



Ministry of  
**JUSTICE**

OFFICIAL SENSITIVE

Contract for the Provision of Learning and Skills at HMP Berwyn

## **SCHEDULE 7 – PRISONS**



## Contract for the Provision of Learning and Skills at HMP Berwyn

### **1. ACCESS TO THE PRISON**

- 1.1 If Staff are required to have a pass for admission to the Prison the Authority, shall, subject to satisfactory completion of approval procedures, arrange for passes to be issued. Any member of the Staff who cannot produce a proper pass when required to do so by any member of the Authority's personnel, or who contravenes any conditions on the basis of which a pass was issued, may be refused admission to the Prison or be required to leave the Prison if already there.
- 1.2 Staff shall promptly return any pass if at any time the Authority so requires or if the person to whom the pass was issued ceases to be involved in the performance of the Services. The Contractor shall promptly return all passes on expiry or termination of the Contract.
- 1.3 Staff attending the Prison may be subject to search at any time. Strip searches shall be carried out only on the specific authority of the Authority under the same rules and conditions applying to the Authority's personnel. The Contractor is referred to Rule 71 of Part IV of the Prison Rules 1999 as amended by the Prison (Amendment) Rules.
- 1.4 Searches shall be conducted only on the specific authority of the Authority under the same rules and conditions applying to the Authority's personnel and/or visitors. The Contractor is referred to Section 8 of the Prison Act 1952, Rule 64 of the Prison Rules 1999 and PSI 67/2011.

### **2. SECURITY**

- 2.1 Whilst at the Prison Staff shall comply with all security measures implemented by the Authority in respect of staff and other persons attending the Prison. The Authority shall provide copies of its written security procedures to Staff on request. The Contractor and all Staff are prohibited from taking any photographs at the Prison unless they have Approval and the Authority's representative is present so as to have full control over the subject matter of each photograph to be taken. No such photograph shall be published or otherwise circulated without Approval.
- 2.2 The Authority may search vehicles used by the Contractor or Staff at the Prison.
- 2.3 The Contractor and Staff shall co-operate with any investigation relating to security which is carried out by the Authority or by any person who is responsible for security matters on the Authority's behalf, and when required by the Authority shall:



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- (a) take all reasonable measures to make available for interview by the Authority any members of Staff identified by the Authority, or by a person who is responsible for security matters, for the purposes of the investigation. Staff may be accompanied by and be advised or represented by another person whose attendance at the interview is acceptable to the Authority; and
- (b) subject to any legal restriction on their disclosure, provide all documents, records or other material of any kind and in whatever form which may be reasonably required by the Authority, or by a person who is responsible for security matters on the Authority's behalf, for the purposes of investigation as long as the provision of that material does not prevent the Contractor from performing the Services. The Authority may retain any such material for use in connection with the investigation and, as far as possible, may provide the Contractor with a copy of any material retained.

### **3. OFFENCES AND AUTHORISATION**

- 3.1 In providing the Services the Contractor shall comply with PSI 10/2012 (Conveyance and Possession of Prohibited Items and Other Related Offences) and other applicable provisions relating to security as published by the Authority from time to time.
- 3.2 Nothing in the Contract is deemed to provide any "authorisation" to the Contractor in respect of any provision of the Prison Act 1952, Offender Management Act 2007 (as amended), Crime and Security Act 2010, Serious Crime Act 2015 or other relevant legislation.