MODERNISING THE MANAGEMENT OF THE PRISON SERVICE

AN INDEPENDENT REPORT BY THE TARGETED PERFORMANCE INITIATIVE WORKING GROUP
Chaired by Lord Laming of Tewin CBE
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On the 31st of January 2000 the Home Secretary, in a written reply to a Parliamentary Question, announced that he was establishing a working group on 'Targeted Performance Improvement' to assist the Prison Service in its commitment to tackle under-performing prisons. The Home Secretary went on to say, "Its terms of reference are to develop proposals for enhancing management arrangements in order to:

1. identify failing prisons;
2. develop special measures to improve performance within such establishments, including effective partnerships with other criminal justice agencies and the private and voluntary sectors; and
3. develop a management tool to support the more rigorous line management of all establishments, including ways of recognising good performance and disseminating best practice with particular reference to the development of community partnerships in the locality of each.

The membership of the Group is set out in the main report. I would like to pay a warm tribute to the hard work and enthusiasm which they brought to this task. This report is the product of the work of the Group.

From the outset we were aware that we were not the first to be appointed to examine the performance of the Prison Service and to make recommendations. Leaving aside the activities of management consultants over the years we were following in the line of Woolf (1991), Lygo (1991), Woodcock (1994), Learmont (1995), and The Prison Service Review (HMPS 1997). There can be no doubt that since those earlier reports the security arrangements in prisons have vastly improved and now operate at a high level. The record on escapes, for example, shows that in the year of the Woodcock report (March 1994–April 1995), the Service had 217 escapes from a total population of 49,500. By the end of 1999/2000, this figure was 97 escapes from a population of 64,816. As a percentage, these figures represent a drop from 0.44% to 0.15% of the prison population. Another significant change was the Prison Service becoming a Next Steps Agency in 1993. The intention was to clearly separate parliamentary accountability from that of responsibility for operational practice.

Earlier reports had commented on the challenging aspects of managing the Prison Service. For example, Lygo (1991), stated that; "The Prison Service is the most complex organisation I have encountered" (page 2).

This is clearly reflected in the breadth of work that the Prison Service is expected to deal with on a daily basis. There can be no doubt that the logistics of the daily reception and discharge of both remand and sentenced prisoners presents a difficult management challenge on its own, with 2600 movements to and from court and 1,600 prisoners received into custody each day. Some
prisoners are in custody only a few hours whilst others are there for life, yet each will be expected to receive the appropriate level of care and concern for their individual needs. There will be those with serious mental health problems, others in danger of self-harm, and those vulnerable to attacks from other prisoners. Others will be intent on escaping or potentially may be very dangerous to staff and fellow prisoners. Even the majority of prisoners who seemingly accept their position, and for the most part are willing to co-operate, can become volatile and participate in explosive situations (such as the acts of concerted indiscipline which have recently been seen at HMP Haverigg and HMYOI Portland). Added to this are the special needs of other prisoners aged 15 upwards, with 2,400 male prisoners aged between 15-18 being held in Young Offender Institutions and nearly 3,000 women in prison, some with the daily care of their babies. Foreign nationals now also make up a significant minority of the prison population and their special needs have to be addressed.

The complexity of this range of managerial tasks is exacerbated by an unremitting rise in the number of people held in custody, increasing by over 15,000 since 1995, the equivalent of 15 large local prisons. The current population figure of almost 65,000 shows no signs of abating despite the implementation of initiatives such as Home Detention Curfew.

Any organisation is bound to be stretched when faced with such a shifting mix and volume, particularly when they have no control over the population changes which they are expected to manage, and must simply take those sent to prison by the courts.

It should also be acknowledged that the Prison Service finds itself in the vortex of conflicting expectations. The range of criticism that the life of prisoners is too soft and comfortable is matched by the allegation that prisoners are treated insensitively and are denied the basic standards of decency which are to be expected in a civilised society. The strength of criticism expressed against the Prison Service seems to be the same whether the issue is one of the apparent indulgence of prisoners and their families or the harshness or thoughtlessness of the regime. What is clear is that managing such a disparate range of people in close confinement needs sophisticated management, clarity of purpose, consistent work methods and a robust assessment of risk at every level.

While recognising the many challenges faced by the Prison Service it is a matter of concern for the public, Ministers and Prison Service staff that the Chief Inspector of Prisons has continued to identify serious shortcomings in some of the prisons which he and his team have visited. The difficulties of the Service cannot be used as an excuse for these failings and this is fully accepted by the Director General, the Deputy Director General and the Prison Service Management Board. This Group's objective is to make suggestions on how the excellent reforms which have been set in train may be reinforced.

In addressing our terms of reference we focused on three fundamental questions which were:

1. How is the Service managed?
2. How is performance evaluated?
3. How can the range of contacts with outside agencies and the community be improved?

It was not within our remit to address the issue of resources. We are sure that scrutiny will show marked resource variations, and we recommend that the Service develops its methodology to understand better the link between resources and outputs. It is clear to the Group that there is no clear link between managerial effectiveness and resource allocation.

There appears to be significant overlap between the themes identified by the Group and the findings of previous reports. In our work we were struck by:

- the conflicting elements of the organisational structure of the management system of the Prison Service;
- the uncertainty about the responsibilities carried by the Area Managers;
- the range of people who can instruct Governors;
- the lack of co-ordination or compatibility of different initiatives or new programmes; and
- the "paper mountain" and the general clogging up of the system.

In some ways it was disappointing to note that a distillation of the previous reports, despite their different remits, identified four main themes which were:

(1) the need to streamline the large number of instructions and requests which characteristically engulf Governors;
(2) the need for clear and structured line management or chains of command;
(3) concerns about the quality of working relationships at all levels of the Prison Service; and
(4) the need for independence from Ministers to manage the day-to-day operations of the Service.

With regard to the first point, we were in full agreement with the observation of Lord Woolf when he referred to "the confetti of instructions descending from Headquarters" and Learmont's descriptions of "a blizzard of paperwork". It is sad that little seems to have altered since the days of the publication of earlier reports. The secretariat of one category C prison told us that they had received 981 communications from Headquarters and the Home Office over the last 12 months. In our view there is an urgent need to vigorously review all of the statistics and information collected with the intention of making it clear that unless its use can be demonstrated such material will no longer be called for.

The process of communication would be improved and streamlined with better information technology. The Service is inevitably paying the penalty in being slow to introduce a modern I.T. infrastructure. The inability to quickly assemble up-to-date, reliable and relevant management information is a severe handicap which needs to be overcome as quickly as possible. This must now be one of the highest priorities as there is a desperate need to have in place an effective management information system. The training necessary for staff to ensure its effective implementation must also not be overlooked.

In future there must be greater clarity as to who can give instructions to Governors. Currently a Governor is committed to a programme of work in the business plan which is agreed with the Area Manager and which carries with it a specific level of funding. This same Governor will, however, receive a number of requests from various policy groups within Headquarters requiring them to implement mandatory action, usually within a very short time frame and with no additional funding. This adds to the deluge of paperwork that Governors receive, but more importantly, it blurs the operational line. Above all else, there must be a clear line of command, and requests from other branches of the Prison Service and the Home Office must be negotiated with line management at a senior level. The centre must give clear guidance on policy and practice in a way which can enable Governors to prioritise their work. Robust and effective line management is the crucial factor in producing an effective Prison Service, and this report seeks to ensure that in future there is absolute clarity in the roles and responsibilities of its managers.

During the past 18 months, as part of new management structures, a new Director General and Deputy Director General have been appointed to the Prison Service. We strongly support the leadership they are providing and our report builds on the progress they have made so far and supports their ambitions for the Service.

The role of Area Manager is one that the Group have perceived as absolutely vital in the line management structure, yet it is somewhat surprising that until Spring 2000 all of the Area Managers were based at Headquarters. Steps have now been taken to locate them in the areas for which they have a responsibility. But the question remains as to whether or not these staff are basically administrators or managers. We were told, for example, that their job is less stressful than that of a prison Governor. It is clearly different from the task of a prison Governor but the level of accountability needs to be strengthened and clarified. This is the weakest part of the management system in the Prison Service. Because of this we raise fundamental questions about their role. In our view there should be no doubt that they are personally accountable for any underperforming prison for which they have a line management responsibility. The job should not be seen as a reward for long service, but is pivotal in ensuring good standards of practice throughout the Service. It is a job which needs to be filled by people with high professional standards, energy, determination and courage.

In order to do the job properly Area Managers will need to have a range of staff and specialist support working with them in their areas. A personal visit to a prison eight to twelve days per year will not enable the Area Manager to gain a full understanding of the operational matters or the

1 The term Governor is used to denote Governing Governor unless otherwise stated
quality of the Service. Nor will it enable the Area Managers to fulfil their function of regularly monitoring quality standards, identify shortcomings at an early stage and taking remedial action. Good managerial principles need to inform the whole process ranging from clarity of purpose, standards of security, good practice, personnel training and management, effective communication, performance appraisal and compliance with agreed outcomes.

No prisons should be left without a Governor for weeks or months. Nor is it sound management that Governors and senior managers change too frequently or are left in a particular post longer than their performance merits. It is for these reasons that we believe the time is right to put in place a very clear line of managerial accountability in the Prison Service with responsibility and performance standards defined at each level.

High levels of staff sickness are a major problem and personnel management needs to be modernised and unacceptable practices and unsubstantiated sick leave challenged in a robust way. At the moment some staffing arrangements do not facilitate the best use of resources - it is our expectation that a number of specialist staff currently based at headquarters will need to be relocated to the regions in order to support Area Managers and make the new structure robust and effective.

Turning to the question of how the performance of the Service is evaluated it is clear to us that there is no clarity on this subject. Ministers, managers, trade unions, staff, HM Inspectorate, apart from the wider world, all seem to have their own perception of what is acceptable or reasonable in the Prison Service. No organisation can hope to be confident about its performance when the benchmarks against which it is measured vary so widely or change so often.

In our view a strong and independent Inspectorate is essential to ensuring that good standards of performance are in practice across the Prison Service. During the past five years the Chief Inspector and his staff have been working to produce an 'Expectations' document. Although we welcome this work, in our view the very title of 'Expectations' suggests something which is hoped for rather than required. There should be created a set of standards based upon the philosophy and practice of a healthy prison. The process and methodology of inspections needs to be further developed. In our view the work of the Inspectorate is of such importance that it needs to be in a position to evaluate the performance of prisons against an agreed set of 'standards' using a well-defined methodology which will allow comparisons to be made on unit costs and quality of service delivered. The findings of the Inspectorate should be 'evidence based' and should not rely too much upon the personal operational experience of individual inspectors or the Chief Inspector. The 'Standards' against which the Service is to be evaluated should be built on the solid foundation of legislation, policy and agreed standards of good practice, and should cover all aspects of the prison's operation, including security. Inspections should as far as possible be an objective process and performance measured in ways which highlight differences and allow for informed comparisons to be made. The Inspectorate has a vitally important and specific task and should not be drawn into areas which blur managerial accountability, or become involved in decision-making about individual prisoners. The task of the Chief Inspector is so crucial that there should be no ambiguity about the role.

We were disappointed by the contribution made to our work by the Prison Governors' Association. We believe it is essential that there is never a hint of an Inspection report being used to gain more resources unless it is linked with objective performance outcomes. The Service needs to move away from 'management by crisis' and Governors need to be seen as risk managers, strategically managing resources for the benefit of all who live and work in the prison. High profile media coverage stemming from negative inspection reports should never be seen as a means of gaining additional funding.

The ability to make comparisons between different institutions is important because it is clear that there is a very wide variation in the staffing, resourcing and performance of establishments with similar responsibilities. It is of particular value to make such judgements between establishments of the Prison Service and those which are separately managed by private agencies. In our view the quality of the overall service to prisoners and the community matters more than who manages the prison. We have considered the contribution of the privately managed prisons and we recommend that it would be timely to undertake a review of experience gained from market testing. We also
believe that in every prison there should be a 'service agreement' and a system of performance compliance which operates irrespective of the nature of the provider.

As the vast majority of prisoners will be discharged in due course, it is essential that the time spent in custody is well used so as to enable them to become productive citizens able to succeed in the community without recourse to crime. They must become productive citizens.

We were told that the Prison Service has faced more change than other organisations. This was a view put to us strongly by the Prison Officers' Association. Although we doubt that the changes have been of the scale of the manufacturing industry and many other sectors of our society, it is significant that staff feel that they have been subject to constant change and uncertainty. The Prison Officers' Association attaches importance to the fact that their right to withdraw labour (strike) was removed from them under Section 127 of the Criminal Justice Act 1994. In our view this ignores the tremendous change that has taken place elsewhere in the constructive working relationships between trade unions and employers. The withdrawal of labour is nowadays rarely an issue. Sadly the relationship between management and the largest Prison Service trade union has elements to it which are reminiscent of some parts of the motor industry in the 1960s. The frequent reference to the 'rule book', notions of 'custom and practice' and arbitration suggest that it is about time the personnel policies and practices of the Prison Service were modernised. It seems extraordinary that while the Prison Service finances some of the senior posts within the POA, the day to day contact between the union and management, both centrally and locally, can be tortuous, time consuming and not in the best interests of the effective performance of the Service. We were surprised by the latitude allowed for local negotiations on agreements and the degree to which Governors felt that they had to seek permission from the trade union when deciding upon the most appropriate use of resources. Now is the time for real changes to be made in the ways in which the proper and legitimate roles of the trade union operate within a clear line of managerial accountability.

Every prison has a Board of Visitors made up of volunteers who give their time and skills to carry out important statutory functions as well as to take a general interest in the welfare of prisoners. These groups of men and women deserve great credit for undertaking such important work, often unseen, rarely recognised and sometimes even considered by some to be unnecessary. It is the issue of recognition to which we attach great importance. At the present time many Boards of Visitors feel that their reports do not carry sufficient weight and status, and some spoke to us about their isolation. We believe the time has now come to revitalise the important work of Boards of Visitors and to ensure that their reports not only attract attention but that Board members receive the support they deserve. We recommend that a review be undertaken of their responsibilities and organisation.

We noted that in many prisons senior staff have sought to make inter-agency agreements with outside agencies, such as the Child Protection Inter Agency Agreement at Wandsworth. We were pleased with this general recognition that prisons serve local communities and therefore local communities should be involved in ways that not only enhance mutual understanding but which can bring into the prison talented people able and willing to share their skills and expertise for the benefit of prisoners.

The Prison Service is facing a period of transition. A great deal of good work has been done during the past year to tackle some of the matters discussed in our report. We hope our report will assist this process and will not suffer the fate of some earlier documents. We are optimistic that it will now be possible to improve standards across the board and, in particular, to identify under-performing prisons much earlier and take robust remedial action. We wish all concerned success in this vital task. Society must have confidence in the values and practices of the Prison Service but so the Service also deserves the support, understanding and encouragement of us all.

Finally, we would like to pay a special tribute to Mr Paul Baker who acted as our administrator, secretary and general manager. It is good to know that the Prison Service attracts young men of his calibre and we offer him our warmest thanks for all the support he gave us.

Lord Laming
ACKNOWLEDGEMENTS

We would like to express our thanks to all who took the time to contribute evidence to this Working Group. Many people took a great deal of time to prepare thoughtful contributions, or gave up their time to meet us, and we greatly appreciate this. In addition, there were people who helped with the supply of relevant statistics. In this regard we would like to thank Adam Spriggs from the Prison Service’s Planning Group and Brian Westgarth from HMP Acklington. In the drafting of this report we were also helped by Joyce Drummond-Hill, and Sue McCullagh.

Finally, Samantha Hughes, Frances Soper and Danielle Giles also provided much needed assistance to ensure that regular communication was maintained between the Group and that information was readily available to meet our needs.
CONSOLIDATED LIST OF RECOMMENDATIONS

1. The Prison Service must give the highest priority to developing succession management in order to avoid frequent changes of Governors. They must ensure that Governor posts are filled as quickly and appropriately as possible.

2. The personnel policies and practices of the Prison Service should be brought up to date. Sickness absence should be robustly challenged. Mechanisms to deal with poor performance should be improved.

3. Staff training should be improved and be linked to quality standards and performance targets.

4. A critical examination of information routinely circulated and gathered should be undertaken. In future, information should not be gathered or sent unless its use has been defined and justified.

5. It is recommended that all instructions to Governors and requests for information should be directed through the management line and should be prioritised.

6. The Prison Service should be clearly defined as an Executive Agency and be required to perform as such.

7. The allocation of increased resources should be linked to defined objectives and outcome measures - systems must be in place so that every prison Governor can demonstrate that resources are being used flexibly and to good purpose.

8. The programme of PFI prisons and market testing should be reviewed to advise Ministers on how best to use the financial and management resources of the private sector to provide both greater choice and additional capacity to the Prison Service.

9. We believe that service level agreements should be developed for every establishment in the public sector. In each of these establishments a compliance officer should be appointed to monitor day-by-day application. In many prisons the extra cost would be covered by the better use of resources.

10. The Prison Service should operate to agreed national standards which are put into practice in each establishment. It is not a “federal” service and these core standards should be the basis for all evaluation of performance.

11. The highest priority should be given to modernising the management information systems of the Prison Service and ensuring the successful implementation of the new contract with Electronic Data Systems.

12. The Prison Service and the Chief Inspector should work to produce an agreed set of standards, to be approved by Ministers, against which the performance of prisons will be evaluated. The methodology for the inspection of prisons should be developed in relation to these standards. It should facilitate both objective assessment and comparison covering both value for money and quality of service delivered.

13. The principle of managerial accountability must permeate the Service and inform all practice and decision making.

14. The managerial responsibilities of Area Managers should be clearly defined and they should be held personally accountable for the performance of each prison in their area. Specialist staff should be relocated from Headquarters to the areas to enable Area Managers to fulfil their new and demanding duties.

15. Links between prisons and community based agencies should be strengthened and coordinated more effectively. Prison and community based agency staff should be provided with training to enable them to work together more effectively. Community based agency staff should be able to convey any concerns they have about the prison to the Governor or Area Manager.

16. There should be a review of the role, resources and responsibilities of Boards of Visitors.
INTRODUCTION

1. The Prison Service has 134 establishments in England and Wales of varying functions, eight of which are privately managed. The range of prisons operated varies from young offender establishments to those dedicated to therapeutic treatment, and encompasses everything from large local prisons holding over 1,000 prisoners to small units holding the most dangerous and violent prisoners in the system. There has also been a growth of 58% in the total prisoner population since 1993, increasing from 41,000 to its current level of 65,000. The composition of the population has also altered. The female prison population has risen by 100% in the same period, while the male population rose by 45%. With such a diverse population and structure of the organisation, it is perhaps not surprising that performance varies widely. Some diversity of performance is inevitable in large organisations, but the range of variation in performance in the Prison Service is unacceptable.

2. The Prison Service has a wide range of service users, all with varying needs and desires e.g. the courts, the public, the wider criminal justice system, Ministers, prisoners, their families and other visitors. To satisfy the needs of this diverse group it has to balance what can be a conflicting set of priorities.

3. Historically, Governors had considerable discretion in managing their establishments. This produced inconsistencies in performance and the treatment of prisoners, with Governors choosing which sets of standards and practices they felt most suited the needs of their prison or the resources which were available. Steps have been taken to introduce more effective measures of compliance and performance, and a wide range of standards and policies covering every aspect of prison life. More formal means of measuring performance have also been introduced, such as regular audits, Key Performance Indicators, and Boards of Visitors annual reports. In addition, the Inspectorate has a regular programme of inspections, some of which have been highly critical and highlighted the need for change.

4. It is clear that there is still no consistency to the performance of individual establishments in the Service. There are wide variations in audit results, Key Performance Indicators and inspection reports which all show the need for profound change in the management of the Service. Some Inspection reports have highlighted deficiencies which management do not appear to have been aware of. Furthermore, some Governors feel aggrieved that the Chief Inspector has judged them on a set of unknown standards and produced conclusions with which they disagree, although many are sympathetic to the qualitative nature of his assessments. Boards of Visitors’ reports highlighting serious deficiencies have produced inadequate responses which have failed to remedy the fundamental problems. This group has focused its work on these inconsistencies, and on being able to identify a ‘failing’ prison as early as possible. We have examined what is needed in order to improve performance in such establishments, what measures need to be taken and who has the responsibility for taking them. We have also looked at the part the community can play in this process and examined the role of strategic partnership with the voluntary sector in improving performance.

5. The role of this Group was not to provide a grand panacea to all the Prison Service’s ills, nor to provide a lengthy list of recommendations. This report outlines certain principles which we believe need to be built into the Prison Service in order for it to meet successfully the challenges which it will face in the years ahead.

6. This report focuses on:

1) The blocks to effective performance
   “What stops establishments performing as effectively as they could?”
2) Systems of delivery
   “How are systems currently delivered and could alternative systems support the Service better?”
3) Setting Standards
   “How can we reconcile the wide range of standards which currently exist - who sets the agenda?”
4) Levels of Accountability
   “The role of the Area Manager and Governor as the key managers in the Service”
5) The Role of the Community
   “How can external providers enhance the quality of the product that we are delivering?”

7. This report concentrates on three key levels of the management structure:
   • Governing Governors;
Area Managers; and
Director General and Deputy Director General.

8. The management structure of prison governors in its current format, and after the revisions made under new pay and grading arrangements, appears to meet the needs of the establishments which they govern, and this report will focus on the level of responsibility and accountability of this role. The task of the Area Manager is examined in depth, as it is they who we see as absolutely key to the successful performance of Governors and their establishments. The role of Area Managers is a demanding one, requiring Area Managers to be out in establishments, showing leadership, monitoring performance across a whole range of factors such as staffing, training, overcrowding and the delivery of effective programmes, all within the resources available. To do this they need to be effectively resourced, enabling an in-depth understanding of what is happening on the ground in each establishment. Leadership and accountability need to permeate all levels of the Service, and the roles of the Director General and Deputy Director General are examined. Both have begun to set new standards for performance and give a sense of operational direction and momentum which needs to be built upon.

9. We believe that the existing structure allows for effective line management, supported by appropriate information and communication structures, and linked to an integrated and coordinated policy making system at an appropriate level, and is a realistic and essential aim for the Service.

10. It is hoped that the principles we outline and the recommendations which we make can be taken forward and built into the systems which have been steadily introduced in the Service since May 1999.

Methodology

11. The terms of reference for the Group were as follows:

The Working Group has been established to develop proposals for enhanced management arrangements for:

- Area Managers; and
- Director General and Deputy Director General.
- The identification of failing establishments;
- The development of special measures to improve performance within such establishments, including effective partnerships with other criminal justice agencies and the voluntary and private sectors; and
- The development of a management tool to support the more rigorous line management of all establishments, including ways of recognising good performance and disseminating best practice with particular reference to the development of community partnerships in the locality of each.

12. The Group consisted of the following members:

Chairman:
Lord Laming of Tewin CBE - Former Chief Inspector of Social Services

Members:
Phil Wheatley - Deputy Director General, Prison Service
Roger Brooke - former Chairman of the Audit Commission
Patrick Carter - Non-Executive Director of the Prison Service
Una Padel - Director of the Centre for Crime and Justice Studies, King's College London
Su Sayer OBE - Chief Executive of United Response
Paul Baker - Secretary to Group

13. The work of the Group proceeded in several phases. Firstly, the Group wrote to Governing Governors and the Chair of the Boards of Visitors at each establishment in England and Wales outlining the scope of our work and inviting written contributions. We also contacted a wide range of other organisations and invited them to submit evidence for our consideration. A complete list of the organisations we contacted can be found in Annex 1.

14. Secondly, a wide range of previous reports and documents were analysed. These included:
- Woodcock Report 1994 - The escape from Chelmsford Prison;
- The Prison Service Review 1997 - HMPS; and

Inspectorate reports were also analysed. Where reference is made to Inspectorate reports, this refers to the most recent report.

15. Thirdly, a number of establishments were visited by the Group members. These establishments covered a wide range of functions and geographical spread. During each visit we aimed to meet with Governors, senior management teams, the Board of Visitors’ Chair and a staff group. In some cases, the members also met with groups of prisoners. A list of the establishments can be found in Annex 2.

16. After considering the written evidence the Group then met the following people and organisations for detailed discussions of their views in relation to our work:

- Her Majesty’s Chief Inspector of Prisons
- The Prison Officers’ Association
- Prison Service Trade Union Side
- Premier Prisons
- Prison Reform Trust
- International Centre for Prison Studies
- Alison Liebling
- National Advisory Council Boards of Visitors

17. For the next stage, we invited management consultants, P.A. Consulting Group, to investigate the line management arrangements which currently exist in the Prison Service and to comment on any discrepancies which existed between operational theory and reality.

18. The final stage drew the evidence together into a set of key principles which formed the basis of our recommendations.
SECTION ONE – THE BLOCKS TO EFFECTIVE PERFORMANCE

1. In meeting with Governors, prisoners, prison staff, Boards of Visitors representatives, HM Chief Inspector of Prisons and a wide range of representative organisations, we were struck by the repetition of key themes which were described as restricting Governors’ ability to meet the targets and standards which had been set.

Governor Continuity

2. One block to effective performance which was consistently mentioned was the problem of Governor continuity. Prisons need strong leadership and a degree of stability. The best Governors have a vision for their establishment which informs both policy and practice and which they are able to communicate effectively to other staff. This should be translated into a realistic strategic plan of what they hope to achieve for their establishment in the forthcoming year. One of the key differences we found between Governors was their ability to reflect and articulate a clear sense of direction which encompassed not only outcomes, but also the values which should underpin the work and inform the nature of the relationships between staff and prisoners. All too often, however, Governors who have successfully started to manage a difficult prison and turn it around are quickly moved on as their skills are recognised. This often creates a serious vacuum and leads to a loss of morale and cynicism.

3. Staff at one establishment told us that: “When a new Governor comes in and wants us to change things we know that if we just sit tight for long enough another one will come along and want to do it differently”

and

“Governors come and go so frequently that the only stable thing in the prison is the Prison Officers’ Association, so that’s who we are loyal to.”

4. Governors rarely stay in one position for any length of time. This may be due to personal ambition or to a shortage of good Governors capable of taking on difficult establishments and improving its performance. It is a serious matter which should in future be properly managed by the senior staff of the Service. The Governor of HMYOI Feltham, for example, was promoted to Area Manager after one year in post. Staff believed he would be there for three years during which time they believed he would be responsible for implementing much needed changes. This meant that Feltham has had three Governors in the last three years. The negative effect of such frequent moves is substantial, and it was mentioned as the most common reason why a prison fails to succeed. This is important because any long term planning is often lost as a new Governor seeks to introduce their own values and often build a new team around them. This takes time and can lead to delay in making some of the changes which are necessary to drive the establishment forward. Succession management should be developed in order to ensure that such voids do not exist and to provide better continuity in the strategic direction of individual establishments. Line management needs to demonstrate that Governors are not always judged solely on their ability to make their mark. Following a good strategic plan initiated by their predecessors plan should be seen as a legitimate objective.

5. Good succession planning depends upon a ready supply of good Governors. There have been concerns about the lack of quality candidates able to replace those who were quickly moved on. Although efforts have been made to improve the quality of managers through various means, such as the Developing Managers Programme, Cross Hierarchical Moves (from the Home Office) and the Accelerated Promotion Scheme, these schemes have not yet resulted in enough managers being promoted through to Governor level.

6. The Civil Service process provides an obstacle to timely succession, by requiring bureaucratic and lengthy procedures to be followed when recruiting and moving staff. It also allows the needs of the individual to be placed
above those of the Service by allowing applications for promotion from candidates with no consideration of the effect on their current area of responsibility. If the Service is to gain the benefits of being an agency it needs to be given greater freedom from Home Office restrictions and be better able to determine pay and conditions up to the most senior levels of management.

7. The Prison Service has also lost some highly effective Governors who have been recruited to the private sector, where higher salaries are available. The Service is growing rapidly, and an ever increasing number of good quality Governors will be needed. Effective training packages must be developed to ensure an adequate supply of able governors and flexibility must be built into pay structures to enable competitive rates to be paid for senior posts.

RECOMMENDATION
The Prison Service must give the highest priority to developing succession management in order to avoid frequent changes of Governors. They must ensure that Governor posts are filled as quickly and appropriately as possible.

Management of Sickness Absence

8. Staff sickness for the year 1999/00 was 13.3 days for each member of staff. The average for the UK workforce is 7.8 days, and 9.9 days for the public sector as a whole (source: 'Focus on Absence and Labour Turnover 2000' Published by the CBI). The first thing which needs to be tackled is the reason behind the high rate of sickness absence that currently exists. A common theme running through all of the groups of staff we interviewed was that stress was the primary cause of absence. Officers, Senior Officers and even Principal Officers at one establishment laid the blame for this 'stress' at the door of 'management', (although we had assumed that Senior and Principal officers were themselves managers), because they required staff to do ever more work with ever fewer resources. However, many staff also told us that 'stress is the new bad back', and many managers were sceptical about apparent stress levels. There was plenty of anecdotal evidence to challenge this notion of stress. We were told of staff being seen playing football while on sick, of still going on holiday, and in one case of taking on other employment. Some of these cases result in absences of many months and may result in early retirement on doubtful grounds. There did seem to be a tacit acceptance amongst staff that if they were unable to get annual leave at the time it was requested, then it was not unusual to take it as sick leave. This results in shortages of staff on wings, and it may well be that having to work longer hours to cover for absent colleagues makes staff feel under pressure which produces genuine stress. A culture of "if they do it, then I'll do it" certainly seems to exist and a number of prison officers specifically suggested to us that the Prison Service adopt a more rigorous approach to sickness management. Sickness absence is a real issue in the Service and it should be investigated more thoroughly.

9. The second aspect of staff sickness which needs to be tackled is that of the action taken when staff are absent because of ill-health. It was clear talking to a wide range of managers (and unhappy staff who were having to carry additional workloads for absent colleagues), that the current procedures are too bureaucratic and cumbersome to deal effectively with the problem of high sickness absence. There were accusations that some people were able to 'play' the system. Of course we were aware of serious ill-health in which case the Service should support the member of staff. But for those staff whose attendance is not satisfactory, and who have no reasonable explanation of an apparent abuse of the system, the current procedures require a six month period of monitoring before further action can be taken.

10. This was in sharp contrast to the policies outlined to us by one private sector company, which makes very stringent checks to monitor staff sickness. They maintain a daily check on sick leave, and any member of staff reporting in sick is immediately telephoned at home by line management to check on their condition. Follow up calls are then regularly made and the member of staff is expected to be at home unless they are at the doctors, hospital or chemist. If there are any suspicions about an abuse of the system, an investigation follows and action is taken against the employee within weeks rather than months. It is significant that a bonus is paid to staff with a good sickness record. In contrast the Prison Services procedures were described as time-consuming, unwieldy and bureaucratic. In our view the current arrangements are not acceptable,
and we believe current policies and procedures should be reviewed with a view to making them swift and effective.

Management of Poor Performance

11. The other significant area which has caused concern is the management of poor performance of individual staff members at all levels. There is no doubt that the Service has been able to attract some good staff. Some of those that the Group met demonstrated commitment, enthusiasm and energy and are a credit to the Service. There are those, however, who are clearly either unable to cope with the demands of the job, or openly disregard the requirements of their job description. A period of support and training should be available for the first group to bring them to a required standard. For the latter, current procedures require a minimum of six months before further action can be taken against them. This is a six month period in which unsatisfactory staff are continuing to operate in an unsuitable fashion, adding to the stress of colleagues and possibly increasing the danger to them. In our view this is not acceptable. Current policies and procedures should be reviewed to enable underperformance to be dealt with quickly and effectively.

12. These comments do not apply solely to establishments or to uniformed grades. These procedures should be available for an underperforming member of staff at any level of the service, from Administrative Assistants to senior staff at Headquarters. The personnel policies and practices of the Service should meet its needs swiftly and in an effective manner.

RECOMMENDATION
The personnel policies and practices of the Prison Service should be brought up to date. Sickness absence should be robustly challenged. Mechanisms to deal with poor performance should be improved.

Training

13. There appear to be gaps in the training provided for managers at two critical levels in the Prison Service; Governing Governors and Senior Officers (first line managers).

14. New Governing Governors must have adequate training for leadership when they take on their new position. Showing potential at an assessment centre is not enough. Although some of the best Governors we met undoubtedly possessed a personal charisma which may not be teachable, there were other key skills which some possessed and, according to the accounts of staff we met, others clearly did not. Communication skills, a clear understanding of change management processes (and particularly methods of involving staff positively in change), personnel skills and an ability to delegate appropriately are all fundamental to this role.

15. Training for Senior Officers, first line managers, is also very important. We agree with the Chief Inspector that they need to be made aware of their new role and responsibilities as a manager. All too often we heard from Senior Officers who clearly did not identify themselves as part of the management. Others spoke to us of their dissatisfaction about receiving no training for their new role. Senior Officers are the managers likely to be first on the scene at many difficult and dangerous incidents. They need to be confident in their role and equipped with the skills to deal with other staff appropriately. We heard that the first line managers course is to be reinstated and we welcome this, but we were also told that many prisons would have difficulty enabling their Senior Officers to attend because of staffing pressures in the prison.

RECOMMENDATION
Staff training should be improved and be linked to quality standards and performance targets.

Instructions and requests

16. It was disappointing that one of the most frequent complaints we heard from Governors had already been highlighted in reports such as Woodcock (1994) and Learmont (1995). The large amount of paper, instructions and requests for information, which arrives apparently without coordination, on Governors' desks on a daily basis continues to cause problems. An enormous volume of material is passed down to establishments either requesting information, or giving instructions to be carried out. It is argued that this often involves the use of so much
management time that it becomes difficult for Governors not to feel tied to their desks and unable to spend time on other tasks such as walking round the prison. This in turn may prevent them from actually seeing what is happening, and managing their prison effectively.

17. The large number of requests often appears to arrive in duplicate, via the internal e-mail system and also in paper form, causing confusion as to whether the instruction had already been received and acted upon. Many Governors have now set up their own Secretariat to oversee and monitor the administration of the wide range of Instructions and Orders which are now passed down to them. The Governor still needs to know what needs to be done, to make decisions on the most effective means of implementing and dealing with the instructions. In spite of this, some Governors do manage to cope with the paperwork and to visit all parts of the prisons they manage regularly.

18. In order to quantify the size of the problem we contacted the Secretariat of one category C training prison who gave us a breakdown of the communications and requests for action the Governor had received and was required to implement over a twelve month period (Table 1).

19. This represents almost 19 communications per week, containing over 32 requests either for information to be sent to Headquarters, new actions to be initiated, or for management checks to be made, usually within a short time frame. With this volume and duplication it is inevitable that inconsistencies in implementation of policy and a 'cherry picking' of priorities will occur. This is one of the key blocks to effective managerial performance and the success of individual establishments. Governors feel that the Service can tie their hands with instructions and requests to such an extent that they are unable to be the effective and visible managers that the Service requires.

20. The systems used by the Prison Service need to be clearly understood by the key staff who have to operate them. It is understood that the Prison Service is system driven and that information needs to be given to explain the systems required. Equally, some initiatives and requests originate as part of wider Home Office policy. However, the Group feels that there should be review of the information distributed and collected. If it cannot be justified then it should be discontinued.

**RECOMMENDATION**

A critical examination of information routinely circulated and gathered should be undertaken. In future, information should not be gathered or sent unless its use has been defined and justified.

**Policy vs Operations**

21. Requests for policy to be implemented also concerned us. Governors complained that instructions containing policy often contained poor assessments of the impact which its implementation would have on the prison and the

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<th>Table 1: A breakdown of communications and requests for action received by a Governor of a Category C prison over a twelve month period.</th>
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resources required. They told us that sometimes the instructions did not reflect the operational reality of the work needed to carry them out. We were particularly concerned that new instructions or policy initiatives often cut across the operational line, and are relayed directly to the Governor from the relevant policy group at Prison Service Headquarters, and not through line management. This blurs accountability for delivery by setting up parallel reporting lines between the policy groups and the Governor as well as those which exist between the Area Manager and Governor. A series of apparently uncoordinated initiatives from different policy holders can arrive on the Governors’ desks, all claiming priority none of which feature in the Business Plan so no resources are provided. They have to be funded from existing budgets, possibly at the expense of objectives which are in the Business Plan. A simplified version of this process is illustrated in Diagram 1. OPG stands for Operational Policy Group. This is a group of Area Managers, the relevant policy holders and the Deputy Director General who assess the impact of the implementation of policy.

22. There has been much work to try and resolve the conflicting needs of operations and policy, yet it still appears to be a significant problem. The introduction of the Operational Policy Group (OPG) has helped matters. Although Area Managers are part of OPG, policy is not coordinated through their management line. There was also consensus that OPG occurs too late in the process to be able to make a significant impact, and the process remains unwieldy.

Similarly, consultation with establishments appears to be ad-hoc, with no formal mechanism built into the process providing a thorough examination of the costs and operational implications of policy implementation. Governors generally felt that those in Headquarters send a large number of uncoordinated, sometimes irrelevant and ill thought-out policies and requests for pointless information, and still perceived Headquarters as “those up there inflicting policy on us down here”.

23. The Group would like to make three proposals.

a) Firstly, each policy proposal should be subject to a business case in order to justify its implementation. This should highlight what the objective of the policy is and contain a costed assessment of different options (including opportunity costs) for implementation. The case should indicate whether the preferred option is able to meet the objective at an acceptable price.

b) Secondly, there should be greater use made of pilot projects testing policy before implementation, avoiding the need for policy revisions. The ultimate aim should be to close the gap between the theoretical framework and the operational reality on the ground. Policy should be developed as fully as possible in conjunction with establishments through a formal consultation process.

c) Thirdly, its implementation and coordination must be directed through the management line in order to ensure that parallel

Diagram 1: A simplified version of how Governors are requested to implement policy
reporting lines are not established, and that Governors clearly identify the Area Manager as the one individual that they are responsible for the delivery of objectives.

**RECOMMENDATION**

It is recommended that all instructions to Governors, and requests for information should be directed through the management line and should be prioritised.

**Agency Status**

24. We would like to reaffirm the importance of agency status to the Prison Service. The Service was made a Next Steps Agency in 1993 and must be required to act as such. It needs to have a clear set of priorities and targets as set out by the Home Secretary and an adequate level of resources to meet those requirements. The question of the appropriate level of Ministerial involvement in the operations of the Prison Service has a significant history. There will inevitably be a degree of political involvement, as stated in the Prison Service Review (1997), which quoted the Home Affairs Committee in a 1997 Report, saying,

"The Home Secretary must leave proper freedom to the Director General to do his or her job. At the same time, there is no point in Ministers, the Director General or Parliament harbouring unrealistic expectations of the extent to which Ministers can be excluded from the operational process; the needs of accountability and responsibility to parliament will require some measure of Ministerial involvement."

25. The Prison Service Review recommended the revision of the existing framework document which was produced in 1999 and which clearly defines the role of Ministers.

"The Home Secretary sets the strategic direction of the Prison Service and specifies the outputs and targets which it is required to achieve and allocates resources accordingly"

26. In addition, a designated Minister "will chair a Prison Service Strategy Board.....(which) will provide a forum for discussing the strategic direction of the Service and Prison Service plans and performance." This emphasis on the Minister's involvement in the strategic direction of the Service is strongly supported and it can operate without cutting across the managerial responsibilities of the Director General. Much depends upon the confidence of Ministers and Parliament in the effective management of the Prison Service.

**RECOMMENDATION**

The Prison Service should be clearly defined as an Executive Agency and be required to perform as such.

**Industrial Relations**

27. It is unfortunate that it is necessary to place industrial relations under the title of 'Blocks to Good Performance', but it is clear that the process and pace of change has been hindered within the Service by the high number of disputes between unions and management. In April 2000 there were 230 outstanding 'Failures to Agree' (the term used where management and unions are involved in a dispute over management intentions to change working practices), some of which were over three years old. In some prisons there are as many as 10 outstanding issues unresolved which are preventing management from implementing change.

28. The current process involves a series of meetings between unions (usually the Prison Officers' Association - POA) and the Governor at a local level. If unresolved an issue is referred to the Area Manager, (i.e. with an Area Manager and senior POA official), and then if still unresolved to a national level (i.e. with the Deputy Director General and a member of the POA National Executive). At this point the Deputy Director General can order the implementation of the proposed changes as a matter of operational necessity. In all but one of the cases which the DDG has heard, the proposed changes have been approved and implemented. This process has been shown to be time consuming (sometimes taking years), and results in costly delays to the implementation of important changes which would enable Governors to use their resources more efficiently. There has been some progress in this area and the Group understand that a new Industrial Relations Procedural Agreement, in the process of negotiation, will provide a new
framework for resolving these matters. In addition, the Deputy Director General has pursued outstanding National Failures to Agree with vigour and insisted on early resolution. It seems astonishing to the Group that a trade union has been able to delay the implementation of change in this way. If a Governor wishes to open a prison reception area for longer than usual, or unlock and deal with a prisoner earlier than usual because of a long trip to court, it should not require the agreement of the trade union before it can happen. A Governor must have the right to deploy staff in the manner deemed most appropriate, and should not have to ask the POA for permission to operate and manage the prison in order to meet the operational demands being placed upon it.

29. We welcome the desire, expressed to us by members of the POA National Executive to become constructively involved in the process of change and to work with management for a better Prison Service. David Evans, the outgoing General Secretary of the POA, said in a recent speech,

"I hope that we won't leave the future of the Prison Service to chance; that its leaders and those of the POA will have the determination to examine the Service as it really is and (have) the courage to change it where required; that effective change can be brought about by discussion and agreement; and that we confine poor industrial relations to the dustbin of Prison Service history."

We fully agree with those sentiments, but at the moment it would appear that there is a discrepancy between the view expressed nationally and those often expressed locally.

30. We are not alone in expressing concern about this. In his Annual report (1998/1999), HM Chief Inspector of Prisons said,

"There is no doubt that the automatic and sustained challenge to change adopted by some more militant POA members and Prison Committees has distracted Governors from their purpose as much as bureaucracy, and contributed to the unacceptable treatment of and conditions for prisoners on which we have reported."

31. And from Gate Lodge (February 2000), the magazine of the POA, each month members from individual branches write in with 'news' from their establishment, for example,

"Rather like Napoleon our heroic leader (the Governor) leads his troops underpaid, suffering and with great losses ever further into the bleak Russian Winter"

This does not seem to reflect the desire expressed by the National Executive for constructive dialogue.

32. The POA argue that taking away their right to strike also means that they could not have been responsible for management's inability to implement effective change measures, as they could not take action. However, this is to underplay the destructive cumulative effect of the endless delays in bringing disputes to a successful resolution.

33. We would urge that both sides continue to devote the time and effort necessary to resolve outstanding issues. We hope that a new perspective will develop reflecting the reality of trying to deliver a flexible, pragmatic and efficient Prison Service in an increasingly competitive environment.
SECTION TWO – SYSTEMS OF DELIVERY

1. Despite the concerns expressed in the previous section it is possible to record significant achievements. It is worth re-emphasising the figures, that in 1994/5 the Service had an escape rate 0.44% from a population of 49,500 - in the year 1999/2000 it had improved to 0.15%, (although slightly above the target of 0.05%) from a population of 64,816. There has also been an improvement in its results on Mandatory Drug Testing, with a drop from 24.4% positive test results in 1996/7 (when MDT was introduced) to end of year performance in 1999/2000 of 14.4%. The Service has also adopted a new approach to the delivery of offending behaviour programmes, increasing both quality and quantity of those programmes which are accredited as reducing offending behaviour, from 1373 in 1994/5 to 4,478 in 1999/2000.

2. These are just three areas of many in which the Service has shown that by applying itself to deliver real improvements and altering the way in which prisons work, it is remarkably capable of doing so, and it is this energy which we wish to harness in order to drive through the future changes.

3. The previous section highlighted many areas where failure was almost built into the systems which the Prison Service employs, and we reflected on other policies and practices which could be amended to improve the performance of Prison Service establishments. This section will now begin to broaden out the discussion to include the overall management of establishments and the potential to manage and drive through change in varying ways.

The Change Process

4. One of the most negative aspects of our work was seeing how reactive the Prison Service can be, responding in a 'knee jerk' fashion to crises. We have even been told that some Governors have welcomed negative Chief Inspectors reports as a means by which they may be able to force extra resources from the Headquarters. The Prison Governors' Association (PGA) has sometimes seemed to suggest that the creation of a crisis is the best way to attract extra resources, and the contribution which they made to the Group did not dispel this belief. In Chris Scott's leaving speech as President of the PGA, there were warnings of potential widespread major disorder unless the Government was prepared to increase funding and reduce overcrowding.

"The events of April 1990 (the Strangeways riot) are proof that when prisons are overcrowded, when prisoners are kept in unsanitary, unhealthy conditions, when they are not treated with respect by the very nature of their incarceration, and when the very nature of their imprisonment severely interrupts their family ties, there exists a potent cocktail for prisoner disturbances. No doubt some will identify me as a scaremonger and others will portray me as irresponsible for saying that this potential for disaster can again be found in some of our jails."

5. The Service has to deliver with the money that is made available to it, and resources should be allocated on the basis of a formalised evaluative process which is linked to specific outcomes. This in turns demands that the cost for delivering different outputs can be identified. Only in this way can the Service begin to make more informed comparisons between establishments and measure the value of the services which are being provided.

6. The Deputy Director General has begun to analyse the use of resources in this way, but it needs to be formalised into a systematic and structured process, as only then will it be possible to allocate resources in a fairer and more productive manner, taking account of concepts such as 'best value'. We are aware that work is going on at Headquarters to develop this methodology, and we fully support its progress.
RECOMMENDATION
The allocation of increased resources should be linked to defined objectives and outcome measures. Systems must be in place so that every prison governor can demonstrate that resources are being used flexibly and to good purpose.

Market Testing and the private sector

7. At the moment there are five prisons which have been designed, built and are operated by private sector companies under the Private Finance Initiative, and three which are managed but not owned. Four more are in procurement.

8. To date the performance of private sector prisons has been encouraging. While some have had problems, the most recent reports from the Chief Inspector (on Buckley Hall and Altcourse) have been positive. We note particularly the Chief Inspector's comment that Altcourse "... is by some way the best local prison that we have inspected during my time as HM Chief Inspector of Prisons".

9. We recognise that the private sector has the advantage of managing their prisons with greater pay flexibility and, in some cases, the absence of the POA. It is still early days for private sector prisons and it would be misleading to suggest that their development has been problem-free. There have, for example, been serious difficulties at HMP Parc and in the early period at HMP Doncaster. However we feel that the achievements of the private sector overall have been considerable and deserve encouragement. It is important for the companies in this sector to provide both effective competition and useful benchmarks of performance against the Prison Service.

10. We were told that market testing is not appropriate for all establishments, as some of the larger local prisons with reputations for difficult industrial relations would not necessarily be attractive to private suppliers. However, the Managing Director of one private sector contractor stated that they (and other service providers) would consider bidding for any establishment which the Prison Service was prepared to market test.

11. The trade unions told us that they are implacably opposed to market-testing. They assert that with proper negotiation and cooperation between management and unions it is possible to turn around a 'failing' establishment without needing to resort to the private sector. Unfortunately, given some of the resistance to change outlined earlier, it would seem that such a level of cooperation is often only apparent when the market testing exercise is threatened or carried out. Indeed, when such cooperation does occur it is clearly a powerful and positive influence, as the successful bid in 1994 for Manchester demonstrates.

12. We also discussed whether the market testing process should immediately preclude the current supplier (whether from the private or public sector) if they have been shown to be unable to consistently deliver the level of performance required. This is still a principle that needs consideration. It may not be in the interests of the Service to have in place a system which could retain the existing management structure which led to the establishment's current failings. Further consideration should also be given to whether contracts should include the refurbishment of a decaying infrastructure, as well as focusing on outcomes.

13. Generally the Group supports the principle of market testing. In cases where an establishment consistently fails to deliver what is expected of it, despite attempts by line management to rectify the situation, then the establishment should be market tested. The Service should have an affirmative policy on this issue and ensure that failing prisons are regularly market tested.

14. Finally, we suggest that both the PFI programme of new prisons and the market testing programme should be strategically reviewed. The aim should be to determine how best to use the financial and management resources of the private sector to provide both greater choice and additional capacity.

RECOMMENDATION
The programme of PFI prisons and market testing should be reviewed to advise Ministers on how best to use the financial and management resources of the private sector to provide both greater

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choice and additional capacity to the Prison Service.

Service Agreements

15. Governors should be in no doubt about the level of performance required of them. An agreement needs to be reached which, as far as possible, commits the Service to an agreed level of resources in return for an agreed level of performance.

16. The delivery of an agreed set of outputs in return for an agreed level of resource is the basis for private sector contracts. This is a principle that the Group believes should be applied more widely within the Prison Service. We understand that there are two main difficulties with such an approach.

1. **Flexibility**: Committing the establishment to an agreed set of outputs for a fixed period may not meet the needs of a growing population.

2. **Resources**: Government spending is only agreed for a three-year period. Resource levels may vary after a new spending review round.

17. However, we believe that this type of approach would improve a Governor's ability to meet the level of performance required. Establishments currently work to a business plan which could be developed as a series of one year service level agreements which incorporate a more formalised structure between the Governor and the Area Manager than the current business planning arrangements. There is also a three year Service Delivery Agreement (SDA) pilot project running in twelve prisons to evaluate and develop these principles. These SDAs are based on three year plans but only commit resources for one year at a time. All provision for the under 18s will be managed using SDAs. The Group supports the development of this more structured approach to the use of resources.

18. Private sector establishments demonstrate how compliance with agreed targets can be effectively monitored. They face severe financial penalties if they consistently fail to meet the agreed level of performance. In each establishment a Controller appointed by the Prison Service monitors performance on its behalf and awards penalty points for failure to meet the standards required. At a predetermined level these penalty points are then translated into financial penalties which affect profits, and is a powerful incentive to comply. Managers in private sector prisons usually appoint their own internal 'Compliance Monitor' who monitors standards and reports directly to the Governor on transgressions in performance. The use of such posts to act as monitors of performance is one which may usefully be widened to all public sector prisons. This may then act as an additional early source of information in order to indicate that a prison is falling short of the standards required. In many prisons the extra cost would be covered by more efficient use of resources.

**RECOMMENDATION**

We believe that service level agreements should be developed for every establishment in the public sector. In each of these establishments a compliance officer should be appointed to monitor day-by-day application. In many prisons the extra cost would be covered by the better use of resources.
1. Having spoken to many Governors over the course of this project, we found that the question, "Who sets the agenda?" provoked a range of responses. For some it was Headquarters. For others it was the Business Plan agreed with the Area Manager. For others it was the Chief Inspector of Prisons. The predominant theme, however, was of the difficulty Governors experienced in trying to follow several agendas, some resourced, others perhaps not. The perception was that these agendas sometimes pulled in different directions. Diagram 2 below is illustrative of the tension felt by Governors.

2. As we mentioned earlier, Governors may receive direct communication from Policy Groups at Headquarters requesting action. Boards of Visitors may have a different set of priorities, as well as other agencies who operate in the prison. Governors can feel that there is little overlap or 'commonality' between the different systems of evaluation and prepare different strategies and devote management time and effort to meeting these different sets of expectations. The lack of overlap may be partially one of perception, but unless there is a more unified approach to the setting of standards against which prisons are judged, then the Prison Service will be constantly 'surprised' by the results of different methods and means of analysing the performance of prisons.

3. In order to resolve this conflict it is important that the different means of analysing performance are drawn together to form a core set of standards. The Prison Service currently uses:

- **11 Key Performance Indicators** - measures of outcome set by the Secretary of State to assess performance of the Service under 'Agency' status. Information on outcomes is recorded monthly. Examples are the number of offending behaviour programmes completed, or the level of assaults on staff.

**Diagram 2: Illustrating the tensions felt by Governors**

![Diagram 2: Illustrating the tensions felt by Governors](image)
b) **43 Key Performance Targets** - extended outcome measures requested internally as part of a new business planning process. They are also recorded monthly. An example would be the percentage of prisoners who have been assessed for their Sentence Plan.

c) **66 Prison Service Standards** - standards which prescribe the policies and procedures to be followed for all elements of the organisation. For example, drug policy, parole procedures and race relations.

4. Governors and staff need to be clear that these measures are part of one system of evaluation. The ongoing development of Prison Service Standards facilitates this and is welcomed by the Group. These standards highlight the processes which should happen in an establishment, and are measured by the Audit process. Some have a Key Performance Indicator, or Target, which also acts as a performance measure of the relevant standard. If Service Level Agreements are to be used, they should draw together these systems into one coherent whole. The standards need to be clear, simple and streamlined to prevent the need for duplication of recording. These measures should then be targeted and prioritised according to the nature of the establishment. The weighting of these measures could be adapted using a balanced scorecard approach to reflect priorities.

**RECOMMENDATION**
The Prison Service should operate to agreed national standards which are put into practice in each establishment. It is not a "federal" service and these core standards should be the basis for all evaluation of performance.

**I.T. Infrastructure**

5. The Service must have management information to support the collection and analysis of the data in order to assess performance. This requires sophisticated information technology that enables establishments to accurately input large amounts of information. Headquarters also needs an electronic link which delivers a smooth flow of information which can be turned quickly and easily into relevant information that line management can use to assess performance.

Governors need updated hardware and software systems which enable them to analyse and understand trends better in their own establishments. Current information technology systems simply do not support this. The Service has recently signed a contract with a new I.T. supplier (Electronic Data Systems - EDS), and the Group is pleased at the prospect that the Prison Service will, belatedly, have access to the IT infrastructure it has needed for some time. It will be important to ensure that staff have access to the training they require to use the technology effectively.

**RECOMMENDATION**
The highest priority should be given to modernising the management information systems of the Prison Service and ensuring the successful implementation of the new contract with Electronic Data Systems.

**Her Majesty's Chief Inspector of Prisons (HMCIP)**

6. HM Chief Inspector of Prisons has highlighted squalor, poor management, appalling industrial relations and allegations of brutality in a number of recent reports of unannounced prison inspections. It is inexcusable that Prison Service management had not been aware of these serious failures and line management had not been held accountable for them. The issue of accountability will be dealt with more fully in the next section, but the fact that serious deficiencies could be highlighted in this way demonstrates the importance of having a strong and independent Chief Inspector. We applaud this vigorous approach to the inspection of establishments.

7. Until recently, the Inspectorate assessed establishments it visited against a number of criteria which were not published. Governors complained that they did not know the basis upon which their establishments were being judged. Understandably this resulted in a sense of 'ambush' and disgruntlement. In the forthcoming months the Chief Inspector intends to publish a document outlining his 'Expectations' (currently awaiting Ministerial approval), which will lay down for the first time those areas covered during an inspection and the standards which are expected of a 'Healthy Prison'. The notion of a healthy prison is
developed from a concept introduced by the World Health Organisation, and goes beyond the approach of measuring processes and outputs through audits and KPIs.

8. The introduction of a document on evaluation will enable Governors to know the criteria against which the Service will be judged. It is important that this document covers all of the Service's core standards as there is otherwise a risk that they will become a competing or alternative set of standards. There should be no confusion in the essential ingredients of the quality standards required in prisons.

9. We feel very strongly that the time has come for the development of a set of standards determined jointly by the Prison Service and the Inspectorate and agreed by Ministers. Prisons should be both managed and inspected against these agreed standards. It is essential that they incorporate both the key elements which have enabled prisons to succeed in delivering positive outcomes such as better security, reduced drug use and greater numbers of offending behaviour programme completions, as well as the factors which have enabled HM Chief Inspector of Prisons to find both major and minor failures which the Prison Service had not recognised. These standards should enable the totality of a prison's functions to be evaluated using an evidence based approach. The Inspectorate should be able to comment on the standards set and their applicability to individual prisons, and the standards themselves should be reviewed on a regular basis.

10. The methodology developed in relation to the agreed standards should allow for informed and objective comparisons to be made between similar establishments on both the quality of the service and the value for money which the regime provides. At present it is clear that there is no consistent link between resource allocation and the quality of the service. Many prisons provide good quality and value for money with relatively limited budgets.

**RECOMMENDATION**

The Prison Service and the Chief Inspector should work to produce an agreed set of standards, to be approved by Ministers, against which the performance of prisons will be evaluated. The methodology for the inspection of prisons should be developed in relation to these standards. It should facilitate both objective assessment and comparison covering both value for money and quality of service delivered.

**Dissemination of best practice**

11. Agreeing and evaluating a prison against a set of core standards that highlight poor performance is essential for the early identification of a failing prison. However, it is important that good performance is also recognised, both at an individual and an organisational level, and that good practice is both acknowledged and disseminated.

12. At the moment the primary mechanism for the recognition of individual achievement and excellence is the Butler Trust Award Scheme, established in 1985 to promote and encourage positive regimes in prisons throughout the UK. Around 100 major awards and 400 certificates have been given, and the Trust has provided over £130,000 funding for the development of award winning projects. It is unfortunate, however, that the Prison Service appears to rely solely on an external organisation to recognise the work of its staff. The Butler Trust is an invaluable organisation and its role in recognising best practice is to be encouraged, but the Prison Service itself should examine as part of the recommended review of personnel policies the way in which staff are rewarded. We welcome the news that the Service has recently increased the possible bonuses which Governors can pay to their staff to £2,000.

13. The philosophy and practices now being established at certain establishments deserve recognition. The regime at HMP Low Newton, where women prisoners are being encouraged to take greater responsibility for managing their lives in terms of their use of time and uptake of opportunities, is a good example of innovative practice which should be disseminated because it could be replicated elsewhere. Examples of good local communication systems should certainly be publicised widely. Amongst the good examples that we encountered was the Governor of HMP Belmarsh who communicates directly to both staff and prisoners about events or changes in order to avoid any dilution of the message which she wants to convey. The Governor of HMP Wormwood
Scrubs had established new communication fora enabling greater consultation and dissemination of information between staff and management.

14. One particularly innovative and impressive approach we found was the use of Appreciative Inquiry. This is a means of encouraging staff to participate in a consultative process by reflecting on what is best, what works well, and when they most feel a sense of achievement, in order to provide a prescriptive basis for moving an organisation forward by building on what it is good at. HMP Wandsworth was using the information from this process to drive change through following a highly critical Inspection report. We understand this approach is to be employed at a further five establishments with a view to possible more widespread use and we welcome the support the Prison Service is giving to it.

15. One of the key vehicles for the dissemination of the initiatives and approaches we have outlined is the creation of new functional roles which have been assigned to some Area Managers. These posts were created in order that Area Managers could provide a degree of communication and coordination between establishments of the same functional type (e.g. local prisons, category C prisons) and the dissemination of such practice should form one of their central responsibilities.
SECTION FOUR – LEVELS OF ACCOUNTABILITY

1. There will be times when external factors or situations may affect any organisation in an unforeseen manner. For a private sector business this may include rises in the interest rate making export markets more difficult, or the bankruptcy of a supplier disrupting the supply chain. For an individual prison establishment these 'unexpected' events could be spontaneous acts of concerted indiscipline, or the need to accommodate a prisoner arriving late from court at short notice. Management in these situations needs to act quickly and decisively to resolve the situation and restore the organisation to the status quo. Coping with the unexpected is very different from managing situations inadequately so that routine situations can hold surprises.

2. Governors of establishments and their Area Managers should be in such a position that they are not 'surprised' by the latest set of audit results or that the Chief Inspector has told them that the conditions in their segregation unit are unacceptable, or that their Purposeful Activity figures are well below their target for that month. For this to happen Governors need to know exactly what is expected of them and how they will be judged. This is why we placed such emphasis on Governors knowing there are a clear and agreed set of standards and baselines which are to be used to assess establishments.

3. To succeed Governors must know exactly what is going on in their prison. They should know if their prison is dirty, or that their sickness rate is putting undue pressure on other staff. They should be aware if their segregation unit is full with prisoners who have been the victims of assaults, or that Sentence Planning Boards have not been held. They should also have ensured that action has been taken if prisoners are disgruntled because the heating has not been repaired on their wing for two weeks. It should not require the Chief Inspector to inform the Governor of such issues, nor an increase in Requests and Complaints from prisoners to highlight failures such as the problems of the heating, nor members of the Boards of Visitors to question the number of assaults in the prison. Management should know what is happening in their prison and be doing something about it, actively 'risk' managing each day in order to move the prison away from situations of potential failure and towards success.

4. We are not suggesting that Governors need to know the detail of every minute of every day in their prisons, but systems should be in place to measure this detail. Where the prison begins to deviate from the agreed set of standards and baselines it is to meet, and the 'blindingly obvious' indicates that something is wrong in their prison, they should know about it and act upon it. To do this Governors must have a competent and able team of managers below them who are aware that it is their role to monitor and know what is happening in their areas of responsibility, to take decisions to resolve problems, and to report on any issues which cannot be immediately resolved.

5. We do not wish to perpetuate the paralysing 'blame culture' which existed in the Service, but managers must recognise that they must take responsibility for the areas which they manage and make sensible, defensible decisions. These decisions should reflect the priorities of the Service and the establishment, no matter how difficult those decisions may be.

6. Equally, there should be a distinction between 'risk aversion' and 'risk management'. It is impossible to eliminate risk entirely and the Prison Service will make mistakes. This should not lead to an attempt to avoid risk altogether, but an acceptance that it is an inevitable part of the Service's business. This in turn means that Governors need clear guidance in making decisions when conducting a 'risk assessment'. Home Detention Curfew is an example. Some prisoners will inevitably reoffend while on licence. The only way to prevent this is to stop the HDC scheme altogether, but the cost would be that more prisoners would remain in prison for longer, and the resettlement value of HDC would be lost.
Instead, the Service needs to ensure that they have based their decision on the likelihood and the seriousness of an adverse outcome, and have taken all necessary precautions to safeguard against it. An example the Group saw of risk aversion was at HMYOI Portland, where young offenders had very limited access to PE and gymnasium facilities, despite the fact that the establishment owned large playing fields outside the perimeter of the fence, which they were unable to use. This was due to Home Office intervention some years ago which had redefined the criteria which should apply for the issuing of temporary licences for inmates leaving the confines of the prison. Before the introduction of these restrictions, Portland had been able to use the playing fields, and the rate of abscond was lower than that experienced by many Category C prisons who are releasing prisoners on temporary licence in preparation for their return to the community. A more sensible approach would have been to allow for prisoners to be risk assessed, identify those suitable to use the playing fields, and take sensible precautions to prevent any potential for abscond.

7. Risk management is a combination of avoiding hazards, dealing effectively with the uncertainty and knowing when to take the right risk. It has often been regarded as hazard avoidance and the potential benefits of taking calculated risks or seizing opportunities have been ignored. However, managers may have more confidence not only to take risks but also to look for opportunities when there is a clear framework for appraising and monitoring risk in a controlled way. This should be the aim of the Prison Service.

Accountability

8. We have mentioned the need to strengthen managerial accountability a number of times in this report. We believe that this can be achieved by:
- Governors seeing and being seen in the prison and not tied to their desks;
- a strong and committed team of managers who are aware of their responsibilities and actively manage on a daily basis;
- a set of structures and processes which facilitate regular communication between prisoners, prison staff of all grades and Governors; and
- strong line management that shows leadership and has the courage to make difficult decisions. This should extend from the first rung of management in the establishment (Senior Officers) through to the Director General. This must be embedded in the culture of the Prison Service and forms one of the key recommendations of this report.

RECOMMENDATION
The principle of managerial accountability must permeate the Service and inform all practice and decision making.

Leadership

9. We have already indicated that during recent years the Prison Service has begun to improve in many ways. A strong message received while taking evidence was that there has been an improvement in leadership over the last eighteen months. Progress was attributed to the leadership of the Director General and the work of the Deputy Director General. The reorganisation of Area Managers has introduced a structure (with supporting systems) that provides much greater clarity on objectives. The quotes below serve to illustrate some common views -

"Area Managers and Governors are much clearer on what they need to do. There is far less ambiguity." (Governor)

"We have made a start, but we need to build on this to ensure greater consistency and higher standards. We are a large organisation with a history and this will be difficult." (Area Manager)

10. The DDG meets all 14 Area Managers individually each month for detailed bilateral discussions about every establishment in their Area. Each meeting utilises a wide range of management information in order to form as objective an assessment of performance as possible. KPI figures, Inspectorate reports, Boards of Visitors’ reports, audit results, Area Manager visits notes and any other relevant information are discussed, and the performance of each Governor analysed in this context. Area Managers are expected to know what is happening in their prisons, what the risks of failure and success are and to be making decisions and taking action which actively moves each establishment forward. This may take the form of support for a Governor through periods of
difficulty such as industrial conflict, or robust management where a Governor has consistently failed to carry out operational requirements.

11. The current Area Manager structure has recently been revised to provide greater co-terminosity with Government Office Regions and for the Group this has two important implications - firstly for the proposal that there should be greater functional management in the Service, and secondly for the quality and level of accountability of each Area Manager.

**Functional vs Regional Management**

12. We have considered whether the Prison Service should be functionally managed across the estate in order to provide greater consistency by functional type (e.g. there should be separate managers for category C prisons, local prisons etc.). At the moment functional management exists to some extent alongside a regional structure, with the female and the high security estate being functionally managed. There is also a manager specifically coordinating the provision of services for juveniles. Given the specific needs of these particular groups, we believe this is a sensible approach to have taken. However, we have concluded that it is not practical to introduce functional management across the whole service. As the Chief Inspector said in his latest Annual Report on the new geographical organisation,

"...the development of co-terminous CJS (Criminal Justice System) boundaries...means that at last there is a real opportunity for the realisation of Lord Woolf's recommendation that community clusters of prisons should be developed."

13. He quite rightly points out that if as many prisoners as possible can be held near the community into which they will be discharged, then the community can be involved in their preparation for release. It is this possibility of closer community involvement, and the co-terminosity with other criminal justice agencies which the Group believes provides the most efficient and effective means of managing prisoners safely back into their communities, and of managing the risk factors which may reduce reoffending.

14. The Chief Inspector suggests that a combination of functional management with regional coordination should exist, in order to facilitate consistency. In our view this would be difficult to operate and would blur the line of accountability. To extend functional management into this structure is to risk setting up parallel reporting lines for Governors, and as we have already seen, the potential for parallel reporting lines and standards already exists between policy groups at Headquarters, line management arrangements and in relation to the Inspectorate's Expectations. In addition there are large groups of establishments such as local prisons, which would be too unwieldy and impractical for one individual to line manage without setting up further layers of management. This would be costly, unwelcome and confusing. In our view, there should be a single clearly defined operational management line, and in the Prison Service this should be from the Governor through to the Area Manager, to the Deputy Director General and ultimately the Director General.

15. The question of consistency across functional establishments is being addressed by a number of means. Firstly, through specific Key Performance Targets and Prison Service Standards, which relate to the function of the prison. Secondly, by giving some Area Managers responsibility for developing communication between establishments of the same functional type and disseminating best practice, (e.g. the Area Manager for the North East will facilitate local prison cooperation throughout England and Wales, but will not act as line manager).

**Role of Area Managers**

16. The second implication of the re-structuring of Prison Service areas to provide greater co-terminosity with the regional offices of Government, concerns the roles and responsibilities of the Area Managers. The new structure reorganises the 134 establishments of the Service into 14 Areas, each managed by an Area Manager who reports directly to the Deputy Director General. In addition to line managing Area Managers, the DDG also line manages the Prisoner Briefing and Casework Unit, Financial Support Services and his support team at Prison Service Headquarters. This means that the DDG line manages a total of 18 senior managers - a substantial workload.
17. In order to make this workload as manageable as possible, the Group discussed whether another layer of management in the form of Operational Directors should be introduced. These Directors could manage smaller groups of Areas and then report directly to the DDG. This idea was rejected. We believe it is not in the interests of the Service to introduce further layers of management. Until 1999 Operational Directorates divided the country into two areas with each Operational Director managing the Area Managers in their region, but it led to wide discrepancies in performance and resulted in operational inconsistency. Our evidence indicates that a single clear operational message has now started to be received at establishment level, and to introduce further Operational Directors could dilute this message and rescind some of the progress which has been made.

18. If we are to reject the reintroduction of Operational Directors, then the quality of Area Managers must be of the very highest order. The level of accountability and responsibility must also be very clearly defined, in order that the operational responsibilities of the DDG do not become unwieldy and impossible to manage. The Group sees the Area Manager as the pivotal manager in the Service, providing the link between Headquarters and the 'field' and between policy and operations. The Deputy Director General (DDG) needs highly effective, dynamic Area Managers who have the desire, skills, drive and commitment to act as more than just the eyes and ears of the DDG. They must be effective high quality managers, challenging and requiring prison staff to perform at the highest level, offering support where necessary and demanding improvement where appropriate. They need to ensure that they frequently visit establishments, seeing for themselves whether an establishment is meeting its targets and managing its resources effectively. Above all, they need to be personally accountable for the performance of each prison in their Area.

19. We welcome the move to base Area Managers in their areas. We also believe their support teams should be expanded to ensure that their establishments are closely monitored. It is in the operational management line that the responsibility for early detection of a 'failing' prison lies. The wide range of personnel and functions based at Headquarters needs to be reviewed in order to assess whether resources could be better used as part of operational line management. There are over 1,900 staff currently working at Prison Service Headquarters. This provides a very large pool of expertise and ready-made skills which can be drawn upon for relocation to the Area Offices. Area Managers could then benefit from the support of teams with a range of skills providing an additional resource for prisons in the area. The role of Headquarters needs attention and an internal review is recommended.

20. Perhaps the most common area of feedback we received from Governors concerned the wide variation in approaches taken by Area Managers. Some were described as auditors, others were described as facilitators. There needs to be much more consistency in the approach adopted, and while the emphasis and focus on outcomes is the correct one there should be a more explicit recognition in the job description of Area Managers that they are also responsible for:

a) Quality Management - assessing and managing the quality of the service which the establishment is providing;

b) Change Management - in practice this is a key role undertaken by an Area Manager, but needs to be recognised as a formalised and integral element of the role; and

c) Communication - a central role should be taken in communicating and coordinating policy implementation, on sponsoring initiatives and advising on political imperatives and priorities as they change.

21. In order for the Prison Service to attract the high calibre of Area Managers required it is also essential that Area Managers see their careers ahead of them. The role is not a reward for long service, but an opportunity to demonstrate that they can manage at the highest levels. The role of Area Manager should be one of the most demanding and challenging roles in the Prison Service, and the Service must devote managerial time and effort to training and supporting the candidates required and ensuring that their pivotal position in the organisation is developed.

**RECOMMENDATION**

The managerial responsibilities of the Area Managers should be clearly defined and
they should be held personally accountable for the performance of each prison in their areas. Specialist staff should be relocated from Headquarters to the areas to enable the Area Managers to fulfil their new and demanding duties.
SECTION FIVE – THE ROLE OF THE COMMUNITY

1. Organisations based outside prisons, in the community, have long had a role in providing services to prisoners. Over the past twenty years prisons have become increasingly receptive to community based agencies and the range and scope of organisations involved and services provided is very impressive. They are important because they provide prisoners with access to services they may be able to continue to use after their release, and because they offer contact with the outside world.

2. Community based organisations working in prisons vary from large-scale bodies employing only paid staff and working under contract in a number of prisons, to smaller agencies using a combination of paid staff and volunteers or, in some cases, volunteers alone. Some are funded entirely by the prison (such as many drug service providers and education contractors), other rely on a mix of funding or have the support of a funder outside the prison. Some are charities or not-for-profit organisations, others operate within the private structure.

3. Community based organisations offer an important resource to prisons, but one that is not efficiently used at present. Many prisons have no centralised information about which agencies are active in the prison, let alone what they do and how. Every prison should be able to provide detailed information about which agencies are actively involved with prisoners, what sort of work they undertake and how it sits with work undertaken by the prison itself and with other community agencies. We recommend that a named member of staff - either employed specifically for the purpose from a community agency background or a member of prison staff with facility time to undertake the task - is given the job of acting as the main point of contact for community agencies. This task would involve finding suitable agencies to work in the prison and providing for the identified needs of prisoners. This individual would also have responsibility for the reporting and review of agencies’ work and would be directly accountable to a governor - possibly the Head of Prisoner Activities in a large prison or the Governor in a small one.

4. Unless community based organisations are involved in contracts with prisons they often have no formal agreements about the work they do and how it is to be undertaken. This haphazard approach does nothing to ensure best use is made of them. Relations between prisons and community based organisations can be clarified and made more purposeful by the introduction of formal agreements which should define the purpose of the agency’s work in the prison, how the work will be carried out, what the agency will provide and what the prison will provide, how the work will be reviewed and mechanisms for resolving difficulties and for terminating the agreement.

5. Where formal partnerships are created with community based service providers, prisons must be sure that their expectations are fair and realistic. They are in a very powerful position as large-scale purchasers of services. One service provider told us ‘...contracts rarely reflect partnership and are inequitable, loading unrealistic demands on providers and limiting the responsibilities of the purchaser’.

6. Unrealistic expectations sometimes extend to the cost of services provided by community based agencies. Unless funding is provided from another source prisons must recognise that the use of community based agencies has a cost which is likely to include overheads and possibly capital expenditure. Even providing adequate support to volunteers has resource implications - volunteers must be adequately trained and supported and should be offered expenses.

7. The lack of integration of the work of many community based agencies into the mainstream work of the prison has meant that it has been vulnerable to changing priorities, changes of Governor and pressures affecting the system. Governors may find that the work of community
agencies is helpful in achieving some of the desired outcomes in terms of performance measures. A more strategic approach is required at all levels and the work of community based agencies should feature in prisons' business plans agreed between Governors and Area Managers.

8. Prisoners at similar prisons are likely to require the services of broadly similar community based agencies. A 'menu' of suggested types of service for each section of the prison population should be drawn up. Area Managers should monitor the involvement of community based agencies in the provision of services.

9. Many community based agencies offer opportunities to prisoners in areas not (and unlikely to be) covered by accredited programmes designed to have a clear impact on reconviction rates. There is a danger that the value of other interventions will be dismissed when set alongside the large-scale highly developed programmes which are now available, and that they will be deprived of resources. Many of the small scale interventions are designed to offer prisoners information and resources relating to other aspects of their lifestyles - such as health information, the constructive use of leisure time, help with budgeting or support in coping with their family relationships. Many of these interventions aim for primary outcomes other than the reduction of reoffending. They tend to be less resource intensive and of much shorter duration than accredited programmes, and are therefore potentially available to many more prisoners. This Group recommends that the Prison Service investigate the adoption of a system of Approved Activities, similar to that used in the Scottish Prison Service, which would provide prisoners with a range of high-quality evaluated options. They would be available to short-term prisoners (who are often unable to complete longer accredited programmes) and as a constructive supplement to accredited programmes for longer-term prisoners.

10. Relationships between prison staff and community based agency staff are very variable. At best there is a high degree of co-operation, at worst hostility, stereotyping and a lack of trust. Governors should have access to training on multi-disciplinary working and the role of community agencies. Community agency liaison officers should ensure that information about the work of community agencies in the prison is made widely available to staff. Staff - whether paid or voluntary - from community agencies need to understand the prison environment in order to be able to provide appropriate services. Induction programmes should be developed to provide an insight which goes beyond routinely provided security information.

11. The recent activity highlighting the existence of the Compact between Government and the Community and Voluntary Sector in the form of Prison Service roadshows attended by the Minister has been very welcome, as has the commissioning of Good Practice Guidelines for Governors in this area. Sensitivity to issues such as the difficulty caused to small community based agencies by paying them in arrears, and a willingness to review arrangements has been evident and is commendable.

12. Community based agencies can have a role in both the identification of failing prisons and their recovery. An education provider described how the Quality Indicators it was set were sometimes not achieved due to other weaknesses in the prison. One example given was:

'A significant number of prisoners on the list do not arrive. Continuity for students in classes varies significantly damaging consistency as a result of Poor co-ordination between the [education] department and the wings. Regime activities are not valued.'

'The [education] programme is a mystery to all officer staff. They do not think it is their job to direct inmates to Education.' The issues being 'A minority of staff resent the education on offer and feel the money would be better spent on their children etc. there are incidents of racism and harassment. Prisoners are not unlocked on time. Prisoner morale is low.'

13. When a community based agency or provider has clearly defined quality standards to meet failures like this, and the reasons for them, become very clear. Where no such formal agreements exist the same impressions may be formed, but the evidence may be weaker. In such situations these agencies need to have clear agreed procedures in place to enable them to raise their concerns with the Governor, and, if necessary, the Area Manager.

RECOMMENDATIONS
Links between prisons and community
based agencies should be strengthened and coordinated more effectively. Prison and community based agency staff should be provided with training to enable them to work together more effectively. Community based agency staff should be able to convey any concerns they have about the prison to the Governor or Area Manager.

**Boards of Visitors**

14. Boards of Visitors have a key role to play in highlighting difficulties in prisons. They currently operate on an entirely voluntary basis and their task is to represent the public 'stake' in imprisonment by monitoring the fair treatment of prisoners. They have a right of access at any time to all parts of the prison and to all prisoners. They are expected to raise their concerns with the Governor, or more senior personnel in the Prison Service, and where necessary take matters directly to the Secretary of State to whom their annual reports are addressed. Sadly the repeated concerns expressed by Boards of Visitors were not heeded in relation to some of the prisons which have recently attracted attention for their poor performance.

15. The last review of the role of Boards of Visitors, chaired by the Rt. Hon. Michael Forsyth MP, was conducted in 1995. Its recommendations resulted in the establishment of the National Advisory Committee and the Secretariat of Boards of Visitors and these two bodies have subsequently worked together to highlight improvements which could be made to the effectiveness of Boards. Five years after the Forsyth review this Group feels that the time is right for a further review concentrating on the work of Boards of Visitors, how they can become more effective, and how the Prison Service can become more responsive when they raise concerns.

16. We would like this review to consider the following questions:

- How links to the Prison Service above the level of Governor might be improved - in particular the question of the relationship between the Board of Visitors and the Area Manager and his/her team;
- Whether it would be helpful to create an obligation and a procedure for raising certain concerns with the Area Manager at the same time as with the Governor - examples might be allegations of brutality made against staff by prisoners, allegations of racism, an impoverished regime sustained over a certain period of time - even if the solution is provided without the Area Manager's direct intervention;
- Whether Boards of Visitors should retain the task of sanctioning prisoners’ segregation, a management role, or whether this role should be taken by the Governor leaving Boards with an obligation to see all segregated prisoners on a regular basis to check on their welfare;
- How better support to Boards might be provided on specific areas such as race, education and human rights;
- How training and information for members of Boards of Visitors might be improved and the possible role of IT in this;
- Whether it is reasonable to expect Board Chairmen to fulfill such a demanding role without pay; and
- How to offer examples of best practice and avoid isolation.

**RECOMMENDATION**

There should be a review of the role, resources and responsibilities of Boards of Visitors.
APPENDIX ONE

List of contributions sought to the Working Group

Trade Unions

Prison Officers' Association
Prison Governors' Association
Royal College of Nursing
Prison Service Joint Industrial Council
Prison Service Trade Union Side

Inspection Watchdogs

Her Majesty's Chief Inspector of Prisons
Her Majesty's Chief Inspector of Probation
Prison Ombudsman
Chair of NAC Boards of Visitors
Boards of Visitors' Chair at each prison

Pressure Groups

National Association for the Care and Resettlement of Offenders (NACRO)
Howard League for Penal Reform
Prison Reform Trust
AMBOV

Drug Contract Suppliers

Addaction
Compass
Cranstoun Drug Services
Exeter Drug Project
RAPt
Acorn Community Drug & Alcohol Services

Prison Service

All Governing Governors
Heads of Groups

Education Contact Suppliers

Amersham and Wycombe college
City College Manchester
CFBT Education Services
Dudley College

Kent County Council
Matthew Boulton College
NESCOT, Ewell
New College Durham
Norwich City College

Other Associations

Association of Chief Police Officers
Association of Chief Probation Officers

Private Prison Services

Group 4 Prison and Escort Services
UKDS
Securicor Custodial Services
Premier Prison Service Limited
Reliance Custodial Services

Other

Victim Support
Butler Trust
International Centre for Crime and Justice Studies

Government Regional Offices

London
West Midlands
Yorkshire and Humber
South West
East Midlands
Eastern Region
Merseyside
North East
North West
South East
APPENDIX TWO

Establishments visited

HMP Pentonville - Una Padel
HMP Belmarsh - Lord Laming
HMP Wandsworth - Lord Laming
HMP Holloway - Una Padel
HMP Aylesbury - Una Padel
HMYOI Feltham - Lord Laming
HMP Winchester - Su Sayer
HMP Whitemoor - Roger Brooke
HMP Portland - Su Sayer
HMP Altcourse - Roger Brooke
HMP Send - Una Padel
HMP Wormwood Scrubs - Una Padel
HMP Brockhill - Roger Brooke
HMP Birmingham - Pat Carter
HMYOI Swinfen Hall - Pat Carter