

Service	Deliver Statutory Post-Release Supervision	Version	P3.1
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Ministry
of Justice

Service Specification for

Deliver Statutory Post-Release Supervision

Service Specification Document

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

1. Service Specification Document

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Version Control Table		
Version No.	Reason for Issue / Changes	Date Issued
P1.0	Preview publication.	11-11-2011
P1.1	<p>Updated preview version to accompany issue of the specification 'Manage the Sentence Pre & Post Release from Custody – transitional version'.</p> <p>Amendments made to definition of service (section 3 – third para deleted) and to strategic context (section 7) to clarify responsibilities and expectations, in particular, an expectation that all offenders released on licence should receive supervision.</p> <p>Section 9 (reference to supporting documents) updated.</p> <p>Output 5: change of wording to clearly state role of offender manager/supervising officer in delivering this output.</p> <p>Output 11: wording amended to refer to likelihood of reoffending rather than reoffending.</p>	05-03-2012
P2.0	Go live publication. Section 11: reference to supporting instruction added. Section 9: reference to supporting documents updated.	27-04-2012
AFP1.0	<p>Available for Planning Purposes version. Prepared for MOJ website to assist with forward planning, following revisions to align with the Rehabilitation Programme.</p> <p>Key changes made:</p> <ul style="list-style-type: none"> • Specification re-titled from 'Manage the Custodial Sentence – Deliver Supervision on Licence' to: 'Deliver Statutory Post-Release Supervision' to recognise that this service now covers the bolt-on 	10-03-2014

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	<p>supervision period as well as the licence period</p> <ul style="list-style-type: none"> • Consequential changes made, including: First key outcome reworded to refer to supervision “after the end of sentence”; definition of service: now refers to statutory post release supervision. Strategic context: distinguishes between the licence aspect and statutory post release rehabilitative supervision period • Two key outcomes deleted (meeting/reducing needs related to likelihood of reoffending; and achieving positive changes in offender’s attitudes, thinking and behaviour). • Former output row 6 (“<i>The offender’s motivation to comply and achieve positive change is sustained or increased.....</i>”) deleted, as considered to be a ‘how’ • Deleted former outputs at rows 7-9 (“<i>Positive changes in the offender’s attitudes, thinking and behaviour are achieved</i>”; “<i>The offender’s awareness of his/her behaviour upon his/her victim(s) is increased</i>”; “<i>The offender’s problems solving skills are improved</i>”) as these are considered to be covered in existing output (6): “<i>The offender’s likelihood of reoffending is reduced through addressing associated needs, as defined by the plan for the sentence</i>” 	
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	<ul style="list-style-type: none"> • Former output 10 (“<i>The offender’s risk of serious harm is managed, and reduced</i>”) deleted as this activity is reflected in existing output (10): “<i>The offender manager is provided with timely information regarding the offender’s attendance, behaviour, response and risk indicators.</i>” • Former output 16 (provision of data) removed as 	
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	<p>this will be covered in contracts</p> <ul style="list-style-type: none"> • Remaining output rows renumbered • Output row 5: reference to needs expanded for clarity to reference "<i>resettlement/reoffending</i>" needs • Output row 8: minor rewording to reference "<i>Authority approved format</i>" • Service element "The Offender Manager is supported in the discharge of his/her functions" reworded to: "Offender/Case Management is Supported", to recognize that case management may also be undertaken by contracted provider • Relevant dependent service elements in 'Manage the Custodial & Post Release Periods' updated, in line with changes made to that specification • Outputs referring to "women" offenders reworded to "female" offenders, for consistency with other specifications • Revisions to strategic context: Definitions of Rehabilitation and Resettlement added. Reference to women and domestic violence in strategic context under heading 'Purpose' deleted, as superceded by new standard text about female offenders • References to 'sentence plan' amended to 'plan for the sentence'; references to 'assessment' of needs replaced by 'identification' of needs, to align with CRC contract documentation • Related service specification titles updated where necessary 	
P3.0	Go live version. No significant changes made. Minor updating of references.	18/06/2014

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P3.1	MOJ Community Commissioner review to update the policy reference material, rebadge to MoJ and remove reference to NOMS, replace with HMPPS. The following policy references have been removed: PC 41/2004, PC 51/2004, PC 56/2005, PC 79/2005 PC 32/2005, PC 63/2005, PC 87/2005, Compliance Best Practice Guide – Performance Improvement Unit (2008)	26/10/2017
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Introduction to Deliver Statutory Post-Release Supervision Specification

1.	Service Name	Deliver Statutory Post-Release Supervision
2.	Key Outcome(s) for Service	The licence period and supervision after the end of sentence are completed Reoffending is reduced Risk of serious harm is reduced
3.	Definition of Service	This specification deals with those activities and outputs required in relation to the delivery of supervision for all released prisoners on statutory post-release supervision. This primarily relates to structured activity to help change the offender's behaviour, for the purposes of rehabilitation. Activity and outputs associated with the management of the offender and the licence fall within the remit of the service specification 'Manage the Custodial & Post Release Periods'.
4.	Service Elements In Scope	Contact with the offender to promote rehabilitation. Offender/case management is supported.

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5.	<i>Out of Scope Service Elements</i>	<p>Staff recruitment and training related to the implementation of statutory supervision post release.</p> <p>Fitting of electronic tag and monitoring equipment, and monitoring of compliance, by electronic monitoring contractors, in respect of the Home Detention Curfew (covered in the Deliver Curfew Requirement specification)</p>
6.	<i>Dependent Service Elements</i>	<p>Commissioning of interventions – the proportion of needs and risks which can be met by onward referral is dependent upon the breadth, scale and accessibility of relevant interventions in the operating environment. This, in turn, is in part a product of the commissioning strategy.</p> <p>The delivery of statutory post-release supervision on licence (for those offenders receiving custodial sentences of less than 24 months) is dependent on the management of the licence, through the related specification 'Manage the Custodial & Post Release Periods'. The relevant dependent service elements are:</p> <ul style="list-style-type: none"> • Licence management is commenced
		<ul style="list-style-type: none"> • The offender is monitored and compliance is promoted • The plan for the sentence is reviewed and the sentence is terminated

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7.	<p>Strategic context</p> <p>Purpose</p> <p>The specification aligns with the Ministry of Justice (MOJ) <i>Transforming Rehabilitation: A Strategy for Reform</i> document published in May 2013. This outlines the services to be provided by the National Probation Service and prisons, and the services to be delivered by contracted providers.</p> <p>The National Probation Service holds responsibility for advice to courts, offender management of MAPPA/high risk of serious harm and other public interest offenders. For low and medium risk of serious harm cases, the National Probation Service must also respond to information from the contracted provider and staff working in prisons that suggests that there may be a potential escalation to high risk of serious harm, undertake renewed risk assessments and take on the responsibility for the management of any cases in which risk of serious harm has become high.</p> <p>This specification requires effective working arrangements between the National Probation Service, prisons and providers of services.</p> <p>The law now encompasses those offenders who are sentenced to custodial sentences of less than 12 months who will now receive supervision post-release. The first part of that supervision will comprise a licence period, covering the period from release at the halfway point to the end of the custodial term. The second part will be a new form of ‘top-up’ supervision exclusively for the purpose of rehabilitation. This additional period of supervision will also apply to offenders sentenced to 12 months or more but less than two years to ensure all offenders on release spend at least 12 months under supervision in the community.</p> <p>The law defines a licence period as being for the purpose of rehabilitation by protecting the public, preventing reoffending and helping the offender to resettle successfully into the community.</p> <p>Statutory supervision during both the licence period and the follow-on rehabilitation period is intended to involve rehabilitative work to change the offender’s behaviour, in line with their identified likelihood of reoffending and risk of causing serious harm to others.</p> <p>The offender manager will be responsible for identifying offender risks and needs, planning, referring to other agencies as needed, for promoting and monitoring compliance with licence conditions and enforcing the licence. The offender manager will also liaise with other parties such as the police and electronic monitoring providers in relation to restrictive licence conditions such as exclusion zones or curfew. These responsibilities are set out in the</p>
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'Manage the Custodial & Post Release Periods' specification.

There is a dependency within this specification in so much as the delivery elements are contained within the 'Deliver Statutory Post-Release Supervision' specification, whilst management of the offender and management of risk of serious harm are contained within 'Manage the Custodial & Post Release Periods' specification; activity with an offender within the two specifications is therefore aligned to ensure that any relevant information is exchanged between the offender manager and the provider of the statutory supervision. Consideration was given to combining the two specifications. However 'Deliver Statutory Post-Release Supervision' remains distinct as it enables delivery of rehabilitation and is separate to the management elements which can be carried out by a different provider.

Targeting

Statutory post-release supervision is used in the following ways:

- To monitor behaviour in order to protect the public from the offender causing serious harm to other people or other non-violent reoffending
- To manage the offender's behaviour by enforcing standard licence requirements, and also where necessary including additional individualised conditions in order to manage assessed risks (which is the responsibility of the offender manager overseeing the licence period)
- To rehabilitate the offender into the community in order to enable her/him to lead a law abiding life

As the licence period applies according to the Act under which an offender was sentenced, it is the law that defines which offenders are eligible. However, publication of this specification provides the opportunity to consider how best supervision while on Licence can be targeted and delivered

The Content of Statutory Post-Release Supervision

Licence supervision enables an individualised approach to rehabilitation and monitoring of behaviour in relation to each offender and it plays a significant role in HMPPS work to protect the public, reduce reoffending, and rehabilitate offenders.

Following the preparation of a plan by the offender manager, risks are monitored and the process of rehabilitation is addressed within the statutory supervision post release period by a supervising officer (usually the offender manager, but may be a third party). The scale, complexity and costs of supervision varies with the risk of serious harm and risk of reoffending, the offender's social and personal needs and circumstances, and with the length of the licence, and supervision after the end of sentence and the number and nature of any additional conditions.

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This approach, coupled with systematic assessment and reviews is designed to ensure the level of investment applied to individuals is commensurate with the assessed levels of risk. Frequency, content and duration of contact with offenders on statutory post-release supervision is decided by the offender manager responsible for managing the statutory post-release supervision period, in conjunction with the person delivering supervision (where this is not the offender manager). This will be guided by the offender's identified likelihood of reoffending and risk of serious harm.

The focus and objectives of work to be undertaken during any period of statutory supervision are defined by the plan prepared by the offender manager, to whom regular feedback on compliance and progress must be provided, where the supervision element is delivered by a different provider. Structured programmes of work are available for tackling individual issues on a one-to-one basis. The provider of supervision, if not the offender manager, is expected to be alert to changes in risk factors, which must be communicated promptly to the offender manager. The offender manager may, from time to time, require a contribution from the provider to inter-agency risk management processes.

Routine monitoring of outcomes and the extent to which offending-related needs are addressed is required.

Definitions of Rehabilitation and Resettlement

- Rehabilitation: this aims to restore offenders to a purposeful life in which they do not reoffend.
- Resettlement: this refers to the assistance with re-joining the community following release from Bail accommodation, prison or Approved Premises.
- The resettlement of remand prisoners and offenders is a core function of 'through the gate' services, directly related to reducing reoffending and protecting the public. In custody, resettlement involves helping prisoners to maintain and develop appropriate community ties in preparation for their release. It enables the offender to become a productive and active member of the community including how to access and use services. Resettlement services will continue to be delivered 'through the gate' and post release, to enable transition from the custodial environment to living in the wider community.

The specification takes into account the growing body of literature and research identifying the factors for successful desistance, including engaging and supporting the offender in addressing their rehabilitative needs and assisting community resettlement. HMPPS will provide access to its growing evidence base on what works to reduce reoffending to all those providing rehabilitation and offender management services to improve the provision, targeting and sequencing of rehabilitative services – in particular in relation to meeting the needs of

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		<p>defined segments of the offender population.</p> <p>Equalities</p> <p>Under the Equality Act 2010, the Ministry of Justice has an ongoing legal duty to pay ‘due regard’ to the need to: eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct; advance equality of opportunity between different groups (those who share a protected characteristic and those who do not); and, foster good relations between different groups. Providers are required to act in accordance with this duty, as well as the more general provisions of the Equality Act. Historically, there have been unequal patterns of outcomes, with some groups of offenders with shared protected characteristics faring better than others The MOJ is committed to address this disproportionality.</p> <p>Female Offenders</p> <p>Female offenders are a minority grouping within the offender cohort and often exhibit complex needs which must be addressed if their risk of reoffending is to be reduced. The government published its Strategic Objectives for Female Offenders in March 2013, which is integral to the delivery of offender management services. Needs in relation to domestic violence, sexual violence, and abuse are highly prevalent among female offenders. The MOJ and NOMS continue to work with the Home Office on its Ending Violence Against Women and Girls annual action plan.</p>
8.	Flexibility	All the outputs in this specification are mandatory – referred to as the National Minimum – apart from the option listed at row 13 - “An enhanced level of contact is provided to address higher levels of need” - which is an option available for commissioning.
9.	Reference to Supporting Documents	Supporting documents to be determined.

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10.	Example Methods of Measurement / Assurance	Delivery under this specification is subject to the requirements set out in the NPS SLA; the CRC Contract (Schedule 9 - Service Levels and Service Credits and Schedule 21 - Management Information); and NOMS Performance Reports. These documents include information about key performance measures, equalities data, management information, quality assurance and inspection activities.
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11. **References for
Detailed
Mandatory
Instructions**

This specification is supported by Probation Instruction 09/2012 Implementation of the Service Specification: Deliver Supervision on Licence.

There is no single or consolidated policy source which defines what is required in the delivery of supervision on licence. Historically, and under current arrangements, the processes of managing a custodial sentence and delivering supervision on licence have been viewed as an integrated whole. This specification delineates the responsibilities of the supervisor from those of the offender manager.

The main statutory provisions which apply are:

- Section 2.3 of the Offender Management Act 2007 requires the Secretary of State to have regard to the aims listed in section 2.4 in the discharge of his duties under section 2.1 (the duty to make provision for probation services). The aims are:
- The protection of the public
- The reduction in reoffending
- The proper punishment of offenders
- Ensuring offenders' awareness of the effects of crime on the victims of crimes and the public □ The rehabilitation of offenders

PI 13/2014 (AI 14/2014 - PSI 19/2014) Sentence Planning sets out the expectations for staff with regard to sentence planning,

The sharing of information is required to comply with several legislative provisions. The Crime and Disorder Act (1998) provides a legal basis for data sharing, whilst the Data Protection Act (1998) provides a legal framework for handling personal information. These Acts should facilitate responsible information sharing between agencies in pursuit of a reduction in crime and disorder. The combined effect of the legislation is to promote the secure sharing of information, to protect the public and prevent crime, but to ensure that there is a proper basis for the disclosure of personal data.

The Offender Rehabilitation Act 2014, which received Royal Assent on 13 March 2014, introduced supervision after release for offenders serving custodial sentences of more than one day but less than 12 months, and

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		extended supervision of 12 months (rather than the six to 12 months as previously) after release for offenders serving custodial sentences of one to two years ¹ . This period of supervision will apply to a sentence imposed in respect to an offence committed on or after the relevant provisions of the Act come into force. Equality Act 2010
12.	References for Non-Mandatory Guidance	<ul style="list-style-type: none"> Her Majesty's Inspectorate of Probation (HMI Probation) criteria for Offender Management Inspections exert considerable influence upon policy and practice, since providers understand that they will be used as a benchmark against which their policy, arrangements and practice will be judged and reported. To a large extent they mirror the NOMS National Standards for the Management of Offenders, but focus more upon aspects of practice which are less amenable to routine numerical monitoring HMI Probation Offender Management Inspection, Thematic and Incident Reports also exert significant influence on policy and practice; some of the recommendations from these reports are incorporated into mandatory policy instruments above. National Standards should reflect the outcomes set out in the Quality Framework document Strategic Objectives for Female Offenders (MoJ, March 2013)
13.	Review	Review cycle to be determined

Specification

National Minimum

Row	Service Element	Outputs/Output Features	Applicable Offender Types	Policy Theme	Example Measurement/ Assurance Method for Commissioners	References for Detailed Mandatory Instructions	References for Non-Mandatory Guidance
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¹ Clause 2 of the Offender Rehabilitation Act 2014 amended Chapter 6 of Part 12 of the Criminal Justice Act 2003, inserting a new section 256AA into the 2003 Act (Supervision after end of sentence of prisoners serving less than two years).

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1.	Contact with the offender to promote rehabilitation	Reporting instructions are given in line with National Standards at times, dates and locations which maximise the likelihood of compliance. Appointments are rearranged as required.	All	Compliance	HMI Probation OMI reports Contract management and/or audit		HMI Probation OMI Criteria – 2.1, 2.4 Quality Framework
2.	Contact with the offender to promote rehabilitation	The timing and location of appointments and the conduct of interviews take account of the diverse needs and circumstances of offenders.	All	Diversity	HMI Probation OMI reports Contract management and/or audit	Disability Discrimination Act 1995 Race Relations Amendment Act 2000 Equality Act 2010	HMI Probation OMI Criteria – 2.4
3.	Contact with the offender to promote rehabilitation	Female offenders are offered the option of being interviewed in a female-only environment.	Female offenders	Female Offenders		Equality Act 2010	Strategic Objectives for Female Offenders (MoJ, March 2013)

Row	Service Element	Outputs/Output Features	Applicable Offender Types	Policy Theme	Example Measurement/ Assurance Method for Commissioners	References for Detailed Mandatory Instructions	References for Non-Mandatory Guidance
4.	Contact with the offender to promote rehabilitation	Female offenders are given the option of being interviewed by a female interviewer.	Female Offenders	Female Offenders	HMI Probation OMI reports	Equality Act 2010	HMI Probation OMI Criteria – 2.4 Strategic Objectives for Female Offenders (MoJ, March 2013)

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5.	Contact with the offender to promote rehabilitation	The person delivering supervision must obtain an account of the offender's movements and behaviour to inform the exercise of addressing resettlement/reoffending needs and changing behaviour.	All	Public Protection Compliance	Contract Management and/or audit		
6.	Contact with the offender to promote rehabilitation	The offender's likelihood of reoffending is reduced through addressing associated needs, as defined by the plan	All	Effective Practice Reducing Re-Offending Action Plan	Contract Management and/or audit	PI 13/2014 (AI 14/2014 - PSI 19/2014) Sentence Planning	Reducing Re-Offending Action Plan HMI Probation OMI criteria – 3.3

Row	Service Element	Outputs/Output Features	Applicable Offender Types	Policy Theme	Example Measurement/ Assurance Method for Commissioners	References for Detailed Mandatory Instructions	References for Non-Mandatory Guidance
7.	Contact with the offender to promote rehabilitation	The level of contact provided is in line with the identified likelihood of reoffending and risk of serious harm to others.	All	Compliance Public Protection	HMI Probation OMI reports Contract Management and /or audit		OCJR PPO Strategy – National Premium Service Specification (2005) HMI Probation OMI Criteria – 2.1 PPOs: Summary of Actions and Monitoring Arrangements

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8.	Offender/case management is supported	A record of all activity related to delivery of the plan is kept in an Authority approved format.	All	Effective Practice	Contract Management and/or audit		
9.	Offender/case management is supported	Timely contributions are made as required for assessment, planning for sentence and review	All	Compliance	Contract Management and/or audit	PPO Premium Service	
10.	Offender/case management is supported	The offender manager is provided with timely information regarding the offender's attendance, behaviour, response and risk indicators.	All	Risk Management Public Protection	National Standards Contract Management and/or audit		
Row	Service Element	Outputs/Output Features	Applicable Offender Types	Policy Theme	Example Measurement/ Assurance Method for Commissioners	References for Detailed Mandatory Instructions	References for Non-Mandatory Guidance
11.	Offender/case management is supported	Contributions are made, as required by the offender manager, to the inter-agency management of the offender, his/her actual or potential victim(s) or any child(ren) whose wellbeing may be affected by or associated with him/her.	All	Risk Management Public Protection	Contract Management and/or audit	Children's Act 2004	Laming Report 2009

Option(s) Available to Commission

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Row	Service Element	Outputs/Output Features	Applicable Offender Types	Policy Theme	Example Measurement/ Assurance Method for Commissioners	References for Detailed Mandatory Instructions	References for Non-Mandatory Guidance
12.	Contact with the offender to promote rehabilitation	An enhanced level of contact is provided to address higher levels of need.	Offenders deemed to be in need of enhanced contact	Female offenders Vulnerable adults Young adults	HMI Probation OMI reports		Strategic Objectives for Female Offenders (MoJ, March 2013) HMI Probation OMI Criteria – 2.1