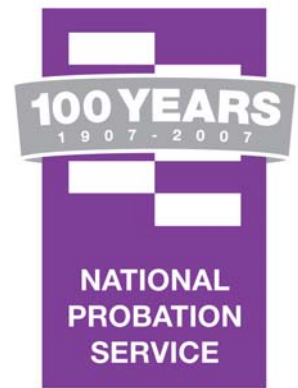


# Probation Circular



## PC38/2007 – INTRODUCTION OF A NEW MEMORANDUM FOR COMMUNITY SERVICE VOLUNTEERS (CSV) PRE RELEASE PLACEMENTS

**IMPLEMENTATION DATE:** 1 January 2008

**EXPIRY DATE:** 1 January 2011

**TO:** Chairs of Probation Boards, Chief Officers of Probation, Secretaries of Probation Boards

**CC:** Board Treasurers, Regional Managers

**AUTHORISED BY:** Sarah Mann, Head of Interventions and Substance Abuse Unit, NOMS  
John Scott, Lead Probation Manager for the Implementation of Offender Management, NOMS

**ATTACHED:** Annex A: Memorandum of Understanding for CSV Placements  
Annex B: Equality Impact Assessment Form

### RELEVANT PREVIOUS PROBATION CIRCULARS

N/A

### CONTACT FOR ENQUIRIES:

Jill Shaw, Interventions and Substance Abuse Unit, NOMS. E-mail: [jill.shaw5@homeoffice.gsi.gov.uk](mailto:jill.shaw5@homeoffice.gsi.gov.uk)  
020 7217 0673

Bobbie Jones, Offender Management Team, NOMS. E-mail: [bobbie.jones71@homeoffice.gsi.gov.uk](mailto:bobbie.jones71@homeoffice.gsi.gov.uk)

## PURPOSE

To inform you, that a new Memorandum of Understanding (MOU) with Community Service Volunteers (CSV) has been agreed. It replaces a previous MOU between the Prison Service and CSV. The new document has been revised to take into account the crucial role of offender managers in sentence planning and risk assessment, and makes them a signatory.

## ACTION

Chief Officers are asked to ensure that the Area instigates the offender management responsibilities set out in the MOU into current business processes as soon as possible and no later than 1 January 2008.

## SUMMARY

The purpose of the Memorandum of Understanding is to ensure that all those who are a party to it are aware of and understand the arrangements under which the volunteer placement takes place. The parties are: the prisoner, the placement organisation, Community Service Volunteers (CSV), the offender manager and the prison establishment.

Prison establishments considering a CSV placement must use the Memorandum of Understanding, signed by all parties involved in the placement.

CSV have received an annual grant from the Prison Service since 1984. The grant covers the provision of up to 150 volunteering placements per year for offenders who are reaching the end of their sentence. Placements take place in a variety of settings and involve an offender residing in an organisation for up to 4 weeks. They will be working alongside other volunteers, supervised on a day to day basis by the placement organisation and monitored by the placement supervisor from CSV. The placement supervisor from CSV is responsible for setting up the placement. It is their responsibility to ensure that project risk assessments are in place, including appropriate Criminal Record Bureau checks.

The Prison Service will ensure that all prisoners are risk assessed prior to Release on Temporary Licence (ROTL) in line with Prison Service Order 6300 and Prison Service Instruction 36/2007. The Prison Service will inform the offender manager once a placement has been identified by CSV. In the case of offenders serving less than 12 months, the prison will notify the Probation Area in which a placement is to be undertaken for information.

Offender managers will be asked to confirm that the placement is consistent with the objectives of the Sentence Plan and to comment on risk of serious harm and victim issues in relation to the offender which need to be borne in mind in relation to the placement. The offender manager is also required to notify the Area in which the placement is to be undertaken if different from their own. They need to highlight any significant risk issues that have been identified in the referral process and to consider if there are issues regarding the victim(s). In the event that the prison service issues a notification about a prisoner for whom an offender manager has not yet been allocated, an appropriate staff member in the Probation Area, should be appointed to undertake the directions in this circular.

The MOU provides amongst other things that the probation office in the placement area will keep a log of offenders from 'other' Areas temporarily resident in the placement and be prepared to offer support to the offender/offender manager/ placement provider in case of a crisis situation arising. However, any behavioural problems will be notified to the prison link officer. The offender manager will make arrangements in advance with CSV to visit the volunteer on placement. Whether a visit is arranged is left to the discretion of the offender manager, section 35 of the MOU does not imply that a visit must take place. CSV will visit at least once, monitor weekly and provide the prison with an end of placement report which is to be shared with the offender manager, via the Prison Service.

## **MEMORANDUM OF UNDERSTANDING FOR CSV PLACEMENTS**

CSV Volunteering Partners has been in receipt of an annual grant from the Prison Service since 1984. The grant covers the provision of up to 150 volunteering placements per year for prisoners who are reaching the end of their sentence.

The purpose of this Memorandum of Understanding is to ensure that all those who are party to it (the prisoner, the placement organisation, Community Service Volunteers (CSV), the offender manager and the establishment) are aware of and understand the arrangements under which the volunteer placement will take place.

### **Summary of Responsibilities – CSV/ Prison Service Pre-Release Scheme**

#### **CSV will:**

1. Interview and match all eligible prisoners nominated by participating prisons with suitable volunteering opportunities.
2. Confirm the details of all placements in writing to the volunteer and Prison Link Officer.
3. Visit each volunteer at least once during the placement period. All volunteers will be contacted at the end of their first week. All placements will be contacted at least weekly to check on progress.
4. Through the Placement Supervisor, monitor the volunteer's timekeeping, performance and conduct, and provide the prison and the volunteer with copies of the final report on achievements at the end of each placement
5. Ensure that placements comply with all Health & Safety regulations currently in force.
6. Ensure that each placement organisation has the relevant insurance cover and has completed a full risk assessment on the volunteer's role including appropriate CRB checks for those volunteering in placements caring for vulnerable people or children in accordance with POCA and POVA arrangements.
7. Ensure that placements are aware of a volunteer's licence conditions and that they do not ask the prisoner to carry out any activity which may cause a breach. All breaches to be reported immediately to the prison.
8. Liaise closely with the Prison Link Officer on all matters affecting volunteers in their placements and act as the first point of contact for both prison and placement staff.
9. Ensure that arrangements are made to cover for absent staff and provide contact details to Prison Link Officers and Placement Supervisors.
10. Comply with all security regulations and good practice guidelines set out in "An Introduction to Working with the Prison Service," (HM Prison Service June 2002)<sup>1</sup>.
11. Treat all personal information about volunteers, including details of criminal records, in accordance with CSV's responsibilities under the Data Protection Act 1998 and ensure that all placement organisations maintain the same approach in relation to this material.

---

<sup>1</sup> 'An Introduction to working with the Prison Service: Guidelines for Voluntary and Community Sector Staff' published by the Prison Service in June 2002.

(See paragraph 18, below).

12. Provide all volunteers who complete placements with a certificate of achievement. Volunteers aged 16 to 25 will also receive accreditation through the Millennium Volunteers scheme.
13. Ensure that placement providers are aware that the prison may wish to visit during the placement of a prisoner volunteer and help to facilitate such visits.
14. Publish a complaints procedure and deal with all complaints in accordance with CSV's Complaints Policy.
15. Ensure that there are adequate control measures and contact arrangements in place at the volunteer's accommodation to enable checks to be made on the prisoner's whereabouts.
16. CSV will provide the prison with an end of placement report (as under 4 above). The Prison will forward a copy of this to the Offender Manager

**The Prison will:**

17. Nominate a Prison Link Officer to liaise with CSV on all matters connected with the scheme
18. Provide CSV with risk assessment information which will assist it in arranging a safe and effective placement, together with details of each prisoner's previous convictions. *Establishments must take care to divulge only those details of a prisoner's previous convictions which are permitted by the Rehabilitation of Offenders Act. (Further information on this aspect can be found in PSO 2300, Annex A, paragraph 77).*
19. Identify and refer eligible volunteers
20. Ensure that all prisoners put forward are risk assessed and eligible for Release on Temporary Licence before they are referred to CSV.
21. Inform the Offender Manager (where there is one) once a placement has been identified by CSV
22. Where there is not an Offender Manager (e.g. prisoners serving a sentence of less than 12 months) the prison will notify the Probation Area in which a placement is to be undertaken (see point 32 below).
23. Provide all information required on the Application Form including details of all previous convictions. (See paragraph 18, above).
24. Keep CSV informed of any change in circumstances that might affect an individual prisoner's ability to volunteer.
25. Avoid, as far as possible, transferring participating prisoners to other establishments.
26. Provide CSV staff with an induction into safe working practices as set out in "An Introduction to Working with the Prison Service"<sup>2</sup>

---

<sup>2</sup> HM Prison Service June 2002

27. Provide CSV and the placement organisation with copies of each prisoner's licence conditions.
28. Pay for or provide transport for volunteers to attend their placements and the volunteer's weekly allowance.
29. Ensure that participating prisoners are provided with adequate and appropriate clothing and sufficient cash to cover incidental expenses while travelling to the placement.
30. Make arrangements in advance with CSV to visit the volunteer on placement, (where this is appropriate and feasible).
31. Undertake other checks on the prisoner by means of telephone calls to the prisoner or to his/her placement or accommodation.

**The Offender Manager will:**

32. The Offender Manager will notify the Probation Office for the area in which the placement is to be undertaken. They will also highlight any significant risk issues that have been identified in the referral process. As appropriate the Police in that area will also be informed, for example, where the prisoner is a prolific or other priority offender (PPO).
33. The Probation Office in the placement area will maintain a log of offenders from 'other' Areas temporarily resident in the placement and be prepared to offer support to the offender/OM/placement provider in case of a crisis situation arising.
34. Where the offender expresses an interest in continuing with the project on release, liaison with the Probation Service in whose area the project is located will be commenced at the earliest opportunity. This is the responsibility of the Offender Manager.
35. Make arrangements in advance with CSV to visit the volunteer on placement.

**The Prisoner is reminded that:**

36. As a serving prisoner you are subject to Prison Service rules or YOI rules throughout your time as a CSV volunteer.
  37. You are released on Resettlement Overnight Release to undertake the CSV placement. Your release Licence will specify the time, location and purpose of the release. The terms of the Licence may be varied only on the authority of the Prison Governor/ Director.
  38. A copy of your Licence will be given to the placement organisation by the Prison/ YOI at the start of your placement.
  39. *You must comply fully with the terms of the Licence and any breach of the terms of the licence may lead to disciplinary action and the cancellation of the placement*
  40. *You must comply fully with the reasonable requirements of the placement organisation, as laid out in the volunteer role description, particularly in relation to timekeeping, performance, conduct and the conditions of the Licence Any breach may result in the termination of the placement and your immediate return to prison.*
-

**The Placement Organisation**

41. The placement organisation will not sign a Memorandum of Understanding for each individual placement, but it will sign an overarching agreement in respect of the undertakings and conditions set out above, and its own responsibilities, as set out immediately below.

**The Placement Organisation will:**

42. Appoint a named placement supervisor to oversee the work of all volunteers and to meet with him/her to give regular feedback.
43. Treat all information about volunteers provided by CSV and HM Prison Service in strict confidence, in accordance with the Data Protection Act 1998.
44. Make a decision on each volunteer offered on the information provided by CSV and without re-interviewing the volunteer.
45. Provide accurate and up to date details of the placement, including the volunteer's duties and emergency contact arrangements (including out of hours arrangements)
46. Provide each volunteer with an induction and further training as appropriate.
47. Comply with all Health & Safety regulations including the provision of evidence that a proper Health & Safety Policy is in place and completing risk assessments on volunteer roles.
48. Provide volunteers with accommodation, meals or a weekly 'food allowance' and meet all incidental expenses incurred by the volunteer in the course of his/her duties.
49. Allow volunteers at least one day (and possibly two) off per week.
50. Liaise with CSV and the referring prison over visits by Prison Service staff during the volunteer's stay. This to include Offender Managers and/or Offender Supervisors.
51. *Immediately inform CSV of any possible breach of licence conditions and liaise closely with CSV over all matters that might affect the volunteer's placement. Should it not be possible to contact CSV, the Placement Supervisor must contact the Prison Link Officer or a manager of the prison.*
52. Maintain a record of each volunteer's attendance and to report all unexplained absences to CSV immediately.
53. Participate in review meetings convened by CSV.

## **SIGNATORIES**

For the establishment:

*[Signature]*

*[Name]*

*[Position/Role]*

*[Date]*

Offender Manager/Supervisor;

*[Signature]*

*[Name]*

*[Position/Role]*

*[Date]*

For CSV:

*[Signature]*

*[Name]*

*[Position/Role]*

*[Date]*

Prisoner:

*[Signature]*

*[Name]*

*[Date]*



## **Equality Impact Assessment**

Preliminary Screening

Statistics & Research

Gathering Evidence through Community Engagement

Assessment & Analysis

Action Plan

The EIA Report

<b>EQUALITY IMPACT ASSESSMENT</b>
Group
Commissioning and Partnerships
Interventions and Substance Abuse

**PRELIMINARY SCREENING**

<b>Date of Screening</b>	16 October 2007
<b>Name of Policy Writer</b>	Jill Shaw
<b>Director General</b>	

Introduction of a Memorandum of Understanding for Community Service Volunteers (CSV) Pre Release Placements		This is a <b>new</b> policy
	<b>x</b>	This is a <b>change</b> to an existing policy
		This is an <b>existing</b> policy

**Policy Aims, Objectives & Projected Outcomes**

To ensure offender managers become a signatory to a Memorandum of Understanding with HMPS and CSV. This will formalise the involvement of the offender manager when a prisoner is referred to a CSV project as part of pre release arrangements within the final 3 months of their sentence.

Will the policy have an impact on national or local people/staff?	YES
Are particular communities or groups likely to have different needs, experiences and/or attitudes in relation to the policy	NO
Are there any aspects of the policy that could contribute to equality or inequality?	NO
Could the aims of the policy be in conflict with equal opportunity, elimination of discrimination, promotion of good relations?	NO
If this is an amendment of an existing policy, was the original policy impact assessed?	N/A

If your answer to any of these questions is **YES**, go on to the full EIA.

If you have answered **NO to any particular questions**, please provide explanatory evidence.

If you have answered **NO to all of these questions** then you must also attach the following statement to all future submissions that are related to this policy and ensure it is signed off by senior management. You must also include this statement within any regulatory impact assessment that is related to this policy.

**“This policy was screened for impact on equalities on [insert date]. The following evidence [Evidence] has been considered. As a result of this screening, it has been decided that a full equality impact assessment is not required. “**

## FULL IMPACT ASSESSMENT

### STATISTICS & RESEARCH

#### What relevant quantitative & qualitative data do you have in relation to this policy?

Please site any quantitative (e.g. statistical research) and qualitative evidence (monitoring data, complaints, satisfaction surveys, focus groups, questionnaires, meetings, research interviews etc) of communities or groups having different needs, experiences or attitudes in relation to this policy area.

<b>Equality Target Areas</b>	<b>How does the data identify potential or known positive impacts?</b>  <b>How does the data identify any potential or known adverse impacts?</b>
<b>Race</b> (consider e.g. nationalities, Gypsies, Travellers, languages)	This policy will improve the risk assessment process for offenders being released to CSV projects. It is not anticipated that this policy will have an adverse impact on race equality.
<b>Disability</b> (consider social access and physical access)	This policy will impact positively by ensuring offender managers are consulted and agree to CSV placements.  It is not anticipated that this policy will impact adversely on individuals with disabilities.
<b>Gender</b>	This policy will ensure offender managers are consulted and agree to CSV placements.  It is not anticipated that this policy will impact adversely on people of either gender.
<b>Gender Identity</b>	This policy will ensure offender managers are consulted and agree to CSV placements.  It is not anticipated that this policy will impact adversely on individuals with different gender identities.
<b>Religion and Belief</b>	This policy will ensure offender managers are consulted and agree to CSV placements.  It is not anticipated that this policy will impact adversely on any religion or belief.
<b>Sexual Orientation</b>	This policy will ensure that offender managers are consulted and agree to CSV placements. It is not anticipated that this policy will impact

	adversely on individuals or groups as a result of their sexual orientation.
<b>Age</b>	This policy will ensure that offender managers are consulted and agree to CSV placements. It is not anticipated that this policy will have any adverse impact on any age group.

**What research have you considered commissioning to fill any data gaps?**

For example, you may need to ensure quantitative & qualitative data groups include stakeholders with respect to this policy.

N.B Include any recommendations in your action plan

This policy has been developed following consultation with NOMS policy leads and CSV. The ongoing impact of the policy will be monitored by NOMS.

**Who are the stakeholders, community groups, staff or customers for this policy area?**

Stakeholders in this policy area include probation areas, prisons, CSV and beneficiary placement organisations.

**What are the overall trends and patterns in this qualitative & quantitative data?**

Disproportionality; regional variations; different levels of access, experiences or needs; combined impacts.

Implementation of the policy is intended to formalise the role of offender managers and Probation Areas when offenders are referred to CSV placements. The ongoing impact of the policy will be monitored by NOMS.

**Please list the specific equality issues that may need to be addressed through consultation (and further research)?**

- It will be necessary to monitor the impact of the policy on the provision of CSV placements and to ensure that as a result of the implementation of the policy no groups of individuals are excluded from participating in this opportunity.

## GATHERING EVIDENCE THROUGH COMMUNITY ENGAGEMENT

**INTERNAL STAKEHOLDER ENGAGEMENT:** Consulting & involving Other Government Departments, Staff, Agencies & NDPBs

<b>Does this policy affect the experiences of staff? How? What are their concerns?</b>	
<b>Staff</b>	This policy arises from the need to ensure offender managers and Probation Areas are formally involved in the management of offenders undertaking CSV placements.
<b>Staff Networks &amp; Associations</b>	
<b>Trade Unions</b>	

**How have you consulted, engaged and involved internal stakeholders in considering the impact of this proposal on other public policies and services?**

For example your policy may affect access to housing, education, health, employment services.

This policy was developed following consultation with internal stakeholders and CSV. It is not anticipated that the policy will impact on other public policies and services.

**What positive and adverse impacts were identified by your internal consultees? Did they provide any examples?**

The policy is intended to complement and add to existing prison service instructions relating to the supervision of offenders undertaking CSV placements.

**Feedback the results of this internal consultation and use it as a basis for work on external consultation**

## **EXTERNAL CONSULTATION & INVOLVEMENT**

<b>How did your engagement exercise highlight positive and negative impacts on different communities?</b>	
<b>Voluntary Organisations</b>	No anticipated impact.
<b>Race</b>	No anticipated impact.
<b>Faith</b>	No anticipated impact.
<b>Disability Rights</b>	No anticipated impact.
<b>Gender</b>	No anticipated impact.
<b>Gender Identity</b>	No anticipated impact.
<b>Sexual Orientation</b>	No anticipated impact.
<b>Age</b>	No anticipated impact.

**Feedback the results of your community engagement (i.e. involvement and consultation) to all participants including internal and external stakeholders**

## **ASSESSMENT & ANALYSIS**

<b>Does the EIA show a potential for differential impact on any group(s) if this proposal is introduced? If Yes, state briefly whether impact is adverse or positive and in what equality areas.</b>
No.

<b>What were the main findings of the engagement exercise and what weight should they carry?</b>
To date no significant negative findings have emerged.

**Does this policy have the potential to cause unlawful direct or indirect discrimination? Does this policy have the potential to exclude certain group of people from obtaining services, or limit their participation in any aspect of public life?**

No. It is not anticipated that the policy will have a negative impact on any group of people.

**How does the policy promote equality of opportunity?**

The policy promotes equality of opportunity by requiring that offender managers participate in the process of assessment and oversight in conjunction with the prison service and CSV to ensure that offenders are safely assessed for placements with beneficiary organisations. This is designed to ensure that the safety of offenders and staff is adequately met and both offenders and staff are protected from oppressive or violent behaviour.

**How does your policy promote good relations? How does this policy make it possible for different groups to work together, build bridges between parallel communities, or remove barriers that isolate groups and individuals from engaging in civic society more generally?**

CSV placements promote community cohesion by enabling offenders to make reparation to the community and gain skills which will reduce the likelihood of further offending.

**How can the policy be revised, or additional measures taken, in order for the policy to achieve its aims without risking any adverse impact?**

No revisions are required. It is not anticipated that the policy will have any adverse impact.

**Are there any concerns from data gathering, consultation and analysis that have not been taken on board?**

Please justify and explain the reason for your decision.

No concerns have arisen from consultation which has taken place.

## ENSURING ACCESS TO INFORMATION

**How can you ensure that information used for this EIA is readily available in the future?**

(N.B. You will need to include this in your action plan)

- This EIA will be available on the Epic intranet.

**How will you ensure your stakeholders continue to be involved/ engaged in shaping the development/ delivery of this policy?**

(N.B. You will need to include this in your action plan)

- It is intended that the impact of the policy will be monitored and stakeholders will therefore have ongoing engagement with the implementation of the policy.

**How will you monitor this policy to ensure that the policy delivers the equality commitments required?**

(N.B. You will need to include this in your action plan)

- The impact of the policy will be monitored via the Resettlement team in the Partnerships Unit, the prison service and CSV.

**Now submit your EIA and related evidence to the Equality & Diversity Unit for quality assurance and clearance.**

## ACTION PLAN

<b>Recommendations</b>	<b>Responsibility</b>	<b>Actions required</b>	<b>Success Indicators</b>	<b>Target Date</b>	<b>What progress has been made?</b>

**Please ensure that the action plan is agreed by your Director/ Minister**

