

Service	Prisoner Property Services	Version	P2.2
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Service Specification for

Prisoner Property Services

Service Specification Document

This document defines the service, including the required outcome(s) and outputs. As part of a Service Level Agreement 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	2. Operating Model	3. Direct Service Costs & Assumptions Document	4. Cost Spreadsheet
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Version Control Table		
Version No.	Reason for Issue / Changes	Date Issued
P 1.0	Preview publication	17-12-2010
P 2.0	Go-live publication: references updated in line with new Prison Service Instructions. New outputs added at row 2 (HSE estate) and row 3 (non-HSE estate) covering searching of stored property following a prisoner's transfer.	01-04-2011
P2.1	<u>Strategic context:</u> Updated to reflect new legislation to provide power to confiscate unauthorised items of prisoners' property. <u>Changes to outputs:</u> Outputs 8 and 9 (prisoners are allowed to receive and/or exchange property through the post or courier/through social visits): New reference added: "at the Governor's discretion". <u>Mandatory/non-mandatory guidance:</u> Guidance references updated, to refer to new IEP instruction and other recent instructions published since version P2.0 of this specification.	07-11-2013
P2.2	Supporting documents: reference to operating model, cost spreadsheet and direct service costs and assumptions removed, as these are now outdated.	08-01-2014

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Introduction to Prisoner Property Services Specification

1.	Service Name	Prisoner Property Services
2.	Key Outcome(s) for Service	<ul style="list-style-type: none"> Prisoners' personal property is managed in a safe, decent and timely manner Threats to the security, order and control of the establishment are reduced Prisoners are able to lead as normal and individual an existence as possible within the constraints of the prison environment
3.	Definition of Service	<p>To ensure that prisoners' property is checked, recorded, stored, sent out or issued correctly.</p> <p>To ensure that such limitations and restrictions on the property held in prisoners' possession are operated as are necessary to maintain good order, discipline and security.</p> <p>To ensure that access to personal property is linked to good behaviour and compliance with the Incentives and Earned Privileges (IEP) scheme.</p> <p>All property, particularly religious books and artefacts, should be treated with appropriate care and respect.</p>
4.	Service Elements In Scope	<p>Search, record, allocate, send out or store property.</p> <p>Search, record, allocate or store valuable property.</p> <p>Property In/Out.</p> <p>Living Accommodation Clearance*.</p> <p><i>* Any reference to living accommodation includes cells, rooms, dormitories or any other personal living space a prisoner may occupy.</i></p>
5.	Out of Scope / Dependent Service Elements	<p>The following are both out of scope and dependent of this service specification:</p> <ul style="list-style-type: none"> Dealing with complaints regarding lost, misplaced or damaged property (see Processing & Resolution of Prisoner Complaints specification) Dealing with a prisoner's personal financial affairs, such as bank details and benefits records, as part of in-possession property (see Manage Prisoner Finance specification)

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		<ul style="list-style-type: none"> • Dealing with and accounting for cash, financial records etc. (see Manage Prisoner Finance specification) • Searching of in-possession property on reception into custody and on the day of discharge from custody (see Early Days and Discharge specifications) • Agreeing property types and/or levels approved through the local IEP Scheme (see Residential Services specification)
6.	Strategic Context	<p>There are a number of Prison Rules that refer to prisoners' property, including clothing, cash and other articles. (Where any of these Rules apply to any of the Outputs concerned, they are shown under the heading "<i>References for Detailed Mandatory Instructions</i>" in the Specification.)</p> <p>There are a number of reports, publications and stakeholder groups that make reference, directly or indirectly, to prisoners' property, most notably:</p> <ul style="list-style-type: none"> • The Woodcock Report, published in the mid-1990s following the escape of high risk Category A prisoners, made various recommendations in relation to property • The National Security Framework (NSF Function 3) makes specific reference to property and this is, in turn, reflected in establishment Local Security Strategies (LSS) • The Prisoner Information Booklet provides advice to prisoners on property • HM Inspector of Prisons, Independent Monitoring Boards and the Prisons and Probation Ombudsman all feature property issues in their respective reports, but there have been no thematic reports <p>Key legislation (Offender Management Act 2007) made it an offence to bring an unauthorised mobile phone into a prison, with a maximum penalty of two years imprisonment and/or an unlimited fine.</p> <p>Case law is also applicable in terms of the Administrative Court Judgment in the case of Coleman. The Administrative Court ruled in 2009 in the case of Mark Coleman that Governors/Directors do not have a power under the 1999 Prison Rules to permanently confiscate / destroy prisoners' property.</p> <p>This judgment arose from a judicial review brought by Mr Coleman following a decision by a governor to permanently confiscate and destroy a mobile phone found in Mr Coleman's possession. In light of this judgment, Governors/Directors are currently able to deprive prisoners of such possessions during their time in custody only (with the items being returned to the prisoner on request upon their release from custody) and, as such, the lack of destruction powers present real risks to security, for example photographs of prison staff may be transmitted to offender contacts outside of prison.</p>

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		<p>The judgment is also impacting on the Service's ability to store confiscated items of prisoners' property. A Chief Operating Officer's note was sent to Governors/Directors on 7 April 2009 about this judgment, informing them that they cannot permanently confiscate or destroy items of prisoners' property.</p> <p>In order to remedy the Coleman judgment, we have successfully taken primary legislation through both Houses which will give Governors/Directors express powers to permanently confiscate / destroy unauthorised items of prisoners' property. The Act has received Royal Assent but has yet to be commenced. Commencement is likely to take place before the end of the 2013/14 business year, which will coincide with the issue of a PSI which will explain to Governors / Directors the extent of their new powers and how / when they may be exercised.</p> <p>Other legislative provisions have also been introduced which make the possession without authorisation of items capable of transmitting or receiving data electronically in prison a criminal offence (for example, a mobile phone). The need for this does not arise from the Coleman Judgment. It is part of the approach in tackling the amount of mobile phones being brought into prison establishments.</p> <p>In terms of organisational requirements, the then Chief Operating Officer wrote separately to Governing Governors/Directors of contracted out prisons on 24 November 2009 about their ability under the existing Prison Rules to exercise discretion as to the amount of property to be passed to prisoners. The note also reminded Governing Governors/Directors of contracted out prisons of the need to continue to encourage prisoners to weed and hand out any of their unused property.</p> <p>There were approximately 215,000 complaints from prisoners in financial year 2008-2009, and around 238,000 complaints in financial year 2009-2010, according to data held by NOMS Performance Information and Analysis Group.</p> <p>Anecdotal evidence suggests that as many as one in five complaints may be linked to prisoners' property. Compensation paid to prisoners in relation to property is just over £100k annually.</p>
7.	<i>Flexibility</i>	All the outputs in this specification are mandatory – referred to as the National Minimum .
8.	<i>Reference to Supporting Documents</i>	None.

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9.	<i>Example Measurement/ Assurance Method for Commissioners</i>	<p>This specification identifies 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 Assurance Statements and Contract/SLA Management and/or more specific audit of the services.</p> <p>Assurance Statements will be one of the means by which Commissioners can get assurance that providers are delivering outcomes and outputs of the Service Specification. Contract/SLA Management refers to the Commissioner, under the terms of the Contract/SLA, exercising appropriate oversight and monitoring of Contract/SLA 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> <p>Security Audit, Race Equality Prisoner Audit and Self Harm Audit all feature as separate elements within the Prison Rating System (PRS).</p>
10.	<i>References for Detailed Mandatory Instructions</i>	<p>PSI 30/2013 Incentives and Earned Privileges PSI 23/2013 Prisoner Retail PSI 02/2012 Prisoner Complaints PSI 01/2012 Manage Prisoner Finance PSI 74/2011 Early Days in Custody – Reception in, First Night in Custody and Induction to Custody PSI 72/2011 Discharge PSI 64/2011 Safer Custody PSI 51/2011 Faith and Pastoral Care for Prisoners PSI 19/2011 Searching of Prisoners’ Stored Property PSI 12/2011 Prisoners’ Property PSI 11/2011 Incentives and Earned Privileges PSO 4600 Unconvicted, Unsented and Civil Prisoners PSO 4800 Women Prisoners</p>

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		National Security Framework: Function 3 - Searching
11.	References for Non-Mandatory Guidance	PSI 30/2013 Incentives and Earned Privileges PSI 02/2012 Prisoner Complaints PSI 74/2011 Early Days in Custody – Reception in, First Night in Custody and Induction to Custody PSI 72/2011 Discharge PSI 32/2011 Ensuring Equalities PSI 26/2011 NOMS Finance Manual PSI 19/2011 Searching of Prisoners' Stored Property PSI 12/2011 Prisoners' Property PSI 11/2011 Incentives and Earned Privileges PSO 4600 Unconvicted, Unsented and Civil Prisoners PSO 4800 Women Prisoners
12.	Review	Review cycle to be determined.

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National Minimum

Row Number	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.	Search, record, allocate or store property	Prisoners and staff are aware of and comply with what property can be held in possession or storage.	All prisoners	Children & Families Pathway Safer Custody Health & Well-being	MQPL Self or Independent Assessment	Prison Rules 23, 43 & 44 and YOI Rule 48 refer PSI 12/2011 Prisoners' Property PSI 30/2013 Incentives and Earned Privileges (IEP) PSI 11/2011 IEP PSI 74/2011 Early Days in Custody PSI 51/2011 Faith and Pastoral Care for Prisoners PSI 01/2012 Manage Prisoner Finance	PSI 12/2011 Prisoners' Property PSI 74/2011 Early Days in Custody PSI 26/2011 NOMS Finance Manual PSI 32/2011 Ensuring Equalities PSO 4800 Women Prisoners
2.	Search, record, allocate or store property	All stored property is searched on receipt following a prisoner's transfer.	All HSE Prisoners			PSI 12/2011 Prisoners' Property PSI 19/2011 Searching of Prisoners Stored Property	

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3.	Search, record, allocate or store property	The need to routinely search stored property, following a prisoner's transfer, is risk assessed. Where required, stored property is searched on receipt.	All non-HSE Prisoners			PSI 12/2011 Prisoners' Property PSI 19/2011 Searching of Prisoners Stored Property	
4.	Search, record, allocate or store property	In-possession property complies with volumetric control guidance and is consistent with Incentives and Earned Privileges guidance.	All prisoners	Children & Families Pathway Safer Custody Health & Well-being	MQPL Self or Independent Assessment	PSI 12/2011 Prisoners' Property Woodcock Report Recommendation 6 PSI 30/2013 IEP PSI 11/2011 IEP	PSI 12/2011 Prisoners' Property PSO 4800 Women Prisoners
5.	Search, record, allocate or store valuable property	A system is in place to distinguish between valuable and non-valuable property.	All prisoners	Children & Families Pathway Safer Custody Health & Well-being	MQPL Self or Independent Assessment	Prison Rules 23, 43 & 44 and YOI Rule 48 refer. PSI 12/2011 Prisoners' Property PSI 01/2012 Manage Prisoner Finance	PSI 12/2011 Prisoners' Property PSI 26/2011 NOMS Finance Manual
6.	Search, record, allocate or store valuable property	Prisoners and staff are aware of and comply with what valuable property can be held in possession or storage.	All prisoners	Children & Families Pathway Safer Custody Health & Well-being	MQPL Self or Independent Assessment	Prison Rules 23, 43 & 44 and YOI Rule 48 refer PSI 12/2011 Prisoners' Property PSI 01/2012 Manage Prisoner Finance	PSI 12/2011 Prisoners' Property PSI 26/2011 NOMS Finance Manual

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7.	Search, record, allocate or store valuable property	In-possession valuable property is consistent with Incentives and Earned Privileges guidance.	All prisoners	Children & Families Pathway Safer Custody Health & Well-being	MQPL Self or Independent Assessment	PSI 12/2011 Prisoners' Property PSI 30/2013 IEP PSI 11/2011 IEP	PSI 12/2011 Prisoners' Property PSI 26/2011 NOMS Finance Manual
8.	Property In/Out	Prisoners are allowed to receive and/or exchange property through the post or courier at the Governor's discretion.	All prisoners	Children & Families Pathway Safer Custody Health & Well-being	MQPL Self or Independent Assessment	Prison Rules 23(1) & 43(1) refer (Unconvicted only) Prison Rule 44(1), 44(1)(a), 44(1)(b) and 44(1)(c) refer (Convicted prisoners only) PSI 12/2011 Prisoners' Property PSI 01/2012 Manage Prisoner Finance PSI 30/2013 IEP PSI 11/2011 IEP PSO 4600 Unconvicted, Unsented and Civil Prisoners Woodcock Report Recommendation 6	PSI 12/2011 Prisoners' Property PSO 4600 Unconvicted, Unsented and Civil Prisoners

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9.	Property In/Out	Prisoners are allowed to receive and/or exchange property through social visits at the Governor's discretion.	Unconvicted prisoners	Children & Families Pathway Safer Custody Health & Well-being	MQPL Self or Independent Assessment	Prison Rules 23(1) & 43(1) refer (Unconvicted only) PSI 12/2011 Prisoners' Property PSI 01/2012 Manage Prisoner Finance PSI 11/2011 IEP PSI 30/2013 IEP PSO 4600 Unconvicted, Unsented and Civil Prisoners Woodcock Report. Recommendation 6	PSI 12/2011 Prisoners' Property PSO 4600 Unconvicted, Unsented and Civil Prisoners PSO 4800 Women Prisoners
10.	Property In/Out	Convicted prisoners are allowed to send property out through social visits.	Convicted prisoners	Children & Families Pathway Safer Custody Health & Well-being	MQPL Self or Independent Assessment	PSI 12/2011 Prisoners' Property PSI 01/2012 Manage Prisoner Finance PSO 4600 Unconvicted, Unsented and Civil Prisoners Woodcock Report Recommendation 6	PSI 12/2011 Prisoners' Property PSI 30/2013 IEP PSO 4600 Unconvicted, Unsented and Civil Prisoners PSO 4800 Women Prisoners

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11.	Property In/Out	Convicted prisoners are allowed to receive property through social visits at the Governor's discretion.	Convicted prisoners	Children & Families Pathway Safer Custody Health & Well-being	MQPL Self or Independent Assessment	PSI 12/2011 Prisoners' Property PSI 01/2012 Manage Prisoner Finance PSI 30/2013 IEP PSI 11/2011 IEP PSO 4600 Unconvicted, Unsented and Civil Prisoners Woodcock Report Recommendation 6	PSI 12/2011 Prisoners' Property PSO 4600 Unconvicted, Unsented & Civil Prisoners PSO 4800 Women Prisoners
12.	Property In/Out	Prisoners are allowed to receive and/or exchange property through external purchase.	All prisoners	Children & Families Pathway Safer Custody Health & Well-being	MQPL Self or Independent Assessment	Prison Rules 23(1) & 43(1) refer (Unconvicted only) Prison Rule 44 refers (convicted only) PSI 12/2011 Prisoners' Property PSI 01/2012 Manage Prisoner Finance PSO 4600 Unconvicted, Unsented and Civil Prisoners PSI 23/2013 Prisoner Retail	PSI 12/2011 Prisoners' Property PSI 30/2013 IEP PSO 4600 Unconvicted, Unsented and Civil Prisoners PSO 4800 Women Prisoners

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						Woodcock Report Recommendation 6	
13.	Property In/Out	Prisoners are allowed to exchange property which is stored locally and/or nationally.	All prisoners	Children & Families Pathway Safer Custody Health & Well-being	MQPL Self or Independent Assessment.	Prison Rules 23(1) & 43(1) refer (Unconvicted only) PSI 12/2011 Prisoners' Property PSI 01/2012 Manage Prisoner Finance PSO 4600 Unconvicted, Unsented and Civil Prisoners Woodcock Report Recommendation 6	PSI 12/2011 Prisoners' Property PSI 30/2013 IEP PSO 4600 Unconvicted, Unsented and Civil Prisoners PSO 4800 Women Prisoners
14.	Property In/Out	Prisoners and staff are aware of and comply with the disposal arrangements for unclaimed property.	All prisoners	Safer Custody Health & Well-being	MQPL	Prison Rules 43(4) and YOI Rule 48(3) refer PSI 12/2011 Prisoners' Property NSF – Function 3 Searching PSI 64/2011 Safer Custody, Chapter 13	PSI 12/2011 Prisoners' Property

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15.	Living Accommodation Clearance	Prisoners and staff are aware of and comply with the arrangements when a prisoner has vacated living accommodation.	All prisoners	Safer Custody Health & Well-being	MQPL Self or Independent Assessment	Prison Rules 43(4) & (5) and YOI Rules 48(3) & (4) refer PSI 12/2011 Prisoners' Property PSI 64/2011 Safer Custody, Chapter 12 Woodcock Report Recommendations 31 and 33 NSF – function 3 Searching	PSI 12/2011 Prisoners' Property PSI 26/2011 NOMS Finance Manual