

# **European Social Fund (England) 2014 – 2020**

## **Invitation to Tender Specification and Supporting Information**

### **CFO Activity Hubs**

**April 2020**

**Version 1.0**

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## **1 Background**

### **Purpose**

- 1.1 This specification sets out the Supplier delivery requirements which apply to Her Majesty's Prison and Probation Service (HMPPS) European Social Fund (ESF) Co-Financing Organisation Activity Hubs 2021-2023 contracts (England only).
- 1.2 The specification explains requirements in full, to enable Suppliers to develop comprehensive delivery proposals and profiles (their tender). It is comprised of two parts:
- the main specification which sets out requirements for delivery, and additional information; and
  - the annexes, which contain further detail that may be useful in preparing tenders.
- 1.3 This specification together with the tender shall be incorporated into any final awarded contract.

### **Programme Aim**

- 1.4 The Activity Hub programme will have dual aims – to increase effective engagement with mainstream or core services and to encourage participation in activities to assist individuals to lead law abiding lives.
- 1.5 CFO Activity Hubs should represent a safe space where Participants can, and importantly want to engage in a range of activity. There should be no statutory or any other form of compulsion and as such the Hubs should not present as authoritarian, rather the user experience should be consistent with that of a community centre, youth club, creative hub or social club with lots of engaging social, creative and group activities readily available.

### **Background to HMPPS ESF Co-Financing Organisation**

- 1.6 HMPPS is an Executive Agency of the Ministry of Justice (MoJ). The role of HMPPS is to commission and provide offender management services in the community and in custody ensuring best value for money from public resources.
- 1.7 Reducing re-offending remains a key objective for HMPPS across custodial and community settings. HMPPS is responsible for delivering the orders of the court, HMPPS serves the public by delivering the sentences and orders of the court. The purposes of sentencing are defined in legislation as:
- The punishment of offenders
  - The reduction of crime (including its reduction by deterrence)
  - The reform and rehabilitation of offenders
  - The protection of the public
  - The making of reparation by offenders to persons affected by their offences
- 1.8 *Additional information on HMPPS is also available in Annex 3*

**ESF Programme and Objectives (ESF Operational Programme 2014 – 2020)**

- 1.9 The ESF Operational Programme as part of the European Growth Programme for England in 2014 – 2020, will deliver the Growth Programme's priorities to increase labour market participation, promote social inclusion and develop the skills of the workforce.
- 1.10 HMPPS was granted status by the European Social Fund (ESF) Managing Authority for England as a national co-financing organisation (CFO) in January 2009 with a remit to deliver a programme of work across England alongside other national co-financing organisations (Department for Work & Pensions, National Lottery Community Fund and the Education & Skills Funding Agency). In recognition of the unique nature of the client group, HMPPS operates a national programme for the 2014 – 2020 ESF Operational Programme, with other organisations operating funding opt-in models in conjunction with Local Enterprise Partnerships (LEPs).
- 1.11 The overall focus of HMPPS CFO is to help offenders move towards mainstream provision or into employment by addressing their barriers to work through facilitating access to comprehensive support mechanisms appropriate to their individual circumstance and assessed need.

**ESF Requirements**

- 1.12 Suppliers must meet ESF specific requirements set by the European Commission and failure to comply can result in a high financial risk for both Suppliers and HMPPS, as funds used inappropriately or for ineligible Participants or purposes and/or where the ESF requirements have not been met are recoverable from Suppliers. The Authority reserves the right without exception to refuse to reimburse any expenditure occurred which is not fully compliant.
- 1.13 Detailed information on ESF Requirements can be found at:  
  
<https://www.gov.uk/guidance/england-2014-to-2020-european-structural-and-investment-funds#programme-guidance-forms-publicity-and-performance-information>
- 1.14 The requirements above apply to the whole supply chain throughout their delivery. If sub-contractors are used to deliver any part of the contract it is the responsibility of the Supplier to adhere to these requirements and ensure its supply chain does the same. The Supplier is ultimately accountable for the ESF compliance of their contract. Failure to comply with any of the ESF requirements can result in the repayment of funds. Additional guidance documentation will be made available to clearly illustrate the ESF requirements.

**The Role of HMPPS**

- 1.15 The overall role of HMPPS within this requirement will be to:
- Support the Supplier in identifying gaps in Provision in their area;
  - Provide the appropriate Match Funding for this ESF Provision;
  - Provide advice and support to help identify added value, value for money and avoid duplication or overlap with current HMPPS and other local Provision;
  - Ensure the Provision meets requirements relating to equality and sustainability

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- of Provision, ensuring robust audit trails are in place;
- Ensure the Invitations to Tender (ITT) and Provision specifications include the ESF requirements;
- Ensure the Provision process and funding models support audit requirements;
- Manage the tendering exercise from publication of the specification through to award of contract;
- Ensure Suppliers' marketing and publicity arrangements meet ESF requirements; and
- Manage contracts in line with HMPPS standards and ESF requirements.

### **Branding**

- 1.16 The primary branding for any Hubs funded through the programme must be CFO Activity Hubs. All external facing promotional material must reflect this with any Supplier branding / marketing material / publicity / presentations making it clear that in the context of this contract, the Supplier is operating as part of the wider CFO Activity Hub Programme.
- 1.17 A style guide including brand images and supporting text will be provided at contract award.
- 1.18 Note: This branding requirement is in addition to any ESF publicity requirements.

### **The Commercial Approach**

- 1.19 The contract will be procured under open competition using the Light touch regime. The relevant ESF Contract Area (ECA) is the entire geographical area covered by each contract. There are 10 ECAs across England and this specification is applicable to all ECAs. The Authority will be awarding one contract for each area. Additional detail describing all ECAs are available as separate Annexes.
- 1.20 Each contract requires one or more activity Hubs to be placed in carefully selected community locations throughout the country, with the exception of a pilot scheme focusing on veterans in custody which will operate in one prison (HMP Holme House).
- 1.21 The tendering process and evaluation will be managed through Bravo, MoJ's Procurement Portal. The tender evaluation will consist of a qualitative evaluation and tender assurance.

### **Tender Evaluation**

- 1.22 The tender evaluation process is outlined in the ESF Instructions to Bidders and Evaluation Strategy documents which will be available with the Invitation to Tender (ITT).
- 1.23 HMPPS will be supported by MoJ Commercial and Contract Management Directorate (CCMD) to manage the tendering and evaluation process.

## **2 Overview of the Provision**

### **Purpose of Provision**

- 2.1 For a significant number of individuals, access to core HMPPS provision can be limited. Various factors affect the ability of an offender to engage successfully with these opportunities. Some offenders are unable to access or adequately benefit from these services, due to multiple or complex barriers or the nature of their offence. Individuals are expected to navigate complicated assessment or application processes, which may prevent those considered hard to help from accessing these programmes. The link between multiple barriers to employment and the effectiveness of mainstream programmes is well documented.
- 2.2 The CFO Activity Hub Provision will consist of community locations that offer tailored support for offenders - particularly those who are considered disadvantaged, face multiple barriers to employment and those that are not fully supported by existing programmes. The Provision is voluntary for Participants. The purpose of the Hub will be to assist Participants not to re-offend, alongside the key aim of ESF to move individuals closer to the labour market. Placing the Hubs in local communities and involving local organisations and/or community representatives will increase Participant integration and local support for these individuals.
- 2.3 The HMPPS CFO Activity Hub model will focus on engagement of Participants at risk of re-offending following release and those serving community sentences. Emphasis will be on effective targeting of the most appropriate Participants, who are unlikely to benefit from other services as a result of facing complex barriers.
- 2.4 The CFO Activity Hub model has been designed to provide safe and supportive spaces for offenders to reintegrate into society. The Hubs and their respective operating model will enable programme Participants to access tailored support, receive advice and guidance, interact with positive role models and peers at a similar stage of their resettlement journey, develop plans to move forward and ultimately be supported into education, employment and training, as well as importantly equipping them with the necessary skills needed to desist from offending and successfully contribute to their local communities.

### **Geography**

- 2.5 The programme is split into 9 ESF geographical delivery areas across England (with the exception of Cornwall) (see figure 1). The Veteran Hub is located in one of these delivery areas and will be tendered as a separate ECA. There are 10 ECAs to be commissioned:
- North West
  - Yorkshire
  - North East
  - West Midlands
  - East Midlands
  - East of England
  - South West
  - London

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- South East
- Veteran Hub (contained within the North East region)

Modelling of offender release data from the P-nomis system (operating throughout custody) and the comparable n-Delius system (for Probation caseloads), has been used to determine the viable locations for Hubs in order to maximise the numbers of potential Participants. Release addresses and release dates are matched to postcodes to identify clusters of potential Participants within reasonable travelling distance from the Hubs.

Each Regional Annex and the Veteran Hub Annex provides additional detail relating to geographical coverage and location of potential Participants. Bidders may suggest alternative locations to those listed and they will be given due consideration.

Where multiple transition regions exist for one ECA, the Hub (and Satellite Hubs – further described at 3.5) can be located in one or all of the transition regions. For example, in the North West ECA, it is permissible for the Hub to be placed in Merseyside and for there to be no Hub activity in Lancashire and Cumbria. Likewise, in the Yorkshire ECA, it is permissible for the Hub to be placed in South Yorkshire and for there to be no Hub activity in East Riding of Yorkshire and Hull.

No Hub activity can take place in Cornwall and Wales. Additionally:

- In the North East, a Hub cannot be located in the more developed region; therefore a Hub cannot exist in (for example) Newcastle or Sunderland; they must be located within the transition region, Tees Valley & Durham, in (for example) County Durham or Middlesbrough.
- In the East Midlands, a Hub cannot be located in the transition region; therefore a Hub cannot be located in (for example) Lincoln or Boston; they must be located within the more developed region, in (for example) Nottingham or Leicester.
- In the South West, a Hub cannot be located in the transition region, Devon; therefore a Hub cannot be located in (for example) Plymouth or Torbay; they must be located in the more developed region, in (for example) Bristol or Wiltshire.

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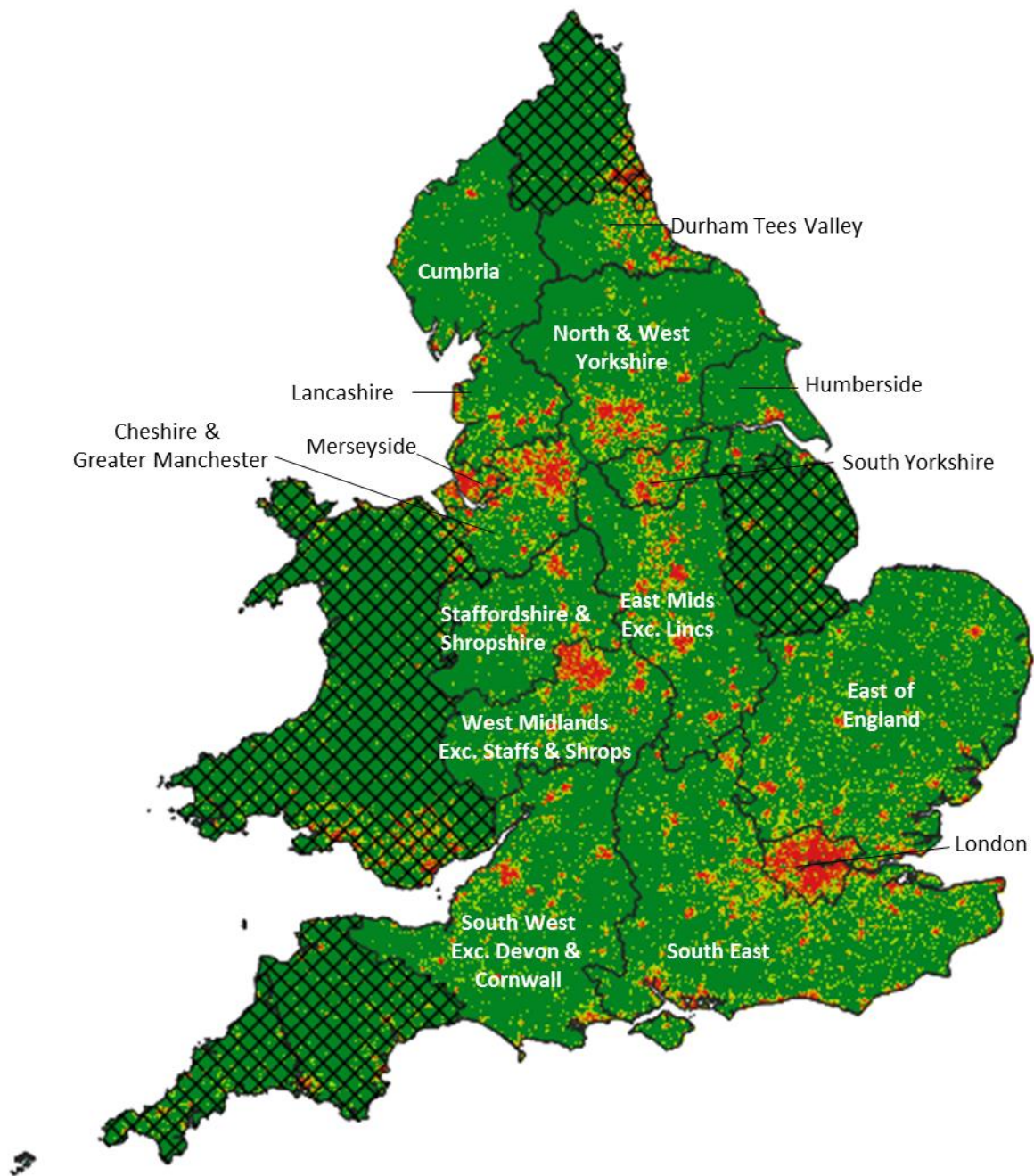


Figure 1: ESF regions.

**Key:**

Hashed out regions designate where a hub (and Satellite hubs) cannot be located.

Red areas denote a high concentration of offenders (based on home address); yellow areas denote a medium concentration of offenders; green area a low concentration of offenders

- 2.6 Some of the above ECAs will encompass one or more of the sub-regions designated by ESF as transition regions. Variations to delivery including any required ring-fencing of targets can also be found within the respective regional annexes.
- 2.7 Where an ECA contains a sub-region with a Transition or More Developed region, the Supplier will be required to segregate all achievements and expenditure related to the sub-region from that of the rest of the contract.



2.8 Relevant ESF transition regions:

- Tees Valley & Durham (North East ECA)
- East Riding of Yorkshire, Hull, NE and N Lincolnshire (Yorkshire ECAs)
- South Yorkshire (Yorkshire ECA)
- Merseyside (North West ECA)
- Lancashire (North West ECA)
- Cumbria (North West ECA)
- Shropshire & Staffordshire (West Midlands ECA)

**Critical Success Factors (CSF)**

2.9 Below are the Critical Success Factors for performance against which the success of this Provision will be measured. They will be based on volumes of Participants (Service Level 1) and numbers of activities assigned to those Participants (Service Levels 2-4). Success will be determined both against both monthly agreed profiles and total contract profiles.

- CSF1: number of Participant enrolments (Service Level 1);
- CSF2: volume of Participants who access Human / Citizenship activity as detailed within Service Level 2;
- CSF3: volume of Participants who access Community and Social activity as detailed within Service Level 3;
- CSF4: volume of Participants who are supported into accessing Intervention and Services activity as detailed within Service Level 4.

**Contract Duration and Implementation**

2.10 The contract will consist of:

A period not exceeding 35 months, inclusive of the following;

- A planned Implementation Period (of up to 12 weeks) from the Contract Commencement Date during which Suppliers will address logistical issues relating to delivery;
- 32 month Contract Period during which Participant throughput is required.

2.11 Suppliers should be aware that the existing CFO3<sup>1</sup> contracts will run parallel to this contract.

2.12 All Participants are required to complete funded Provision by the end of September 2023. For Participants referred for Provision in the third year, it may not be possible for them to complete certain interventions depending on the date of Enrolment.

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<sup>1</sup> CFO3 is the existing ESF programme delivered by HMPPS CFO. The programme focuses on offenders in custody and community considered harder to reach and aims to move individuals closer to the labour market via individual and specialist support. Further information can be found at <https://www.co-financing.org/>

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Delivery profiles will be agreed with the Supplier to ensure that Enrolments and achievements are sensible and realistic, particularly during 2023. The Authority reserves the right to make the final decision regarding delivery profiles.

- 2.13 Contracts will include options to extend beyond the full term or expand during term, if additional monies were to be made available via the UK Shared Prosperity Fund or similar route. This latter option will enable HMPPS to move quickly to respond to any calls, thus avoiding breaks in Provision.
- 2.14 Any variations or extensions will be subject to discussion and agreement between the Supplier and HMPPS at the appropriate time.
- 2.15 Where a requirement for a variation to the contract arises or is proposed, this will be progressed in accordance with the Change Control Process outlined in the Terms and Conditions.

### **Length of Time on Provision**

- 2.16 There is no set time for a Participant to access Provision. Participants will be free to attend the Activity Hub based on their individual requirements. There is no maximum length of time for participation, beyond the limit of the contract end date.
- 2.17 Once a Participant starts HMPPS CFO ESF 2014-2020 Provision, an individual can access ESF support at the Hub as required. They will become an ESF completer under the following circumstances:
- Participant decides to cease attendance at the Hub;
  - Support Worker completes all objectives for the Participant and support is no longer required;
  - Participant enters custody
  - Participant is no longer under HMPPS remit i.e. no longer under supervision/licence.

Note that an individual may decide to continue accessing other support at the Hub outside of contract delivery, (where non-ESF activity is also available), even if ESF support ceases. A Participant becoming employed will not affect their ability to access the Hub.

### **Participation**

- 2.18 ESF Provision must be part-time (less than 30 hours per week) for all Participants.
- 2.19 Participation in the ESF Provision must allow Participants who have sentence conditions or are in receipt of benefit to meet the requirements attached to their sentence or benefit, for example the conditionality requirements for Jobseekers Allowance (JSA).

### **Payment Model**

- 2.20 The contract value will comprise of the following payments:
- Fixed Delivery Fee
  - Compliance Payment

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- Service Level 1: Enrolment Fee
- Service Level 2: Human/Citizenship
- Service Level 3: Community and Social Factors
- Service Level 4: Interventions and Services

*Please see Section 5 for more details on payments.*

### **Transition from Existing Programmes**

- 2.21 There will be no automatic transfer of Participants from any other HMPPS ESF contracts to this contract. Auto-enrolling from any existing programme will not be permissible. Any existing CFO3 Participant will still be required to meet specific eligibility and enrolment requirements of the CFO Activity Hub programme.

### **Transfer of Undertaking (Protection of Employment) Regulations 2006**

- 2.22 Your attention is drawn to the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE). It is HMPPS's view that TUPE is unlikely to be applicable to ESF 2014-20 Provision. Nevertheless, it is the Bidder's responsibility to consider whether or not TUPE applies in the individual circumstances of their tender.
- 2.23 For more information about TUPE and associated matters see - <https://www.gov.uk/transfers-takeovers>. Further information can be found in the Terms and Conditions.
- 2.24 **Case Assessment and Tracking System (CATS+)**
- 2.25 Suppliers will use the mandated IT case management system (CATS+), to record all Participant activity.
- 2.26 Suppliers will need to have met relevant security requirements before contracts go live.
- 2.27 Direct access to CATS+ will be given to the lead Supplier and associated sub-contractors as appropriate.

*Further information regarding CATS+ actions will be made available during the commissioning process.*

### 3 Service Delivery Requirements

#### Aim

- 3.1 Offenders are often not ready to engage with the mainstream provision available in the community and many need support to identify and navigate the array of services available that are relevant to their individual needs and circumstances. Engagement is hampered by multiple barriers such as to low-level literacy, drug and alcohol issues, fractured or poor educational experiences, motivational issues, family breakdown as well as the intergenerational effects of offending, chaotic lifestyles and the impact of offending and anti-social behaviour upon family and the wider local community.
- 3.2 The Provision will be located in communities, involving local organisations to offer a structured and individually tailored package of support that will primarily be delivered by designated Supplier Support Workers. These Hubs will complement other existing and planned available provision. The ultimate aim is to reduce an individual's long-term dependency on cross-Departmental provision and reduce recidivism. The aims of the Provision are to;
- Complement and add value to existing Provision;
  - Enhance engagement with the ESF priority groups that often do not access mainstream funding;
  - Support those that are not fully assisted by existing employment programmes;
  - Improve employability skills and work readiness activities;
  - Achieve sustained employment outcomes for disadvantaged people that face multiple barriers to work;
  - Reduce and remove barriers to community reintegration;
  - Increase participation in the labour market and thereby improve social inclusion and mobility;
- 3.3 Specifically the Provision will;
- Contribute to the relevant ESF Operational Programme Priority Axis - **Priority Axis 1** (Inclusive Labour Markets) which aims to increase participation in the labour market and thereby improve social inclusion and mobility;
  - Contribute to the relevant ESF Operational Programme Investment Priority - **Access to employment for jobseekers and inactive people (1.1)** - to help those who are disadvantaged but still relatively close to the labour market to tackle their barriers to work, and enter and sustain employment. Within this Investment Priority the specific objective is to provide individuals from groups which face particular labour market disadvantage with additional support so that they can compete effectively in the labour market. This objective is focused on those who are unemployed but have more than one major barrier to progressing into employment (including self-employment) and sustaining employment. This client group will be more challenging to help and will often require intensive ongoing support to address complex barriers, which will be reflected in the targets. Support will be tailored to individual needs. Participants will include individuals who are over 50, lone parents, disabled or have health problems, from ethnic minorities or who lack basic skills;
  - Complement policies and initiatives to promote social justice by supporting

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- additional and/or more intensive provision tailored to local needs;
- Tackle inactivity particularly by helping disadvantaged groups overcome barriers and move towards employment;
- Build on the principles and support the outcomes of the Local Enterprise Partnership (LEP) Strategies;
- Demonstrate linkages, progressions and added value to mainstream delivery, Jobcentre Plus/Education & Skills Funding Agency and MoJ/HMPPS-led delivery for offenders;
- Build on current resources rather than duplicate or displace;
- Increase the participation by people from ethnic minorities in the labour market

### **Delivery Location**

- 3.4 The Supplier is required to deliver the Provision within the contract area via a range of engagement methods that should include but is not limited to fixed delivery Hub premises (on a full and/or part time basis) and ensuring access to alternative services off-site to ensure that the Provision is accessible to all Participants.
- 3.5 The Hub itself does not need to be limited to a single physical location, but there is an expectation that each Participant should be able to access services appropriately, wherever the Hub is located. Multiple Satellite locations may be permitted as part of a single Hub, but the Supplier will need to demonstrate that the ethos of the Hub model can be retained at each location and that delivery will not be adversely affected. The number of individual sites will be capped at one main building forming the core of the Hub and no more than two Satellites sites, in order to ensure that the model does not become diluted. Flexible and / or innovative Hub solutions can be considered although strong justification will be required, where the proposed model significantly differs from that described above.
- 3.6 Each Hub location should be accessible via public transport and typically other services may be offered, either by the same or additional organisations, at the same location. Suppliers should consider how they might support Participants to access Hubs located in rural areas or areas without sufficient public transport links.
- 3.7 Incorporating the CFO Hub into an established community base is encouraged. Dedicated sites are permissible, but the Supplier will need to demonstrate how this would link to other services available locally outside of those funded via this contract. Where the proposal is for a Hub wholly based in existing facilities currently within the portfolio of services delivered by the Supplier, the Bidding organisation will need to clearly demonstrate how their proposal represents additionality.
- 3.8 There is no requirement for every location to have the same opening hours, but the ability to deliver each of the Service Levels must be demonstrated. Hubs may be limited to single gender services where necessary and Suppliers may opt to deliver specific services on specific days to support this approach. Basic facilities such as access to refreshments should be available.
- 3.9 It is anticipated that much of the delivery will be via CFO Supplier staff co-located within existing community hubs, which are already established and able to offer other provision for CFO Participants. Individuals will be able to access this provision with the support of CFO Support Workers, which will be particularly important for those currently disengaged from mainstream services. At the point of case closure,

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individuals can and where appropriate, should be encouraged to continue to access other Hub services (not funded by the CFO).

- 3.10 All premises must meet all legal requirements and provide facilities commensurate with the requirements of this specification.

### **Participant Changes ECA**

- 3.11 If a Participant changes address and moves outside the ESF Contract Area (ECA), the Supplier in agreement with the Participant needs to consider if participation is still appropriate. Where suitable arrangements can be put in place, Suppliers will be able to continue to work with Participants. If the Participant moves address and commuting to their current Hub is unreasonable, delivery requirements can cease.
- 3.12 Participants who change address (outside of the ECA) during the Provision period may choose to change to another Hub in their new location if they are eligible, to continue support and access interventions. No subsequent Enrolment will be required.
- 3.13 Participants released from HMP Holme House who have accessed the Veteran Hub will be linked up with the CFO Supplier in the community as appropriate (additional detail is provided within the Veteran Hub Annex).

### **Identification of Potential Participants**

- 3.14 The Supplier is responsible for identifying Participants (based on agreed eligibility criteria listed in 3.16) and should make links with other local organisations including the National Probation Service to market the Provision within the ECA, ensuring they maximise opportunities in order to achieve sufficient Participant numbers. Participants can be referred by any agency, including prisons, Community Rehabilitation Companies (CRCs), National Probation Service (NPS), Prison Education Framework (PEF) Suppliers, other ESF Suppliers (including CFO3 and self-referral).
- 3.15 This Provision is voluntary and suitable Participants should be identified using different sources including but not limited to:
- Supplier engagement;
  - HMPPS;
  - Community and voluntary sector organisations;
  - Local Authorities;
  - GPs / Health workers;
  - Self-referrals;
  - National Careers Service;
  - Adult Education and Community Learning Providers.

### **Eligibility**

- 3.16 The general eligibility requirements for the CFO programme have been agreed with the ESF Managing Authority and HMPPS. All enrolments must be:
- Resident in the UK with permission to work documentation as appropriate

- Unemployed or economically inactive
- Over 18 years of age
- Serving a community sentence or be under supervision on licence
- Within 3 years of earliest potential release (*Veteran Hub only*)

- 3.17 It is the Supplier's responsibility to confirm Participants are eligible to take part in this Provision, once identified via HMPPS systems described below. The Supplier may be required to obtain evidence as necessary to confirm eligibility for ESF purposes.
- 3.18 Initial eligibility checks and assessments for Participant suitability are carried out sequentially via national linked IT systems (P-nomis and n-Delius) prior to being made available as potential Participants on CATS+. A face-to-face assessment carried out by the Supplier will also be required to determine suitability.
- 3.19 Appropriate management of risk of harm information will be key, particularly given the intention to provide the majority of services in community locations. Sharing of information with Suppliers and other appropriate organisations relating to relevant risk factors will be a central consideration, alongside ensuring Participant and staff safety.

### **Priority Groups**

- 3.20 Priority Groups that will be targeted across all ECAs are:
- People from minority ethnic communities;
  - People with disabilities and health conditions, including those linked to the misuse of drugs/alcohol;
  - Over 50s;
  - Ex-service personnel;
  - Women.

### **Caseload Size**

- 3.21 Suppliers are expected to ensure that staff manage Participant caseloads appropriately, in order to deliver a quality service for those accessing support. Caseload size will be monitored as part of HMPPS CFO performance management processes throughout the life of the contract to ensure that the number of individuals being supported at one time is manageable and appropriate. The Supplier will be required to staff each Hub with a sufficient number of personnel to deliver all elements of the contract. This will be agreed at contract award and also be monitored as part of ongoing CFO Performance Management requirements.

### **Supplier and Potential Participants Initial Meeting**

- 3.22 The Supplier must meet face to face with the potential Participant to carry out the initial assessment, identify Participant needs and agree suitable Provision. The Supplier is required to inform the potential Participant that the Provision is funded by ESF.

### **Enrolment and Action Planning**

- 3.23 CFO Support Workers will assess each potential Participant for entry on to the project, utilising a mandated assessment. Potential Participants will be identified through the mandatory system (CATS+). CFO Support Workers will be expected to liaise closely with Offender Management staff and CRCs to identify potential Participants suitable for CFO delivery.
- 3.24 CFO Participants must be assessed using the CFO assessment to satisfy ESF requirements as part of the enrolment process. The priority for enrolments should be offenders who are considered the hardest to reach. Other assessments available may provide CFO Support Workers with helpful detail about a Participant. However, they should be mindful of the possibility that information contained in existing assessments may be out of date, or there may be information gaps, particularly in ESF specific areas.
- 3.25 A Participant will only be deemed to have started on Provision once a Supplier has:
- Confirmed eligibility and consent;
  - Undertaken a face to face in-depth needs assessment;
  - Discussed objectives and agreed potential activities with the Participant; and
  - The enrolment has been successfully processed and approved.

*Further information regarding enrolment will be contained within the CFO Enrolment Guide.*

Additional information relating to Participant sentence planning arrangements are contained within records held by HMPPS. If Suppliers wish to access this information, it is likely that local data sharing arrangements will need to be put in place. This will be the responsibility of the Supplier to arrange. Any activity planned for the Participant via the CFO Hub must complement any statutory arrangements and the Offender Manager must be kept informed of delivery plans. Suppliers should liaise with those responsible for offender management activities (within both CRC and NPS as appropriate) to ensure appropriate CFO objectives are developed which align to both sentence planning and risk information. Regular review of risk information must also take place.

*Further information regarding risk of harm will be contained within the CFO Risk Guide.*

### **Accessing Other ESF 2014-2020 Provision**

- 3.26 During the contract period, Participants can access other ESF 2014-2020 Provision if they are eligible, providing that activity does not duplicate with that already accessed.
- 3.27 The aim will be to develop formal progression routes with all major resettlement focused contracts delivered across the HMPPS estate. Protocols will be developed to ensure there is a clear distinction between the specific support and interventions delivered by CFO3 and the CFO Activity Hub programme to Participants transferring between the respective contracts. The Authority will work with each Supplier to identify and secure formal referral routes as part of contract delivery as appropriate.



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- 3.28 Once a Participant case record has been closed, they will be classed as an ESF completer and will not be eligible to access any further Hub Provision but may be eligible for other ESF Provision.
- 3.29 Prior to exit, there is an expectation that the Supplier will endeavour to action all issues outstanding for the Participant (as identified at assessment) before the case is closed. This can take the form of sign-posting or referral to other agencies as appropriate. Additional guidance on recording exit information will be provided in due course.

### **Provision Delivery Requirements**

#### **The Role of the CFO Support Worker**

- 3.30 The Provision will be delivered by Supplier staff, predominantly via dedicated CFO Support Workers. This will be the central function for the improvement of offender access to mainstream activity and to address barriers to employment, training and education. Suppliers will be expected to map existing provision within delivery sites and provide services appropriately, based on identified need. The CFO Support Worker will endeavour to move Participants towards employment or education. They will:
- Act as a designated point of contact within the Hub to provide consistency and allow progression milestones to be tracked;
  - Use their mentoring and advocacy skills to gain the trust of Participants;
  - Motivate and inspire Participants to achieve their potential;
  - Give professional advice and guidance that will help Participants develop the attributes and skills to move into work, and;
  - Proactively manage a caseload of Participants with the frequency of contact being relative to the needs and circumstances of each individual.
- 3.31 CFO Support Workers will be expected to have sufficient, current knowledge of standard resettlement pathways which may affect a Participant's ability to access mainstream ETE opportunities: accommodation; health; finance and debt; relationships; attitudes and behaviour; education; employment and substance misuse. Knowledge of the local labour market and training provision, and other relevant agencies operating within this delivery landscape will also be beneficial.

#### **The Provision – General Approach**

- 3.32 The development of the CFO Hub model is being carried out in conjunction with a range of stakeholders and most closely with the Probation Reform Programme Team, to ensure that the approach complements the planned changes to the probation landscape. Changes to the system will take place during 2020/21. This will include fully moving towards the new regional structure for the NPS (12 regions in total) by the end of 2020.
- 3.33 The HMPPS CFO Activity Hub model will focus on engagement of Participants furthest from the labour market, facing significant barriers to integration and employment. Emphasis will be on effective targeting of the most appropriate Participants, who are unlikely to benefit from other services as a result of facing complex barriers. Activity should deliver individually tailored Provision, which

provides a full and inclusive range of support in order to move Participants towards work.

- 3.34 The Hub will offer a wide range of activities within the three strands (Service Levels 2, 3 and 4) which will create an atmosphere in which Participants will want to partake. The provision of these activities will allow Suppliers to embed education and training in non-traditional ways which are more likely to be successful with this cohort. The aim will be to translate this early engagement into a more sustainable interest and commitment to a more formal approach to education/skills provision.
- 3.35 The Hubs will form the delivery site for the majority of the activity, with a range of specialist Suppliers brought in to deliver interventions, courses and generally give support as required. CFO Support Workers will be located at the Hubs, providing initial engagement, assessment and oversight of delivery to each individual. Where necessary and particularly in the latter stage of a Participant journey as they start to develop the skills required to engage with the mainstream, some aspects of delivery may be at third party locations.

### **The Provision – Strand Requirements**

- 3.36 The Provision has been designed to enable positive impacts upon reducing reoffending. The Provision should be delivered within an appropriate environment and with a professional working culture, providing effective interventions and services, addressing community and social factors and enhancing positive feelings for the offender.

### **The Activity Hub**

- 3.37 The Activity Hub will address the barriers and issues of those Participants who are at risk of reoffending and including those who are not engaged with local services. The environment will allow staff to offer a comprehensive package of support. See 3.46 for additional detail on the expectations for the Hub delivery environment.
- 3.38 Alongside the individual Service Level requirements, CFO Support Workers within each Hub are expected to work with Participants to develop the following:
- The building of a rapport with each Participant;
  - An understanding and influence on the motivation and attitudes of each Participant;
  - Delivery of motivation and confidence building activities;
  - A contribution to the personal development of Participants such as reducing any sense of isolation and stress and assisting them to become more independent which will give them confidence.

### **Approach to Delivery**

- 3.39 First and foremost, CFO Hubs should represent a safe space where Participants can, and importantly want to engage in a range of activity. There should be no statutory or any other form of compulsion and as such the Hubs should not present as authoritarian, rather the user experience should be consistent with that of a community centre, youth club, creative hub or social club with lots of engaging social, creative and group activities readily available.

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- 3.40 Successful community spaces and organisations often have a compelling draw such as an aspect of self-improvement, an opportunity to interact positively with peers or engage in group activity including sports, arts and music.
- 3.41 It is important that the activity used to initially engage Participants represents a positive experience for them, so that engagement is sustained. As a Participant's trust in the general ethos and worth of the Hub builds, staff should use their daily interactions to forge positive relationships with them and identify opportunities and strategies to begin to progress them into activity which:
- Helps them to address logistical barriers to engaging with mainstream provision;
  - Develops life-skills;
  - Enhances their employability;
  - Fosters a sense of self-worth;
  - Builds up personal resilience;
  - Engages them in community support networks;
  - Makes them more receptive to engaging with professionals;
  - Makes them more open to referrals to support outside of the Hub environment;
  - Reinforces the value of leading law-abiding lives.
- 3.42 In terms of activity delivered or referrals to support made, each Participant's journey should specifically suit their needs, rather than following a fixed route. However, a typical successful Participant journey is likely to move through the following stages, with activity or external referrals supporting each one of them:
- Engage:** leisure, sports, creative arts
- Sustain:** social interaction, strengthen community ties and support networks
- Support:** reduce barriers to progression, develop personal resilience
- Progress:** engagement with professionals and mainstream
- 3.43 HMPPS have good evidence of the positive impact upon reducing reoffending of a number of approaches to working with offenders and the types of services made available to them. These include delivery within an appropriate environment and with a professional working culture, providing effective interventions and services, addressing community and social factors and enhancing positive feelings about yourself as an individual. For the purposes of the CFO Activity Hub Programme, these will be categorised as:
- a) Environmental and Cultural
  - b) Human/Citizenship
  - c) Community and Social Factors
  - d) Interventions and Services
- 3.44 All of the above four categories will be fully embedded within delivery. They will be evident within the assessment, contract and case management system (CATS+), the contract and performance management processes, project guidance and the
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payment mechanism, as well as informing programme evaluations.

- 3.45 As categories *b*, *c* and *d* are Activities, CATS+ will record monthly volumes, as well as facilitating upload of documentary evidence to support Supplier claims. They will form the basis of Service Levels 2-4. As category *a* represents an approach to delivery, this will be monitored as part of the 'service fee'. See *payment mechanism* section for further details.
- 3.46 The following section sets out the expectations for delivery against each category.

### **Approach-based Category**

#### Category A: Environmental and Cultural

- 3.47 For any Hub to provide an appropriate space to deliver effective services to offenders, there must be sufficient and accessible facilities, a welcoming atmosphere and a clearly-evident supportive, professional culture operating amongst all staff. Whilst these attributes are equally applicable to supporting vulnerable or socially excluded groups in general, the offender cohort has some specific requirements.
- 3.48 A rehabilitative culture is one where all aspects of our culture support rehabilitation; in a Hub setting this means they contribute to the Hub being a safe, decent, hopeful place that is supportive of positive change, personal progression and helping individuals to desist from crime. The aim is for everyone to feel safe from physical and verbal violence and abuse when they are in the Hub and for them to be places of decency, where everyone treats each other with respect, and programme Participant's basic needs are understood and met.
- 3.49 An organisation or institution has a rehabilitative culture when it:
- Encourages its people to think with hope about their futures;
  - Supports them to plan and prepare for a different lifestyle;
  - Provides opportunities to change their attitudes and habits and to try out new identities;
  - Rewards them when they do good things.
- 3.50 Research suggests that the following elements are important parts of a rehabilitative culture and delivery environment:
- Staff have hope;
  - Staff encourage participation in rehabilitative focused activity;
  - Staff use positive reinforcement rather than punishment;
  - Staff coach the people in their care to make good decisions, consider the consequences of their actions and understand other people's perspectives;
  - People speak courteously to each other;
  - Everyday life offers considerable opportunity for people to assist and support each other;
  - Staff model and promote non-criminal values and identity.

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- 3.51 There is strong and consistent evidence supporting the impact of procedural justice on post-release success. It is a way of delivering processes that makes an enormous difference to cooperation, views of authority, behaviour and outcomes. Procedural justice should be an essential component of how Hub Suppliers relate to offenders – how they convey decisions, make requests and so forth; but it is also necessary within more formal systems such as local written notices and communications. Ultimately, responsibility for procedural justice resides with the statutory agencies and their representatives, but the Hub activity, staff and culture must complement this. On a practical level, activity for an individual should not be scheduled across any statutory provision (e.g. a reporting requirement to a police station or a probation office). More generally, the ethos and the messages given to Participants should not undermine procedural justice.
- 3.52 The physical environment of the Hub can have an important bearing on behaviours and culture. Some environments might increase the likelihood of challenging behaviour. Examples of environments with potential for negative impact include those with limited opportunities for social interaction, lack of choice and sensory input or excessive noise as well as those that are crowded, unresponsive or unpredictable. Spaces that are filled with sunlight, outside views, varied and interesting colour schemes and avoid the use of materials and trappings reminiscent of institutional and authoritarian settings, encourage participation, reduce stress, incidents and assaults and decrease staff absenteeism. Cleanliness is vital, first and foremost for health and decency, but also because a clean and pleasant environment signals that law-abiding and pro-social behaviour is the norm and that people who share this environment, respect and care about each other.
- 3.53 Staff engaging with and delivering services to the Participants must have either a qualification, relevant work history or have received training which demonstrates that they have an understanding of the issues relevant to working with offenders. This understanding should extend to their typical ability levels, the range of barriers offenders face when engaging with mainstream services, factors contributing to offending and anti-social behaviour and effective models of addressing them both, the structure of the criminal justice system including supervision requirements, the necessity of managing risk and both the statutory procedures in place for this and good practice in general.
- 3.54 The appropriateness of the environment and culture of any proposed sites will be part of the criteria that forms the procurement process. This will then be subject to ongoing verification throughout the life of the contract. Deficiencies may result in payments being suspended. Significant failings may lead to formal performance measures and ultimately contract termination where concerns are not adequately addressed.

### **Service Levels**

### **Activity-based Categories**

- 3.55 CFO Hub Suppliers should make available to programme Participants a range of services, interventions, support and activities (hereafter referred to collectively as Activities) which demonstrably contribute positively to the dual aims of the programme, namely equipping Participants with the skills to be able to engage effectively with mainstream services including education, training and employment

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and assisting them to lead law-abiding lives.

The service offer in practice can be via 3 Delivery Routes:

- A. = on-site delivery funded through the contract,
- B. = external (i.e. off-site delivery) funded through the contract, or
- C. = appropriate supported referral to an existing service not funded through the contract.

- 3.56 Individual components of each Supplier offer and the Delivery Route will be agreed as part of the contract award and implementation stages. The agreed components will be matched to the three Categories described below, which align respectively with the three Service Levels 2-4 within the payment mechanism.
- 3.57 Each Activity Code within Service Levels 2-4 has a Minimum Activity Baseline. This describes the minimum level of activity required to count against target. There is also an indication of the evidence requirement. However, this must be read in conjunction with the full Activity Code Evidence (ACE), which will be made available prior to contract award, which provides specific detail of the activity that would be deemed appropriate and eligible against each code, as well as definitions of terms used and the level of detail required when evidencing activity for claim purposes.
- 3.58 All Activities funded via the programme (either directly or where a referral is used to draw down a payment) must be ESF eligible, measurable, demonstrably of value to the Participant and consistent with both the dual aims of the programme and the values of HMPPS/MoJ.

### **Human/Citizenship** (Service Level 2)

- 3.59 The service offer within the Human/Citizenship category should consist of activities which develop the sense of self-worth, enabling Participants to develop positive plans for the future. It is expected that the default position for Service Level 2 Activities will be that they are delivered via **Route A** (i.e. direct delivery on-site). However, Delivery Routes B and C will be permissible, where it is clearly demonstrated that volumes would not justify funding via the project. They should foster altruism and develop team working skills. There should be a significant emphasis on contributing positively to the local community. Group work and activities including those centred on arts, craft, sports, drama, media, music and dance as well as time-bound, task-oriented projects are appropriate to this category.
- 3.60 All Activities should be consistent with any risk and offender management arrangements in place for the individual Participants. The Supplier must ensure that professionals holding risk management responsibility for the individuals are aware of and in agreement with their participation.
- 3.61 Importantly, whilst co-location with probation or CFO3 Suppliers and referrals or use of services funded via probation contracts/grants or CFO3 contracts are permissible within the programme, these activities or referrals will not count against project targets and as such cannot be used to draw down payments.

3.62 Activities within this category may include but are not restricted to the following:

**HC01 Feelings of Hope and Self-efficacy**

Offenders often believe that events are beyond their control and so enter into a self-defeating cycle of repeat offending, anti-social behavior and poor lifestyle choices. They can feel unable to find a way through the array of problems they face and as such can feel that they are at the mercy of both negative peer groupings and professionals who are directing their lives. Activity to address the thinking and associated behaviour can consist of classroom-based or practical activity which empowers Participants to take control of their own lives, consequently developing a more hopeful and positive perspective regarding their own prospects.

Minimum Activity Baseline

*2 sessions => 1 hour on separate days (unless accredited, which can be delivered in a single session).*

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

**HC02 A Future Focus**

Structured sessions designed to empower Participants to think beyond immediate gratification, inclusive of negative activity associated with offending and anti-social behavior. This should in turn be reinforced by shifting their focus towards longer term aims associated with career progression, sustaining positive relationships, investing rather than borrowing, development of positive interests and hobbies, becoming fit, healthy and active and gaining qualifications and skills. Participants should lead on the development of their own long-term life and career plans with realistic goals.

Minimum Activity Baseline

*2 sessions => 1 hour on separate days (unless accredited, which can be delivered in a single session).*

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

**HC03 A Sense of a New and Pro-Social Identity**

Classroom-based or practical activity which equips Participants with the skills to develop a more pro-social outlook including i) how and why to support others, ii) developing empathy, iii) understanding other familial, peer, cultural and religious perspectives as well as how their own experiences may have impacted upon their thinking, iv) acceptable behavior including conducting yourself appropriately at home, in the workplace and online, and v) importance of conforming to rules and laws for benefit of society rather than avoidance of personal negative consequences.

Minimum Activity Baseline

*2 sessions => 1 hour on separate days (unless accredited, which can be delivered in a single session).*

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

**HC04      Doing Good, To Be Good**

This can involve charitable work, offering support to the local community or supporting peers within the Hub. Activity should develop altruistic traits which in turn enhance the quality of life both for the Participant and those being helped by them.

Minimum Activity Baseline

*=> 2 hours*

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

**HC05      Arts and Crafts**

Engaging Participants in arts and crafts can be therapeutic, as well as allowing them to develop practical and vocational skills. They can provide a stabilising environment for Participants, which in turn allows them to become more receptive to other support on offer.

Minimum Activity Baseline

*2 sessions => 1 hour on separate days (unless accredited, which can be delivered in a single session).*

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

**HC06      Sports**

Engaging Participants in group sports to develop team working and social skills as well as increasing their sense of belonging to the local community. The default should be that the sports activity is based at or is closely aligned to the Hub so that it can serve as a gateway to other support. Mixed ability models of delivery would be particularly appropriate for the client group.

Minimum Activity Baseline

*2 sessions => 1 hour on separate days (unless accredited, which can be delivered in a single session).*

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically*



*addresses Activity Category description.*

### **HC07      Cognitive Behavioural Therapy**

Talking therapies addressing negative thoughts, feelings and behaviours (including addictions) can be an effective way of engaging Participants and equipping them to engage with and fully benefit from other support. The British Association for Behavioural and Cognitive Psychotherapies (BABCP) holds a register of accredited therapists. Similarly The British Psychological Society (BPS) holds a directory of chartered psychologists, some of whom specialise in CBT.

#### Minimum Activity Baseline

*Must be accredited. Number of sessions will be determined by accreditation requirements. 2 sessions must have been completed as a minimum.*

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

### **HC08      Drama**

Engaging Participants in drama (both classes and productions) is an ideal way to develop team working and communication skills as well as growing confidence. The default should be that any classes or productions are based at or closely aligned to the Hub so that they can serve as a gateway to other support.

#### Minimum Activity Baseline

*2 sessions => 1 hour on separate days (unless accredited, which can be delivered in a single session).*

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

### **HC09      Media**

Engaging Participants in production of news, documentary and entertainment items for video, radio, podcasts or online media can help to develop communications and team working skills as well as build confidence and provide insight into how the media operates. Participants can learn to engage with the media positively, understanding concepts such as accuracy, bias, balance, influence and responsibility. The default should be that any activity is based at or closely aligned to the Hub so that it can serve as a gateway to other support.

#### Minimum Activity Baseline

*2 sessions => 1 hour on separate days (unless accredited, which can be delivered in a single session).*

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically*

*addresses Activity Category description.*

## **HC10      Music and Dance**

Engaging Participants in music and dance including classes to develop skills, studio work and staging productions are ideal ways to build confidence and develop team working skills. The default should be that any activity is based at or closely aligned to the Hub so that it can serve as a gateway to other support.

### Minimum Activity Baseline

*2 sessions => 1 hour on separate days (unless accredited, which can be delivered in a single session).*

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

## **HC11      Specific Projects (social good)**

One-off, time-bound projects which contribute to the local community can afford opportunities for Participants to develop team working and communication skills whilst building confidence. Participants can gain experience of both hierarchical and collaborative working, enabling them to understand the importance of taking responsibility for tasks, communicating with colleagues, working to deadlines and remaining focused. The default is that any activity is based at or should be closely aligned to the hub so that it can serve as a gateway.

### Minimum Activity Baseline

*=> 15 hours*

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

## **Other activity meeting the broad definition of Human/Citizenship**

Activity not covered by HC01-HC11 which develop a Participant's sense of self-worth and helps them to develop positive plans for the future. All activity must meet the broad definition of the Human/Citizenship category. Suppliers will need to submit a revised Interventions Offering and demonstrate the relevance of activity before it is approved and allocated an Activity code.

### Minimum Activity Baseline

*Hours/sessions - to be determined as part of the code allocation process.*

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

## **Community and Social Factors (Service Level 3)**

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- 3.63 The service offer within the Community and Social Factors category should consist of activities which build personal resilience, strengthen support networks and upskill Participants. It is expected that the default position for Service Level 3 Activities will be that they are delivered via **Routes A and B** (i.e. direct delivery on-site, or external (i.e. off-site delivery) funded via the contract). However, Delivery Route C will be permissible where it is clearly demonstrated that volumes would not justify funding via the project. They should provide Participants with the tools, skills and links to support, to overcome barriers such as lack of work experience, low educational achievement and weak family and community ties, as well as providing practical support to enable them to engage with mainstream services (e.g. setting up bank accounts, registering with health provision, linking to accommodation support, debt advice, careers advice). Education, training and work experience should feature heavily within any service offer falling under this category. In simple terms, activities should fit well on a Participant's CV and / or should enhance their sense of being able to contribute positively to their local community and economy.
- 3.64 All Activities should be consistent with any risk and offender management arrangements in place for the individual Participants. The Supplier must ensure that professionals holding risk management responsibility for the individuals are aware of and in agreement with their participation.
- 3.65 Importantly, co-location with probation or CFO3 Suppliers and referrals or use of services funded via probation contracts/grants or CFO3 contracts are permissible within the programme. However, these activities or referrals will not count against project targets and as such cannot be used to draw down Service Level payments.
- 3.66 Activities within this category may include but are not restricted to the following:

### **CS01 Strong Ties to Family and Pro-Social Personal Support;**

Many offenders have poor or broken links to families and positive peer support networks. Group work or activities which provide Participants with the skills to develop and sustain these links as well as facilitating activities and events which involve family or peers directly can all be considered. Family days can be an effective way of showcasing the effort and progress made by Participants. It is important that activity within this category does not contravene any licence conditions or undermine any risk management plans for individuals.

HMPPS is currently developing strategy and activity which is intended to inform a range of trail-blazing or pilot activity designed to strengthen family ties. During the lifetime of this contract, HMPPS may approach individual Hubs with regard to hosting activity. It is likely that, any activity will sit within this Activity code, alongside any existing Supplier activity.

#### Minimum Activity Baseline

*2 sessions => 1 hour on separate days, or single one day event => 4 hours*

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

**CS02      Relationship Coaching Interventions**

Individual relationships often break down for offenders because they lack the skills to operate pro-socially with low levels of empathy or an inability to read signals and control impulses. Relationship coaching can be an effective way of developing pro-social skills so that they can engage more effectively with others.

Minimum Activity Baseline

*2 sessions => 1 hour on separate days (unless accredited, which can be delivered in a single session).*

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

**CS03      Community Capital – Meaningful Position and Value within your Community;**

These should be projects or activity involving local organisations offering a degree of personal responsibility and ultimately recognition for Participants. Ideally, they should be delivered in partnership with organisations with a strong 'grass roots' presence in the local community but may also involve the Local Authority and other statutory bodies as appropriate. The key principles of any activity are a) it is worthwhile and b) it provides an opportunity for the local community to recognise the positive contribution made by the Participant.

Minimum Activity Baseline

*=> 15 hours.*

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

**CS04      Sense of Purpose, Meaning and Recognition of your worth from Others**

These should be projects or activity taking place within the Hub offering a degree of personal responsibility and ultimately recognition for Participants. Ideally, they should be of benefit to both the Participant and other Hub users. The key principles of any activity are a) it is worthwhile and b) it provides an opportunity for Hub users to recognise the positive contribution made by the Participant.

Minimum Activity Baseline

*=> 15 hours.*

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

**CS05      Therapeutic Approaches for Young Adults that involve the Family**

**(such as Multi-Systemic Therapy)**

These should be interventions focusing on increasing well-being for those Participants who may not necessarily recognise that they need support or feel able to ask for or access it. There are a range of therapeutic services available, many focusing on issues such as abuse, neglect, depression and anxiety. Given the intensity of provision and the sensitive issues raised, delivery of any service to a Participant must always be cleared with Offender Managers before proceeding. In the case of Multi-Systemic Therapy (MST), these should be structured sessions focusing on the different settings that Participants interact with (e.g. education, work, home, local community etc.) and which support them to recognise and achieve behavioural norms. MST has a proven track record of effectively supporting young people in or leaving care.

*Minimum Activity Baseline*

*Must be accredited. Number of sessions will be determined by accreditation requirements.*

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

**CS06      Literacy and Numeracy**

Accredited literacy and / or numeracy (basic skills) courses for Participants who have either not gained these skills through traditional routes or are unable to evidence competency for purposes of securing employment or entering further education. Delivery can be standalone or embedded in other activity.

*Minimum Activity Baseline*

*2 sessions => 1 hour on separate days (must be accredited).*

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

**CS07      Life Skills**

Activity designed to improve communication, interpersonal, team working, problem-solving or analytical skills and their ability to cope with stress and change. Delivery can be standalone or embedded in other activity but should always be linked to a qualification or award rather than just offering general support.

*Minimum Activity Baseline*

*2 sessions => 1 hour on separate days (unless accredited, which can be delivered in a single session).*

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

**CS08            Employment-focused Programmes that lead to Real and Fulfilling Jobs**

Courses or programmes clearly linked to job opportunities. These could be delivered in partnership with local employers and tailored towards specific vocational or other entry requirements. The end goal should be defined (i.e. employment opportunity with a local company), rather than generic. The job opportunities should be meaningful, appropriate to Participants and not just of a short-term or seasonal nature, thus offering longer term solutions for Participants.

Minimum Activity Baseline

*2 sessions => 1 hour on separate days (unless accredited, which can be delivered in a single session).*

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

**CS09            Gaining Work-Related Qualifications, Gaining Employability Skills**

Direct delivery or referral (where ongoing support is provided) to any vocational-related courses and qualifications. Also, generalised employability skills courses are covered within this activity.

Minimum Activity Baseline

*2 sessions => 1 hour on separate days (unless accredited, which can be delivered in a single session).*

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

**CS10            Work-Related Mentoring**

This covers both mentors who are existing employees of the company employing the Participant where the focus is on developing job role competency and external mentors focusing on stabilising the Participant in the new role and supporting them with their general resettlement needs.

Minimum Activity Baseline

*5 sessions => 1 hour on separate days.*

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

**CS11            Accommodation Support/Advice**

General advice and support with identifying, securing and sustaining tenancies or managing mortgages including managing arrears, dealing with landlords, councils

and housing associations, securing bonds, options for repairs, understanding council tax, moving home and avoiding eviction.

Minimum Activity Baseline

=> 1 hour of support for Participant

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

**CS12      Independent Living**

This includes equipping Participants with physical and/or mental disability or other significant barriers such as being released after a long period in custody, drug/alcohol addiction and care leavers to live independently outside of supported accommodation including being able to function in the community, work or education.

Minimum Activity Baseline

=> 2 hours of support for Participant.

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

**CS13      Careers Advice**

This should be high-quality information, advice and guidance delivered in partnership with recognised National Careers Service Supplier organisations or demonstrably adhering to the same standards.

Minimum Activity Baseline

2 sessions => 1 hour on separate days.

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

**CS14      Debt Advice**

Advice and support to help Participants develop budgeting skills, access benefits and leverage other support, as well as helping them develop plans to deal with existing debt (e.g. reducing payments, consolidation, Debt Relief Orders etc.).

Minimum Activity Baseline

=> 1 hour of support to Participant.

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

**CS15      Practical Support to Access Services**

Assistance with logistical problems which prevent Participants from accessing mainstream provision, in particular employment and accommodation related obstacles. These may include opening a bank account, securing ID, transport advice and support, general welfare advice, support with applications or navigating Local Authority processes and services.

Minimum Activity Baseline

=> 1 hour of support to Participant.

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

**CS16      Referral to Healthcare (including Reconnect Programme)**

Participants should be signposted to and supported to engage with healthcare services including registering them with a GP, dentist or optician, as well as making appropriate referrals to the Reconnect Programme or other physical and mental health-related programmes or local well-being initiatives including in-house delivery.

Minimum Activity Baseline

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

**CS17      Distance Travelled (1<sup>st</sup> assessment)**

This covers a reassessment of the Participant to determine individual progress against the summary perception section of the Hub Activity Initial Assessment Tool.

Minimum Activity Baseline

*90 days must have passed since the Participant's enrolment has been approved by HMPPS CFO*

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

**CS18      Distance Travelled (2<sup>nd</sup> assessment)**

This covers a 2<sup>nd</sup> reassessment of the Participant to determine individual progress against the summary perception section of the Hub Activity Initial Assessment Tool.

Minimum Activity Baseline

*90 days must have passed since a CS17 has been approved by HMPPS for the same Participant.*



*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

### **Other activity meeting the broad definition of Community and Social Factors**

Activity not covered by CS01-CS18 which builds resilience, strengthens support networks or upskills Participants. Suppliers will need to submit a revised Interventions Offering and demonstrate the relevance of activity before it is approved and allocated an Activity code.

#### Minimum Activity Baseline

*Hours/sessions - to be determined as part of the code allocation process.*

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

### **Interventions and Services (Service Level 4)**

- 3.67 The service offer within the Intervention and Services category should consist of activities which clearly link to the reducing recidivism agenda (good practice within this area, details of specific interventions and programmes, and summaries of evidence can be found at <https://www.gov.uk/crime-justice-and-law/reoffending-and-rehabilitation>). It is expected that the default position for Service Level 4 Activities will be that they are delivered via **Route C** (i.e. appropriate supported referral to an existing service not funded through the contract). However, Delivery Routes A and B will be permissible where it is clearly demonstrated that this does not duplicate existing statutory provision.
- 3.68 All Activities should be consistent with any risk and offender management arrangements in place for the individual Participants. The Supplier must ensure that professionals holding risk management responsibility for the individuals are aware of and in agreement with their participation.
- 3.69 Accreditation should be a key component of the majority of activity falling under this category. Where accreditation is not in place, the Supplier must satisfy the Authority that it is not relevant or necessary in respect of that particular activity.
- 3.70 Importantly, eligible activity would not include any court mandated activity specific to the individual case. Simple referral to probation services funded through probation contracts or grants, where there is no evidence of CFO Hub support to the individual specific to their ability to engage and sustain involvement with this Activity, cannot be used to draw down Service Level payments, nor will they count against project targets.

Robust and structured case management is a mandatory feature of the CFO Activity Hub programme and is reflected within the required activity within Service Level 1 as well as forming part of the compliance criteria within the core costs component of the contract. However, some Participants may require an enhanced level of structured, intensive support from their CFO Support Worker to enable them to access interventions or services and sustain participation.

Where the need for this approach can be evidenced as necessary for the Participant along with detail of the enhanced case management support given and in all cases, where this is consistent with the CFO case management model, supported referrals to the following are eligible within this category:

**IS01 Interventions which are Cognitive Behavioural, targeted to individuals with higher risk scores, that teach skills such as Emotional Regulation and Problem Solving**

The Correctional Services Accreditation and Advice Panel (CSAAP) is a panel of independent, international experts which accredits programmes against the principles of effective interventions. High quality programmes or interventions are evidence based and/or have a credible rationale for reducing reoffending or promoting desistance, address factors relevant to reoffending and desistance, are targeted at appropriate users, develop new skills (as opposed to only awareness raising), motivate, engage and retain Participants, are delivered as intended, are evaluated. A list of CSAAP accredited programmes is available here: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/832658/descriptions-accredited-programmes.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/832658/descriptions-accredited-programmes.pdf).

Minimum Activity Baseline

*=> 10 hours of support for Participant. Support evidenced must not have been claimed under any other Activity Code.*

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

**IS02 Cognitive Behavioural Programmes that target Attitudes**

General principles outlined at IS01 apply. However, IS02 relates to offence or behaviour-specific programmes and are not restricted to offenders with higher risk scores.

Minimum Activity Baseline

*=> 10 hours of support for Participant. Support evidenced must not have been claimed under any other Activity Code.*

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

**IS03 Victim-Offender Conferencing (for violent and acquisitive offenders with an identifiable victim)**

This should only be provided with support and approval of professionals holding risk management responsibility for the individual case. Perpetrators and victims meet in a face-to-face conference, for which, they may be accompanied by family and friends of both parties as supporters and in all cases, sessions should be conducted by a trained facilitator.

Minimum Activity Baseline

=> 10 hours of support for Participant. Support evidenced must not have been claimed under any other Activity Code.

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

**IS04 Indirect Restorative Justice (RJ) initiatives**

Activities should be designed to address and repair harm, be voluntary and based on informed choice, ensure the safety of all Participants and create a safe place for the expression of feelings and views about harm that has been caused, be non-discriminatory, be respectful to the dignity of all Participants and those affected by the harm caused. There is limited evidence for the effectiveness of RJ initiatives with those convicted of sexual or domestic violence offences, shuttle mediation/exchange of letters based approaches to RJ and victim awareness or empathy programmes and therefore these should not normally feature within any service offer.

Minimum Activity Baseline

=> 10 hours of support for Participant. Support evidenced must not have been claimed under any other Activity Code.

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

**IS05 Opiate Substitution Therapy (for acquisitive opiate-addicted offenders) / Psycho-social support to maintain abstinence / 12 step programmes / Structured therapeutic communities focusing on Substance Misuse**

There is good evidence for the effectiveness of a diverse range of approaches to reducing alcohol and drugs misuse from the 12 steps programmes adopting the disease model of addiction, through to opioid replacement therapy focusing on reducing risk to the users and therapeutic communities. Evidence based programmes, therapy and interventions that support an individual move to or towards sobriety can be classed as activities under this category.

Minimum Activity Baseline

=> 10 hours of support for Participant. Support evidenced must not have been claimed under any other Activity Code.

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

**Other activity meeting the broad definition of Interventions and Services which are clearly linked to reducing reoffending agenda**

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Activity not covered by IS01 which can be shown to have previously contributed to reducing reoffending and which fits the broad definition of Intervention and Services. Where innovative, new activity is proposed, Suppliers will have to demonstrate a clear link to evidence-based practice in terms of the underlying principles/approach. In all cases, activity must contribute to the risk management of the offender and their participation must be approved by the professional holding responsibility for that risk. Suppliers will need to submit a revised Interventions Offering and demonstrate the relevance of activity before it is approved and allocated an Activity code.

### Minimum Activity Baseline

*Hours/sessions - to be determined as part of the code allocation process.*

*Completed HC Activity Template (HCAT) endorsed by Participant signature, confirming participation and that they agree that activity undertaken specifically addresses Activity Category description.*

**Other Supplier responsibilities**

- 3.71 Engagement – there is an expectation that Suppliers will work closely with LEPs and all ESF Opt-in Organisations, to ensure effective alignment of Provision. Engagement with LEPs will promote HMPPS CFO's understanding of other ESF Provision available in local areas and ensure duplication is minimised. Engagement also facilitates effective referral routes for Participants who may benefit from ESF provisions.
- 3.72 Risk – CFO Suppliers will be expected to liaise with NPS and CRCs to determine appropriate targeting of offenders who may benefit from CFO support. CFO Support Workers will liaise with those responsible for the delivery of offender management arrangements and will operate within a risk of harm framework, to ensure that all CFO Participant activity is appropriate and carried out within public protection arrangements.
- 3.73 Supply chain - the use of specialist organisations with expertise in delivering services across the resettlement pathways to offenders with potentially complex needs will be essential, to maximise engagement with individuals who would not generally respond positively to mainstream interventions. All provision will need to complement all existing services and demonstrate clear added value.
- 3.74 Participant survey – CFO Suppliers will be expected to conduct their own Participant satisfaction surveys during the length of the programme, the results of which will be shared with the ESF Managing Authority (MA). As well as conducting their own satisfaction survey, CFO Suppliers will be required to complete a series of exit questions when closing down a Participant record on CATS+. These exit questions will relate to the Supplier Support Worker's perception of Participant engagement on the programme and future prospects. The exit questions will also relate to questions asked during the assessment in order to produce a Distance Travelled model.

## **4 Management Information and Evidence**

- 4.1 HMPPS will use its Management Information (MI) for the on-going management of the Provision and submission to the ESF MA.
- 4.2 The existing data collection system facilitated through the IT based System (CATS+) will be utilised as part of the HMPPS CFO Activity Hub Model, via a specific iteration of the system. As with the existing HMPPS CFO3 programme, all ESF activity will be captured via CATS+, with project specific unique identifiers for programmes and Participants along with unique logins for staff, controlling segregation of activity between CFO3 and CFO Activity Hubs.
- 4.3 All Suppliers benefiting from these contracts will be required to manage their caseload through CATS+. CATS+ works across the prison estate and in probation services and has been further developed for the CFO to be accessible to non-criminal justice agencies through secure internet routes. The use of CATS+ allows offenders to be tracked, despite the complexities of case management resulting from release from custody, community interventions, reconviction and geographic mobility.
- 4.4 A contractual requirement will ensure that all Participants will have a single case file created on CATS+ by the relevant Supplier. This allows provision of core data on entry and access to the CFO Hub programme. Collation of data is therefore automatic, and controlled through a wide range of statistical reports that can be drawn from the system.
- 4.5 CATS+ underpins assessment of performance against contracts, and as with the existing HMPPS CFO3 programme, will provide any evidence required for contract payments to be authorised. The breadth of data available through CATS+ allows the quality of provision funded by the CFO to be continually monitored, for improvement plans to be developed and implemented with the Suppliers.

**NOTE:** MI may require re-development and change over the life of the contract in order to meet the needs of HMPPS and the Supplier.

*For further information regarding performance please see [Section 6](#).*

## **5 Payment Mechanism**

- 5.1 This section sets out information on the funds available for this contract, the payment model, the process for making claims for payments and the Authority's performance expectations.

### **Contracts**

- 5.2 Set out below, are the maximum budget and minimum volumes for this contract. Suppliers should note that maximum contract values are fixed and HMPPS does not guarantee volumes. For Areas with multiple Hubs, budgets must be submitted per Hub (ph) as well as for total contract.

<b>Area</b>	<b>Maximum Contract Value (total and per Hub)</b>	<b>No. of Hubs</b>	<b>Hubs per category of region MD = More Developed T = Transition</b>	<b>Minimum number of starts</b>
North West	<b>£9,937,500</b> £3,312,500 ph	3	2 x MD 1 x T	<b>3,954</b> 1,318 ph
Yorkshire	<b>£9,937,500</b> £3,312,500 ph	3	2 x MD 1 x T	<b>3,954</b> 1,318 ph
North East	<b>£3,312,500</b>	1	T	<b>1,318</b>
West Midlands	<b>£9,937,500</b> £3,312,500 ph	3	2 x MD 1 x T	<b>3,954</b> 1,318 ph
East Midlands	<b>£3,312,500</b>	1	MD	<b>1,318</b>
East of England	<b>£3,312,500</b>	1	MD	<b>1,318</b>
South West	<b>£3,312,500</b>	1	MD	<b>1,318</b>
London	<b>£6,625,000</b> £3,312,500 ph	2	MD	<b>2,636</b> 1,318 ph
South East	<b>£3,312,500</b>	1	MD	<b>1,318</b>
Veterans & Peer Supported	<b>£1,000,000</b>	1	T (HMP Holme House)	<b>398</b>

- 5.3 The Supplier is responsible for enrolling eligible Participants and should market the Provision within the ECA, ensuring they maximise opportunities to achieve the throughput requirements of the Service Levels.

### **ECA Caps**

- 5.4 The number of contracts awarded to any individual Supplier will be capped at £19,875,000 of the £54m available. In practice, this means that no individual Supplier can be offered a contract to run more than 6 Hubs. For the purpose of this calculation, Holme House Veterans & Peer Supported Hub constitutes 1 Hub. The

following are example scenarios:

*Example A -*

A Supplier is awarded the North West (3 Hubs) and Yorkshire (3 Hubs) contract ECAs – a total of 2 contract areas and 6 Hubs – no further contract areas can be awarded due to the maximum allowed amount of £19,875,000 being awarded. Any further contracts would increase the amount awarded over the threshold.

*Example B -*

A Supplier is awarded the North East (1 Hub), East Midlands (1 Hub), East of England (1 Hub), South West (1 Hub) and London (2 Hubs) contract ECAs – a total of 5 contract areas and 6 Hubs – no further contract areas can be awarded due to the maximum allowed amount of £19,875,000 being awarded. Any further contracts would increase the amount awarded over the threshold.

- 5.5 Bidders will be permitted to enter ITT submissions for as many ECAs as they wish; however, award will be limited to a maximum of £19,875,000 of the overall value of the Activity Hub contracts. For further information on market caps, refer to Annex B of the Evaluation Strategy.

**Payment Model**

- 5.6 Suppliers will be paid a combination of **Core Costs** and **Service Levels**. When combined, these 2 will represent 100% of total contract value awarded.
- 5.7 Specifically the payment model comprises the following:
- The Fixed Delivery Fee will equal fifty percent (50%) of the contract value payable in equal instalments from Contract Commencement;
  - A Compliance Fee which will equal ten percent (10%) of the contract value and will be payable in equal instalments for 32 months from Service Start Date;
  - Enrolment Fees paid on a unit price basis and will equal a maximum of ten percent (10%) of the contract value;
  - Activity Fees split between three service levels paid on a unit price basis and will equal a maximum of thirty percent (30%) of the contract value.

See [Section 6](#) and *Terms and Conditions*, for more information.

**Fixed Delivery Fee**

- 5.8 The core costs are made up of the Fixed Delivery Fee (FDF) and Compliance Payment, which respectively equal 50% and 10% of the total contract costs. Therefore, the core costs are equivalent to 60% of the total contract costs.
- 5.9 The FDF will be paid monthly in arrears; there will be up to 35 equal instalments commencing at the end of the calendar month of the Contract Commencement on receipt of a valid invoice.

Example FDF 1: based on a Total Contract Value (TCV) of £3,312,500:

$TCV \times 0.5 / 35$

$£3,312,500 \times 0.5 = £1,656,250$



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$£1,656,250 / 35 = £47,321$

Monthly FDF = £47,321

Example FDF 2: based on a Total Contract Value (TCV) of £1,000,000:

$TCV \times 0.5 / 35$

$£1,000,000 \times 0.5 = £500,000$

$£500,000 / 35 = £14,286$

Monthly FDF = £14,286

### Discretionary Access Fund (DAF)

- 5.10 Suppliers can assign a portion of their FDF to a Discretionary Access Fund which can be used to pay for specific items to assist individuals to find work, training or education. The DAF must be used for the specific needs of the individual and be proven essential to overcome the identified barrier to progression towards employability (examples include travel costs to attend an interview; course or work placement; replacement identification documents to allow the individual to attend a course or work; equipment required to start a business or attend training etc.). Details of eligibility of expenditure are contained within the DAF Guidance document.
- 5.11 DAF allocation must be made at individual Hub level and cannot exceed 10% of the FDF for that Hub. Where contracts contain more than one Hub, it is permissible to allocate different percentages to each up to the 10% per Hub limit. The total DAF can never exceed 5% of total contract value. It is permissible to assign zero value to the DAF, although justification for doing so should be provided. DAF percentages per Hub will be agreed at contract commencement. Once agreed, these are fixed for the entire contract period.
- 5.12 Example DAF allocation for contract with 3 Hubs

Total contract value (TCV) = 9,937,500, of which:

	Hub A	Hub B	Hub C
<b>Budget</b>	£3,312,500	£3,312,500	£3,312,500
	of which		
<b>FDF</b>	£1,656,250	£1,656,250	£1,656,250
	of which		
<b>DAF %</b>	2% of FDF	10% of FDF	4% of FDF
<b>DAF £</b>	£33,125	£165,625	£66,250

Total DAF = £265,000, equivalent to 5.33% of FDF or 2.67% of TCV and therefore permissible.

**Expected Standards**

- 5.13 Payment of the Fixed Delivery Fee is dependent on the Supplier meeting the following 3 **Expected Standards (ES)**:

*ES1 Robust financial systems and processes*

*ES2 Costs accounted for on an ongoing basis*

*ES3 Environmental and cultural factors conducive to delivery*

- 5.14 All contracts will commence with the assumption that these Expected Standards are currently being met. Therefore, this is a status that must be maintained rather than gained. If during the lifetime of the contract, it is deemed that any of these standards are not being met, the Authority will notify the Supplier that they consider the current position to be unsatisfactory. The Supplier will then submit to the Authority for approval, a set of proposals for inclusion within an agreed ES Recovery Plan which aims to return them to the Expected Standard.

- 5.15 Where the Recovery Plan is not achieved, HMPPS may (entirely at its own discretion) suspend submission of Supplier invoices. FDF payments will remain suspended during this period. Once the standard is met, all suspended payments will be released. Continued failure to meet the Expected Standards will result in the Supplier being subject to the formal Performance Improvement Plan and Action Plan processes. Where any failings are deemed to be severe, the Authority's rights with regard to material breaches are unaffected.

*Note: Individual DAF payments will continue to be paid where purchases meet all eligibility and evidencing requirements, with the exception of where failure to meet the Expected Standards is in part or wholly related to DAF processes or purchases.*

- 5.16 ES1 *Robust financial systems and processes* will normally be assessed as part of an annual financial audit by the Authority. However, the Authority reserve the right to do additional checks or audits where they have concerns. In all cases, both findings at audit and ability/willingness to service an audit to a reasonable timescale and standard can be deemed as not meeting ES1. Where concerns are raised the FDF may be suspended until remedied.

- 5.17 **ES1 requirements** - The Supplier shall keep books of account in accordance with best accountancy practice with respect to the Contract showing in detail:

- expenditure on wages and salaries;
- administrative overheads;
- expenditure on consumable items;
- payments made to Sub-Contractors / Contractors;
- capital and revenue expenditure;
- other expenditure incurred by the Supplier in the day today performance of the Contract;

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- record of all goods or services obtained at no charge from the Authority or any other government agency;
- the Supplier shall have items available above for inspection by the Authority upon reasonable notice, and shall present a report of the same to the Authority as and when requested.

The Supplier shall be subject to a programme of audit visits at which their costs and claims and adherence to contract will be reviewed (these visits shall be applied to both Suppliers and sub-contractors as appropriate).

- 5.18 ES2 *Costs accounted for on an ongoing basis* will be assessed as ability/willingness to provide to the Authority the required routine financial returns including staff in post details to the fixed timescales for each item, as well as the quality of the data submitted. Where concerns are raised the FDF may be suspended until remedied.
- 5.19 **ES2 requirements** - The Supplier shall provide the HMPPS CFO Finance Team with a completed Finance Budget Return (template to be provided), within 30 days following the end of each month which compares and reconciles in respect of that month:
- the cumulative actual ESF Eligible Expenditure incurred by the Supplier under the Contract;
  - the Supplier's cumulative forecast ESF Eligible Expenditure set out in the Budget Profile; and
  - the Supplier's cumulative planned and actual staff in post.
- 5.20 ES3 *Environmental and Cultural factors* conducive to delivery will be assessed routinely by the Performance Delivery Team as part of their scheduled programme of visits to the Hub. Where concerns are raised the FDF may be suspended until remedied.
- 5.21 **ES3 requirements** - The following criteria will be applied:
- The Supplier shall ensure that the physical environment of the Hub supports a rehabilitative culture (e.g. contributes to the Hub being a safe, decent and hopeful place) ultimately leading to a reduced risk of reoffending:
- The Supplier shall maintain the general cleanliness of the Hub; free of clutter and litter;
  - The Supplier shall ensure the use of normalised materials;
  - The Supplier shall ensure a design/layout which promotes social interaction, community and relationships
  - The Supplier shall demonstrate how procedural justice is embedded within the provision to promote cooperation, views of authority, behaviour and outcomes in a Hub environment.
  - The Supplier shall ensure that any processes applied and decisions made (including local written notices, publicity and communications) are considered

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to be fair and just by Participants (using written and verbal explanations, and graphics, to explain how processes will work and why they are like they are).

- The Supplier should ensure that any activity for an individual should not be scheduled across any statutory provision (e.g. a reporting requirement to a Police station or Probation office)
- The Supplier should ensure that that the language used/messages given to Participants does not undermine the four principles of procedural justice (respect, neutrality, voice, trustworthy motives)
- The Supplier shall demonstrate that staff engaging with Participants and delivering services within the Hub hold relevant qualifications/training which demonstrate that they have an understanding of the issues relevant to working with offenders.

### **Compliance Payment (CP)**

- 5.22 The Compliance Payment (CP) will be profiled as a flat monthly payment equivalent to:

Total Contract Value x 0.1 / 32

An example based on a Total Contract Value (TCV) of £3,312,500 is as follows:

TCV £3,312,500 x 0.1 = £331,250

£331,250 / 32 = £10,352

Monthly CP = £10,352

### **Compliance Measures**

- 5.23 Each contract will be subject to 6-12 **Compliance Measures** (CMs) at any one time. The CM process is designed to prevent any issues relating to underperformance, non-compliance with ESF rules and regulations or activity/events with reputational implications for HMPPS escalating to the point where formal Performance Improvement Action, with the potential for contract breach procedures may be required. It is designed to be a collaborative process between the Authority and the Supplier. The Authority's ability to move to formal Performance Improvement measures included in the contract at any point is not affected by this process. However, it is recognised that it is in the interests of both parties to exhaust the CM route before doing so.
- 5.24 As the process is by mutual consent, and designed to avoid the need to move to formal Performance Improvement measures it will be administered via a CM Annex specific to each contract. This will be reviewed as part of each Supplier monthly performance meeting with changes to the Annex noted and accepted by both parties.
- 5.25 There are 6 Fixed Compliance Measures (FCM) that are universal across all Suppliers and up to 6 active Variable Compliance Measures (VCM) which are specific to each contract.

### **Fixed Compliance Measures**

- 5.26 The **Fixed Compliance Measures** are as follows:

FCM1 *Enrolments*: ensuring that agreed demographic targets are met. Targets will be given to enrol a specified volume of female, ethnic minority, disabled and over 50 Participants

FCM2 *Cross Cutting Themes*: submission and acceptance of sustainable development and equalities plans, policies and associated supporting documents

FCM3 *Participant Retention/Engagement/Attendance*: ensuring that significant numbers of Participants continue to engage with the Hub beyond the initial contact period

FCM4 *Publicity*: adherence to ESF publicity requirements

FCM5 *Evaluation*: During the course of the programme, various evaluations will take place. The Supplier and their supply chain must liaise with the CFO evaluation lead, facilitate evaluation visits and respond to requests for information

FCM6 *Risk*: ensuring that staff are liaising with Offender Managers and factoring risk into decision making at an individual case level

- 5.27 All FCMs will have the default **RAG** status of **GREEN**. Where an issue is identified formally as part of the monthly performance meeting structure, the status will change to **AMBER**. A plan will be agreed as to action required to return to an acceptable performance level, along with how this will be monitored and criteria for success. The CM Annex will be amended to reflect this change in status. Where performance returns to an acceptable level, the FCM returns to **GREEN**. Where performance does not match the agreed criteria for success for a full 3-month rolling period, the status automatically changes to **RED**.

### **Variable Compliance Measures**

- 5.28 Any **Variable Compliance Measures** will be set by the CFO Performance Team. Concerns will be raised as part of the monthly performance meeting structure with VCMs featuring as a standard agenda item. Suppliers will be given opportunity at the meeting to offer mitigation before any VCMs are formally adopted into the CP calculation. Adopted VCMs will automatically be determined to have a **RAG** status of **AMBER**.
- 5.29 VCMs will be drawn from the Master VCM List (see Annex 6). The list within the annex covers a range of performance or delivery areas and topics. Where the Authority reasonably feels that there is scope for improvement against one of the VCMs contained on the Master VCM List, the related VCM is flagged up by the Authority to the Supplier ahead of the next monthly Supplier meeting, so that they have an opportunity to prepare for the meeting. VCMs must be measurable and reasonable. Decisions to formally adopt a VCM will be proportionate and fair. Depending on the nature of the issue, a single infringement may be resolvable within the monthly performance meeting, whereby a pattern of behaviour with weak mitigation is more likely to be formally adopted.
- 5.30 VCMs will be allocated a code between VCM1 – VCM6. Any unallocated VCM slot will automatically be considered to be compliant. Examples of VCMs are listed below for illustrative purposes. However, please refer to the Master VCM List for the complete range:

#### Failure to:

- deliver number of individual Activities as per commitments within tender submission;
- engage with LEPS/local stakeholders;
- submit enrolment forms with complete or correct information;
- submit Service Level evidence consistent with given guidelines;
- recruit sufficient staff to service contract.

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- 5.31 Once the CFO Performance Team are satisfied that the Supplier has returned to an acceptable compliance level against an individual VCM, it will be stood down with the slot effectively being designated **GREEN**.
- 5.32 An example of how this would work in practice would be where an issue is identified by the CFO Performance Team, whereby not all female Participants are being offered the option of a female support worker. The Supplier would have “*ensure female Participants are given option of having female rather than male support worker*” allocated against an empty VCM slot e.g. VCM2 and the status would be given as **AMBER**. A process for monitoring this would be agreed between the Supplier and the CFO Performance Team along with a determination as to what constitutes a return to compliance (e.g. offer made in 100% of cases, to be monitored by checking 100% of new female starter case notes and a 5% face-to-face sample of the same cohort over a rolling 3 month period). The CM Annex will be amended to recognise the adoption of this VCM along with the agreed plan and criteria. The checks may find that the target as described above is missed in months 1 and 2, but then is subsequently met for months 3, 4 and 5. In this case, VCM2 is deemed to be compliant and becomes an empty slot again, turning **GREEN**. Conversely, they may find that the target is missed for months 1, 2 and 3. In this scenario, the VCM would turn **RED**.
- 5.33 The CP will be suspended wherever the Supplier is failing to address the requirements of any 9 of the 12 **Compliance Measures**. This will be determined as where any 4 slots are categorised **RED**. As VCMs are only invoked where an issue has been identified, the allocation of 4 VCMs, which progress from **AMBER** to **RED**, regardless of compliance with all FCMs will result in suspension of the CP until satisfactory resolution of the outstanding CMs (i.e. a return to meeting 9 of 12 CMs).
- 5.34 The Authority reserves the right to designate one or more FCM/VCMs as a **Critical Compliance Measure (CCM)**. Failure to be compliant with any CCM, regardless of compliance with other FCM/VCMs will result in suspension of the CP. In effect, they will have the same weighting as 4 individual FCMs or VCMs. The CM Annex will be amended to recognise the designation as a CCM. CCMs are automatically **RED**.
- 5.35 CCM status cannot be allocated retrospectively to an existing FCM/VCM. It must be designated at the point of allocation. CCMs are not subject to the 3 month rolling period principle and as such the Authority reserves the right to suspend submission of Supplier invoices with immediate effect. Examples of possible CCMs include: a minority group being deliberately excluded from the Hub, proscribed groups accessing Participants and facilitating activity in the Hub or evidence of significant risk of harm to vulnerable individuals accessing facilities within the Hub. Supplier ability to resolve the issue with immediate effect will be a key determinant as to whether to allocate a CCM or immediately invoke formal Performance Improvement processes.
- 5.36 The following 3 examples illustrate how the decision to suspend submission of invoices is made:

**Example 1: Compliant**

FCM1 compliant	[GREEN]
FCM2 compliant	[GREEN]
FCM3 not compliant	[RED]
FCM4 compliant	[GREEN]
FCM5 compliant	[GREEN]
FCM6 compliant	[GREEN]
VCM1 allocated = not compliant	[RED]
VCM2 allocated = currently monitored	[AMBER]
VCM3 allocated = not compliant	[RED]
VCM4 unallocated = compliant	[GREEN]
VCM5 unallocated = compliant	[GREEN]
VCM6 unallocated = compliant	[GREEN]

- 5.37 Payment is made as only 3 CMs are deemed not compliant with a **RAG** rating of **RED**.
- 5.38 Specifically, 5 CMs are allocated and compliant, 3 CMs are unallocated and therefore by default compliant, 1 CM is currently subject to monitoring against agreed criteria and 3 CMs have been monitored but have been deemed to have fallen below the agreed threshold for 3 consecutive months and as such are deemed non-compliant.

**Example 2: Non-Compliant**

FCM1 compliant	[GREEN]
FCM2 not compliant	[RED]
FCM3 not compliant	[RED]
FCM4 compliant	[GREEN]
FCM5 compliant	[GREEN]
FCM6 compliant	[GREEN]
VCM1 unallocated = compliant	[GREEN]
VCM2 allocated = not compliant	[RED]
VCM3 unallocated = compliant	[GREEN]



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VCM4 allocated = not compliant [RED]

VCM5 allocated = currently monitored [AMBER]

VCM6 allocated = currently monitored [AMBER]

5.39 Submission of invoices is suspended as 4 CMs are deemed non-compliant with a RAG rating of RED

5.40 Specifically, 4 CMs are allocated and compliant, 2 CMs are unallocated and therefore by default compliant, 2 CMs are currently subject to monitoring against agreed criteria and 4 CMs have been monitored but have been deemed to have fallen below the agreed threshold for 3 consecutive months and as such are deemed non-compliant.

### **Example 3: Non-Compliant**

FCM1 compliant [GREEN]

FCM2 compliant [GREEN]

FCM3 compliant [GREEN]

FCM4 compliant [GREEN]

FCM5 compliant [GREEN]

FCM6 compliant [GREEN]

VCM1 unallocated = compliant [GREEN]

VCM2 allocated = currently monitored [AMBER]

VCM3 [CCM] status allocated = not compliant [RED]

VCM4 allocated = currently monitored [AMBER]

VCM5 unallocated = compliant [GREEN]

VCM6 allocated = currently monitored [AMBER]

5.41 Payment is suspended as VCM3 has CCM status and therefore counts as 4 non-compliant CMs, regardless of status of other CMs.

### **Service Levels**

5.42 There are 4 Service Levels (SL), each of which is worth 10% of the total contract value. Therefore, the service level component of the contract is equivalent to 40% of the total contract costs.

5.43 Service Levels are throughput driven with payments linked to numbers of programme Participants, number of activities that have taken place and the Supplier working to profile.

### **SL1 Enrolment Payment**

- 5.44 Suppliers will be required to submit an Enrolment profile per Hub containing monthly targets. The Enrolment process consists of securing Participant consent, eligibility checks, completing an enrolment form, conducting an assessment and uploading all documents onto CATS+. Payment will be released by the Authority on approval of the uploaded documents. The unit cost for Enrolments is £200 per Participant. This will be capped at 1,318 Participants per Hub. No payments will be made for Enrolments beyond this figure. The total SL1 throughput money available is £263,600.
- 5.45 From the third calendar month following services commencement, an additional SL1 Profile Payment of £2,255 will be made where the cumulative number of Enrolments is on or above target to a ceiling of 115% of the cumulative target figure. Where the 115% variance is exceeded, the Profile Payment is suspended. If cumulative number of Enrolments returns to a level within the 115% variance against the cumulative profile, then Profile Payments are reinstated and all suspended Profile Payments are released. The total SL1 Profile Payment available is £67,650.
- 5.46 Only one (1) Enrolment Payment can be claimed per Participant irrespective of whether the Participant geographically relocates and continues on HMPPS CFO Hub Provision.
- 5.47 Service Levels 2-4 relate to Activities. Please see the Activities section for details of permissible and eligible activity.

### **SL2 Human / Citizenship**

- 5.48 Suppliers will be required to submit an SL2 profile per Hub containing monthly targets. The Participants can be new enrolments or existing within the caseload. One Participant can access multiple SL2 Activity codes. A maximum of 4 instances per individual Participant will count against the profiled target. Multiple access of the same activity code by the same Participant, whilst permissible in terms of programme delivery, will not count towards the target and therefore will not generate additional payment.
- 5.49 The unit cost for SL2 is £200. This applies regardless of the actual cost of the Activity to the Supplier. The Supplier is expected to sensibly balance costs across the totality of the contract value rather than specifically identifying Activities to match this unit cost. Payment will be capped at 1280 SL2 Activities per Hub. No payments will be made for Activities beyond this figure. The total SL2 throughput money available is **£256,000**.
- 5.50 Where the Supplier's delivery is not in line with volumes and commitments relating to specific Activities made within their tender submission, separate monitoring and penalties may be applied as part of the Variable Compliance Measures process, regardless of whether they are operating to profile within SL2.
- 5.51 From the eighth calendar month following services commencement, an additional SL2 Profile Payment of £3,010 will be made where the cumulative number of SL2 Activities is on or above target to a ceiling of 115% of the cumulative target figure. Where the 115% level is exceeded, the Profile Payment is suspended. If cumulative

number of SL2 Activities returns to a level below the 115% figure, but still on or above target against the cumulative profile, then Profile Payments are reinstated and all suspended Profile Payments are released. The total SL2 Profile Payment available is £75,250.

### **SL3 Community & Social**

- 5.52 Suppliers will be required to submit an SL3 profile per Hub containing monthly targets. The Participants can be new enrolments or existing within the caseload. One Participant can access multiple SL3 Activity codes. A maximum of 8 instances per individual Participant will count against the profiled target. Multiple access of the same activity code by the same Participant, whilst permissible in terms of programme delivery, will not count towards the target and therefore will not generate additional payment.
- 5.53 The unit cost for SL3 is £100. This applies regardless of the actual cost of the Activity to the Supplier. The Supplier is expected to sensibly balance costs across the totality of the contract value rather than specifically identifying Activities to match this unit cost. Payment will be capped at 2560 SL3 Activities per Hub. No payments will be made for Activities beyond this figure. The total SL3 throughput money available is **£256,000**.
- 5.54 Where the Supplier's delivery is not in line with volumes and commitments relating to specific Activities made within their tender submission, separate monitoring and penalties may be applied as part of the Variable Compliance Measures process, regardless of whether they are operating to profile within SL3.
- 5.55 From the eighth calendar month following services commencement, an additional SL3 Profile Payment of £3,010 will be made where the cumulative number of SL3 Activities is on or above target to a ceiling of 115% of the cumulative target figure. Where the 115% level is exceeded, the Profile Payment is suspended. If cumulative number of SL3 Activities returns to a level below the 115% figure, but still on or above target against the cumulative profile, then Profile Payments are reinstated and all suspended Profile Payments are released. The total SL3 Profile Payment available is £75,250.

### **SL4 Interventions & Services**

- 5.56 Suppliers will be required to submit an SL4 profile per Hub containing monthly targets. The Participants can be new enrolments or existing within the caseload. One Participant can access multiple SL4 Activity codes. A maximum of 2 instances per individual Participant will count against the profiled target. Multiple access of the same activity code by the same Participant, whilst permissible in terms of programme delivery, will not count towards the target and therefore will not generate additional payment.
- 5.57 The unit cost for SL4 is £400. This applies regardless of the actual cost of the Activity to the Supplier. The Supplier is expected to sensibly balance costs across the totality of the contract value rather than specifically identifying Activities to match this unit cost. Payment will be capped at 640 SL4 Activities per Hub. No payments will be made for Activities beyond this figure. The total SL4 throughput money available is

**£256,000.**

- 5.58 Where the Supplier's delivery is not in line with volumes and commitments relating to specific Activities made within their tender submission, separate monitoring and remedies may be applied as part of the Variable Compliance Measures process, regardless of whether they are operating to profile within SL4.
- 5.59 From the eighth calendar month following services commencement, an additional SL4 Profile Payment of £3,010 will be made where the cumulative number of SL4 Activities is on or above target to a ceiling of 115% of the cumulative target figure. Where the 115% level is exceeded, the Profile Payment is suspended. If cumulative number of SL4 Activities returns to a level below the 115% figure, but still on or above target against the cumulative profile, then Profile Payments are reinstated and all suspended Profile Payments are released. The total SL4 Profile Payment available is £75,250.

### **Payments**

- 5.60 All payments will be made via HMPPS SOP System using allocated Purchase order numbers. Payments will be made up of three elements; Fixed Delivery Fee based on a flat contractual payments profile, PBR/DAF Costs made up of approved Service Level activities and approved DAFs and a Compliance payment element based on a flat contractual payments profile. Invoices for these payments will be raised based on Flat Profile Fixed Delivery Fee, PBR/DAF using Supplier report generated from CATS+ and Flat Profile Compliance Costs which can be varied via Compliance Change Notices. All invoices for payments must be sent to CFO Finance Functional mailbox for receipting onto the SOP system so that Finance SSC can process payments. Please note, that HMPPS can only make direct payments to United Kingdom and Northern Ireland bank accounts.
- 5.61 Suppliers will be required to hold adequate information to support their claims. This information must be kept at an individual Participant level for PBR and DAF payments until invoices have been approved and paid.

### **Making Claims for payment**

- 5.62 Before submitting any claim, Suppliers will need to assure themselves that they only submit claims for payment to which they are entitled.
- 5.63 To satisfy audit trails, Suppliers will be expected to maintain a robust system of internal controls which must include appropriate checks, monitoring arrangements and adequate records to demonstrate that they are entitled to make the claim.
- 5.64 The records maintained need to be sufficient, not only to support any claims, but also to allow internal management checks and independent validation, for example by HMPPS and other external bodies.

### **Validation**

- 5.65 HMPPS will independently validate payments on a regular basis by conducting a series of pre- and post-payment checks. These checks will be performed at the optimum time to allow HMPPS systems to be updated.

- 5.66 For the purposes of formal intervention (Performance Improvement Notices) the last known validation figures will be used.

*Further information can be found in the Terms and Conditions and the ESF Supplier Guidance.*

### **Assurance Processes**

- 5.67 It is essential that assurances can be provided to the taxpayer that publicly funded Provision is delivering a quality service and value for money has been obtained. This will be measured using the following methods (this list is not exhaustive):

- Supplier representation at national and local performance meetings as agreed with HMPPS at post-tender clarifications;
- Supplier Quality Management system in place;
- Supplier procedures to handle Participant / Sub Supplier complaints, Fraud allegations which must be available to HMPPS upon request;
- Performance management process as outlined in section 6 of this document;
- Payment Validation procedures,
- Audit by HMPPS, National Audit Office (NAO) and ESF auditors.

The methods detailed above are in addition to the activities carried out by the Contract Performance Managers, detailed in Section 6.

### **Code of Conduct and ISPA**

- 5.68 In accordance with guidance as available from the Managing Authority, there must be no more than one level of subcontracting beyond the CFO, other than to cater for proposals from partnerships. Where partnerships bid successfully, allocation of ESF funds between the partners might not strictly be regarded as subcontracting, although there will need to be a single accountable partner with which the CFO will contract.
- 5.69 The provider shall have a robust contracting model (i.e. prime Supplier, consortium or partnership proposals), detailing key roles and purpose. The Supplier shall also be required to demonstrate the engagement and commitment with each partner and/or sub-contractor organisation and the structure (i.e. reporting lines) that will be established for this Contract.
- 5.70 The Supplier shall be required to ensure partnership and/or sub-contracting relationships are robustly monitored and managed to ensure successful delivery of this Contract, and ensure that robust contingency arrangements exist to mitigate the risk of any partner and/or sub-contractor failing to engage prior to, and post award of Contract. The Authority may adopt some or all of the elements of the Industry Standard Partnering Agreement (ISPA) and associated market stewardship principles

## **6 Quality, Evaluation, Performance and Contract Management**

### **Purpose**

- 6.1 This section provides a summary of the information required to meet contractual obligations relating to quality, evaluation, performance and contract management. Further information will be set out in the Supplier Guidance and Terms and Conditions which will be available with the ITT.
- 6.2 HMPPS is committed to raising the standards of its contracted Provision making continuous improvement an integral part of its contracting arrangements.

### **Contract Performance Management**

- 6.3 ESF contracts will be managed by Contract Performance Managers (CPMs) with support from Contract Support Officers (CSOs). Supplier performance is based on an assessment of quality of service, service level performance and adherence to compliance measures.
- 6.4 Where Suppliers have a supply chain, the Supplier will be responsible for managing their supply chain, including addressing poor performance. The Supplier will need to ensure that all systems and processes used for the monitoring and recording of performance are robust, provide a clear audit trail of evidence and give confidence to HMPPS that the Supplier and their supply chain are delivering the Provision in accordance with the overall contractual obligations.
- 6.5 The Supplier must appoint appropriate named contacts who will work with the HMPPS CPMs to ensure the ESF Provision is delivered as specified in the contract and that required standards and performance levels are met.

### **Performance**

- 6.6 HMPPS operates a robust performance management regime to hold Suppliers to account for performance within their contracts. HMPPS CPMs will hold regular Contract Performance meetings with Suppliers which will focus on achieving contractual performance based on monthly and quarterly Profiles and Service Delivery Standards. Performance will be managed on both quantitative and qualitative aspects of their contracts.
- 6.7 HMPPS will only use MI derived from CATS+ for the ongoing management of the Provision and for discussion with Suppliers. The Supplier will be required to input all MI and Service Level data onto CATS+.
- 6.8 HMPPS's performance teams will visit Supplier premises on a frequent basis (announced and unannounced) to investigate performance (note this can be either under or over-performance as well as issues related to quality and/or integrity of the provision).
- 6.9 As HMPPS is committed to transparency regarding how its programmes are working, Suppliers need to be aware that MI will be shared across Suppliers and may also be fed into published Official Statistics on HMPPS ESF Provision. Consequently Suppliers must treat information they have access to as restricted,

and for their use only, ahead of formal publication. Official Statistics may also cover performance expectations at Supplier level.

*Further information can be found in the Terms and Conditions.*

### **ESF CFO Contract Support Officers (CSO)**

- 6.10 The CSO role is to perform regular evidence-based checks to ensure that all Suppliers are adhering to the delivery offer as set out in their contracts within the Activity Hubs
- 6.11 This includes checking samples of Participant records to validate ESF eligibility, activity and payments linked to Participants supported by the Supplier through the contract and, where relevant, by their supply chain. CSO's will check that the ESF Regulatory Requirements, in terms of Marketing and Publicity; Sustainable Development; Equality and Diversity; and Document Retention are being adhered to. Suppliers may also be invited to submit a Self-Assessment if their CFO CSO deems this to be appropriate.
- 6.12 HMPPS specify the Hub location where the checks will take place and we may expect them to be centralised, HMPPS (at their discretion) may also request to check information via email. All records must be available for inspection at HMPPS' request.
- 6.13 All issues arising from CSO checks are reported to the Supplier, CFO CPM and Contract & Commercial Manager. Contract Performance Meetings with CPMs will include discussions around compliance issues identified by CSOs. Further information regarding the CSO role will be detailed in the ESF Supplier Guidance which will be available with the ITT.
- 6.14 HMPPS reserves the right to carry out physical checks on documentation as part of this process.

### **Quality**

- 6.15 There is an expectation that Suppliers will have Quality Management Systems (QMS) in place to look at improvement and development through a process of continuous self-assessment and action planning during the life of the contract.
- 6.16 A self-assessment report (SAR) must be completed within six (6) months of contract start-up then annually thereafter. The SAR is to be submitted to the CFO Contract Performance Manager and may be followed up by further discussions to agree final version.

### **Evaluation and Reporting**

- 6.17 Independent evaluation will be an important element of the ESF Provision and Suppliers will be asked to co-operate in a range of evaluations, commissioned by the DWP ESF Managing Authority and HMPPS CFO.
- 6.18 The ESF Managing Authority will commission and fund an external independent evaluation of the programme in the form of a cohort survey. The survey will look at the experiences of Participants, both whilst they are on the HMPPS CFO

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programme and for a number of months after they have left the programme. The Supplier will be required to grant access for the evaluators to sites, staff and programme Participants and ensure that contact details for Participants are recorded and kept up to date on the CATS+ application.

- 6.19 Other interested parties and Government Departments as part of wider cross-government agendas may commission further evaluations and Supplier assistance will be expected when required.
- 6.20 As part of this evaluation work, researchers may wish to visit and interview Suppliers and their supply chain, Participants and employers involved in the Provision. Suppliers may be asked to provide the relevant contact details and in order to facilitate this process, Suppliers should seek advance agreement from Participants to take part in evaluations.
- 6.21 Advance notice will be given to Suppliers where their co-operation is required.
- 6.22 An end of project evaluation report will also be produced, highlighting innovative delivery practices and achievements against cross cutting themes.



## **Annex 1: Additional Information**

- A1.1 This section provides additional information and expected delivery standards that Suppliers should consider when setting out their tender.

### **Childcare**

- A1.2 Where it is a barrier to participation in the ESF Provision, childcare can be funded by the Supplier. Childcare for attendance should only be funded for an approved activity, if it is provided by:

- carers registered with Ofsted (Office for Standards in Education);
- a carer accredited under the Childcare Approval Scheme, run on school premises out of school hours or as an out-of-hours club by a Local Authority; or;
- schools or establishments exempted from registration under the Children's Act 1989 or operated on Crown property.

- A1.3 There is no mandated requirement to provide crèche facilities at any of the CFO Activity Hubs, although Suppliers may choose to utilise existing facilities at delivery premises where these are available. However, they must ensure it is the parents' choice whether their child uses the facility. Suppliers should also confirm that any crèche facilities adhere to current legislation.

### **Identity Checks / Disclosure and Barring Service Checks**

- A1.4 Before working with CFO data / systems, you must hold a minimum of Baseline Personnel Security Standard (BPSS).
- A1.5 If you are responsible for working directly with offenders, you must hold a minimum of Baseline Personnel Security Standard (BPSS) and appropriate DBS check.

Additional information is contained within Annex 7.

### **Partnership Working**

- A1.6 During the lifetime of the contracts, there will be regular interactions between Suppliers and HMPPS to ensure the effective delivery of the Provision. Suppliers should ensure they establish robust links with local representatives to facilitate effective partnership working.
- A1.7 The Supplier will be required to work collaboratively with both HMPPS and sub-contractors (where applicable) throughout the life of the contract to resolve any delivery and/or supply chain issues and deliver continuous improvement.
- A1.8 Transparency throughout the Supply Chain will be key to collaborative working and HMPPS will require the Supplier to share market information and good practice via contract review meetings.

### **Working with strategic and local partners:**

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- A1.9 Partnerships are central to the delivery of HMPPS objectives and statutory duties and HMPPS believes that effective partnership working will be key to effective delivery of ESF Provision. As a result, Suppliers are required to work with a wide range of local partners to ensure the best possible experience for every Participant.
- A1.10 Suppliers are required to work with local partners to ensure that proposals reflect the specific needs of Participants across the LEP area and take into account local strategies and services. Suppliers should aim to improve performance and individual service wherever possible and enhance the effective use of public funds in a locality/area.
- A1.11 Local partners may include, but are not limited to:
- DWP/Jobcentre Plus
  - LEPs
  - Local Authorities
  - Employers
  - HM Prison and Probation Service
  - Education and Skills Funding Agency (ESFA)
  - Local health services
  - Voluntary and community sector and specialist organisations
  - Police and Crime Commissioners
  - Courts
  - The Big Lottery Fund

### **Working with Small to Medium Enterprises (SMEs)**

- A1.12 HMPPS is committed to supporting the government target of ensuring that 33% of government spending with third party suppliers goes either directly or indirectly through SMEs, where it is relevant to the contractual requirement and provides value for money. HMPPS therefore actively encourages Suppliers to make their sub-contracting opportunities (if applicable) accessible to SMEs and implement SME-friendly policies by:
- Opening their supply chain to SMEs by splitting requirements into smaller elements to make them more attractive to the SME market whilst bringing innovation, flexibility and value for money;
  - Advertising any sub-contracting opportunities where appropriate and economical to do so, for example by using Contracts Finder or informing local networks/partners;
  - Where possible paying SMEs earlier than the contractual requirement of 30 days from receipt of valid invoice; and
  - Working with SMEs throughout the life of the contract to develop innovative and cost effective solutions delivered through the supply chain.

Regular contract review meetings will be used to explore continued and increased use of SMEs where appropriate throughout the life of the contract.

### **Participant feedback and complaints handling**

- A1.13 Suppliers must have an appropriate complaints process (this should apply to the

whole supply chain) to attempt to resolve Participants' complaints.

- A1.14 Suppliers must explain the feedback and complaints processes to Participants at the start of Provision as part of their induction.

*Further information regarding complaint resolution can be found in the Terms and Conditions.*

### **Business Continuity**

- A1.15 As part of contract implementation, Suppliers will be asked to supply details of how business continuity arrangements will be implemented and how these requirements will be covered. We expect Suppliers to:

- provide a Business Continuity and Disaster Recovery Plan for all services in the format specified in at 41.1 of the Terms and Conditions;
- provide HMPPS with sufficient evidence to demonstrate these are in place;
- regularly test all contingency arrangements, providing relevant evidence and outcomes of tests to HMPPS; and
- immediately notify HMPPS in the event of a business continuity incident or a significant disaster.

### **Data Protection & Data Protection Legislation**

- A1.16 HMPPS treats its information as a valuable asset and considers that it is essential that information must be protected, together with the systems, equipment and processes which support its use. In order to protect Departmental information appropriately, Suppliers and their supply chain (if appropriate) must put into effect and maintain the security and safeguards appropriate to the nature and use of the information. All Suppliers of services to HMPPS must comply with the HMPPS's relevant policies and standards. The Standards are based on ISO/IEC 27001, but with specific reference to the Department's use. Compliance is demonstrated through the completion of a security plan. Bidders are required to submit a draft security plan within 30 Working Days of the Commencement Date and are expected to maintain this.

*Further information can be found in the Terms and Conditions.*

## **Annex 2: ESF Requirements**

- A2.1 It is the Supplier's responsibility to adhere to all ESF requirements and to ensure their supply chain does the same. Suppliers are ultimately accountable for the ESF compliance of their contract. Suppliers should refer to the following for up to date information throughout the contract period:

<https://www.gov.uk/guidance/england-2014-to-2020-european-structural-and-investment-funds>

### **ESF requirements for Marketing and Publicity**

- A2.2 The Suppliers are responsible for complying with contractual requirements for publicity and information-related measures to support ESF, including complying with the publicity requirements of the European Commission.
- A2.3 Suppliers must include the costs of producing publicity material in their tenders.
- A2.4 HMPPS will work with Suppliers on the information that their material needs to cover to ensure the relevant HMPPS and ESF standards are met. HMPPS must approve all publicity material before publication or use and reference should be made to MoJ Press Office media handling requirements as necessary.
- A2.5 Suppliers and their supply chain (if appropriate) must:
- display an ESF 2014 - 2020 poster in all their delivery locations in a prominent place, where it is clearly visible to staff, Participants and wherever possible, others using the building;
  - use the ESF logo with reference to the European Union on any websites, publicity material and project documentation, including forms and letters;
  - make Participants aware that the Provision is ESF funded and they should be reminded of this throughout their activity;
  - provide Supplier and provision details for inclusion in the ESF public databases;
  - develop and maintain a project specific publicity policy covering the contract period;
  - provide HMPPS with 'Good News' stories, including collecting the relevant information and obtaining Participants consent for HMPPS to publicise ESF Provision; and
  - issue Participants with suitable information about the ESF provision on offer.
- A2.6 The ESF Managing Authority (MA) will maintain a database of contracts on the national ESF website. This will include the names of provision, Suppliers and the amount of funding allocated. This will be generated from information supplied by HMPPS CFO to the MA. It may also be used on the European Commission's website. The ESF MA also publish a communications plan which includes information about the role of Suppliers in helping to raise awareness of ESF support for employment Provision among both ESF Participants and the wider general public.

Guidance on the requirements for publicity will be available before contract award.

### **Cross Cutting Themes for ESF Provision**

- A2.7 Suppliers and their supply chain are required to take action to support the ESF cross cutting themes of Gender Equality, Equal Opportunities and Sustainable Development.
- A2.8 Suppliers should fully understand the requirements and the following are some key activities that Suppliers are required to do:
- maintain a project specific equality strategy/policy and implementation plan to be reviewed as required by HMPPS CFO;
  - maintain a project specific sustainable development strategy/policy and implementation plan to be reviewed as required by HMPPS CFO;
  - ensure that a discrimination complaints procedure is in place;
  - ensure an equal opportunities policy is in place for Participants and staff;
  - ensure buildings etc. comply with the Equality Act 2010; and
  - support and be involved in equality impact assessments undertaken by the Department.

Additional guidance on the requirements for Cross Cutting Themes will be available before contract award.

### **ESF Documentation and Evidence Retention Requirements**

- A2.9 Suppliers must keep evidence and key documentation in support of the delivery of and payments for ESF Provision. It is the Supplier's responsibility to ensure that documents and data can be relied on for ESF audit purposes. The Supplier must have robust systems in place to ensure that documentation (paper or electronic) is securely held and is easily retrievable and accessible throughout the retention period.
- A2.10 To meet audit requirements, Suppliers will be required to retain all relevant documentation. This must cover:
- A complete audit trail of all relevant documents at all stages of the process (e.g. Participant and claimed Activity related documentation);
  - Documentation down to individual level against the specific contract to provide evidence of payments claimed from HMPPS – a key EU audit requirement; and
  - Evidence to show compliance with ESF publicity requirements, sustainable development, equality, diversity and equal opportunities.
- A2.11 Documentation must be:
- Properly organised (it is recommended that all the required information for an individual Participant is held on a personal file linked to a contract number, which is cross-referenced to a main file to aid retrieval of specific documents to support audit activity);
  - Maintained in good condition to protect the integrity of the information; and be,
  - Secure, controlled and easy to access if and when required for audit purposes throughout the retention period.
- A2.12 The Supplier must submit a Document Retention Policy to HMPPS demonstrating

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how they will comply with Schedule 5: Records and Retention of the Terms and Conditions within the implementation period prior to Service Delivery. This must include details on how the policy will be implemented (including through the supply chain where applicable), maintained and monitored by the Supplier.

- A2.13 The Supplier (including their supply chain, if appropriate) can be audited by HMPPS Internal Auditors, ESF Audit Authority, the European Court of Auditors or the European Commission and the ESF MA.
- A2.14 HMPPS and The National Archives recommend that electronically held data is migrated onto new formats every five (5) years to ensure the data remains readable and usable.
- A2.15 Details of the documentation that must be retained as a minimum will be issued before contract award.

## Annex 3: Sources of Additional Information<sup>2</sup>

A3.1 Further background information can be found at the following:

HMPPS -

<https://www.gov.uk/government/organisations/her-majestys-prison-and-probation-service/about>

The LEP Network -

<http://www.lepnetwork.net/>

NOMIS Official Labour Market Statistics -

<https://www.nomisweb.co.uk/Default.asp>

General Data Protection Regulation -

<https://gdpr-info.eu/>

<https://www.gov.uk/government/publications/guide-to-the-general-data-protection-regulation>

Office of public sector information - UK legislation:

<http://www.legislation.gov.uk/browse/uk>

Female offenders -

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/719819/female-offender-strategy.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/719819/female-offender-strategy.pdf)

<https://www.gov.uk/guidance/women-convicted-of-crime>

HMPPS Business Plan -

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/724911/HMPPS\\_Business\\_Plan\\_2018-19.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/724911/HMPPS_Business_Plan_2018-19.pdf)

Disclosure and barring –

<https://www.gov.uk/government/organisations/disclosure-and-barring-service>

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

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<sup>2</sup>All links were working at the time of publication.

## Annex 4: Glossary of Terms and Definitions

<b>ACE</b>	Activity Code Evidence – the guide outlining compliance requirements for all activities under the CFO contracts.
<b>Activity Hub/Hub</b>	A Hub is the main location from which the Supplier will deliver activities for Participants.
<b>Bidder</b>	An organisation who responds to the ESF ITT.
<b>Business Continuity and Disaster Recovery Plan</b>	The Plan submitted by the Supplier as detailed in the Terms and Conditions.
<b>Caseload</b>	The amount of individuals assigned to a single CFO Support Worker.
<b>CATS+</b>	Mandated Case and Contract Management IT System available across custody and community which is applied to all HMPPS ESF contracts.
<b>CFO3</b>	HMPPS/ESF Employability programme currently operating across custody and the community. <a href="https://www.co-financing.org/">https://www.co-financing.org/</a>
<b>CFO Supplier</b>	The prime Supplier of services for the CFO contracts.
<b>CFO Support Worker</b>	The standard staffing role delivering CFO services to Participants.
<b>CRCs</b>	Community Rehabilitation Companies.
<b>Critical Success Factors</b>	The factors (i.e. the positive outcomes or benefits) against which the success of a programme will be measured in order to justify the investment.
<b>Crown</b>	As defined in the Terms and Conditions.
<b>Disclosure and Barring Service</b>	The Disclosure and Barring Service (DBS) helps employers make safer recruitment decisions on more than four million people every year. DBS is an executive non-departmental public body, sponsored by the Home Office.
<b>Document Retention Policy</b>	An organisation's established protocol for retaining information for operational or regulatory compliance needs.
<b>ECA</b>	ESF Contract Area - The term used to describe the geographic area of the contract.
<b>Enrolment</b>	As defined in the Terms and Conditions.
<b>ESF 2014-2020 programme</b>	HMPPS CFO deliver against the European Social Fund (ESF) 2014-2020 programme requirements. The purpose of the provision is to meet the Growth Programme's priorities to increase labour market participation, promote social inclusion, and develop the skills of the workforce.
<b>ESF completer</b>	An individual who leaves the CFO programme and receives no further support.



<b>Equality Act 2010</b>	The Equality Act came into force from October 2010 providing a modern, single legal framework with clear law to better tackle disadvantage and discrimination. <a href="https://www.legislation.gov.uk/ukpga/2010/15/contents">https://www.legislation.gov.uk/ukpga/2010/15/contents</a>
<b>ESF Co-Financing Organisation (CFO)</b>	As defined in the Terms and Conditions.
<b>European Commission</b>	The European Commission is the EU's politically independent executive arm. It is alone responsible for drawing up proposals for new European legislation, and it implements the decisions of the European Parliament and the Council of the EU.
<b>European Social Fund (ESF)</b>	As defined in the Terms and Conditions.
<b>Expected Standards</b>	The standard that the Authority expects the Supplier to operate to with regard to practices, methods and procedures associated with financial systems (including the monitoring and transparency) and the environment and culture of the Hub.
<b>HMPPS</b>	Her Majesty's Prison & Probation Service.
<b>Implementation Period</b>	Mobilisation period following contract award to establish delivery ahead of go-live date.
<b>Inactive</b>	Persons not Employed and not Unemployed.
<b>Invitation to Tender (ITT)</b>	A package of documentation issued to Suppliers as part of a Procurement exercise.
<b>LEPs</b>	Local Enterprise Partnerships which are voluntary partnerships between local authorities and businesses.
<b>Managing Authority (MA)</b>	As defined in the Terms and Conditions.
<b>Match Funding</b>	Funding obtained from similar Justice Provision to fund this contract in addition to European Funding.
<b>MoJ</b>	Ministry of Justice.
<b>National Audit Office (NAO)</b>	The National Audit Office (NAO) scrutinises public spending for Parliament. NAOs public audit perspective helps Parliament hold government to account and improve public services.
<b>n-Delius</b>	Probation case management system which operates across community.
<b>NPS</b>	National Probation Service.
<b>Offender Manager (OM)</b>	Responsible for an offender during life of their sentence.
<b>Participant</b>	As defined in the Terms and Conditions.
<b>Performance Manager</b>	As defined in the Terms and Conditions.
<b>P-nomis</b>	Custodial based case management system.

<b>Procurement</b>	The process of purchasing goods and/or service.
<b>Provision</b>	A term used to describe the services offered to a Participant when they are participating in a government programme.
<b>Regional Annex</b>	Holds additional terms applicable to each of the 10 ECAs.
<b>Satellite Hub</b>	A secondary delivery site operating as an extension of the provision at the primary hub site, either as a vehicle for increasing the catchment area or variety of services available. Each hub can have a maximum of two satellites.
<b>Service Start Date</b>	The date from which the supplier will start delivering the provision, once the service has been implemented.
<b>Supplier(s)</b>	The generic term used to describe Suppliers of services relevant to this contract.
<b>TUPE</b>	Means the Transfer of Undertakings (Protection of Employment) Regulations. This is relevant to any redundancy decisions where a business or part of it is transferred from one owner to another.
<b>Unemployed</b>	Persons out of work, available for work and actively seeking work who are registered as a JSA claimant or UC claimant.

## **Annex 5: Other Opt-In Organisations and Co-Financing Organisations**

### **Education and Skills Funding Agency (ESFA)**

- A5.1 The ESFA is responsible for the funding and Procurement of all skills Provision. Suppliers should be clear on the Provision supported by the ESFA to avoid duplication.
- A5. 2 Details of ESFA specifications used for their skills Provision are available from ESFA website: Education and Skills Funding Agency:  
<https://www.gov.uk/government/organisations/education-and-skills-funding-agency>

### **The Big Lottery Fund**

- A5.3 The Big Lottery Fund (BIG) is the largest lottery 'good cause' distributor, funding local projects across England through both targeted strategic investment focused on specific themes and open, demand led programmes that can support local priority projects across a wide range of themes. BIG will offer LEPs who opt in with them a delivery and match funding service to enable them to procure Provision to meet their social inclusion priorities.
- A5.4 Suppliers should be clear on the Provision supported by BIG to avoid duplication.
- A5.5 Further details are available from the BIG website:  
<https://www.biglotteryfund.org.uk/england>

### **Department for Work and Pensions (DWP)**

- A5.6 The DWP as a CFO will support LEPs who opt in with them to procure Provision to support their employment and social inclusion priorities as outlined in their ESF Strategies for the 2014 – 2020 ESF period.
- A5.7 Suppliers should be clear on the Provision supported by the DWP to avoid duplication and be aware of these when developing tenders.
- A5.8 Further details are available via:  
<https://www.gov.uk/government/organisations/department-for-work-pensions>

## **Annex 6: Master VCM List**

The **Variable Compliance Measures** are as follows:

### **6.1 VCM *Contract Compliance***

- Failure to submit robust evidence in support of the delivery
- Failure to submit enrolment forms with complete or correct information
- Failure to complete quarterly sustainable development returns
- Service Level evidence not consistent with given guidelines
- Integrity of delivery offer not consistent with Supplier submission
- Failure to keep up to date Management Information (MI) using mandated Case Assessment and Tracking System (CATS+) for the management of the provision
- Failure to follow change notice process

### **6.2 VCM *Quality of Delivery/Provision***

- Failure to implement and maintain a robust Quality Management System (QMS)
- Number of individual Activities not consistent with commitments within tender submission
- Failure to submit robust evidence against individual Activity Code consistent with given guidelines
- Standard of delivery against individual Activity Code not consistent with Supplier submission
- Failure to facilitate CFO Performance Team site visits/ respond to subsequent recommendations in a timely manner
- Failure to provide adequate levels of assurance in relation to payment claims made

### **6.3 VCM Failure to deliver number of individual Activities as per commitments within tender submission.**

- Number of activities fall below/over commitments within tender submission

### **6.4 VCM *Staffing***

- Failure to recruit appropriately trained/qualified staff
- Failure to have a full staffing complement in place
- Failure to report Health & Safety incidents to the Authority
- Failure to arrange necessary checks for the Disclosure and Barring Service (DBS)

### **6.5 VCM *Stakeholder Engagement***

- Failure to engage with LEPs, CRCs, NPS, PCCs, other ESF delivery e.g. CFO3 to determine appropriate targeting of offenders

#### 6.6 VCM *Diversity/Equal Opportunities*

- Failure to meet the needs of priority groups
- Failure to ensure female Participants are given the option of having female rather than male support worker

*The above list is not exhaustive and if failure falls within one of these categories a VCM will be applied.*

**Note 1:** Where the shortfall relates to a specific Activity Code, this must be specified when applying the VCM.

**Note 2:** Multiple VCMs can be applied, where either shortfalls occurs against more than one Activity Code or separate issues are identified within the VCM codes listed above e.g. where there is both a failure to recruit appropriately trained staff and to report Health & Safety incidents, both of which fall under the Staffing VCM code, two separate VCMs would be applied, with each instance occupying a separate empty VCM slot within the Supplier's CM Annex.

## **Annex 7: Identity Checking and Security Clearance**

- 7.1 Identity checking is important in ensuring people applying for posts working on HMPPS contracts are confirmed as being who they say they are. Security Vetting procedures check they do not pose a threat to security and will not discredit the Service.
- 7.2 All Supplier staff who will be working within the Prison establishments and the National Probation Service offices are required to undergo the identity checking and vetting process.
- 7.3 Names of such staff are to be submitted to the Contract Performance Manager for their respective region who will issue the Supplier with the appropriate form to be completed fully by the employee and, on completion, forward the document to the security vetting department. Aside from carrying out checks prior to commencing employment, the Supplier must ensure that security vetting checks are renewed regularly, with no more than 5 years between checks for any individual.
- 7.4 The Baseline Personnel Security Standard (BPSS) is the minimum requirement. The Supplier must ensure it has mechanisms in place to ensure that any changes in circumstances that could affect the security clearance of Supplier Staff or the integrity of the HMPPS CFO Hubs programme are handled accordingly.

### *Determining Security Clearance Levels*

- 7.5 Conditional appointments may not be offered pending the completion of checks.
- 7.6 The Baseline Personnel Security Standard (BPSS) check consists of several pre-employment checks designed to:
- Ensure that all new, directly recruited staff are entitled to work in the UK, and where appropriate, meet Nationality rules for government service.
  - Guard against the employment of anyone posing as a prospective employee for commercial or personal gain.