



Ministry
of Justice

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Gary Badley
SRO for the PFI Expiry and Transfer Project

30 June 2020

Dear Gary,

LETTER OF APPOINTMENT FOR THE PFI EXPIRY AND TRANSFER PROJECT

We are writing to confirm your appointment as Senior Responsible Owner (SRO) of the above project with effect from 2 March 2020. You are directly accountable to the CEO of HMPPS under the oversight of the Permanent Secretary and the Secretary of State for Justice.

As SRO, you have personal responsibility for delivery of your project to ensure the delivery of its objectives and policy intent. This encompasses securing and protecting its vision, ensuring that it is governed responsibly, reported honestly, and escalated appropriately. You are ultimately accountable for ensuring delivery of your programmes, and for the realisation of agreed benefits. You are also responsible for pausing or terminating the programmes where necessary. Where issues arise which you are unable to resolve you are responsible for escalating these issues to the MoJ Investment Committee.

In addition to your internal accountabilities, you should also be aware that SROs will now be held personally accountable to Parliamentary Select Committees. You will be expected to account for and explain the decisions and actions you have taken to deliver the project (or specific milestones).

It is important to be clear that your accountability relates only to implementation: it will remain for the Minister to account for the relevant policy decisions and development.

The role and responsibilities of an SRO are explained in Annex A "SRO Role and Responsibilities in MoJ". You should follow the guidance in that document.

You should make sure you understand the guidance "Giving Evidence to Select Committees – Guidance for Civil Servants" on GOV.UK.

You should also make yourself aware of the Infrastructure & Projects Authority (IPA) guidance on management of major projects on GOV.UK. Clarification on the guidance and IPA requirements can be provided by the Ministry of Justice Portfolio Management Office.

You must ensure that the programme secure business case approval from the MoJ Investment Committee, Secretary of State, Cabinet Office and HM Treasury.

You should also ensure that the programme delivers the strategic outcomes approved in the business case, along with managing the costs and realising the benefits in line with the approved business case.

You should satisfy yourself that you understand and work within your delegated levels of authority and that you do not exceed these without prior written approval through the appropriate MoJ Investment Committee. You should also ensure that resource requirements for the programmes are clearly defined and secured for each stage.

You will carry out this role alongside your other responsibilities and must ensure that you allocate sufficient time to enable the effective delivery of the role and responsibilities, as set out in Annex A.

As SRO, you are expected to be able to provide evidence that relevant, auditable documentation exists in line with departmental expectations for projects and programmes and that there are milestones for delivery which inform decisions linked to key programme events.

You should pay attention to ensuring effective governance for your programmes including establishment of a programme board with appropriate membership and clear Terms of Responsibilities (ToR) for the board. Your appointment will be dependent on confirmation that appropriate governance arrangements are in place and working effectively in the project. Project board terms of reference must be included as an annex.

You will ensure a suitable Financial Responsible Officer (FRO) is appointed following the departmental guidance included with this letter. You should ensure that assurance and programme management arrangements are established and maintained throughout the life of the programme. You should adopt best practice and be prepared to justify any deviation from it, in line with guidance published by the Infrastructure & Projects Authority and the Ministry of Justice Portfolio Management Office.

You should monitor programme status, forecast timescales, costs and benefits, key risks and dependencies and report issues (including any likelihood of exceeding approved tolerances) openly and transparently.

The Chair of the MoJ Investment Committee will represent the department's interest in both supporting delivery and holding you to account as SRO. You are responsible for providing reports to the Ministry of Justice Portfolio Management Office as required, and for submitting business cases and reports to the Key Holder process and relevant boards. Where appropriate, governance will include reference to the Investment Committee, Executive Committee (ExCo) and/or the Departmental Board (DB).

Tenure of position

You are required to undertake this role until achievement of the exit agreement and transfer of services of the expiring PFI prisons planned for 14/12/2022 (HMP/YOI Parc), 15/02/2023 (HMP Lowdham Grange) and 31/05/2023 (HMPS Altcourse). Progress towards this should be reflected in your personal objectives.

Objectives and performance criteria

The policy intent supported by this project is an ongoing increase in the number of long-sentenced offenders, the impact of 20,000 more frontline police officers, and recently announced changes to sentencing. In response to this increase in demand (the overwhelming majority of which will be for places in the adult male estate), the Prime Minister announced an extra 10,000 prison places. Even after the planned extra 10,000 places are taken into account, the demand for prison places is set to outstrip the supply from January 2021. This means that the three PFI prisons which currently provide over

3,000 places of our operational capacity are vital to the future of the system and cannot be allowed to close or even lose capacity

The objectives and vision of the project are to exit the agreements and transfer the services of three PFI prisons, HMP / YOI Parc, HMP Lowdham Grange and HMP Altcourse, safely, effectively and efficiently, without disruption to the regimes of those in our care.

By transferring the prisons to a new provider (whether in-house or private) HMPPS will be able to maintain capacity so that there is continuation of the essential places these prisons provide.

Your personal objectives and performance criteria that relate to the project/programme are to:

- Successfully exit three PFI prisons, HMP / YOI Parc, HMP Lowdham Grange and HMP Altcourse, maintaining operational capacity and transfer these services, without disruption, to a private or inhouse provider;
- Ensure that the project fully engages with Cabinet Office, IPA and the marketplace to ensure that we test our delivery strategy and are learning the lessons from other Government bodies (NHS, etc.) whose PFI arrangements due to expire in the next 12 months; and
- Ensure that we take full account of the impact of Covid-19 in our plans, invoking contingency options where necessary and maintaining Value for Money across in delivery.

Delegated departmental/project authority

The total cost of the preferred options as presented in the Strategic Outline Business Case is estimated to be £2.45m to proceed to the Outline Business Case stage. Although it is not possible at this stage to accurately estimate the value of the operating contracts, assuming all three prisons were to be outsourced, the 10-year contracts (as per current thinking) would likely cost in excess of £1bn in today's prices. As part of the departmental annual allocations process, you will be authorised to approve a set level of expenditure each financial year. This will be set out in your annual financial delegation letter from the Chief Executive Office of HMPPS.

You are authorised to agree project rescheduling within tolerances agreed with the MoJ Investment Committee. Rescheduling beyond that must be agreed with the MoJ Investment Committee.

Programme status

The Project Status at the date of your appointment is reflected in the most recent quarterly return on the programme to the Infrastructure & Projects Authority. This is the agreed position as you assume formal ownership of the programme

Development and Support

As a member of a current MPLA cohort, we both expect – and will support – you to continue your ongoing professional development, and will encourage you to take an active part in MPLA alumni activities.

The Department will assist you in securing the necessary resources to support the project, and will set clear standards to enable good governance and effective delivery.

You will be part of the Department's cohort of major project leaders, who support each other to share good practice, learn lessons and collectively develop solutions. Following approval of the Business Case,

the Department's Investment Committee will provide ongoing oversight and support, and will take steps to help resolve any escalated risks, issues or constraints that are acting as an impediment to successful delivery.

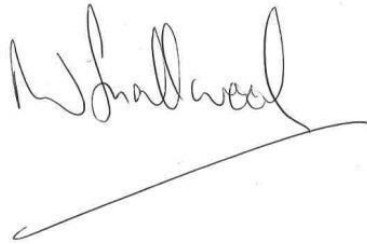
We would like to take this opportunity to wish you success in your role as SRO.

Yours sincerely,



Signature

RICHARD HEATON



Signature

NICK SMALLWOOD

I confirm that I accept the appointment including my own personal accountability of the implementation of the project in the letter above.

Name of SRO: Gary Badley

Signature: 

Date: 9 July 2020

Annex A - SRO Role and Responsibilities in MoJ

Specific responsibilities

The SRO should perform the following key, high-level functions: -

Ensure that a project or programme of change meets its objectives and delivers the projected benefits

- Ensure agreement amongst stakeholders, including Ministers where appropriate, as to what the objectives and benefits are;
- Ensure strategic fit of the project or programme objectives and benefits;
- Obtain commitment from stakeholders to the delivery of the benefits;
- Monitor delivery of the objectives and benefits taking appropriate action where necessary to ensure their successful delivery.

Ensuring that the project or programme is subject to review at appropriate stages

- Ensuring that the project is subject to review at the key points during its lifecycle, including the OGC Gateway™ Process, and especially at the pre-initiation (feasibility) and initiation stages and other points he/she considers necessary;
- Making certain that any recommendations or concerns from reviews are met or addressed before progressing to the next stage.

Own the project or programme brief and business case

- Oversee development of the brief for change and business case;
- Ensure that the aims of the planned change continue to be aligned with the business, and establish a firm basis for the project or programme during its initiation and definition;
- Secure the necessary investment for the business change.

Development of the project or programme organisation structure and logical plans

- Ensuring that there is a coherent organisation structure and logical plan(s);
- Building the right team and ensuring the necessary resources and skills are in place, with clear lines of accountability;
- Engaging with the work of either project initiation (in a project environment), or establishing the programme (in a programme environment).

Monitoring and control of progress

- Monitoring and controlling the progress of the business change at a strategic level (at an operational level this is the responsibility of project or programme manager): the project or programme manager is responsible for providing regular reports to the SRO on progress of the business change. There will be inevitable issues that arise requiring the SRO's advice, decisionmaking and communication with senior stakeholders;
- Chairing the project or programme board.

Formal project closure

- Formally closing the project or programme and ensuring that the lessons learned are documented within the "end of project" or "end of programme" evaluation report:

closure requires formal sign-off by the SRO that the aims and objectives have been met and that lessons learned are documented and disseminated;

- Planning the post programme/project review(s) when the entire benefits realisation process will be assessed.

Post implementation review

- Ensuring that the post implementation review takes place, the output is forwarded to the appropriate stakeholders and the benefits have been realised: the SRO is responsible for commissioning and chairing these reviews and ensuring the relevant personnel are consulted and involved in the review process.

Problem resolution and referral

- Referring serious problems upwards to top management and/or Ministers as necessary, in a timely manner;
- Regular consultation will be required between those delivering the change and the stakeholders and sponsors;
- Ensuring that the communication processes are effective and linkages are maintained between the change team/s and the organisation's strategic direction.

Characteristics of the SRO

What behaviours and characteristics should an SRO have?

An SRO needs to:

- take responsibility – including putting things right when they go wrong, and ensuring that recognition is given when they go right
- have a good understanding of the business issues associated with the project or programme
- be a senior reputable authoritative figure approved by the Department/Agency Management Board, or their delegated authority to be the SRO for a project or programme
- be active, not a figurehead
- have sufficient experience and training to carry out SRO responsibilities

An SRO must be someone who can:

- broker relationships with stakeholders within and outside the project or programme
- deploy delegated authority to ensure that the project or programme achieves its objectives
- provide advice and guidance to the project or programme manager as necessary
- acknowledge their own skill/knowledge gaps and structure the project/ programme board and project/ programme management team accordingly
- give the time required to perform the role effectively
- negotiate well and influence people
- be aware of the broader perspective and how it affects the project/ programme
- network effectively
- be honest and frank about project/ programme progress • request help when necessary and escalate with confidence.

Annex B

Guidance and support

By way of support, we will be arranging SRO sessions to share experiences from the Major Projects Leadership Academy and provide information on our MoJ project delivery framework – covering processes, products, governance, assurance and approvals. In the meantime, please refer to the Project Delivery pages <http://intranet.justice.gsi.gov.uk/guidance-support/change-management/projectdelivery/index.htm> on the MoJ intranet, which we are frequently updating to reflect work on the framework. Some courses and e-learning for SROs are available on the Civil Service Learning website <https://civilservicelearning.civilservice.gov.uk/professions-new/project/curriculum>. The range of learning opportunities is currently being developed, so it is suggested that you check the website periodically. If you have any questions about the framework or learning resources, please contact moj_project_delivery_capability@justice.gsi.gov.uk