



National Offender  
Management Service

# **National Framework**

## **Agreement for Services Commissioned from Public Sector Prisons in Wales**

**From 2015**

# Table of Contents

|  | <b>Page</b> |
|--|-------------|
| <b>1. CONTEXT .....</b>  | <b>3</b>    |
| <b>2. PURPOSE AND SCOPE OF THIS DOCUMENT .....</b>                 | <b>4</b>    |
| <b>3. AGREEMENT .....</b>  | <b>5</b>    |
| <b>4. SERVICE DELIVERY .....</b>                                   | <b>5</b>    |
| 4.2. Delivery partners .....                                       | 5           |
| <b>5. SERVICE REQUIREMENTS .....</b>                               | <b>6</b>    |
| 5.1. NOMS Service Specifications .....                             | 6           |
| 5.2. NOMS Commissioning Intentions .....                           | 8           |
| 5.3. Agreed National Delivery .....                                | 9           |
| 5.4. Rehabilitation of Offenders in Prison .....                   | 10          |
| 5.5. Core Rehabilitation Services .....                            | 11          |
| 5.6. Additional Range of Rehabilitative Services .....             | 11          |
| 5.7. Effective Targeting of Resource .....                         | 12          |
| 5.8. Service Delivery Requirements (SDRs) .....                    | 13          |
| 5.9. Performance Management .....                                  | 14          |
| <b>6. AUDIT, ASSURANCE AND RISK MANAGEMENT .....</b>               | <b>14</b>   |
| <b>7. CHANGES TO THE AGREEMENT .....</b>                           | <b>15</b>   |
| <b>ANNEX A: NOTICE OF CHANGE AND BUSINESS CASE TEMPLATES .....</b> | <b>17</b>   |

## 1. CONTEXT

- 1.1.1. **National Offender Management Service (NOMS)** both commissions and provides offender management services in the community and in custody ensuring best value for money from public resources.
- 1.1.2. **NOMS Agency Board (NAB)** acts corporately in the role of the **Commissioning Authority** that commissions services from a number of providers.
- 1.1.3. **Commissioners** and **Providers** have different but complimentary roles in achieving NOMS aims and objectives. The responsibility and accountability for the delivery of agreed outcomes sits within the provider operational line. The responsibility and accountability for ensuring agreed outcomes will deliver the NOMS objectives and represent value for money sits with commissioning.
- 1.1.4. In providing **Public Sector Prisons (PSP)** in Wales, NOMS acts on behalf of the Secretary of State for Justice.
- 1.1.5. PSP must comply with the requirements in HM Treasury's "Managing Public Money" document and NOMS financial controls and frameworks. Public Sector Prisons will receive funding for the financial year from NOMS, subject to the delegated financial authority issued to the Governing Governor of each prison on behalf of the NOMS **Chief Executive Officer (CEO)**. The Annual Operating Price for this agreement will be the sum of the annual operating prices for each Establishment. These will be published on the [www.gov.uk](http://www.gov.uk) website.
- 1.1.6. PSP is a directly managed delivery function within NOMS and will deliver services under **Service Level Agreement (SLA)**. NAB as the commissioning authority set the requirements for the SLA and when agreed, the NOMS CEO will hold the Director of **NOMS in Wales** to account for delivery. Both are members of the NOMS Agency Board. NOMS governance for the SLA and agreeing **Service Delivery Requirements (SDRs)** will be via the Commissioning Working Group and Commissioning & Contract Management Sub-Committee, with final approval via NAB.
- 1.1.7. The NOMS CEO will oversee the entire delivery structure. The Director of NOMS in Wales will report to the NOMS CEO and will be responsible for the delivery of the SLA in Wales.
- 1.1.8. PSP and Commissioners agree to work together to ensure effective delivery of services in accordance with the SLA and the applicable NOMS Service Specifications as set out in section 5.
- 1.1.9. In delivering the requirements of the SLA, PSP shall comply with all relevant legislation, statutory and regulatory requirements and NOMS policies, and any subsequent amendments, additions or deletions to such. This includes compliance with the mandatory content in applicable Prison Service Instructions.

## 2. PURPOSE AND SCOPE OF THIS DOCUMENT

- 2.1.1. This National Framework is one component of the Service Level Agreement and sets out how custodial services are commissioned and delivery expectations for Prisons in Wales.
- 2.1.2. This National Framework provides a description of a range of services that have been commissioned by funders other than NOMS for example health, education and other co-commissioned services to offenders. Prisons have specific responsibilities in respect of partnership working and enabling delivery. Responsibility for performance management arrangements of such services usually rests outside of NOMS, contained in separate SLAs, contracts or memoranda of understanding (MoU).
- 2.1.3. This National Framework is underpinned by a **Wales Delivery Plan** which provides details of agreed priorities and objectives. The plan will describe how Wales will respond to the overarching **NOMS Commissioning Intentions (NCIs)**. The Wales Delivery Plan is developed and agreed between the Lead Governor in Wales and the Deputy Director Strategic Support, Administration and Assurance (DDSSAA) with contributions from other stakeholders.
- 2.1.4. Each publicly managed prison in Wales will have an Establishment Delivery Schedule setting out the specific service delivery requirements relevant to them and delivery outputs that will contribute to meeting the agreed outcomes.
- 2.1.5. The delivery of custodial services by Privately Managed Prisons (PMP) and custodial services by prisons for the Youth Justice Board is managed separately and their performance is not managed as part of this framework.
- 2.1.6. This National Framework and the Wales Delivery Plan have been agreed as part of the NOMS commissioning cycle. The commissioning cycle sets out the high level commissioning priorities for NOMS (taking into account service need and demand, resources, government policy and the priorities of other commissioners and funders of offender services) and secures services under SLAs and contracts to meet these priorities. The Wales Delivery Plan and Establishment Delivery Schedules are live documents that remain under review by the Director of NOMS in Wales and Commissioners throughout the year and subject to change by mutual agreement in line with the notice of change process outlined in this framework. The plans will be reviewed at least annually.
- 2.1.7. The SLA Review Process will be a regular and proportionate review of delivery of the Wales Delivery Plan and Establishment Delivery Schedules. The review process will include regular discussions and feedback between Commissioners and the Director of NOMS in Wales.
- 2.1.8. For the avoidance of doubt, this Agreement is not legally binding.

- 2.1.9. To support transparency, and in line with the section 8 of the Offender Management Act 2007, this Agreement will be published on the [www.gov.uk](http://www.gov.uk) website.

### **3. AGREEMENT**

- 3.1.1. This National Framework was agreed by the Lead Governor and DDSSAA on behalf of the Director of NOMS in Wales on 31 March 2015.
- 3.1.2. The commencement date for this Agreement will be **1 April 2015** and it shall remain in place, unless otherwise agreed.

### **4. SERVICE DELIVERY**

- 4.1.1. Delivery of the services within the SLA fall within the control of the Lead Governor of Prisons in Wales.
- 4.1.2. Responsibility for delivery of the services within the SLA will be included in the appropriate Staff Performance and Development Records (SPDRs) and service delivery failure will be dealt with through performance management processes.

#### **4.2. Delivery partners**

- 4.2.1. PSP shall work with all relevant partners to deliver the requirements of the SLA and to further both NOMS objectives and the objectives of partners. These can include, but are not limited to: the National Probation Service (NPS), Community Rehabilitation Companies (CRCs), Welsh Government, Public Health Wales, Local Health Boards, DfES, DWP / Job Centre Plus (Wales), local authorities (social care), the local community and with the voluntary and community sector, social enterprises, faith groups, private and statutory organisations and agencies as well as national statutory partners. NOMS Commissioning Intention Theme 2 focuses on the importance of these relationships.
- 4.2.2. PSP will be expected to work in partnership with service providers not commissioned by NOMS but which support delivery of services specified in the SLA. Partnership working is expected to be in line with relevant NOMS specifications, instructions and established partnership governance arrangements for individual service areas. This will include PSP Wales' partnership role with Local Health Boards in the provision of healthcare in prisons through the Prison Health Partnership Boards in Wales.
- 4.2.3. Partnership working should seek to go beyond minimum expectations of enabling services<sup>1</sup> to support (without cutting across contract management responsibilities) integrated service delivery across the range of providers operating in the custodial environment. 'An Introduction to NOMS Offender Services Co-commissioning' provides further information

---

<sup>1</sup> See the NOMS service specification: 'Enablers of National Co-commissioned Services in Prisons' : <https://www.gov.uk/government/publications/national-offender-management-service-noms-service-specifications-for-secure-and-decent-custody>

about the range of commissioned organisations operating in prisons in both England and Wales<sup>2</sup>.

- 4.2.4. PSP Wales will also be responsible for delivering the prisoner learning and skills provision, in the current prisons, which is funded by Welsh Government
- 4.2.5. The National Framework does not include within its scope services delivered by CRCs under contract to the Commissioning Authority, but does include requirements for joint/collaborative working between PSP and CRCs. PSP shall work to meet any requirements and obligations agreed and supported by the Commissioner under joint working arrangements with NOMS partners and providers of custodial services (other than the Secretary of State.) This includes the sharing of information under the powers set out in section 14 of the Offender Management Act 2007.
- 4.2.6. PSP will support the delivery of projects funded by the European Social Fund.

## **5. SERVICE REQUIREMENTS**

### **5.1. NOMS Service Specifications**

- 5.1.1. This National Framework is supported by the NOMS Directory of Services, which sets out the full range of services that NOMS Commissions. Each service specification sets out the minimum mandatory outputs and outcomes to be delivered by the provider for which NOMS is funded to commission for offenders, defendants, victims and to the courts on behalf of the Secretary of State.
- 5.1.2. PSP will deliver the national minimum outcomes and outputs in the applicable NOMS Service Specifications listed and as NOMS Service Specifications are introduced or updated.

---

<sup>2</sup> [www.justice.gov.uk/downloads/about/noms/Introduction-to-NOMS-offender-services-co-commissioning.pdf](http://www.justice.gov.uk/downloads/about/noms/Introduction-to-NOMS-offender-services-co-commissioning.pdf)

| <b>Mandatory NOMS Service Specifications applicable</b>  |
|--|
| <b>The following specifications are mandatory for ALL establishments. For the full list of NOMS Service Specifications, please refer to the <a href="https://www.gov.uk">www.gov.uk</a> website: <a href="https://www.gov.uk/government/collections/noms-directory-of-service-specifications">https://www.gov.uk/government/collections/noms-directory-of-service-specifications</a></b> |
| Early Days & Discharge – First Night in Custody  |
| Early Days & Discharge – Induction to Custody  |
| Early Days & Discharge – Reception In  |
| Early Days & Discharge – Discharge   |
| Cell and Area Searching  |
| Catering   |
| Visits – Services for Visitors   |
| Visits – Visits Booking  |
| Visits – Conduct Visits  |
| Prisoner Property Services   |
| POSOE – Communication & Control Rooms  |
| POSOE – Gate Services  |
| POSOE – Internal Prisoner Movements  |
| Residential Services   |
| Nights   |
| Prisoner Discipline and Segregation – Prisoner Discipline Procedures   |
| Prisoner Discipline and Segregation – Segregation of Prisoners   |
| Immigration, Repatriation & Removal Services   |
| Faith and Pastoral Care for Prisoners  |
| Physical Education   |
| Mandatory Drug Testing   |
| Prisoner Communications Services   |
| Management of Prisoners at Risk of Harm to Self or Others  |
| Security Management  |
| Activity Allocation  |
| External Movements and Appearances   |
| Manage Prisoner Finance  |
| Prisoner Retail  |
| Enablers of National Co-commissioned Services in Prisons   |
| Processing & Resolution of Prisoner Complaints   |
| Categorisation & Allocation for Prison Custody   |
| Manage the Custodial & Post Release Periods  |
| Rehabilitation Services - In Custody   |
| Bail Accommodation Support Services (BASS)   |
| Prisoner Employment, Training & Skills   |

| <b>The following specifications may be applicable to particular prisons depending on the prison function</b> |
|--|
| Specialist Units (HSE)   |
| Bail Services  |
| Deliver Accredited Programmes  |
| Mother & Baby Units  |
| Deliver Victim Offender Conferencing (Restorative Justice)   |

## 5.2. NOMS Commissioning Intentions

One of the ways the Commissioning Authority will identify the expectations and ambitions for PSP is through the setting of NOMS commissioning intentions. There are currently six overarching NOMS commissioning intentions and further information on the NOMS commissioning intentions can be found at:

<http://www.justice.gov.uk/downloads/about/noms/commissioning-intentions-2014.pdf>

- 5.2.1. In meeting **NOMS commissioning intention 1, enhance public protection and ensure a safe, decent environment and rehabilitative culture**, all prisons will be safe and decent and a place where people treat each other with respect and courtesy. All those working with offenders will consistently support and encourage offenders to desist from crime. There will be an understanding of how a safe, decent rehabilitative culture can be described, achieved and maintained and this culture will ensure that individuals feel safe, hopeful and are treated fairly and with consistency.
- 5.2.2. In meeting **NOMS commissioning intention 2, strengthen integration of service delivery between directly funded, co-commissioned providers and wider partners**, all prisons will ensure that the work of nationally co-commissioned providers<sup>3</sup>, commercial industry stakeholders, partners from the wider public, voluntary, community and social enterprise sectors (together with other providers directly commissioned by NOMS (including Prisoner Escort Contract Services (PECS), the NPS and CRCs), is underpinned by a clear strategic vision, shared understanding, and agreed plans that enable and align delivery by their own staff and with each other. In doing so offenders should receive the right services at the right time in a coordinated and effective manner which supports safe, legal and decent custody, rehabilitation, protection of the public and reduced reoffending.
- 5.2.3. In meeting **NOMS commissioning intention 3, deliver an efficient, quality service**, all service delivery will be evidence informed, efficient, quality assured and well targeted. Resources will be targeted on interventions and services that are likely to deliver the best outcomes for the investment i.e. that target the risk factors that lead to reoffending.
- 5.2.4. In meeting **NOMS commissioning intention 4, ensure delivery is matched to population, purpose and NOMS outcomes**, prisons will ensure that the right interventions and services are delivered to the right prisoners, in order to get the best possible outcomes for offenders, victims and their communities. Prisons will work with commissioners, co-commissioners and with other NOMS contractors, using the segmentation approach and other available data, to ensure that this happens.

---

<sup>3</sup> These include providers of health, substance misuse, social care, learning and skills, employment and welfare benefits and children and family services. For more information see the Enablers of National Co-commissioned Services in Prisons specification.



- 5.2.5. In meeting **NOMS commissioning intention 5, ensure that delivery of services is responsive to individual needs and characteristics to maximize outcomes**, prisons will identify individual characteristics, understand the significance of resulting needs and ensure that services are sequenced or adapted to meet them. These activities will be underpinned by effective information sharing arrangements.
- 5.2.6. In meeting **NOMS commissioning intention 6, deliver priority national or specialist services**, prisons will support or enhance delivery in relation to; extremist offenders, victim- offender conferencing Restorative Justice, local bail strategies, Home Detention Curfew (HDC) and Bail Accommodation Support Service (BASS), commercial and economically beneficial work in prisons and the use of video links.

### **5.3. Agreed National Delivery**

#### **5.3.1. Time In The Open Air and PE**

Benchmarking has reduced time in the open air in most establishments to a minimum of 'at least half an hour'. PE delivery should be 2.5 hours in all establishments.

#### **Violence Reduction**

Levels of violence have increased across the prisons estate, particularly during the 2013-14 and 2014-15 business years. NOMS has established a two-year broad-based Violence Reduction Project, building on the earlier Violence Management policy review, to understand, address and reverse this increase and support safer prisons through a coherent Violence Reduction Strategy combining a policy framework with practical operational solutions that can be tailored to local threats, risks and needs. In recognition that prisoner violence is a system-wide issue, the Violence Reduction Project is working in partnership between public and private providers as well as the commissioning, policy and operational arms of NOMS. PSP will contribute to the development and implementation of the Violence Reduction Project.

#### **5.3.2. Social Care**

The Social Services and Well-being (Wales) Act was passed on 1 May 2014 and comes into effect in April 2016. It will bring with it a change in the local authorities' responsibilities for adults in prison, Approved Premises and Bail Accommodation and children in youth detention accommodation. The equivalent in England is the Care Act which comes into effect in April 2015.

The Care Act 2014 in England, and the Social Services and Well-being (Wales) Act 2014 reflect similar arrangements, although in Wales the legislation covers children and young people as well as adults.

From April 2016, local authorities in Wales will be legally responsible for providing information, advice and assistance to support well-being, assessment and related care and support plans of those:

- Adults in the secure estate in Wales,
- Children who are in the secure estate (whether in England or Wales) who will be returning to communities in Wales, and
- Certain categories of English children placed in the secure estate in Wales.

PSP in Wales is working with Welsh Government, local Government and other key stakeholders in Wales to co-design and support the implementation. This includes supporting the development of a prisoners' social care pathway and the delivery structures for prisons in Wales

#### 5.3.3. **Smoking Cessation**

NOMS is committed to reducing smoking levels amongst prisoners and expect all prisons to work in partnership with NHS Services to ensure every prisoner who wants to stop smoking has access to effective smoking cessation services at the point they need them. Governors will ensure the policy set out in PSI 09/2007 is implemented fully and are encouraged to find effective ways of promoting, encouraging and supporting prisoners to stop smoking, including implementing voluntary smoke-free wings where this is practicable.

#### 5.3.4. **Grants programme**

PSP will support the delivery of NOMS Grant funding to Voluntary, Community and Social Enterprise (VCSE) organisations.

Prisons will utilise the opportunities afforded by the NOMS Grants Programme to develop local initiatives which offer learning, good practice or enhanced capability in meeting priority outcomes for offenders and for the Agency.

### **5.4. Rehabilitation of Offenders in Prison**

#### **Resettlement Services**

- 5.4.1. A number of prisons have been designated Resettlement Prisons. These prisons will facilitate delivery of the mandatory Through the Gate (TTG) delivery model in all local prisons, including those services and interventions that will be delivered by prison staff and those that will be delivered by NOMS contractors.
- 5.4.2. PSP will aim to ensure that at least 80% of offenders in the last twelve weeks of sentence are held in a resettlement prison allocated to their home Contract Package Area.
- 5.4.3. CRCs will work within resettlement prisons delivering resettlement services. In non-resettlement prisons, CRCs are contracted to provide resettlement services. Prisons will work with CRCs to ensure a whole prison approach to enabling the CRC to deliver resettlement services to offenders in resettlement prisons. Prisons will continue to ensure that existing resettlement provision is maintained during the transition period

until the CRC takes contractual responsibility for providing in scope resettlement services.

- 5.4.4. Prisons which are not designated as resettlement prisons are likely to see an increase in the number of prisoners serving longer sentences and a decrease in the number of prisoners coming up to release. Any resettlement delivery, such as support for offenders to find accommodation, will be provided by CRCs. Most long-term offenders will be transferred to a resettlement prison three months prior to release so that they are able to access these services and engage with the CRC that will supervise them on licence. Non-resettlement prisons will continue to release a small number of prisoners who will access resettlement services on an individual basis via their 'home' CRC.

## **5.5. Core Rehabilitation Services**

- 5.5.1. In delivering core rehabilitative services all prisons will provide access to information or services that can assist prisoners to overcome the impact of imprisonment and address basic issues linked to their offending that are considered critical to the delivery of custody which is safe, legal and decent. Core rehabilitative services enable prisoners to manage the disruption to their domestic and other responsibilities brought about by imprisonment, including those that have immediate impact e.g. tenure of accommodation, and those that remain relevant throughout their imprisonment and may impact on their reoffending e.g. maintenance of family relationships. The core level of service also supports prisoners in developing responsible citizenship; having the confidence and competence to negotiate and manage interactions with providers of essential facilities and services: for example, housing providers.
- 5.5.2. Although the minimum level of service that must be delivered by all prisons is defined in the Rehabilitation Services – In Custody Specification, the way it should be delivered is not. Prisons retain the freedom to deliver services flexibly in conjunction with local partners and providers. Wider local engagement will identify those objectives that NOMS shares with other delivery organisations and prisons will need to work alongside CRCs and other partners in order to avoid duplication and to maximise efficiency by enabling prisoners to access mainstream services wherever possible. For those services delivered by other agencies, partnership working is a pre-requisite.

## **5.6. Additional Range of Rehabilitative Services**

- 5.6.1. Prisons will be aware that delivering the core level of rehabilitative service only will not always be sufficient to facilitate effective rehabilitation and to protect the public. Where core services on their own are assessed as insufficient to tackle the offending related risk and needs of individual prisoners, additional, evidence based services that meet a defined rehabilitative outcome may be made available by CRCs. It is for CRCs to decide what specific additional rehabilitative services they will provide but they will be targeted at offenders based on an assessment of needs and appropriate use of resources.

- 5.6.2. Although provision of additional services is the responsibility of CRCs, prisons may choose to support these with services which aim to reduce the risk of further offending that are complimentary to the rehabilitative services provided by CRCs in agreement with commissioners e.g. services which help to build constructive relationships with partners as part of the prison's provision of services to visitors.

## **5.7. Effective Targeting of Resource**

### **5.7.1. Segmentation**

Prisons will ensure that the right interventions and services are delivered to the right prisoners, in order to get the best possible outcomes for offenders, victims and their communities. Prisons will work with commissioners, co-commissioners and with other NOMS contractors, using **the segmentation approach** and other available data, to ensure that this happens.

### **5.7.2. Segmentation Data Tools**

Segmentation Data Tools for the custodial commissioning round 2015-6 (available via the NOMS Performance Hub), will be used by commissioners, the Director of NOMS in Wales and prisons to cut the data about the prison population in different ways to answer different questions about how to target interventions and services and how to integrate services across provider boundaries.

### **5.7.3. Commissioning Strategy and Response to Evidence**

PSP will contribute to the development and implementation of NOMS **Sex Offender Commissioning Strategy**, which sets out the evidence for risk factors for sexual reoffending, characteristics of different subgroups of sex offenders, and the impact of various interventions, leading to a set of recommended commissioning strategies for using resources for greatest impact with this group.

PSP will contribute to the development and implementation of NOMS **Young Adult Commissioning Strategy**, which will be published in spring 2015. This will set out the evidence relating to young adult offenders, including the principles that are relevant to better understanding psycho-social maturity. It will outline the needs of young adult offenders and evidence on the impact of various interventions and rehabilitative activity in order to better meet those needs. This will provide a clear public statement on NOMS' position for service provision for this group of offenders which will support engagement with providers, co-commissioning bodies, and interest groups. It will link to efforts to improve staff awareness around maturity and refer to related policies such as transition to adulthood and care leavers.

#### 5.7.4. Innovation

PSP is committed to innovating to develop more effective and/or efficient ways of delivering outcomes for offenders and supporting the delivery of safe, decent, secure and rehabilitative regimes. Ideas, promising approaches or issues requiring development of a new approach will be shared with the Innovation Steering Group so that prisons can be supported in evidencing the impact of initiatives and sharing relevant learning and effective practice at other establishments.

### 5.8. Service Delivery Requirements (SDRs)

- 5.8.1. Performance will be measured and assessed against a set of Service Delivery Requirements (SDRs).
- 5.8.2. The minimum SDRs that PSP will be required to meet will be published on the [www.gov.uk](http://www.gov.uk) website. The detailed definitions of the SDRs and the performance assessment criteria, data source, baseline data etc. used in the performance assessment can be found on the NOMS Performance Hub.
- 5.8.3. The Commissioning Authority will review performance measures annually and re-issue new delivery requirements prior to the commencement of each year of the SLA. Requirements may also be subject to negotiation throughout the SLA period.
- 5.8.4. The SDRs reflect the key outcomes for PSP to deliver the sentences of the court, protect the public and reduce reoffending. SDRs are set nationally by the NOMS Agency Board (NAB), informed by discussion between commissioners and the Director of NOMS in Wales. Where there are no local differentials, SDRs are set at level consistent across all prisons. Where there is rationale for local differentiation, SDRs are set regionally or locally. The methodology used to agree SDRs considers a number of factors not limited to; analysis of offender need, what is evidenced and acknowledged as being effective, analysis of past performance and available resource.
- 5.8.5. SDRs relating to sex offender treatment programmes are set by the Sex Offender Management Board. SDRs relating to living skills are set by the Programmes and Interventions working group, reporting to Commissioning Working Group.
- 5.8.6. PSP will aim to meet the Service Delivery Requirement levels set following discussions and agreement with the Commissioner and documented on the NOMS Performance Hub.
- 5.8.7. Service cost information will be made available through the INview costing system (supported by MyDetail and Phoenix systems).

## 5.9. Performance Management

- 5.9.1. SDR performance will be monitored as a way of assuring that PSP is delivering high quality services in line with commissioning priorities and will display transparency in terms of PSP providing value for money.
- 5.9.2. The SDRs will be measured on a monthly basis to enable prompt management responses to actual levels of performance and the Prison Rating System (PRS) will be published quarterly.
- 5.9.3. Performance data will be collected from ICT systems used within Establishments and other HQ departments.

## 6. AUDIT, ASSURANCE AND RISK MANAGEMENT

- 6.1.1. Assurance is the process by which the DDSSAA in Wales and the Lead Governor are able to ensure as far as possible that key work is being delivered and that Governors are aware of and mitigating the risks of non-delivery.
- 6.1.2. The assurance tools the Governor is responsible for are;
  - The **Annual Assurance Statement** – this should focus on the establishment's ability to deliver the core commissioned specifications. The Governor must articulate which specifications they may struggle to deliver and how they expect to ensure they are still achieving the outcomes required by commissioners. It should be sufficient to enable the Lead Governor to assure the DDSSAA that the Governor has sufficiently mitigated the risk of non-delivery.
  - A **Risk Register** – this will usually be broader than the Assurance Statement and reflect wider establishment issues. It may focus on the threat to order and control in the establishment for example, the risk of not having decent conditions in the prison, or the risk of escape. It can be underpinned by a broader range of source information, e.g. HMIP, MQPL, audits etc. The assurance statement and risk register are normally closely linked, as failure to deliver some of the specifications may impact upon the risk register.
  - The new **Assurance Framework** – this is a newly designed tool for 2015/2016 which will focus on delivery of both PSP Priorities (Safe Decent Secure Reducing Reoffending and People) and Commissioning Intentions. This tool will form the basis of the SLA discussions between the DDSSAA and Commissioners, and between the DDSSAA and the Director of NOMS in Wales. However, the Assurance Statement and Risk Register may also be discussed.
- 6.1.3. Establishments shall fully co-operate with any audits or reviews initiated by the Commissioner and provide evidence that any review findings are being addressed.

- 6.1.4. An Information Sharing agreement exists on the information to be shared between the DDSSAA and Commissioners. There should be an assumption that information will be shared unless there is a specific reason not to.
- 6.1.5. Public sector prisons will provide honest and reliable data and have open and transparent relations with commissioners. Governors will ensure internal Quality Assurance processes are in place. Commissioners provide an independent and objective view so NOMS does not solely rely on establishment's self-assurance. Monthly performance meetings will take place between Regional SLA Assurance managers and Commissioners and quarterly meetings will be held with the DDSSAA and Lead Governor.
- 6.1.6. MOJ Internal Assurance and Audit provide an agreed cycle of assurance on the control of environment and the risks faced by the organisation and results from these assurances will inform strategic and operational decision making throughout the year and inform Governors' annual assurance statements and risk registers.
- 6.1.7. External independent scrutiny and assurance is provided through HMIP Inspections, MQPL surveys, Annual Independent Monitoring Board reports, IOCCO Inspections and operational assessments. Establishments shall fully co-operate with any audits or reviews initiated by the Commissioner and provide evidence that any review findings are being addressed.
- 6.1.8. PSP will maintain a business risk management framework which operates in accordance with the NOMS Business Risk Management Framework

## **7. CHANGES TO THE AGREEMENT**

- 7.1.1. Appropriate governance and approvals processes are in place to allow changes to the agreement to be made at any time upon agreement of both the DDSSAA and Lead Commissioners to inform the Director of NOMS in Wales.
- 7.1.2. Examples of when a Notice of Change would be required include, but are not limited to:
  - Change of role/function of a prison
  - Partial closure of a prison
  - Change to delivery of interventions based on need or demand for services that will improve outcomes for offenders, defendants, victims or the courts, within available resource. If SDR levels are not met, reasons for this will be considered through the Prison Rating System moderation process
- 7.1.3. Any agreed changes to the service delivery will be sent to the Commissioning Design Unit for record keeping, for which it is recommended the 'notice of change' form at Annex A is used.

**Signed for the Commissioning Authority by:**

Name (Print): **Sian Hibbs**

Signature:

Position: Deputy Director Strategic Support, Administration and Assurance

Date:

**Signed for the representative of the NPS** in respect of the services commissioned by Commissioning Authority under the terms of this SLA:

Name (Print): **Richard Booty**

Signature:

Position: Lead Governor; NOMS in Wales

Date:



## Annex A: Notice of Change and Business Case templates

### NOTICE OF CHANGE (NoC)

**Issued by:** [Insert: Commissioner or Provider details]

**In respect of:** [name of Establishment]

**Date of Issue:**

**Ref No:** [Insert: Unique reference number in a format agreed by Commissioner and the Provider]

|   |  |  |  |
|---|--|--|--|
| <p><b>Title &amp; Issue</b><br/>[Provide a relevant title for the <b>NoC</b> (including details of the subject and applicable date/period), a brief headline/outline description of the change proposed and state whether or not this NoC is mandatory. Where the <b>NoC</b> relates to a change of <b>SLA Delivery Requirement Level</b> this should be made clear and this document copied to Performance and Analysis Group]</p> |  |  |  |
| <p><b>Change Required</b><br/>[Please provide full details of the proposed change(s) or refer to an attached document including the date from which it will be implemented.]</p>  |  |  |  |
| <p><b>Financial Implications:</b></p> <p>VALUE: £</p> <p>In-year figure (£): n/a (assuming implemented on date specified above)</p> <p>Full year costs (£): n/a</p>   |  | <p>[Please provide full details of the financial implications or refer to an attached document.]</p>   |  |
| <p><b>Outcomes</b></p>  |  | <p>[Please provide full details of the outcomes expected or refer to an attached document.]</p>        |  |
| <p><b>Quality Implications:</b></p>   |  | <p>[Please provide full details of quality implications]</p>   |  |
| <p><b>Regional Implications:</b></p>  |  | <p>[Please provide full details of any impact this proposed change would have at a regional level]</p> |  |
|   |  |  |  |
| <b>Issued</b>   |  | <b>Approved</b>  |  |
| Date:   |  | Date:  |  |
| Signed:   |  | Signed:  |  |
| Name:   |  | Name:  |  |
| Position:   |  | Position:  |  |

## **BUSINESS CASE TEMPLATE / CHECKLIST**

**Issue**

[Background to and purpose, including NOMS or sponsor for the change.]

**Timing**

[Including any lead in time, details if implementation is to be phased.]

**Cost**

[Any estimated cost implication.]

**Scope of Work**

[The issue being considered including the provision of defined deliverables and timescales (what is to be delivered by when) - include the provision of any breakdown of goods and services to be provided including how its delivery is to be managed (contingency plan).]

**Benefits**

[The benefits to be obtained (financial, intangible, skills transfer) and an assessment of the benefits against the cost of the project.]

**Considerations**

[How implementation will be handled; the risks of not proceeding; other options that have been considered; availability of funding and approval.]

**Special Issues**

[Any special issues for consideration.]