforcement and Risk Escalation
- Assurance Metrics and Other Custodial Services

The different mix of offenders managed by NPS and CRCs means that performance, expected performance and comparisons cannot generally be made between the two organisations, even where the delivery of services seems identical. Each caseload of offenders bring their own unique challenges,

therefore direct comparisons should not be made. Equally comparison cannot generally be made with performance under the previous arrangements.

Management Information (MI) against these performance frameworks is now published on a regular basis by NOMS in the "Community Performance Quarterly MI release". The publication covers all performance metrics from both frameworks, at a national level and broken down to lower levels of geography where appropriate.

Previous and current publications, can be found at www.gov.uk/government/publications/community-performance-quarterly-management-information-release

Topic Areas to be published in the Annual Prison and Probation Digest for 2015/16

The Digest will be arranged with commentary and tables in topic areas, giving key measures and trends over time, nationally, by prison establishment, region, and type / function, and by National Probation Service Division and Community Rehabilitation Centre level. Prison region will include a categories for the new reform prisons from 2016/17. The topic areas to be presented in the 2015/16 publication will be:

Escapes, Absconds, Failure to Return and Releases in Error

Information on public protection measures that were formerly published in the MI Addendum and Prison Digest will continue to be released in the new publication. This includes:

Unlawfully at Large

- Escapes from Category A Prisons;
- Escapes from Prison;
- Escapes from Prison Escorts;
- Escapes from Prison Escort Contractors;
- Absconds;
- Absconders Still at Large;
- ROTL Failure to Return (subset of TRF) and those still at large

Other

- Releases in Error
- Successful returns of prisoners released on temporary release licence;
- Temporary Release Failures;

New information will also be provided on prisoner escapes by offence and prisoners released in error. There will be measures on the percentages of escapes, absconds and release failures that were returned to prison within a month.

Data relating to the recall of prisoners will not be included in the release as these are already published as part of the MoJ release Offender Management Statistics Quarterly⁶.

⁶ www.gov.uk/government/collections/offender-management-statistics-quarterly

Population of Prisoners, Crowding, Doubling

Information that was formerly published in the MI Addendum and Prison Digest will be included in the new report. This includes:

- Average prison population over the reporting year
- Percentage of prisoners held in crowded accommodation
- Percentage of prisoners held in doubled accommodation

Substance Misuse Strategy

Information that was formerly published in the MI Addendum and Prison Digest will be included in the new report. This includes:

- Number of mandatory drug tests
- Number and percentage of positive mandatory drug test
- Target rate for mandatory drug tests

Incentives and Earned Privileges

Information that was formerly published in the MI Addendum and Prison Digest will be included in the new report. This includes:

- Number and percentage of prisoners by level of IEP

Offender Accredited Programmes

Information that was formerly published in the Accredited Programmes Annual Bulletin will continue to be released into the public domain. The Annual Prison Digest for 2015/16 will include information on the number of prison programme starts and completions by type of programme.

Data relating to demographic characteristics will be released in the forthcoming Annual Offender Equalities Report for 2015 to 2016. Consideration will be given to releasing information on multiple characteristics.

Staffing

Selected information that was formerly published in the MI Addendum and Prison Digest will be included in the new report. This includes:

- Staff in Post (monthly average full-time equivalent);
- Staff sickness, working days lost;
- Staff sickness, average working days lost per FTE staff.

Mother and Baby Units

National level information will be published 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 year's end;
- Number of babies in MBU at year's end.

Data on the reason for an application being refused will not be included in the release at this point as this information is not held centrally. Data will also not be released at establishment level due to the risk of identification of the individual's involved.

Electronic Monitoring

Information on the new cases, caseload of subjects with electronic monitoring and costs of electronic monitoring for 2014/15 and 2015/16 will be published. Demographic characteristics of subjects, including for women, will be published in a future NOMS Annual Offender Equalities Report.

Contacts

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Other enquiries about these statistics should be directed to:

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General enquiries about the statistical work of the Ministry of Justice can be e-mailed to: statistics.enquiries@justice.gsi.gov.uk

General information about the official statistics system of the UK is available from: www.statisticsauthority.gov.uk/

Ministry of Justice publishes data relating to offender management in England and Wales. Equivalent statistics for Scotland and Northern Ireland can be found at:
www.scotland.gov.uk/Topics/Statistics/Browse/Crime-Justice
www.dojni.gov.uk/index/statistics-research/stats-research-publications.htm

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