

Service	Unpaid Work / Community Payback	Version	P2.5
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Ministry
of Justice

Service Specification for

Unpaid Work / Community Payback

Service Specification Document

This document defines the service, including the required outcome(s) and outputs. As part of an SLA or Contract, the national minimum outputs in this document are mandatory for all providers. The document can also contain optional outputs that are available for Commissioners to commission.

1. Service Specification Document

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Version Control Table		
Version No.	Reason for Issue / Changes	Date Issued
P1.0	First publication	05/10/2009
P1.1	Re-issued with supporting documents	29/10/2009
P2.0	Re-issued with updated references	28/01/2010
P2.1	Replaced header table with new version, replaced DOMs with commissioners, unmerged rows in output table, moved 'row number' column to the left hand side in output table – DC	14/03/2011
P2.2	Addition of new output relating to MAPPA/safeguarding (see output at row 37, page 13). Note: no costing changes have been made to either the Direct Service Costs & Assumptions document or to the cost spreadsheet for this service as a result of this new output. Grammatical correction to output at row 2, page 8. References to audit updated in line with organisational changes. Strategic context (section 6) updated.	17/02/2012
P2.3	Definition of service amendment to reflect that Unpaid Work Requirements can be imposed by Courts Martial. The Strategic Context has been revised to reflect changes resulting from the Green Paper Breaking the Cycle Specification output table: Community Payback Manual references updated. Outputs 20, 23 and 24 amended to reflect changes introduced by PI 17/2012. References to service level agreements have been removed. Note: no costing changes have been made to either the Direct Service Costs & Assumptions document or to the cost spreadsheet for this service as a result of these amendments.	31/10/2012

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P2.4	Supporting documents: reference to operating model, cost spreadsheet and direct service costs and assumptions removed, as these are now outdated.	20-01-2014
P2.5	<p>MOJ Community Commissioner review, update policy reference material.</p> <p>The following PI has been updated: Probation Instruction 12/2014 Community Payback with Probation Instruction PI 03/2016- Service Specification for Unpaid Work/Community Payback and Community Payback Operating Manual: Delivering the Sentence of Unpaid Work Edition 2</p>	26-10-2017

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Introduction to Unpaid Work/Community Payback Specification

1.	Service Name	<p style="text-align: center;">Unpaid Work/Community Payback</p> <p>N.B. Unpaid Work is the legal term used in legislation to describe this sentencing disposal. Community Payback is the term now employed by HMPPS to promote Unpaid Work to the public and will be used in this specification in respect of the overall scheme to provide Unpaid Work.</p>
2.	Key Outcome(s) for Service	<ul style="list-style-type: none"> • Punishment – sentence of the Court completed • Reparation to the community (Community Payback) • Increased public confidence in the Criminal Justice System • Reduced reoffending
3.	Definition of Service	<p>Unpaid Work is one of 12 possible requirements of a Community or Suspended Sentence Order. Adult offenders with an Unpaid Work requirement can be sentenced to between 40 and 300 hours.</p> <p>The Sentencing Council guidelines suggest the following lengths of Unpaid Work requirements at the three seriousness levels in the community sentencing band:</p> <ul style="list-style-type: none"> • Low 40 – 80 hours • Medium 80 – 150 hours • High 150 – 300 hours <p>N.B. In cases of breach of a community order, a minimum of 20 hours Unpaid Work can be added as a <i>new</i> requirement to a community order where that community order does not already contain an Unpaid Work requirement.</p> <p>Unpaid Work is likely to be imposed in combination with other requirements of a Community (or Suspended Sentence) Order at high levels of seriousness involving more complex offender needs.</p> <p>Unpaid Work meets the sentencing purposes of punishment and reparation. For some offenders there are also rehabilitative benefits, as Unpaid Work can provide an opportunity to develop life and vocational skills that reduce the risk of reoffending.</p> <p>Before the court can make an Unpaid Work requirement, it must be satisfied that the offender is suitable (e.g. it is usually unsuitable for offenders who pose a very high risk of harm to the public).</p>

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		<p>Offenders work on projects that benefit the community, such as environmental conservation, decorating and renovating buildings, recycling and working directly with local charities. Offenders can carry out work for Beneficiaries either in agency placements (such as a charity shop) where the Beneficiary provides the direct supervision on an individual or group basis or in a supervised work group where a supervisor employed by the Provider oversees the work.</p> <p>Unpaid Work can be either a single requirement of a Community or Suspended Sentence Order (often referred to as a stand-alone order) or one of two or more requirements (often referred to as a multiple requirement order). Where there is more than one requirement, then the Offender Manager (and thus the ultimate decision-maker regarding enforcement) will be an Offender Manager employed by a Probation Trust.</p> <p>Unpaid Work requirements can also be made for Young Offenders (16/17 year olds) and for breach of Civil Court child contact orders. The requirement to wear distinctive orange vests while doing Unpaid Work does not apply to these two groups, which means they should not be mixed in supervised workgroups with adult offenders wearing such vests.</p> <p>Courts Martial have the power under the Armed Forces Act 2006 to sentence armed forces personnel to a Service Community Order or a Suspended Sentence Order. Under the Act, the Courts Martial have available all of the Requirements listed in the Criminal Justice Act 2003, including the Unpaid Work Requirement. Such Orders will also need to be managed by probation trusts or other providers of Community Payback. Further information is contained in PI 06/2009 - Implementation of the Armed Forces Act 2006.</p>
4.	<i>Service Elements In Scope</i>	<p>All aspects of the operation of Community Payback schemes and the management of offenders in relation to their Unpaid Work requirement are in scope (save for enforcement decisions in multiple requirement orders), including:</p> <ul style="list-style-type: none"> A: Public confidence in Community Payback promoted B: Stakeholders consulted and informed C: Suitable placements organised D: Community Payback scheme is monitored and managed E: Offender prepared for Unpaid Work F: Offender undertakes Unpaid Work G: Unpaid Work requirement is managed and enforced

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		<p>N.B. G above incorporates the Specification, Benchmarking and Costing Programme ‘Early Priorities’ recommendation that the <i>management</i> of offenders on Unpaid Work requirements (previously undertaken in many Probation Areas/Trusts by Offender Managers) should be reintegrated back into Community Payback operations. The costings accompanying this specification are based on the assumption of reintegrated <i>requirement management</i>.</p>
5.	Out of Scope / Dependent Service Elements	<ul style="list-style-type: none"> • Enforcement decisions in multiple requirement orders • Management of other Community Order requirements with close linkage with Unpaid Work requirement (e.g. Specified Activity with Employment and/or Training component)
6.	Strategic Context	<p>Unpaid Work, which is usually promoted as ‘Community Payback,’ has the highest profile of all community sentences in terms of public awareness, media coverage and political interest. In 2008, over 100,000 offenders were sentenced to more than 11 million hours Unpaid Work. The length of the average requirement was 110 hours, and just under 8.5 million hours of Community Payback were completed.</p> <p>The term Unpaid Work was introduced in the Criminal Justice Act 2003, but the concept of compulsory work to benefit the community as a sentence of the court goes back to the 1970s when Community Service was first developed as an alternative to custody. Community Service remained largely unchanged (albeit it was the first aspect of Probation practice to be subject to <i>National Standards</i> in the early 1990s) until it was renamed Community Punishment in 2000.</p> <p>In 2003, Enhanced Community Punishment (ECP) building on the principles and knowledge base of ‘<i>What Works</i>’ was granted provisional accreditation by the Correctional Services Accreditation Panel. ECP aimed to maximise the rehabilitative elements of the sentence (such as skills learning, problem solving and pro-social modelling) whilst retaining its rigour as a punitive sentence. However, within months of its inception, there was a relaxation in ECP requirements due to escalating costs, and the provisional accreditation subsequently lapsed.</p> <p>Thereafter Probation Areas incrementally moved away from ECP towards a more punishment-orientated and cost-effective approach. In 2005, <i>Community Payback</i> was launched as a national strategy to make Unpaid Work more visible in local communities and to enable the public to nominate work projects. In 2008 the visibility of Community Payback was further increased by the requirement that offenders should wear distinctive orange vests marked with the Community Payback logo, together with new initiatives to encourage public confidence via community participation in project selection.</p> <p>The 2008 <i>Casey Review ‘Engaging Communities in Fighting Crime’</i> was significant in promoting the primacy of punishment and reparation (payback) to the community with much less emphasis on the rehabilitation of offenders. Its recommendations included:</p>

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		<ul style="list-style-type: none"> • Consistent use of the term ‘Community Payback’ in describing work undertaken by offenders • Making the work more visible and demanding • That it should be undertaken with greater intensity <p>In late 2008, the Specification, Benchmarking and Costing Programme ‘<i>Early Priorities</i>’ report on identifying savings in Probation expenditure recommended that:</p> <ul style="list-style-type: none"> • Individual/Agency placements should increase from an estimated national average of 23% to 33% • The size of supervised work groups should increase from an estimated national average of 5.5 to 7 • The <i>management</i> of offenders on Unpaid Work requirements should be reintegrated back into Community Payback operations <p>In April 2010 the Unpaid Work specification went ‘live’ and provided a framework of what should be delivered by defining the key outcomes and outputs for Community Payback schemes across England and Wales.</p> <p>In December 2010 the Green Paper ‘<i>Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders</i>’ made a number of proposals relating to Community Payback which were intended to more effectively punish and rehabilitate offenders. These proposals were confirmed by Ministers and now require that:</p> <ul style="list-style-type: none"> • Offenders should commence Community Payback work within seven calendar days of sentence • All offenders to work a minimum 7 hour day per week, which is an increase of one hour from the previous Specification • All eligible unemployed offenders must be instructed to work for a minimum of 28 hours over four days • Renewed emphasis is also placed on output Row 2 to increase opportunities for the public to nominate work projects for offenders
7.	Flexibility	All the outputs in this specification are mandatory – referred to as the National Minimum – except for the final two (Row 40 ‘Targeted Intervention - Employment Skills’ and Row 41 ‘High Profile Projects’) which are Options Available for Commissioners to Commission .
8.	Reference to Supporting Documents	None.

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9.	Example Measurement / Assurance Method for Commissioners	<p>The specifications identify examples of methods for Commissioners to measure/obtain assurance on the delivery of the outputs/output features. Where an output or output feature does not have Performance Indicator(s) or Management Information associated with it, then it is proposed that it should be covered by Contract/SLA Management and/or more specific audits of the service.</p> <p>Contract Management refers to the Commissioner, under the terms of the Contract/SLA, exercising appropriate oversight and monitoring of Contract compliance against the service as a whole. Audit may refer to individual reviews of compliance commissioned by Commissioners or to service wide reviews, by MoJ Internal Audit and Assurance, of a key process contributing to the delivery of an outcome in a Service Specification.</p>
10.	References for Detailed Mandatory Instructions	<p>Probation Instruction PI 03/2016- Service Specification for Unpaid Work/Community Payback and Community Payback Operating Manual: Delivering the Sentence of Unpaid Work Edition 2</p> <p>The national Community Payback Operating Manual has been rewritten to reflect the outputs and output features of this specification. The page references are referred to in this specification.</p> <p>The manual is comprehensive and encompasses both mandatory and non-mandatory guidance.</p>
11.	References for Non-Mandatory Guidance	<p>The Community Payback Operating Manual is comprehensive and encompasses both mandatory and non-mandatory guidance.</p>
12.	Review	<p>Review cycle to be determined</p>

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Specification

National Minimum

Row #	Service Element	Outputs / Output Features	Applicable Offender Types	Policy Theme	Example Measurement / Assurance Method for Commissioners	References for Detailed Mandatory Instructions	References for Non-Mandatory Guidance
1.	Public Confidence Promoted	All suitable Community Payback placements are made visible to the local community, including the wearing of distinctive clothing.	Adult offenders only (not Young Offenders or Civil Court enforcement orders)	Casey Review		Community Payback Manual Pages 13-16	
2.	Public Confidence Promoted	The public are given the opportunity to express their views as to the suitability of Community Payback projects in their local community.	All offenders	Casey Review	Potential Performance Indicator via Survey	Community Payback Manual Pages 16-18	
3.	Public Confidence Promoted	Local forums (such as a Community Safety Partnership/CSP) are consulted about suitable Community Payback projects to promote public confidence and prevent crime.	All offenders	Casey Review	Contract Management and/or Audit	Community Payback Manual Page 18	
4.	Public Confidence Promoted	Placement sourcing will take account of the views of local people regarding suitable Community Payback projects.	All offenders	Casey Review	Contract Management and/or Audit	Community Payback Manual Pages 18-19	
5.	Public Confidence Promoted	Media and community relations are pro-actively managed to promote public confidence, and an annual report is produced detailing all Community Payback projects undertaken.	All offenders	Casey Review	Potential Performance Indicator via Survey	Community Payback Manual Pages 19-20	

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Row #	Service Element	Outputs / Output Features	Applicable Offender Types	Policy Theme	Example Measurement / Assurance Method for Commissioners	References for Detailed Mandatory Instructions	References for Non-Mandatory Guidance
6.	Stakeholders consulted and informed	Report writers are provided with information regarding Community Payback projects and Unpaid Work requirements to inform their assessment of suitability.	All offenders		Contract Management and/or Audit	Community Payback Manual Page 21	
7.	Stakeholders consulted and informed	Sentencers are provided with information regarding Community Payback projects and Unpaid Work requirements to inform their sentencing decisions.	All offenders		Potential Performance Indicator via Survey	Community Payback Manual Page 21	
8.	Suitable placements organised	Work undertaken by offenders is rigorous and demanding to meet the public expectations of punishment and provide payback to the community.	All offenders	Casey Review	Contract Management and/or Audit	Community Payback Manual Page 23	
9.	Suitable placements organised	Placement Sourcing will seek to maximise community and environmental benefit. This could include high profile but low volume projects (e.g. graffiti removal). Such projects will be locally commissioned by the Commissioner - see Row 40.	All offenders		Contract Management and/or Audit	Community Payback Manual Pages 24-25	
10.	Suitable placements organised	Placements are assessed in accordance with Health and Safety requirements.	All offenders		Contract Management and/or Audit	Community Payback Manual Pages 26-27	

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11.	Suitable placements organised	Sufficient placements are provided that meet the placement quality standard.	All offenders	Skills and employment pathway	Contract Management and/or Audit	Community Payback Manual Pages 27-30	
12.	Suitable placements organised	Beneficiary surveys are undertaken for all Community Payback projects.	All offenders	Casey Review	Potential Performance Indicator via Survey	Community Payback Manual Page 30	
13.	Scheme is monitored and managed	Case records are maintained.	All offenders		Contract Management and/or Audit	Community Payback Manual Pages 31-32	
14.	Scheme is monitored and managed	Data is provided as required for performance and statistical returns.	All offenders		Contract Management and/or Audit	Community Payback Manual Pages 32	
15.	Scheme is monitored and managed	Community Payback staff are competent for the work they undertake.	All offenders		Contract Management and/or Audit	Community Payback Manual Page 33	
16.	Scheme is monitored and managed	Equipment and transport are provided and maintained safely.	All offenders		Contract Management and/or Audit	Community Payback Manual Page 34	
17.	Scheme is monitored and managed	Worksites and placements are subject to oversight, monitoring and quality assurance.	All offenders		Contract Management and/or Audit	Community Payback Manual Pages 34-35	
18.	Offender prepared for work	Offender assessed and allocated to placement that takes account of risk status.	All offenders		Contract Management and/or Audit	Community Payback Manual Pages 37-39	

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19.	Offender prepared for work	Offender assessed in respect of potential attendance and, where required, a Compliance Plan is developed and implemented.	All offenders	Offender Compliance	Current Performance Indicator (Proxy)	Community Payback Manual Pages 39-40	
20.	Offender prepared for work	Offender undertakes induction in accordance with the Operating Manual and the first work session at a Community Payback work site is arranged to take place within seven calendar days of sentence...	All offenders		Potential Performance Indicator	Community Payback Manual Pages 40-42	
21.	Offender prepared for work	Diverse needs of offenders, including their personal safety, are identified and matched to suitable placements.	Vulnerable, Disabled, BME and Female offenders	Diversity	Contract Management and/or Audit	Community Payback Manual Pages 43-44	
22.	Offender prepared for work	Rationale for placements is formally recorded.	Offenders assessed as posing a medium and high risk of harm to the public	Public Protection	Contract Management and/or Audit	Community Payback Manual Page 45	
23.	Offender attends Unpaid Work	Offender is given work instructions for a minimum seven hour day per week that does not interfere with work/training commitments, caring responsibilities and religious observance.	All offenders		Potential Performance Indicator	Community Payback Manual Page 47	
24.	Offender attends Unpaid Work	Offender is given work instructions for a minimum of 28 hours per week over four days that does not interfere with work/training commitments, caring responsibilities and religious	Offenders subject to Intensive requirements		Potential Performance Indicator	Community Payback Manual Pages 48	

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Row #	Service Element	Outputs / Output Features	Applicable Offender Types	Policy Theme	Example Measurement / Assurance Method for Commissioners	References for Detailed Mandatory Instructions	References for Non-Mandatory Guidance
		observance.					
25.	Offender attends Unpaid Work	Worksites and placements are run in accordance with Health and Safety requirements, including the using/wearing of protective equipment.	All offenders		Contract /SLA Management and/or Audit	Community Payback Manual Pages 48-49	
26.	Offender attends Unpaid Work	Contingency plans are in place to minimise offender stand-downs.	All offenders		Current Performance Indicator	Community Payback Manual Pages 49-50	
27.	Offender attends Unpaid Work	Communication and duty systems are in place to provide worksites with emergency support.	All offenders		Contract Management and/or Audit	Community Payback Manual Page 50	
28.	Offender attends Unpaid Work	Offender is enabled to attend employment-related training/education up to a maximum of 20% unpaid work hours ordered.	Unemployed offenders	Skills and employment pathway	Potential Performance Indicator	Community Payback Manual Page 51	
29.	Requirement is managed and enforced	Offender is supported and motivated to maximise attendance.	All offenders	Offender Compliance	Current Performance Indicator (Proxy)	Community Payback Manual Pages 52-54	
30.	Requirement is managed and enforced	Offender's placement is reassessed and reviewed in light of new risk information.	All offenders		Contract Management and/or Audit	Community Payback Manual Pages 54-55	
31.	Requirement is managed and enforced	Offender Managers are provided with timely information regarding offender's attendance,	Offender subject to multiple requirements and Young Offenders		Contract Management and/or Audit	Community Payback Manual Page 55	

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		behaviour and risk indicators.					
32.	Requirement is managed and enforced	Failure to attend is followed up within prescribed timescales.	All offenders		Current Performance Indicator	Community Payback Manual Pages 55-56	
33.	Requirement is managed and enforced	Relevant information regarding failure to attend is communicated to the Offender Manager within prescribed timescales.	Offenders subject to multiple requirements and Young Offenders		Current Performance Indicator	Community Payback Manual Page 56	
34.	Requirement is managed and enforced	Where appropriate, breach action instigated within prescribed timescales.	All offenders on standalone requirements		Current Performance Indicator	Community Payback Manual Pages 56	
35.	Requirement is managed and enforced	Where required, relevant Community Payback staff attend court to give evidence.	All offenders		Contract Management and/or Audit	Community Payback Manual Page 57	
36.	Requirement is managed and enforced	Case record and administrative procedures are completed.	All offenders		Contract Management and/or Audit	Community Payback Manual Page 57	
37.	Requirement is managed and enforced	Relevant information is provided and inter-agency liaison undertaken to comply with local and national procedures and protocols for protecting the public and reducing reoffending including MAPPA, Safeguarding Children, MARAC, Vulnerable	All offenders on standalone requirements	Public Protection	Contract Management and/or Audit	Community Payback Manual Pages 57-58	

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Row #	Service Element	Outputs / Output Features	Applicable Offender Types	Policy Theme	Example Measurement / Assurance Method for Commissioners	References for Detailed Mandatory Instructions	References for Non-Mandatory Guidance
		Adults, PPO and IOM procedures. ¹					
38.	Requirement is managed and enforced	Requirement is completed within a 12-month period.	All offenders		Potential Performance Indicator	Community Payback Manual Pages 58-60	
39.	Requirement is managed and enforced	Offenders surveyed regarding their experience of Community Payback.	All offenders	Offender Compliance	Potential Performance Indicator via sample Survey	Community Payback Manual Page 61	

Options Available for Commissioners to Commission

Row #	Service Element	Outputs / Output Features	Applicable Offender Types	Policy Theme	Example Measurement / Assurance Method for Commissioners	References for Detailed Mandatory Instructions	References for Non-Mandatory Guidance
40.	Targeted Intervention - Employment Skills	Placements are provided to maximise opportunities for the development and accreditation of skills to meet the needs of offenders with an identified employment need.	Unemployed offenders	Skills and employment pathway	Potential Performance Indicator	Community Payback Manual Page 62	
41.	High Profile Projects	High profile projects (as referred to in the mandatory National Minimum Row 9) will be locally commissioned.	All offenders		Potential Performance Indicator	Community Payback Manual Pages 24-25	

¹ The acronyms in output 37 are as follows: Multi Agency Public Protection Arrangements (MAPPA); Multi-Agency Risk Assessment Conference (MARAC); Prolific and other Priority Offenders (PPO); Integrated Offender Management (IOM).