

DPS FRAMEWORK SCHEDULE 4: LETTER OF APPOINTMENT AND CONTRACT TERMS

Part 1: Letter of Appointment



Dear Sirs

Letter of Appointment

This letter of Appointment dated 1st February 2022, is issued in accordance with the provisions of the DPS Agreement (RM6018) between CCS and the Supplier.

Capitalised terms and expressions used in this letter have the same meanings as in the Contract Terms unless the context otherwise requires.

Contract Number:	con_19848
From:	HM Inspectorate of Probation Promoting excellence in probation and youth offending services Civil Justice Centre, Manchester M3 3FX (" Customer ")
To:	User Voice 20 Newburn Street, London SE11 5PJ (" Supplier ")
Effective Date:	1 st February 2022

Expiry Date:	<p>End date of Initial Period: 31st January 2025 with annual break clauses</p> <p>End date of Maximum Extension Period: 31st July 2025 (6 months)</p> <p>Minimum written notice to Supplier in respect of extension: 6 weeks</p> <p>This contract is anticipated to last for 3 years, however depending on findings could terminate earlier at the end of year one or at the end of year 2 with no guarantee of spend over the whole 3 years</p>
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Services required:	<p>Set out in Section 2, Part B (Specification) of the DPS Agreement and refined by:</p> <p>the Customer's Project Specification attached at Annex A and the Supplier's Proposal attached at Annex B</p>
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Key Individuals:	<p>[REDACTED], [REDACTED] <i>("Customer")</i></p> <p><i>And</i></p> <p>[REDACTED] [REDACTED] <i>("Supplier")</i></p>
[Guarantor(s)]	N/A

Contract Charges (including any applicable discount(s), but excluding VAT):	<p>The total contract value shall be up to but not exceed £225.000.00 (excluding VAT) over the term of the contract.</p> <p>Supplier Proposal as per below</p> <p>These costs are commercially confidential and not to be disclosed for three years from the proposal submission date. [REDACTED]</p>
Insurance Requirements	Insurance As per terms (Clause 19 of the Contract Terms)
Liability Requirements	Suppliers limitation of Liability (Clause Error! Reference source not found. of the Contract Terms);

Reimbursable Expenses	<p>Not permitted unless approved in advance by the Customer and in line with MoJ Policy.</p> <p>[REDACTED]</p>
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GDPR	See Contract Terms Schedule 7 (Processing, Personal Data and Data Subjects
Alternative and/or additional provisions (including Schedule 8(Additional clauses)):	<p>The Authority reserves the right to terminate the contract at the end of year 1 or end of year 2 depending on the findings of the research.</p> <p>The Inspectorate will retain the intellectual property rights to all of the reports produced.</p>

FORMATION OF CONTRACT

BY SIGNING AND RETURNING THIS LETTER OF APPOINTMENT (which may be done by electronic means) the Supplier agrees to enter a Contract with the Customer to provide the Services in accordance with the terms of this letter and the Contract Terms.

The Parties hereby acknowledge and agree that they have read this letter and the Contract Terms.

The Parties hereby acknowledge and agree that this Contract shall be formed when the Customer acknowledges (which may be done by electronic means) the receipt of the signed copy of this letter from the Supplier within two (2) Working Days from such receipt

For and on behalf of the Customer: **Ministry of Justice**

Name	[REDACTED]
Title	[REDACTED]
Signature	[REDACTED]
Date	[REDACTED]

We accept the terms set out in this letter and its Annexes, including the Conditions.

For and on behalf of the Supplier: **User Voice**

Name	[REDACTED]
Title	[REDACTED]
Signature	[REDACTED]
Date	[REDACTED]

ANNEX A

Customer Project Specification

To be determined by the Customer at Call for Competition stage

1. Introduction

Her Majesty's Inspectorate of Probation (*the Inspectorate*) is the independent inspector of youth offending and probation services in England and Wales. We promote excellence in probation and youth offending services across England and Wales through independent inspections, recommendations, research and effective practice guidance.

The Inspectorate judges youth offending and probation services against published standards. These standards are designed to drive improvement in youth offending and probation services. They were developed in consultation with service providers, based on evidence, and updated when necessary. The services we inspect know what our standards are, and their services are rated against them.

Our inspectors use the standards to ask the right questions and look for evidence to rate the quality of service delivery across each aspect of a service. We identify if success has been achieved, how it has been achieved, but also why it has not. We test the effectiveness of the provision and provide assurance. Critically, we make recommendations designed to identify and disseminate best practice, challenge poor performance and encourage improvement. We provide evidence-based intelligence for commissioners and providers, designed to play a key part in facilitating and encouraging improvement in effective service delivery. We rate services overall as either 'Outstanding', 'Good', 'Requires improvement' or 'Inadequate' and this assists services in targeting their improvement activity.

As well as inspections of individual services, we publish regular thematic reports on key issues in the criminal justice system, conduct Serious Further Offence (SFO) reviews and produce annual reports each year. Our independent research contributes greatly to our work including by providing evidence on which we base our standards for inspections. We also commission leading academics to provide their views on a range of related topics.

2. Background to the Requirement

The inspection standards that underpin our core probation inspection programme are based on established models and frameworks, and are grounded in evidence, learning and experience. The standards describe what high quality probation services should look like.

A key element of the standards is the extent to which probation delivery units (PDUs) involve and respond to the needs of people on probation. Our inspectors therefore already rate every PDU on how well they proactively engage people on probation in the delivery of services. These judgements contribute to the ratings that each service is given. This is a fundamental and established part of our inspection approach and we will continue to make these judgements.

We continually monitor the effectiveness of our probation standards and approach. We have recognised that there is a gap in our direct engagement with people on probation in those services that we inspect. We want to develop this engagement with people on probation about the services that they receive. This is part of our broader commitment to participation set out in our 2019-22 service user engagement strategy <https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2019/09/Service-User-Engagement-Strategy.pdf> in which the Chief Inspector of Probation said;

"It is clear to me, from observing our inspections and speaking to practitioners and others, that we need to give a stronger voice to those who are supervised by the services we inspect. A fundamental part of our assessment of the quality of services involves judging providers on how well they consult and engage with those they supervise on the way that services are configured. Service users need the opportunity to say what works for them and feel like they are an active participant in their own development and recovery, not just a passive recipient of the services that are designed to help them achieve that. But we need to go further than that. I want the Inspectorate itself to be a truly inclusive organisation that seeks and responds to the knowledge and experience that those who are supervised can offer."

We recognise the value that people on probation can bring to our Inspectorate activity. For instance, the expertise that this experience can provide in establishing trusting relationships with people on probation. We also recognise the benefits that involving people on probation can have to their own wellbeing and recovery. It is a core part of the probation ethos to support the rehabilitation of individuals and to provide better life chances for them. We commission lived experience organisations in our thematic inspections and this has successfully increased the volume and quality of engagement with people on probation. We now want to take a similar approach and commission an organisation to work with us to deliver this element of our work.

Historically, we have attempted multiple ways of taking the views of people on probation during inspections. These include surveys, speaking to user groups, and commissioning expert organisations to arrange focus groups with people on probation to gather feedback. These approaches have not, however, been continued or mainstreamed into our current adult inspection approaches. There are two main reasons why: a) the number of people involved did not provide a representative sample from which we could draw conclusive results b) the methods often led to poor engagement from people on probation which provided very little useful information for the inspection teams. Arnstein's 1969 'ladder of participation' (see Figure 1) sets out a range of person on probation involvement from 'no control', up to 'full control'. The Inspectorate has set itself the challenge to move from treating people on probation as passive consumers of its inspections to providing them with more input.

Figure 1: The ladder of participation



3. Requirement

Purpose:

The purpose of the requirement is to achieve high-quality feedback that we can use to inform our judgements and ratings. High quality feedback is that which is:

Relevant- linked to our inspection standards

Consistent- gathered in a consistent way across all PDU inspections

Reliable- derived from the experiences of the individual person on probation

Valid- from people on probation at that PDU at the time of inspection

Robust- provided in sufficient detail to enable judgements to be made

In making judgements about a PDU, inspectors consider different types of evidence, of which the views of people on probation are one type. This evidence is important and has the same status as other sources of evidence. There are no hurdles or decision rules applied to the use of views from people on probation as a source of evidence. Views are considered in a way that is proportionate to other sources of evidence and

views are particularly useful in triangulating other pieces of evidence. We rely on feedback being high quality to enable us to use it in this way.

Activity to be undertaken

We recognise that a 'one size fits all' approach to obtaining feedback from people on probation will not meet the purpose of the requirement. Instead we want to offer multiple and varied opportunities for people on probation to give us their feedback.

There are two stages to our approach. The first stage is delivered by the Inspectorate and the second stage is to be delivered by the Contractor. The first stage is a short text survey *Experience of probation text questionnaire* containing a small number of questions to be sent out to all people on probation in the PDU being inspected. We ask people on probation about their experience of probation, including the accessibility of services, appropriateness of interventions and relationships with probation practitioners. This will be administered by the Inspectorate, with responses analysed by the Inspectorate, both quantitatively and qualitatively.

Following on from the text survey, the second element of our approach offers people on probation the opportunity to provide further information by methods such as interview by phone, in person, in a focus group, using a paper survey or by electronic methods, should they want to give further comment. The questions are contained in the *Experience of probation questionnaire*. For both questionnaires, there are standard questions asked of people on probation which link directly to the questions and prompts in our standards. Findings from these survey responses and interviews with people on probation will be summarised by the Inspectorate in a dedicated section in the inspection report. It is this second element of activity that the Contractor will deliver.

Starting in February 2022 we will undertake an average of 36 inspections of PDUs each year for 3 years. The fieldwork for each inspection will usually last for one week for each PDU. The Contractor will gather the feedback during each of these fieldwork weeks for each PDU inspection. The number of people that will be available to gather feedback from in each PDU will not be known until the first text survey element of the work is completed and we are able to identify how many individuals have made a request for further contact. It will vary between PDUs and we anticipate that numbers will increase over the three year period as the first element becomes more embedded. We expect the Contractor to be proactive in order to engage as many people on probation as possible. Reporting from the Contractor will include the collation of survey data into an excel spreadsheet by end of fieldwork week, and the collation of qualitative feedback in the form of a concise report, outlining key themes and headlines. These are the standard products that we require from each PDU inspection.

In order to deliver the second element of our approach described above, we require the Contractor to provide interviewers for each PDU inspection to respond to our survey responses and collate feedback for the lead inspector of that PDU inspection. Ideally these will be local interviewers accessed by the Contractor to deliver the work for that PDU inspection. Interviewers will engage with people on probation to seek feedback using a variety of methods including:

- a pre designed survey (mandatory)
- focus groups
- face to face interviews
- phone interviews
- any other methods that the Contractor and the inspectorate agree are appropriate

To do this we expect the commissioned organisation to allocate a dedicated co-ordinator whose responsibility it will be to manage the service delivery expectations of the requirement as detailed below. The coordinator will act as the single point of contact for monitoring and touch point meetings with the Inspectorate. The coordinator's role will be:

- recruitment of interviewers
- induction overview and managing training requirements
- deployment logistics to ensure effective delivery of requirement requirements remains on schedule
- act as SPOC for interviewers and the Inspectorate on service delivery matters
- collate and deliver survey responses and pass to HMI
- take part in touchpoint and monitoring meetings as specified within the requirement requirements

Recruitment

Using their own processes, we expect the Contractor to provide two interviewers for each of the 36 one week long PDU inspections. Interviewers must have lived experience of the criminal justice system and the skills to engage with effectively with people on probation.

Training

The Contractor will be expected to provide appropriate training so that interviewers comprehend the requirements of the project including but not limited to; the purpose of the survey, methods of engagement as well as understanding the questions and how they link to our standards. This may be delivered face to face or remotely. We would expect the commissioned organisation to demonstrate some innovation as well as utilising their own expertise and skill set to identify methods of engagement that will achieve the maximum returns.

Deployment

The Contractor will provide two interviewers for 36 PDU inspections across the UK, who together will provide a total period of one week (37 hours) fieldwork activity. The Contractor will directly coordinate and manage this once told by the Inspectorate which PDUs are to be inspected and when.

Quality Assurance

To ensure that the feedback we receive is high-quality we expect the Contractor to undertake regular, robust quality assurance of the work of the interviewers that they appoint. We expect quality assurance at every PDU inspection, given the likelihood of different interviewers being used for each PDU inspection.

Inspectorate activity

We will:

- Provide the names and contact details of those people on probation who are willing to engage further
- Organise meeting spaces at PDU premises
- Intervene to support the coordinator with access to enough people on probation should this arise

Relevant Experience

Due to the diverse circumstances of people on probation, we are looking for an organisation that has a flexible and adaptable attitude and are confident in their approach to engaging those people who may be harder to engage or less visible to the Inspectorate. We need a Contractor who is confident they can refine their approach to respond to meet the changing needs that might occur during an inspection.

Applying organisations must:

- demonstrate a good understanding of probation services
- have experience of working with people in the criminal justice sector
- evidence an ability to form strong collaborative networks with local organisations
- have an interest and passion for innovative, creative and inclusive approaches to seeking out the views of people on probation
- demonstrate how they will maximise engagement with people on probation
- have experience of applying a range of techniques to gather relevant information from people on probation
- be able to analyse data to produce meaningful but concise written reports against set inspection questions
- provide a detailed project plan of how they will manage the work to ensure that it runs smoothly, paying particular attention to the logistical needs of meeting the England and Wales wide remit of the requirement
- provide details of the project coordinator including job description, terms and conditions
- provide outline recruitment and training plans for interviewers
- provide QA approaches
- provide evidence of the organisation conducting a horizon scanning activity to ensure the successful delivery of the project, which should incorporate risks identified in section 10.

4. Aims

We believe that users of services should also be at the heart of how independent inspectorates do their job. The third principle of inspection, which all criminal justice inspectorates have signed up to, states that: 'Inspection should have a clear focus on the experience of those for whom the service is provided, as well as on internal management arrangements.'¹

Clinks (2016)² identifies two main benefits of actively involving people on probation in the review and development of services as:

¹ Joint Inspection Business Plan 2019-21. [REDACTED]

² Clinks. (2016). A guide to person on probation involvement and co-production. London: Criminal Justice Joint Inspection (2019)

- bringing unique insights into the delivery of probation services and
- for the individuals themselves, their active involvement and participation can contribute to positive change by helping with their desistance and increasing confidence, as well as improving their skills by providing wider opportunities for training and employment

With this commitment and these benefits in mind the aims of the requirement are to:

- use feedback to influence our judgements and ratings of PDUs
- achieve both a quantitative and qualitative view of feedback from people on probation
- bring unique insights to our inspection work
- give a strong voice to people on probation and to hear about what has worked for them
- enable us to focus clearly on the user experience
- benefit people on probation, helping with desistance and increasing their confidence
- develop pathways for those people on probation who are less visible or vocal to give their feedback
- provide multiple and varied opportunities for people on probation to provide the Inspectorate with their feedback
- raise the profile of the Inspectorate in the communities which we inspect
- promote the importance and increase the impact of inspection

5. Objectives (Measurable Outputs)

The measurable outputs for this requirement are:

- To have a project coordinator in place from 1st February 2022 and for the duration of the requirement
- To provide two trained (as defined in activity) interviewers to each PDU inspection in England and Wales from February 2022 onwards for the duration of the requirement
- To provide the capacity to engage a minimum of 40 people on probation in each PDU inspection through a variety of methods
- To provide a report at the end of the fieldwork week for each PDU inspection comprising an excel spreadsheet of survey data and a qualitative report outlining key themes against our standards

6. In Scope, Out of Scope

In scope

Adults 18 years and over who are currently under probation supervision or on licence for each PDU inspection.

Out of scope

Children under the age of 18
Adults serving the custodial element of a sentence
Adults on bail or remand

There are no optional elements to this requirement.

7. Location of Assignment

The Inspectorate suspended face-to-face inspection activity in March 2020. Since then, the vast majority of our inspections have involved conducting fieldwork remotely. Our top priority remains the health and wellbeing of our staff and those who work with us, and the staff of or those supervised by, inspected services. We will continue to follow the latest government guidance and take steps to conduct inspections safely.

We continue to tailor our approach to take into account the circumstances of each PDU. We discuss arrangements with them ahead of each inspection; we review their workplace risk assessments and conduct personal risk assessments and use these to make key decisions. We take various factors into account, such as any policies regarding onsite visitors and whether there are appropriate safeguards in place to allow interviews to be conducted safely. In practice, we expect this will continue to lead to a mix of onsite and offsite inspection activity.

This requirement covers all of the PDU inspections undertaken by the Inspectorate in England and Wales between February 2022 and December 2024. It will be delivered mirroring the approach we take with the rest of our inspection activity. Currently this is using a combined approach of remote activity and on-site fieldwork. Where interviewing takes place face to face, this will be subject to the relevant health and safety requirements. When we review our approach, we will include the activity of this requirement within the scope of that review

8. Regulatory requirements

Contractors must as a minimum:

- be able to comply with GDPR requirements

[Data protection - GOV.UK \(www.gov.uk\)](https://www.gov.uk/data-protection)

- produce a risk management plan which includes any future impacts from Covid-19 and how they would be mitigated
- detail how confidentiality and anonymity will be preserved through remote (and home working) working
- detail what measures will be put in place to ensure that the wellbeing of both people on probation and the field interviewers undertaking the work is protected to as great a degree as possible, as well as the support which will be available to both should any trauma or distress be caused by the themes raised during interviewing.

9. Service Levels

We require that there will be:

- one project coordinator in place from 1st February 2022 and for the duration of the requirement
- two trained (as defined in activity) interviewers to each PDU inspection in England and Wales from February 2022 onwards for the duration of the requirement. At times there will be more than one PDU inspection taking place in a given week with support and quality assurance needing to be provided to both
- a minimum of 40 people on probation engaged in each PDU inspection through a variety of methods
- at the end of the fieldwork week one report for each PDU inspection comprising an excel spreadsheet of survey data and a qualitative report outlining key themes against our standards
- a monthly touchpoint meeting to monitor progress
- quarterly requirement monitoring meetings
- a formal annual review including a break clause

10. Security arrangements for Consultants

- Baseline Personnel Security Standards (of which Disclosure Scotland is a part) are a default requirement in any Research contract.

<https://www.gov.uk/government/publications/government-baseline-personnel-security-standard>

The successful Contractor must:

- Ensure that all staff working on the project have had a Baseline Personnel Security Standard (BPSS) check

The Inspectorate will retain the intellectual property rights to the reports produced

11. Timetable ^{*}(Subject to change)

[REDACTED]

(HMPPS/MoJ will not be liable for any costs incurred by the supplier until the contract is signed by both parties)

12. Any other Key features

The Inspectorate will consider bids from collaborating organisations including the identification of subcontractors in accordance with bidding rules and guidelines.

Project management

The coordinator must have sufficient experience, seniority and time allocated to manage the work effectively. The Contractor must commit to undertaking quality assurance of all deliverables and to guaranteeing the accuracy of all outputs to the Inspectorate. The project will work on exception reporting whereby the Contractor has responsibility for informing the Inspectorate of any issues or risk impacting significantly on quality, time or resources.

It is expected that following the contract initiation meeting, regular contact will take place between the Contractor and the Inspectorate by telephone, email and virtual/in person meetings. The frequency of contact will be confirmed at the contract initiation meeting in line with the provisional timetable outlined above. However, touchpoint meetings outlining progress, emerging current issues/risks and their mitigation will take place monthly.

Evaluation of bids

The information provided in the bids will be assessed against the following weighted criteria:

- Methodology and theoretical underpinnings (20%)
- Team Expertise (25%)
- Analysis and reporting (15%)
- Project Management (30%)
- Costings (10%)

13. Outcome

Outcome

The outcome of this requirement will be that the Inspectorate uses high-quality feedback to inform judgements and ratings in all PDU inspections.

Escalation

The Inspectorate will agree milestones with the Contractor for the delivery of the requirement. Each party will have an identified single point of contact who will be responsible for liaising, monitoring progress, managing risks and escalating risks and issues. The Contractor will actively manage delivery risks, seek to mitigate them and develop contingency plans if necessary. The Contractor will have overall responsibility for delivery of the requirement.

As a first stage, if any difficulties arise, it is anticipated they would be resolved through the respective Inspectorate's and Contractor's managers. If concerns persist or become more serious this will be escalated to the Inspectorate's Senior Management Team to provide guidance on the next steps.

Exit Strategy

This is a time limited piece of work which we will keep under continual review to enable learning to be maximised and embedded into other areas of our work. In the final year of delivery, three months prior to the end of the contract we will undertake a review of the whole contract period.

There is an annual break clause which can be invoked by either party.

ANNEX B

Supplier Proposal

To be determined at Call for Competition stage

[REDACTED]

Part 2: Contract Terms

To be Finalised by the Customer at Award Stage