



HM Prison &
Probation Service

Mutual aid, prison security and pre-appointment vetting

A guide to improving mutual aid groups' understanding and experience of HMPPS security and vetting policy and procedures

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Introduction

Her Majesty's Prison and Probation Service (HMPPS) welcomes the expertise that mutual aid groups are providing to prisons and community rehabilitation companies to support the rehabilitation of offenders. We are also keen that individuals with previous convictions who have suitable skills and experience have more opportunity to engage in work on reducing reoffending thereby ensuring that HMPPS and its partners can benefit from the unique blend of 'lived experience' and expertise which they bring to the rehabilitative work they do.

HMPPS has a responsibility to enable delivery of and support access to healthcare and substance misuse services in prisons and 'through the gate', and this includes mutual aid and peer support. Enabling includes everything from security checks, use of keys, decent facilities, access to prisoners, and the training of peer support workers, to the attitude of staff.

It is a difficult balance to increase opportunities for people with previous criminal convictions to work with prisoners and supporting organisations within prison and community environments without increasing risks and compromising safety. The safety and security of prisons must be considered at all times when considering which programmes are appropriate and that the individuals delivering them are suitable.

In HMPPS, due to the higher level of risk in prison settings, individuals are subject to a spent and unspent criminal records check under the exceptions in the Rehabilitation of Offenders Act. Their previous offending histories may prevent some applicants from being successfully vetted through the usual centralised framework. Accordingly, HMPPS has worked to develop an innovative approach to vetting (Standard Plus) to enable more applicants with previous offences to work in prison and community settings. Prison Governors/Directors retain ultimate authority to accept or refuse access to a prison where security concerns about an individual are identified, but more flexible risk criteria have been developed which give them discretion in their appointment where previously the applicant's offending history may have resulted in exclusion. This is reviewed on an annual basis to ensure that any identified security concerns are managed and wherever possible reduced as part of the individual's engagement with offenders.

Around 75% of applicants with a criminal record, who apply to work in HMPPS in a variety of professions and job roles, are successful in passing vetting checks. Moreover, the introduction of the Standard Plus category has made a difference in enabling some previously unsuccessful applicants to work in prisons. However, mutual aid organisations have raised concerns about the difficulties some of their members with previous convictions have experienced in obtaining security clearance to establish new groups or chair existing groups in prisons. In addition, although it has been available since 2013, Standard Plus has been relatively under-utilised by prisons.

HMPPS is keen to make the vetting process operate effectively and to make the reasons for the checks undertaken more easily understood by all groups with whom we work. To this end, in collaboration with PHE's Mutual Aid Reference Group (MARG), HMPPS has developed this practical guidance specifically for mutual aid groups to demystify the process, clear up some common misconceptions and offer a better steer. The guidance includes a brief summary of vetting policy, the application process and the context in which decisions are made. For more detailed information, please refer to the relevant Prison Service Instructions (PSIs) extant at the date of publication of this guidance: *PSI 07/2014 Vetting Function – Security Vetting*; *PSI 27/2014 Security Vetting: Additional Risk Criteria For people with previous convictions working in Prison and Community Settings*; and *PSI 39/2014 Offenders as Mentors* (Annex A refers).

This guidance complements the advice for Governors/Directors, *Unlocking the Potential of Mutual Aid in Prisons: A guide to the benefits of mutual aid and how security and vetting procedures can support its delivery in prisons*, which has been included in an updated version of PHE's Mutual Aid Toolkit.

The need for security vetting

Like everyone working in prisons, members of mutual aid groups wishing to undertake rehabilitative work must undergo security vetting. This helps the prison to establish that an individual is who they claim to be, and that they do not pose an unacceptable security threat. From a practical point of view it is important to recognise that:-

- Prisons have a responsibility to ensure that they are secure and safe
- If prisons are not secure and safe, good work is made more difficult
- Security vetting is an unavoidable requirement
- The process is complex and can be subject to a number of delays

Vetting as a hindrance to involvement in mutual aid work

Representatives of mutual aid organisations have told us that they see the vetting process as a major barrier to getting their members more involved in rehabilitation in prisons. Some applicants find it hard to complete the forms, feel that communication about the process is poor or that applications take an unreasonable time to be approved. Others drop out altogether out of frustration.

Much of the evidence is anecdotal but the most regularly cited difficulties experienced by members of MA groups requiring security clearance to undertake rehabilitative work in prisons are set out in Figure 1.

Figure 1: The main barriers and challenges faced by mutual aid groups navigating the security clearance process

Access to the necessary IT equipment, software and/or skills to complete the form with no hard copy alternative - Particular problems were reported with the form for Counter-Terrorist Check clearance (required for any work with prisoners in high security prisons), which must be completed within a short time period. Failure to do so results in the entire application being terminated, with the applicant required to start again.

Poor communication about the progress of applications and a lack of clarity about the reasons why some applications are rejected.

The length, complexity and intrusiveness of the vetting process – The vetting questionnaire can be a barrier for those with literacy problems/learning difficulties. This puts some people off applying and results in others pulling out of the process.

Difficulty in providing all the information required e.g. remembering addresses, what they were doing over certain periods - A failure to declare all spent and unspent criminal convictions and offences (including outcomes) in the vetting application when matched against the individual's name on the PNC report renders the applicant ineligible to apply for Standard Plus.

Failure of the prison to respond to requests for further information from the Approvals and Compliance Team leading to the application lapsing.

Regular changes to vetting contact points (VCPs) in prisons and a lack of knowledge amongst potential applicants of who the VCPs are

An inconsistency of approach between different VCPs

Figure 1 continued

Lack of knowledge of the process resulting in the applicant failing to exercise their right to appeal decisions to refuse clearance due to adverse criminal convictions and/or no application being made for Standard Plus in many cases when eligible to do so.

Obtaining police certificates from other countries if the applicant has lived abroad

Obtaining ID documents for applicants with no passport, or whose household bills are in a partner's name

Vetting appointments offered at fixed times when applicants have other commitments

Lost paperwork after an application has been submitted to the prison

Clearance expiring without a reminder to renew it

Duplication in the clearance process for private prisons i.e. where applicants cleared by HMPPS are separately vetted by the contracted provider

Recognising difficulties and offering support

The Approvals and Compliance Team (ACT) is a small team of people which makes all enhanced vetting decisions on behalf of HMPPS and the private sector (over 25, 000 applications a year). Security vetting procedures team and in turn the ACT are supportive of people with previous convictions working, volunteering or mentoring within prisons in order to help address offending behaviour, but must ensure that risk is adequately assessed in each case to maintain the safety and security of HMPPS as a whole.

Until recently, vetting forms were submitted by establishments to the service provider (SSCL) where they were processed before being sent to ACT to determine their suitability and to approve or reject the application. Indeed, Private Sector Vetting processes continue to use the paper documents and send these in to SSCL. However, fundamental changes in the approach to vetting have been implemented across public sector prisons with the introduction of e-Vetting. The approach differs as, whilst a Vetting Contact Point (VCP) verifies the ID and Right to Work documentation, a link is sent to the applicant to complete the vetting questionnaire and upload copies of their ID and Right to Work evidence and send it direct to SSCL.

Additionally, e-Vetting has included a range of communications directed to the VCPs across the whole organisation, underpinned by revised training. Most VCPs would still assist a person who has difficulty completing the vetting questionnaire and is expected where possible to do so.

Once it has bedded in, e-Vetting should simplify the vetting process and improve the experience for applicants and VCPs. However, some level of frustration with the vetting process is hard to avoid. Indeed, there can be an accidental advantage: that obtaining clearance tests an applicant's commitment and resilience, perceived to be crucial skills in prison. While this may be true, delays and inflexibility in processing vetting forms can give applicants the impression that they are not wanted, undermining efforts that have already gone into recruiting them.

Organisations should take care to explain to prospective applicants that the vetting forms take time to complete and that once they are submitted, it can take time for clearance to be confirmed. Managing applicants' expectations is important. It is also vital for organisations recruiting applicants to offer support with the forms, perhaps including:

- The use of a computer with the necessary software
- A phone or in-person interview to answer questions or uncertainties before the form is submitted

Some applicants will complete the forms without great difficulty, and when this is combined with SSCL processing them quickly, clearance can be confirmed within weeks, not months. However, most organisations have had to offer some support to applicants

who struggle with the process, and prisons who are serious about mutual aid should offer applicants as much flexibility as possible, particularly concerning appointment times. Good communication is also necessary.

The rest of this section summarises how to improve the vetting process for applicants. Mostly, this can be done by organisations which involve applicants taking care to ensure that they understand the different levels and stages of vetting, and ensuring that communication is clear.

Improving applicants' experience of vetting

The clearance required depends on the role

The level of clearance required for a specific role depends on a risk assessment done by the prison. This has to consider a number of factors (see Figure 2).

Security vetting is not required for individuals who are making occasional visits¹, but any applicant who is going to be visiting the prison regularly should expect to have to obtain clearance. A general rule of thumb applied by many prisons is that clearance is required after three visits although this is not specified in PSI 07/2014.

Figure 2: Checks that are carried out when an applicant is security vetted

- The applicant's identity
- Their recent address history
- Their nationality
- Their criminal conviction history
- Employment references, where appropriate
- Employment history check
- A reference from a personal counter signatory
- Whether the applicant is a member of any racist organisation
- Whether the applicant has been declared insolvent or bankrupt
- Whether the applicant has been banned from working in prisons in the past
- (For some applicants roles) whether the applicant is barred from working with under-18s by the Disclosure and Barring Service

¹ A Standard check is generally undertaken for non-directly employed workers (NDE), including volunteers, who have no contact with prisoners, are escorted at all times, don't hold keys and don't visit the establishment on frequent occasions.

Levels of clearance

There are a number of different levels of clearance, summarised in Table 1: Different levels of security clearance:

Table 1: Different levels of security clearance

Level	Who this level is intended for	Notes
Standard Plus	<ul style="list-style-type: none"> People with previous convictions volunteering or working in prisons, who have not been successful at another level because of their previous offending history 	<ul style="list-style-type: none"> Limited to a specific prison Must be reviewed annually Applicants must have applied for, and been refused, enhanced clearance before they can apply for this level but applications can run concurrently Applicants must have the skills/experience to help serving prisoners through one of the reducing re-offending pathways.
Enhanced level 2	<ul style="list-style-type: none"> All staff directly employed by HMPPS All applicants working in high-security prisons All applicants for the role of chaplain Some chaplaincy applicants in other prisons 	<ul style="list-style-type: none"> Those vetted to enhanced level 1 will not be permitted entry to a high security establishment that requires enhanced level 2 or where a risk assessment identifies this is required.
Enhanced level 1	<ul style="list-style-type: none"> All non-directly employed personnel (except those working in high-security prisons), unless working in certain sensitive roles includes Private Prisons and Escort Services 	<ul style="list-style-type: none"> Includes all those working in the private sector and those not employed directly by HMPPS and are working in non-high security estate. It is needed where an individual will have direct contact with prisoners. Typically must be reviewed every five years
Counter Terrorist Check (CTC)	<ul style="list-style-type: none"> All staff and applicants working in high-security prisons All chaplains in any prison Some applicants not working in high-security prisons, depending on their role Some chaplaincy volunteer applicants in other prisons 	<ul style="list-style-type: none"> This is national security clearance; the check is not carried out by HMPPS Required in some cases in non-high-security prisons, depending on the risk assessment for the role

The Governor/Director of any establishment has the devolved authority to refuse any person entry into their establishment, even though through centralised vetting HMPPS tries to avoid this situation and applies national consistency through the vetting process in the vast majority of cases.

Giving the prison the right information to assess risk

Prison staff use a standardised tool to decide the appropriate level of clearance. This is usually done by the member of prison staff who has oversight of the applicant's role. However, this person may not always be familiar with the specifics of the role, especially if it is new. Organisations which involve applicants should provide clear information, including the role description, and also make sure that the person doing the risk assessment has answers to the questions in Figure 3.

If a role changes or is redesigned (for example it becomes clear that an applicant doing the role will need to draw keys), a new risk assessment may be needed.

Figure 3: Key information the prison needs in order to risk assess an applicant role

Who deals with the vetting forms?

Each prison has a Vetting Contact Point (VCP). The VCP is responsible for:

- Receiving and checking finished security clearance forms to make sure they are complete (private sector only)
- Meeting the applicant face-to-face to verify an applicant's identity and right to work in the UK.
- Sending completed applications to HMPPS Approvals & Compliance Team who process applications to be carried out (private prisons only)
- Notifying applicants when HMPPS has made a decision on whether to give clearance

VCPs deal with applications from staff and applicants, and will have other responsibilities as this is a secondary role. This means they are often extremely busy. The role can change hands frequently, and the VCP is not always experienced.

Organisations should never assume that the VCP will know when the person making a clearance application is a volunteer, or that they will be aware an applicant is giving up their own time to attend the clearance appointment. It can be helpful to let them know this, and to request a different time for an appointment if the applicant is genuinely unable to attend the prison at the originally appointed time. Where possible, prisons should ensure that VCPs are aware that applications sometimes come in from applicants, and are as flexible as possible where this is the case.

- Does the role take place in a high-security prison?
- Does the role involve working in the chaplaincy?
- Does the role require the applicant to draw keys and have freedom of movement around the prison?
- Will the applicant performing this role be accompanied at all times?
- Does the role involve the applicant working face to face with prisoners?
- If so, are they accompanied or unaccompanied by a member of staff?
- Will the applicant have any access to sensitive materials or information, such as prisoner records?
- Does the role involve the applicant having any contact with under-18s in the prison, whether they are prisoners, family members, or any others regularly and unsupervised?

Clear communication and a good relationship with the VCP helps to smooth over a lot of problems. This is easier if the organisation understands the basics of how vetting works, so that risk assessments can be carried out easily, and individual clearance applications processed with the minimum of fuss.

If possible, prisons should make arrangements so that the VCP is able to answer questions from the applicant's organisation about their application. Some VCPs say they can only deal directly with the applicant, and on occasion this can lead to communication difficulties, as the applicant may not understand the information they are being given. It should be an accepted principle that where an applicant has been recruited by an outside organisation, the prison is willing to deal with that organisation's managers or other staff about individual applications. In order to facilitate this, the names of the managers and their e-mail addresses need to be provided, otherwise the VCP will have no evidence to corroborate who they are speaking to.

How vetting is done

Vetting consists of a number of steps, summarised in Figure 4. The process can be complicated, especially if there are problems with the applicant's supporting documentation.

To lessen the potential for any delays, all involved should:

- Understand the process and explain it to applicants, including what can go wrong
- Set realistic expectations
- Communicate clearly, especially about timescales
- Be patient

If an applicant decides to withdraw the offer of their time because of delays, then the effort to recruit them will have been

Figure 4: Steps in the e- vetting process:

1. The VCP at the establishment meets the applicant, verifies the applicant's identity and right to work and takes copies of the relevant documentation
2. The VCP will complete a Clearance Request Form (CRF) and submit it to Shared Services Connected Limited (SSCL)
3. If it is known at the outset that an applicant is likely to fail enhanced vetting due to previous offending behaviour, the VCP can request that Standard Plus be considered concurrently to the enhanced vetting. This can reduce processing time and help inform any decision on suitability quickly and efficiently
4. The establishment no longer has much involvement in the process – the communication throughout the process is between the applicant and SSCL so more important for the applicant to act on replies quickly or seek help to respond
5. SSCL will send the applicant an email with a link to the online portal through which they access the vetting questionnaire
6. The applicant needs to complete the vetting questionnaire and upload their right to work and ID documents
7. The applicant will be notified of the vetting result by SSCL. Where the result is a fail, the applicant can appeal this decision by writing to the Approvals and Compliance Team (ACT), Phoenix House, Celtic Springs Business Park, Newport, NP10 8FZ
8. If the applicant fails vetting and the Governor/Director believes there is mitigating evidence to overturn that decision they can submit a business case requesting a Reconsideration of the Central Vetting Decision to the ACT (Details on this can be found in PSI 05/2015)
9. The case will be reviewed and the applicant and establishment will be notified of the outcome

wasted. Prisons need to recognise the potential for vetting difficulties to cause applicants (in particular) to walk away from a role to which they have been recruited.

A number of things commonly cause difficulties with a clearance application. These are summarised in Table 2, along with suggested steps that can be taken to mitigate these difficulties.

Difficulties often result from applicants being confused by the forms, or uncertain how to answer some questions. One common problem is that the form requests information about previous convictions including driving offences, and applicants are unsure what to enter about a minor motoring offence which they cannot remember the date of. In fact, in such situations, the applicant should provide as much information as they have, and provide an accompanying note saying that they are uncertain of the details. Typically, this causes no problems, but applicants may be unaware of the principle, will often not ask for help, and will then become stuck, because they are unsure how to proceed. Some questions of this nature are answered by the guidance materials that come with the forms, but since these cover over 30 pages, it is not always easy to find the answers. This means that VCPs and organisations need to ensure that applicants know where to go with questions.

Table 2: Common difficulties with clearance applications and supportive actions

Issue	What the organisation can do	What the prison can do
Access to the necessary IT equipment/software/skills to complete the form	<ul style="list-style-type: none"> Offer applicants access to a computer with Excel installed, in order to complete the form 	<ul style="list-style-type: none"> Where possible, prisons should ensure that when applications come in from volunteers, VCPs are aware of the need to be as flexible and facilitative as possible. If practical, offer the opportunity for applicants to complete the form inside the prison, overseen by the Vetting Contact Point or another member of staff who will be involved with the mutual aid project
Forms for CTC clearance must be completed online within a fixed time limit	<ul style="list-style-type: none"> Ensure the applicant is aware of this and warn them that they need to give the form immediate attention 	

Issue	What the organisation can do	What the prison can do
<p>Applicants are unable to confidently give accurate answers to all questions on the clearance form (e.g. the specific date that they moved to a particular address or committed a minor offence)</p>	<ul style="list-style-type: none"> • Tell the applicant before they start the process that it will be useful to have information to hand about the dates when they moved addresses within the last 10 years • Ask the applicant to make a note of where they have made 'best guesses' at answers. This information can then be included in a supplementary sheet. 	<ul style="list-style-type: none"> • Ensure that the supplementary sheet is sent to HMPPS with the application • Be available to answer an applicant's questions if there are issues
<p>The applicant has difficulty providing the documents needed to verify their identity (e.g. all their bills are in someone else's name, or they don't hold a passport), or they bring out of date documents to the appointment with the Vetting Contact Point</p>	<ul style="list-style-type: none"> • Ask the applicant about this early in the recruitment process • Ensure that applicants for whom this might be a problem have their attention drawn to the relevant sections of the guidance material explaining alternative documents • Ensure that applicants are aware that some documents are only valid if the date is within the last 3 or 12 months 	<ul style="list-style-type: none"> • Draw attention to the sections of guidance covering acceptable documentation when sending the forms to the applicant • Be available to answer an applicant's questions if there are issues

Issue	What the organisation can do	What the prison can do
<p>The applicant lived abroad during the last ten years, and therefore needs to supply a police certificate from that country showing whether they had any convictions there</p>	<ul style="list-style-type: none"> • Ask whether a potential applicant has lived abroad at the start of the recruitment process • Notify the applicant that they will need to contact the relevant country's consulate to obtain the certificate, and then obtain official translations • Have information to hand about how to obtain official translations • Offer to reimburse the applicant's expenses incurred in this process • Warn the applicant that this takes time, and set expectations carefully 	
<p>The prison's Vetting Contact Point usually meets applicants to check over their forms at a particular time(s) during the week – when the applicant is not available (Private sector only)</p>	<ul style="list-style-type: none"> • Negotiate an alternative time with the prison • Explain that the applicant is a volunteer and only available at certain times • Forewarn the applicant if no alternative time can be arranged 	<ul style="list-style-type: none"> • Offer flexibility to applicants wherever possible, recognising that they are not employees and therefore it is unreasonable to compel them to attend the prison at fixed times
<p>E-mail updates about the clearance application are sent to the applicant only, and are sometimes missed or swept up by automatic junk mail filters</p>	<ul style="list-style-type: none"> • Develop a relationship with the Vetting Contact Point so as to broker solutions to problems • Check in with the VCP after a fixed period of time has elapsed since the applicant handed in their forms, to find out whether the application has been approved • Warn the applicant to monitor spam e-mail folders 	<ul style="list-style-type: none"> • Ensure that e-mails to the applicants are copied in to the organisation (ideally to an applicant coordinator or other responsible member of staff)

In general, it is a good idea for the organisation to develop some familiarity with the clearance system, the online forms, and the documents required to support them. If the Vetting Contact Point in the prison is particularly busy and cannot offer flexibility with issues like meetings, the organisation can offer to check over an applicant's form themselves, before it goes to the prison. Problems of this nature are far easier to resolve if this can be done 'in-house' rather than by relying on the prison (or the Approvals & Compliance Team at HMPPS that processes the applications) to spot problems.

Security vetting for people who have a criminal record

Some organisations' staff or applicants may have a criminal record, often as the result of the organisation's decision to use people with direct personal experience of prison to support their service users. There is real value in having applicants who have lived experience of serving a prison sentence. However, there is a widespread perception that it can be difficult for these individuals to obtain security clearance to work in prisons through the usual procedures.

Full disclosure required

Organisations and applicants should not assume that any and all previous convictions automatically disqualify an individual from obtaining security clearance. However, **all** applicants for **all** levels of clearance are expected to declare **all** previous convictions, including spent ones, minor ones, and motoring convictions, within the boundaries of the criminal record filtering rules. This means that the level of disclosure required for a prison clearance application is **higher** than that required by most job applications. **Not** disclosing a past conviction may result in clearance being refused. Some organisations report that this is poorly understood by people who have a criminal record, but it should be the recruiting organisation's responsibility to make this clear. The pre-appointment questionnaire does make it clear that the applicant must declare all previous offending. Criminal records filtering takes place as a matter of course where there is for example a single caution which is not a specified offence.

Dealing sensitively and professionally with people with convictions

Completing a vetting application can pose challenges and worries to someone with a conviction. Where the conviction is spent and does not have to be declared in other official contexts (such as job applications), it may come as a surprise to the applicant that it would still have to be declared in the clearance application.

The outcome of the clearance process is also uncertain. Sensitivity and supportiveness are required in case the application is rejected and the applicant will be unable to go ahead with the role. Applicants who have come forward to 'give something back' after successfully desisting from crime may have made a considerable personal investment in doing so, and so applications and their outcomes need to be handled carefully. A rejected application may be very frustrating to an applicant who feels, in good faith, that they have turned their life around.

Do particular kinds of offence result in clearance being refused?

Clearance applications are assessed individually, meaning general guidance can't be given about which kinds of offences result in clearance being refused. This depends on how long ago the offence took place, the role the individual will undertake, the seriousness of the offence including the outcome of that offence and whether or not all offences have been declared amongst other factors.

There is no definite pattern in the pass and fail rates for different offences by staff and applicants who have applied for enhanced clearance, but multiple offences, and single offences involving violence, drugs or dishonesty are among the categories that are refused clearance more often.

Figure 6 suggests practical steps to consider when applicants have previous convictions.

Figure 6: Points to remember when potential applicants have convictions

- Make all applicants aware at an early stage of the recruitment process that they will have to declare **all** convictions in order to obtain clearance. Offer them the chance to drop out of the process if they don't feel able to do this, and support them fully if they do
- If the applicant is not sure they can remember all of their convictions, consider cross-referring against a DBS check (if the organisation requires one) when filling in the HMPPS forms or suggest that the applicant obtains a copy of their criminal record from ACRO and attaches it to their application or if they have a DBS certificate this can be provided– this is helpful and can be seen as a full declaration
- Explain that the clearance is the prison Governor/Director's to grant, not the organisation's
- The protective security classification of OFFICIAL SENSITIVE means for prospective applicants to notify the organisation that they have a criminal record, and ensure that any paperwork is seen only by those staff members who need to see it
- Be available to discuss with applicants whether the best approach is to make only an enhanced clearance application in the first instance or submit this along with an application for Standard Plus – Prison (it is sensible to discuss this with the Vetting Contact Point)
- If any form of application goes ahead, the organisation should be aware that an applicant has put him or herself in a potentially vulnerable and upsetting situation should the application be rejected. Respect this by communicating clearly and ensuring that all stages of the process are explained
- If an application is made through Standard Plus - Prison, be prepared to support the applicant and make a case for their suitability for the role to the Governor/Director of the prison
- If an application is rejected, ask the prison to give reasons for this and explain them to the applicant
- Be familiar with the appeals process given in the Prison Service Instructions about vetting (see Annex A). However, there is no appeals process if Standard Plus has been declined (see below)

Standard Plus clearance

Some people with previous convictions **can** and **do** obtain clearance to work in prisons through the normal procedures. However, some will not, and many of these might have lengthy and/or serious criminal records. People who have successfully desisted after a history of serious offending can set a powerful example to others in prisons. This is recognised by the fact that a special level of security clearance is available for this group, **even if they fail to obtain the normal level of clearance.**

Standard Plus is security vetting for people with previous convictions working in prisons and/or working for the NPS, CRCs and their subcontractors providing rehabilitation

services; and offenders serving their sentence, whether in custody, on a community or suspended sentence order or on a licence post release from custody identified for potential mentoring roles in prison or community settings. There are two types of Standard Plus clearance: 'Standard Plus – Prison' and 'Standard Plus – Community' dependent upon the primary location of the activity the individual will be undertaking. This guidance is concerned exclusively with the former.

Standard Plus-Prison is a site specific, time limited (maximum twelve months duration unless renewed), form of clearance whereby the Governor/Director can consider and accept the risk of an ex-offender or offender serving their sentence accessing, working or mentoring within their establishment. People with previous convictions are defined as individuals whose community/suspended sentence order, licence or post sentence supervision has been successfully completed and there is no longer a right to recall. Offenders still on licence may only be considered for Standard Plus if they have served at least half of the licence element of their sentence for those who have received custodial sentences or at least half of their CSO/SSO for those in the community.

The process for any Standard Plus application is outlined in PSI 27/2014 - *Additional risk criteria for people with previous convictions working in Prison and Community Setting*. In essence, Standard Plus clearance can be used for any applicant applying for a non-directly employed role who is likely to fail enhanced vetting due to adverse criminal history irrespective of how long has elapsed since the most recent convictions and whether or not these are spent.

Any applicant should have applied for and been unsuccessful in gaining enhanced level vetting clearance. This approach is taken in order that a central record of all such cases are captured. However, Standard Plus can be run concurrently with normal vetting procedures. Where an individual may be suitable, Vetting Contact Points can mark a clearance application for Standard Plus-Prison consideration from the outset, and organisations should tell the VCP if this is likely to be needed.

To be 'in scope' and eligible for Standard Plus, applicants must:

- be people with previous convictions;

Figure 7: Steps in the Standard Plus-Prison process:

1. Where the applicant fails enhanced vetting but the Governor/Director wishes to consider an applicant for Standard Plus clearance, they must send a completed 'Request for Additional Information' Form (Annex B of the PSI) to the Approvals and Compliance Team (ACT) unless applications for enhanced vetting and Standard Plus were already running concurrently.
2. The ACT will provide the Governor/Director with all relevant information they have available to them including the applicants Police National Computer (PNC) record. This will assist them in the decision-making process of whether they are content to accept the risk(s) posed to the business.
3. ACT will also advise the Governor/Director whether the applicant is in scope or not. If the applicant is not in scope the Governor/Director will be advised that ACT do not approve the request, but ultimately the Governor/Director can still accept the risk and override that decision if they so choose.
4. The Governor/Director will delegate authority to a Head of Function within the establishment to carry out a local risk assessment which includes information on the role the applicant will be fulfilling, offending history, whether they can be unsupervised and any restrictions to be put in place.
5. Where the Governor/Director is content to accept the risk a confirmation form (Annex C) will be completed by the establishment and sent to the ACT for approval.
6. The individual's vetting record will be updated and confirmation will be issued to the Prison that Standard Plus has been approved and when it expires.
7. The Governor/Director's decision is final in all cases and there is no mechanism to appeal this decision.

- be fulfilling a role where they will work regularly in a prison;
- have openly declared all previous spent and unspent criminal convictions and cautions/offences (including the outcomes) matched against their name on the criminal conviction report;
- have the skills/experience to help serving prisoners engage in rehabilitative work on one or more of the nine identified pathway initiatives specifically relating to reducing reoffending²;
- have successfully passed their sentence expiry date (if applicable).

Applicants are deemed 'out of scope' if they:

- have not openly disclosed all previous criminal convictions and cautions/offences (including the outcomes) matched against their name on the PNC report;
- are still on licence, related restriction or a community order; or
- are not working on one of the identified pathways.

If regular clearance is refused, the prison's Governor/Director will request that further information is provided so that the applicant can be considered for Standard Plus-Prison. The Governor/Director will request further information from ACT who will send all relevant information available allowing them to duly consider standard plus. ACT will advise that the applicant failed due to adverse criminal history along with the relevant criminal conviction history report. The ACT provide the Governor/Director with all relevant information available which may assist in the assessment of the risk to the establishment and ultimately the decision making. This will include the PSI, the PNC, whether the applicant's integrity is in doubt for failing to disclose offences, the employment history over recent years or how long they have been working with the agency and whether or not he applicant is in scope as per PSI 27/2014.

Where the applicant is not in scope, ACT will advise the Governor/Director that this is the case and advise that we do not approve standard plus. The Governor/Director can however, still accept the risk if they so choose.

If it is in scope the Governor/Director will delegate a member of staff to carry out a local risk assessment, to enable them to make an informed decision regarding the suitability of the candidate balanced, against the risk to HMPPS and specifically the individual establishment. Amongst other things they will consider the offending history, any non-disclosure of relevant information (this would normally take the case 'out of scope') and the seriousness of the risk the offence(s) poses, the role applied for and any restrictions to be imposed. The organisation will need to provide information for the risk assessment, justifying why they want to use that individual in the role.

Based on this risk assessment, and the further information about the applicant supplied to the Governor/Director by HMPPS, the final decision will then be taken by the Governor/Director of the prison, who may decide to impose conditions, such as that the applicant must be accompanied by a member of staff at all times, or that they may not

² Those pathways are: Accommodation and Support; Education and Training; Drugs and Alcohol; Finance, Benefits and Debt; Children and Families; Attitudes, Thinking and Behaviour; Women Offenders; Supporting Women Affected by Prostitution; and Supporting Women Affected by Domestic Violence

draw keys. The decision, along with any conditions, must be communicated by the Governor/Director to the organisation that has made the application.

The Prison/CRC/NPS has to request a renewal of clearance upon expiry should the individual be continuing in the role they were originally cleared for. ACT will issue one reminder prior to the renewal date. Upon expiry, the central record will be closed in Shared Services unless the prison confirms that it is still required after local review/renewal.

Where the individual will be prison based, the clearance is not transferable which means that a separate request is required for each prison that the MA organisation may wish the individual to enter. This is because each establishment is different and will have varying risks and the Governor/Director is accepting the risk based on their establishment and no-one else's. However, where an applicant will need access to multiple establishments instead of completing a vetting questionnaire for each one, the Governor/Director can send a request for further information (Annex B) to the ACT who will use the existing information to process the application. As with the primary establishment, the ACT then provide each establishment with all relevant information.

It is important for the applicant to be open and honest regarding all previous offences. Having a number of previous offences will not preclude an applicant from standard plus clearance, however, failing to declare them will. If an application fails on the basis of integrity e.g. not declaring previous convictions then a vetting application will not be accepted for 12 months from the original date of failure for that person.

Standard Plus will only be considered in exceptional circumstances for people with previous convictions who have served sentences for a particular specified offence where the underlying risk posed to safety and security in a prison and community environment is judged to remain significant. Any such application will need to be supported with a business case and documentary evidence stating the benefits of employing that individual in that role.

Barriers and challenges

Given the complexity of this process, and the fact that it has to be gone through for each and every applicant to fulfil a role, there are significant barriers to applying for and gaining Standard Plus clearance. As the system is currently constituted, a judgement has to be made about the effort and time involved in a Standard Plus application (for the prison, the applicant, and the organisation), versus the likely benefit.

The most frequently mentioned difficulties and frustrations experienced by MA groups in relation to Standard Plus are addressed in Table 4.

Table 4: Common difficulties with Standard Plus applications and suggested actions

Issue	
<p>Lack of awareness of or knowledge about the Standard Plus process and the information required amongst applicants, organisations and prison staff</p>	<ul style="list-style-type: none"> • The prison may consider Standard Plus directly but more usually the sponsoring organisation may approach the Governor/Director and request that Standard Plus be considered.
<p>Inconsistency in how the policy is being applied by ACT and across establishments</p>	<ul style="list-style-type: none"> • A review of a sample of cases showed that ACT had dealt appropriately with all requests for Standard Plus. • Frustration at having to go through the process more than once and the same application getting accepted or rejected by different establishments is understandable. However, this is because each establishment is different and will have varying risks and the Governor/Director is accepting the risk based on their establishment and no-one else's.
<p>Ineligibility due to seriousness of previous offences</p>	<ul style="list-style-type: none"> • Governors/Directors will take account of the role applied for, taking into consideration any identified security concerns around either the individual or the programme that they will be involved with. As with every vetting process there will be some applicants who will not pass the acceptance criteria principally because their previous offences are so serious they are still deemed to pose too greater risk or the identified security considerations will be too great to manage.
<p>Information is not always sent to the VCP about the Standard Plus process following refusal under vetting</p>	<ul style="list-style-type: none"> • VCPs are informed of the Standard Plus process if deemed appropriate via SSCL when an applicant fails vetting but is clearly wishing to be involved in the reducing reoffending pathways.

Issue

<p>ACT cannot progress an applicant for Standard Plus clearance unless an establishment requests them to do</p>	<ul style="list-style-type: none"> • While the ACT will provide all relevant information, it is the Governor/Director who maintains authority in relation to the decision made concerning individual people with previous convictions suitability to work in their establishment. • Most delays in the Standard Plus process occur whilst the Governor/Director is considering the application and carrying out a local risk assessment. ACT normally respond to requests for further information on the same day or within 48 hours. • It is not the responsibility of the ACT to initiate Standard Plus. While this can be recommended, it is the responsibility of the establishment to initiate this process.
<p>Perception with Standard Plus that Governor/Directors favour those likely to be working in the prison for a long time</p>	<ul style="list-style-type: none"> • Many applicants with criminal records may become unavailable for prison work if they find a job. Their availability can change, and organisations may not consider the effort of applying for Standard Plus balances well against the risk that an applicant may leave their role before the 12 months is up.
<p>The validity of Standard Plus clearance is too short</p>	<ul style="list-style-type: none"> • There is no plan to extend the 12 month timeline as it is felt that at present this is a proportionate management of the risk.
<p>Delays in issuing a clearance number once Standard Plus has been agreed</p>	<ul style="list-style-type: none"> • This is down to individual Governor/Directors and the range of demands that they are subject to. Whilst the Approvals Team do periodically follow up on a request, it is incumbent on the prison to make the final decision.
<p>Lack of transparency regarding the guidelines Governor/Directors have about security procedures</p>	<ul style="list-style-type: none"> • Considerations around what is taken into account are outlined in the relevant policies on the use of people with previous convictions under Standard Plus PSI 27/2014 and PSI 39/2014 respectively.
<p>Insufficient awareness of Standard Plus as an option among Governor/Directors and offender managers</p>	<ul style="list-style-type: none"> • HMPPS does not promote the use of policies normally but ACT make clear by flagging to prisons and probation locations that Standard Plus may be considered in particular circumstances.
<p>Applicants cleared to Standard Plus level for one prison have to go through full vetting again for another location</p>	<ul style="list-style-type: none"> • This is no longer the case. A secondary establishment simply needs to complete Annex B of the Standard Plus policy, which is the request for further information and their own risk assessment. The approvals and compliance team (ACT), which acts as the facilitation point, then provides the second prison with all relevant information required for them to make an informed and balanced decision on any risk posed and confirm acceptance of risk.

Renewing expired clearance

Security clearance will expire after a certain time; the expiry date is always given on the e-mail confirmation that clearance has been granted. VCPs can check the expiry date for individuals. Enhanced and CTC clearance is usually valid for five years from the date that it was granted. Many organisations working in prisons have individuals working with them for long periods of time, and given the time it takes to apply for clearance, it is sensible to plan to re-apply some time ahead of its expiration. This is particularly important in the case of Standard Plus which is renewable every year.

The expiry date is not usually printed on any gate passes or other documentation issued by the prison. While most prisons have systems for notifying staff members and their line managers that an individual's clearance expires soon, these systems do not always work properly where members of MA groups are concerned, since the VCP (and the member of staff overseeing the individual's role, who is the default person to receive a notification) may have changed during the time that the clearance has been active.

If an individual's clearance expires before he/she has had a chance to renew it, most prisons will feel they have no choice but to prevent the person from coming into the prison until their clearance has been renewed. This can be deeply disruptive, as well as frustrating for the person concerned.

It is therefore sensible for the MA group to keep records of the expiry dates for individuals' clearance, and to check over these records regularly, in case anyone needs to be encouraged to re-apply for clearance in good time. It is good practice to ask each successful applicant to record the expiry date of their clearance, but do not assume that they will.

If the prison is recruiting directly, then they should ensure that records of the individual's supervising member of staff are kept up to date, so that the warning e-mails go to the right person.

Central HMPPS contact point

For further information, please contact:

Approvals and Compliance Team (Recruitment-decisions@hmps.gsi.gov.uk or 01633 631297)

Annex A

Relevant Prison Service Instructions (PSIs)

PSI 7/2014 Security Vetting

Provides an explanation of the policy and procedures that must be followed for the security vetting of all staff and workers (both directly and not directly employed).

<http://www.justice.gov.uk/downloads/offenders/psipso/psi-2014/psi-07-2014-security-vetting.pdf>

PSI 27/2014 Additional Risk Criteria for People with previous convictions Working in Prison and Community Settings

Provides an explanation of the policy and procedures that must be followed for the security vetting of all people with previous convictions requiring Standard Plus vetting.

<http://www.justice.gov.uk/downloads/offenders/psipso/psi-2014/psi-27-2014-security-vetting-additional-risk.pdf>

PSI 39/2014 Using Offenders as Mentors in the Community and in Custody

Provides an explanation of the policy and procedures that must be followed for the security vetting of all offenders serving their sentence, whether in custody, on a community or suspended sentence order; or on a licence post release from custody. This also includes any Post Sentence Supervision period requiring Standard Plus vetting.

<http://www.justice.gov.uk/downloads/offenders/psipso/psi-2014/psi-39-2014-offenders-as-mentors.pdf>

PSI 42/2014 Exclusion of Personnel on Grounds of Misconduct

Regularises the exclusion of not directly employed workers (contractors, consultants, volunteers, agency and sessional workers) from a HMPPS prison establishment, NPS Divisional offices or Headquarters business unit due to safety and security issues, misconduct or other substantial reasons.

<http://www.justice.gov.uk/downloads/offenders/probation-instructions/psi-42-2014-pi-60-2014-exclusion-of-personnel-on-grounds-of-misconduct.doc>

PSI 05/2015 Reconsideration of HMPPS Central Vetting Decisions by Exception

Provides an explanation of the policy and procedures that must be followed in exceptional cases when a Governor/Director or their equivalents in NPS or CRCs request reconsideration of a HMPPS central security vetting decision processed by SSCL through the relevant Deputy Director or for CRCs the Deputy Director for Community Rehabilitation Services Contract Manager.

<http://www.justice.gov.uk/downloads/offenders/psipso/psi-2015/psi-05-2015-pi-02-2015-HMPPS-central-vetting-decision.pdf>

Annex B

Related guidance and other useful sources of information

As part of the Valuing Volunteering Project (VVP), Clinks was commissioned by the National Offender Management Service (HMPPS) to develop guidance to help volunteers to better understand the vetting process and navigate their way through out. This guidance was included as a chapter in *Valuing Volunteers in Prison – A Review of Volunteer Involvement in Prisons*, which was published last summer along with its companion document, *The Views of Service Users and People with previous convictions*. Both documents are available on the *Valuing Volunteering in the Criminal Justice System* page of their website at:

<http://www.clinks.org/voluntary-sector-volunteering-mentoring/valuing-volunteering-criminal-justice-system>.

In parallel, Unlock, a charity for people with convictions, developed some practical guidance on the basics of the process i.e. how to apply and the chances of success as part of some work to encourage more employers to provide opportunities for people with previous convictions. *Recruiting People With Criminal Records To Work in Prisons* is specifically intended to support organisations in recruiting staff and volunteers that have criminal records to work in prisons where 'vetting' by Her Majesty's Prison & Probation Service (HMPPS) is required. It is available on their Recruit website at:

<http://recruit.unlock.org.uk/knowledgebase/prison-vetting/#good>.

Further information for individuals with convictions applying for prison vetting can be found on Unlock's information site at:

<http://hub.unlock.org.uk/knowledgebase/criminal-justice-sector/>.

Advice for prison Governor/Directors, *Unlocking the Potential of Mutual Aid in Prisons: A guide to the benefits and making better use of Standard Plus*, which was included in an updated version of PHE's Mutual Aid Toolkit published this year, is accessible at:

<https://www.gov.uk/government/publications/mutual-aid-toolkit-for-alcohol-and-drug-misuse-treatment>