# Unpaid Work / Community Payback Service

**Specification and Operating Manual for COMMUNITY PAYBACK:**

delivering the sentence of UNPAID WORK

<table>
<thead>
<tr>
<th>This instruction applies to:</th>
<th>Reference:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Probation Services</td>
<td>PI 02/2010</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Issue date</th>
<th>Effective date</th>
<th>Expiry date</th>
</tr>
</thead>
<tbody>
<tr>
<td>15 February 2010</td>
<td>1 April 2010</td>
<td>30 March 2014</td>
</tr>
</tbody>
</table>

Issued on the authority of NOMS Agency Board

For action by Chief Officers/Chief Executives
All staff responsible for delivering Community Payback

For information All staff in Probation Services

Contact

| Jill Shaw, Community Skills and Employment Unit | Jill.shaw@noms.gsi.gov.uk 02072175135 |
| Neill Martin, Community Skills and Employment Unit | Neill.martin@noms.gsi.gov.uk 02072171333 |
| David Mead, Community Skills and Employment Unit | David.mead@noms.gsi.gov.uk |

Associated documents

| Unpaid Work / Community Payback Service Specification, Operating Model, Direct Service Costs & Assumptions, and Cost Spreadsheet (P2.0 and subsequent versions). |
| Operating manual for Community Payback: delivering the sentence of Unpaid Work |

Replaces the following documents which are hereby cancelled:
- PC20/2006
- PC39/2006

Audit/monitoring:

Directors of Offender Management will monitor compliance in their region with the mandatory actions set out in this Probation Instruction. Probation Areas and Trusts must demonstrate compliance with these actions when required to do so by Directors of Offender Management.

Introduces amendments to the following documents. Copies held on EPIC will be amended; hard copies must be amended or cross referenced locally.

None
1. Executive summary

Background

1.1 The Unpaid Work / Community Payback Service Specification was issued to Directors of Offender Management on 5th October 2009 and 29th October 2009 to be forwarded to Probation Areas. This instruction sets the effective date for implementation of the Specification and introduces a synchronised version of the specification and all supporting documents, including the manual Community Payback – delivering the sentence of Unpaid Work. This replaces the Manual on the Delivery of Unpaid Work, issued in 2006 and provides instructions, guidance and standards for the delivery of Community Payback.

Desired outcomes

1.2 That Community Payback is delivered throughout England and Wales in accordance with the Service Specification for Unpaid Work / Community Payback and accompanying instructions guidance and standards contained in the manual that accompanies the Probation Instruction.

Mandatory actions

1.3 Chief Officers and Chief Executives must ensure that Community Payback is delivered in accordance with the Service Specification and instructions and guidance contained in the manual that accompanies this Probation Instruction. This applies equally to Community Payback delivered directly by probation and that delivered by other organisations.

Resource Impact

1.4 The direct service costs are set out in the Specification, Benchmarking and Costing Programme documents that support the Unpaid Work / Community Payback Specification (Annex B).

2. Operational instructions

2.1 The manual at Annex A to this Instruction follows the structure of the Unpaid Work/Community Payback Specification and is designed to provide the detailed operational instructions, standards and guidance necessary to implement the specification.
2.2 The requirement is for the Service Specification to be implemented on 1st April 2010. However, Chief Officers and Chief Executives may wish to ensure that the delivery of Community Payback in their area is reorganised in accordance with the provisions of the operating manual in advance of this date to make preparation easier and to aid Best Value reviews.

2.3 The Service Specification, Operating Model, Direct Service Costs & Assumptions and Cost Spreadsheet can be found electronically on EPIC and the Ministry of Justice website, and the manual can be found electronically on EPIC and the Ministry of Justice website. For ease of use, the forms in the manual Appendices are in Word format. The documents will be updated as necessary, the version identified and the date of amendment noted. It is important that the current version is used.

Further Information

Please see front cover for contact details.

Michael Spurr
Chief Operating Officer, NOMS
Service Specification
for
Unpaid Work / Community Payback

Service Specification Document

This document defines the service, including the required outcome(s) and outputs. As part of an SLA or Contract, the national minimum outputs in this document are mandatory for all providers. The document can also contain optional outputs that are available for DOMs to commission.

## Version Control Table

<table>
<thead>
<tr>
<th>Version No.</th>
<th>Reason for Issue / Changes</th>
<th>Date Issued</th>
</tr>
</thead>
<tbody>
<tr>
<td>P1.0</td>
<td>First publication</td>
<td>05/10/2009</td>
</tr>
<tr>
<td>P1.1</td>
<td>Re-issued with supporting documents</td>
<td>29/10/2009</td>
</tr>
<tr>
<td>P2.0</td>
<td>Re-issued with updated references</td>
<td>28/01/2010</td>
</tr>
</tbody>
</table>
Introduction to Unpaid Work/Community Payback Specification

1. **Service Name**

   **Unpaid Work/Community Payback**

   **N.B.** Unpaid Work is the legal term used in legislation to describe this sentencing disposal. Community Payback is the term now employed by NOMS to promote Unpaid Work to the public and will be used in this specification in respect of the overall scheme to provide Unpaid Work.

2. **Key Outcome(s) for Service**

   - Punishment - Sentence of the Court completed
   - Reparation to the Community (Community Payback)
   - Increased public confidence in the Criminal Justice System
   - Reduced Re-offending

3. **Definition of Service**

   Unpaid Work is one of 12 possible requirements of a Community or Suspended Sentence Order. Adult offenders with an Unpaid Work requirement can be sentenced to between 40 and 300 hours.

   The Sentencing Guidelines Council guidelines suggest the following lengths of Unpaid Work requirements at the three seriousness levels in the community sentencing band:

   - **Low**  40 – 80 hours
   - **Medium**  80 – 150 hours
   - **High**  150 – 300 hours

   **N.B.** In cases of breach of a community order, a minimum of 20 hours Unpaid Work can be added as a new requirement to a community order where that community order does not already contain an Unpaid Work requirement.

   Unpaid Work is likely to be imposed in combination with other requirements of a Community (or Suspended Sentence) Order at high levels of seriousness involving more
complex offender needs.

Unpaid Work meets the sentencing purposes of punishment and reparation. For some offenders there are also rehabilitative benefits, as Unpaid Work can provide an opportunity to develop life and vocational skills that reduce the risk of re-offending.

Before the court can make an Unpaid Work requirement, it must be satisfied that the offender is suitable (e.g. it is usually unsuitable for offenders who pose a very high risk of harm to the public).

Offenders work on projects that benefit the community, such as environmental conservation, decorating and renovating buildings, recycling and working directly with local charities. Offenders can carry out work for Beneficiaries either in individual placements (such as a charity shop) where the Beneficiary provides the direct supervision. More typically, they work in a supervised work group where a Provider (e.g. Probation Area) employed supervisor oversees the work.

Unpaid Work can be either a single requirement of a Community or Suspended Sentence Order (often referred to as a stand-alone) or one of two or more requirements (often referred to as a multiple requirement order). Where there is more than one requirement, then the Offender Manager (and thus the ultimate decision-maker regarding enforcement) will not usually be the Unpaid Work provider.

Unpaid Work requirements can also be made for Young Offenders (16/17 year olds) and more recently for breach of Civil Court enforcement orders. The requirement to wear distinctive orange vests while doing Unpaid Work does not apply to these two groups, which means they should not be mixed in supervised workgroups with adult offenders wearing such vests.

4. Service Elements In Scope

All aspects of the operation of Community Payback schemes and the management of offenders in relation to their Unpaid Work requirement are in scope (save for enforcement decisions in multiple requirement orders), including:

A: Public confidence in Community Payback promoted
B: Stakeholders consulted and informed
C: Suitable placements organised
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>D:</strong> Community Payback scheme is monitored and managed</td>
<td></td>
</tr>
<tr>
<td><strong>E:</strong> Offender prepared for Unpaid Work</td>
<td></td>
</tr>
<tr>
<td><strong>F:</strong> Offender undertakes Unpaid Work</td>
<td></td>
</tr>
<tr>
<td><strong>G:</strong> Unpaid Work requirement is managed and enforced</td>
<td></td>
</tr>
</tbody>
</table>

**N.B.** G above incorporates the Specification, Benchmarking and Costing Programme ‘Early Priorities’ recommendation that the requirement management of offenders on Unpaid Work (previously undertaken in many Probation Areas/Trusts by Offender Managers) should be re-integrated back into Community Payback operations. The costings accompanying this specification are based on the assumption of re-integrated requirement management.

### 5. Out of Scope / Dependent Service Elements

- Enforcement decisions in multiple requirement orders.
- Management of other Community Order requirements with close linkage with Unpaid Work requirement (e.g. Specified Activity with Employment and/or Training component).

### 6. Strategic Context

Unpaid Work, which is usually promoted as ‘Community Payback,’ has the highest profile of all community sentences in terms of public awareness, media coverage and political interest. In 2008, over 100,000 offenders were sentenced to more than 11 million hours Unpaid Work. The length of the average requirement was 110 hours, and just under 8.5 million hours of Community Payback were completed.

The term Unpaid Work was introduced in the Criminal Justice Act 2003, but the concept of compulsory work to benefit the community as a sentence of the court goes back to the 1970’s when Community Service was first developed as an alternative to custody. Community Service remained largely unchanged (albeit it was the first aspect of Probation practice to be subject to National Standards in the early 1990’s) until it was renamed Community Punishment in 2000.

In 2003, Enhanced Community Punishment (ECP) was launched, building on the principles and knowledge base of ‘What Works’. ECP aimed to maximise the rehabilitative elements of the sentence (such as skills learning, problem solving and pro-social modelling). While retaining its
rigour as a punitive sentence. ECP was granted provisional accreditation by the Correctional Services Accreditation Panel in 2003. Probation Areas made substantial changes to their Community Punishment schemes to meet the demands of ECP.

However, within months of its inception, there was a relaxation in ECP requirements (in respect of supervisors undertaking specialist training and managing offenders in groups of no more than six) due to escalating costs, and the provisional accreditation subsequently lapsed.

Thereafter the 42 Probation Areas moved away from ECP towards a more punishment-orientated and cost-effective approach. Across England and Wales, there is significant variation in both how and what is delivered. Significant remnants of the 2003 Enhanced Community Punishment model still influence provision. There are abundant examples of pilots and specific initiatives (e.g. employment-related projects, specialist provision for women offenders) but this is often patchy (in some localities), short term (based on start up funding pots), and rarely standardised.

In 2005, Community Payback was launched as a national strategy to make Unpaid Work more visible in local communities and to enable the public to become more directly involved in the identification of work projects. The Unpaid Work requirement is now referred to and marketed both nationally and locally as ‘Community Payback’. There is an ongoing Ministerial emphasis on visibility (e.g. through offenders wearing distinctive orange vests marked with the Community Payback logo) and new initiatives to encourage public confidence via community participation in project selection.

In 2008, a report by Louise Casey entitled ‘Engaging Communities in Fighting Crime’ made a number of proposals in relation to Unpaid Work including:

- consistent use of the term ‘Community Payback’ in describing work undertaken by offenders
- making the work more visible and demanding
- that it should be undertaken with greater intensity.

The Casey Review has been very significant in terms of Unpaid Work/Community Payback policy development in the last 12 months. It particularly champions visibility and initiatives to encourage public confidence in Community Payback. The Review emphasises the primacy of punishment and reparation/payback to the community with much less emphasis on the rehabilitation of offenders.
Until 2006, the case management of offenders on Unpaid Work requirements (i.e. assessment, motivation, and enforcement) was integrated into Unpaid Work/Community Payback operations. However, the implementation of the National Offender Management Model led to the majority of Probation Areas transferring responsibility for the case management of offenders on Unpaid Work requirements to Offender Management teams.

This change was largely at the behest of Regional Offender Managers (ROMs) who were keen to establish the Purchaser/Provider split between Offender Management and Interventions.

In late 2008, the Specification, Benchmarking and Costing Programme ‘Early Priorities’ report on identifying savings in Probation expenditure found that the split in responsibilities between Offender Management and Interventions had built in inefficient processes, impacting significantly on Community Payback performance and costs.

The report recommended that the management of offenders on Unpaid Work requirements should be re-integrated back into Community Payback operations.

The report made two other recommendations in respect of Unpaid Work:

- Individual/Agency placements should increase from an estimated national average of 23% to 33%
- The size of supervised work groups should increase from an estimated national average of 5.5 to 7

The three recommendations were approved, and thus the Operating Model and Direct Service Costs and Assumptions accompanying this specification assume their implementation.
### 7. Flexibility

All the outputs in this specification are mandatory – referred to as the **National Minimum** – except for the final two (Row 39 ‘Targeted Intervention - Employment Skills’ and Row 40 ‘High Profile Projects’) which are **Options Available for Directors of Offender Management (DOMs) to Commission**.

### 8. Reference to Supporting Documents

This Service Specification is supported by an Operating Model document, a Direct Service Costs & Assumptions document and a Cost Spreadsheet.

### 9. Example Methods of Measurement / Assurance

The specifications identify examples of methods to measure / obtain assurance on the delivery of the outputs/output features. Where an output/output feature does not have Performance Indicator(s) or Management Information associated with it, then it is proposed that it should be covered by Contract/SLA Management and/or NOMS Internal Audit of the service.

Contract/SLA Management refers to the DOM, under the terms of the Contract/SLA, exercising appropriate oversight and monitoring of Contract/SLA compliance against the service as a whole, including site visits, file inspections and review meetings. NOMS Audit may refer to individual reviews of compliance commissioned by DOMs or to service wide reviews of a key process contributing to the delivery of an outcome in a Service Specification.

### 10. References for Detailed Mandatory Instructions

The national Community Payback manual has been rewritten to reflect the outputs and output features of this specification. The page references are referred to in this specification. The manual is comprehensive and encompasses both mandatory and non-mandatory guidance.

### 11. References for Non-Mandatory Guidance

The Community Payback manual is comprehensive and encompasses both mandatory and non-mandatory guidance.

### 12. Review

Review cycle to be determined
### National Minimum

<table>
<thead>
<tr>
<th>Service Element</th>
<th>Outputs / Output Features</th>
<th>Row</th>
<th>Applicable Offender Types</th>
<th>Policy Theme</th>
<th>Example Methods of Measurement / Assurance</th>
<th>References for Detailed Mandatory Instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Confidence Promoted</td>
<td>All suitable Community Payback placements are made visible to the local community, including the wearing of distinctive clothing</td>
<td>1</td>
<td>Adult offenders only (not Young Offenders or Civil Court enforcement orders)</td>
<td>Casey Review</td>
<td>Current Probation Area Return</td>
<td>Community Payback Manual Pages 6-13</td>
</tr>
<tr>
<td></td>
<td>Public is given opportunity to express their views as to the suitability of Community Payback projects in their local community.</td>
<td>2</td>
<td>All offenders</td>
<td>Casey Review</td>
<td>Potential Performance Indicator via Survey</td>
<td>Community Payback Manual Pages 6-13</td>
</tr>
<tr>
<td></td>
<td>Local forums (such as a Crime and Disorder Reduction Partnership/CDRP or Community Safety meeting) are consulted about suitable Community Payback projects to promote public confidence and prevent crime.</td>
<td>3</td>
<td>All offenders</td>
<td>Casey Review</td>
<td>Contract /SLA Management and/or NOMS Internal Audit</td>
<td>Community Payback Manual Pages 6-13</td>
</tr>
<tr>
<td></td>
<td>Placement sourcing will take account of the views of local people regarding suitable Community Payback projects.</td>
<td>4</td>
<td>All offenders</td>
<td>Casey Review</td>
<td>Contract /SLA Management and/or NOMS Internal Audit</td>
<td>Community Payback Manual Pages 6-13</td>
</tr>
<tr>
<td>Stakeholders consulted and informed</td>
<td>Media and community relations are proactively managed to promote public confidence, and an annual report is produced detailing all Community Payback projects undertaken.</td>
<td>5</td>
<td>All offenders</td>
<td>Casey Review</td>
<td>Potential Performance Indicator via Survey</td>
<td>Community Payback Manual Pages 6-13</td>
</tr>
<tr>
<td></td>
<td>Report writers are provided with information regarding Community Payback projects and Unpaid Work requirements to inform their assessment of suitability.</td>
<td>6</td>
<td>All offenders</td>
<td></td>
<td></td>
<td>Community Payback Manual Pages 14-15</td>
</tr>
</tbody>
</table>
### Stakeholders consulted and informed (continued)

Sentencers are provided with information regarding Community Payback projects and Unpaid Work requirements to inform their sentencing decisions.

<table>
<thead>
<tr>
<th>Service Element</th>
<th>Outputs / Output Features</th>
<th>Applicable Offender Types</th>
<th>Policy Theme</th>
<th>Example Methods of Measurement / Assurance</th>
<th>References for Detailed Mandatory Instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>All offenders</td>
<td></td>
<td>Potential Performance Indicator via Survey</td>
<td>Community Payback Manual Pages 14-15</td>
</tr>
</tbody>
</table>

### Suitable placements organised

Work undertaken by offenders is rigorous and demanding to meet the public expectations of punishment and provide payback to the community.

**Placement Sourcing** will seek to maximise community and environmental benefit. This could include high profile but low volume projects (e.g. Graffiti removal). Such projects will be locally commissioned by the Director of Offender Management - see Row 40.

<table>
<thead>
<tr>
<th>Service Element</th>
<th>Outputs / Output Features</th>
<th>Applicable Offender Types</th>
<th>Policy Theme</th>
<th>Example Methods of Measurement / Assurance</th>
<th>References for Detailed Mandatory Instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>All offenders</td>
<td></td>
<td>Contract / SLA Management and/or NOMS Internal Audit</td>
<td>Community Payback Manual Pages 16-24</td>
</tr>
</tbody>
</table>

Placements are assessed in accordance with Health and Safety requirements.

<table>
<thead>
<tr>
<th>Service Element</th>
<th>Outputs / Output Features</th>
<th>Applicable Offender Types</th>
<th>Policy Theme</th>
<th>Example Methods of Measurement / Assurance</th>
<th>References for Detailed Mandatory Instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>All offenders</td>
<td></td>
<td>Contract / SLA Management and/or NOMS Internal Audit</td>
<td>Community Payback Manual Pages 16-24</td>
</tr>
</tbody>
</table>

Sufficient placements are provided that meet the placement quality standard.

<table>
<thead>
<tr>
<th>Service Element</th>
<th>Outputs / Output Features</th>
<th>Applicable Offender Types</th>
<th>Policy Theme</th>
<th>Example Methods of Measurement / Assurance</th>
<th>References for Detailed Mandatory Instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>All offenders</td>
<td>Skills and employment pathway</td>
<td>Contract / SLA Management and/or NOMS Internal Audit</td>
<td>Community Payback Manual Pages 16-24</td>
</tr>
</tbody>
</table>

Beneficiary surveys are undertaken for all Community Payback projects.

<table>
<thead>
<tr>
<th>Service Element</th>
<th>Outputs / Output Features</th>
<th>Applicable Offender Types</th>
<th>Policy Theme</th>
<th>Example Methods of Measurement / Assurance</th>
<th>References for Detailed Mandatory Instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>All offenders</td>
<td>Casey Review</td>
<td>Planned Performance Indicator via Survey</td>
<td>Community Payback Manual Pages 16-24</td>
</tr>
</tbody>
</table>

### Scheme is monitored and managed

Case records are maintained.

<table>
<thead>
<tr>
<th>Service Element</th>
<th>Outputs / Output Features</th>
<th>Applicable Offender Types</th>
<th>Policy Theme</th>
<th>Example Methods of Measurement / Assurance</th>
<th>References for Detailed Mandatory Instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>All offenders</td>
<td></td>
<td>Contract / SLA Management and/or NOMS Internal Audit</td>
<td>Community Payback Manual Pages 25-29</td>
</tr>
</tbody>
</table>

Data is provided as required for performance and statistical returns.

<table>
<thead>
<tr>
<th>Service Element</th>
<th>Outputs / Output Features</th>
<th>Applicable Offender Types</th>
<th>Policy Theme</th>
<th>Example Methods of Measurement / Assurance</th>
<th>References for Detailed Mandatory Instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>All offenders</td>
<td></td>
<td>Contract / SLA Management and/or NOMS Internal Audit</td>
<td>Community Payback Manual Pages 25-29</td>
</tr>
<tr>
<td>Service Element</td>
<td>Outputs / Output Features</td>
<td>Row #</td>
<td>Applicable Offender Types</td>
<td>Policy Theme</td>
<td>Example Methods of Measurement / Assurance</td>
</tr>
<tr>
<td>-----------------</td>
<td>---------------------------</td>
<td>-------</td>
<td>--------------------------</td>
<td>-------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>Scheme is monitored and managed (continued)</td>
<td>Community Payback staff are competent for the work they undertake.</td>
<td>15</td>
<td>All offenders</td>
<td>Contract /SLA Management and/or NOMS Internal Audit</td>
<td>Community Payback Manual Pages 25-29</td>
</tr>
<tr>
<td></td>
<td>Equipment and transport are provided and maintained safely.</td>
<td>16</td>
<td>All offenders</td>
<td>Contract /SLA Management and/or NOMS Internal Audit</td>
<td>Community Payback Manual Pages 25-29</td>
</tr>
<tr>
<td></td>
<td>Worksites and placements are subject to oversight, monitoring and quality assurance.</td>
<td>17</td>
<td>All offenders</td>
<td>Contract /SLA Management and/or NOMS Internal Audit</td>
<td>Community Payback Manual Pages 25-29</td>
</tr>
<tr>
<td>Offender prepared for work</td>
<td>Offender assessed and allocated to placement that takes account of risk status.</td>
<td>18</td>
<td>All offenders</td>
<td>Contract /SLA Management and/or NOMS Internal Audit</td>
<td>Community Payback Manual Pages 30-39</td>
</tr>
<tr>
<td></td>
<td>Offender assessed in respect of potential attendance and, where required, a Compliance Plan is developed and implemented.</td>
<td>19</td>
<td>All offenders</td>
<td>Offender Compliance Current Performance Indicator (Proxy)</td>
<td>Community Payback Manual Pages 30-39</td>
</tr>
<tr>
<td></td>
<td>Offender undertakes pre-placement induction within prescribed timescales.</td>
<td>20</td>
<td>All offenders</td>
<td>Current Performance Indicator</td>
<td>Community Payback Manual Pages 30-39</td>
</tr>
<tr>
<td></td>
<td>Diverse needs of offenders, including their personal safety, are identified and matched to suitable placements.</td>
<td>21</td>
<td>Vulnerable, Disabled, BME and Female offenders</td>
<td>Diversity</td>
<td>Contract /SLA Management and/or NOMS Internal Audit</td>
</tr>
<tr>
<td></td>
<td>Rationale for Placements is formally recorded.</td>
<td>22</td>
<td>Offenders assessed as posing a medium and high risk of harm to the public</td>
<td>Public Protection</td>
<td>Contract /SLA Management and/or NOMS Internal Audit</td>
</tr>
<tr>
<td>Offender attends Unpaid Work</td>
<td>Offender is given work instructions for a minimum of 6 hours per week that does not interfere with work/training commitments, caring responsibilities and religious observance.</td>
<td>23</td>
<td>All offenders</td>
<td>Current Performance Indicator</td>
<td>Community Payback Manual Pages 40-45</td>
</tr>
<tr>
<td>Service Element</td>
<td>Outputs / Output Features</td>
<td>Row #</td>
<td>Applicable Offender Types</td>
<td>Policy Theme</td>
<td>Example Methods of Measurement / Assurance</td>
</tr>
<tr>
<td>-----------------</td>
<td>--------------------------</td>
<td>-------</td>
<td>---------------------------</td>
<td>-------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>Offender attends Unpaid Work (continued)</td>
<td>Offender is given work instructions for a minimum of 18 hours per week that does not interfere with work/training commitments, caring responsibilities and religious observance.</td>
<td>24</td>
<td>Offenders subject to Intensive requirements</td>
<td>Current Probation Area Return</td>
<td>Community Payback Manual Pages 40-45</td>
</tr>
<tr>
<td></td>
<td>Worksites and placements are run in accordance with Health and Safety requirements, including the using/wearing of protective equipment.</td>
<td>25</td>
<td>All offenders</td>
<td>Contract /SLA Management and/or NOMS Internal Audit</td>
<td>Community Payback Manual Pages 40-45</td>
</tr>
<tr>
<td></td>
<td>Contingency plans are in place to minimise offender stand-downs.</td>
<td>26</td>
<td>All offenders</td>
<td>Current Performance Indicator</td>
<td>Community Payback Manual Pages 40-45</td>
</tr>
<tr>
<td></td>
<td>Communication and duty systems are in place to provide worksites with emergency support.</td>
<td>27</td>
<td>All offenders</td>
<td>Contract /SLA Management and/or NOMS Internal Audit</td>
<td>Community Payback Manual Pages 40-45</td>
</tr>
<tr>
<td></td>
<td>Offender is enabled to attend employment-related training/education up to a maximum of 20% unpaid work hours ordered.</td>
<td>28</td>
<td>Unemployed offenders</td>
<td>Skills and employment pathway</td>
<td>Potential Performance Indicator</td>
</tr>
<tr>
<td>Requirement is managed and enforced</td>
<td>Offender is supported and motivated to maximise attendance.</td>
<td>29</td>
<td>All offenders</td>
<td>Offender Compliance</td>
<td>Current Performance Indicator (Proxy)</td>
</tr>
<tr>
<td></td>
<td>Offender's placement is reassessed and reviewed in light of new risk information.</td>
<td>30</td>
<td>All offenders</td>
<td>Contract /SLA Management and/or NOMS Internal Audit</td>
<td>Community Payback Manual Pages 46-54</td>
</tr>
<tr>
<td></td>
<td>Offender Managers are provided with timely information regarding offender’s attendance, behaviour and risk indicators.</td>
<td>31</td>
<td>Offender subject to multiple requirements and Young Offenders</td>
<td>Contract /SLA Management and/or NOMS Internal Audit</td>
<td>Community Payback Manual Pages 46-54</td>
</tr>
<tr>
<td></td>
<td>Failure to attend is followed up within prescribed timescales.</td>
<td>32</td>
<td>All offenders</td>
<td>Current Performance Indicator</td>
<td>Community Payback Manual Pages 46-54</td>
</tr>
<tr>
<td>Service Element</td>
<td>Outputs / Output Features</td>
<td>Row #</td>
<td>Applicable Offender Types</td>
<td>Policy Theme</td>
<td>Example Methods of Measurement / Assurance</td>
</tr>
<tr>
<td>-----------------</td>
<td>------------------------------------------------------------------------------------------</td>
<td>-------</td>
<td>----------------------------------------------------------------</td>
<td>--------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>Requirement is managed and enforced (continued)</td>
<td>Relevant information regarding failure to attend is communicated to the Offender Manager within prescribed timescales.</td>
<td>33</td>
<td>Offenders subject to multiple requirements and Young Offenders</td>
<td>Current Performance Indicator</td>
<td>Community Payback Manual Pages 46-54</td>
</tr>
<tr>
<td></td>
<td>Where appropriate breach action instigated within prescribed timescales.</td>
<td>34</td>
<td>All offenders on standalone requirements</td>
<td>Current Performance Indicator</td>
<td>Community Payback Manual Pages 46-54</td>
</tr>
<tr>
<td></td>
<td>Where required, relevant Community Payback staff attend court to give evidence.</td>
<td>35</td>
<td>All offenders</td>
<td>Contract /SLA Management and/or NOMS Internal Audit</td>
<td>Community Payback Manual Pages 46-54</td>
</tr>
<tr>
<td></td>
<td>Case record and administrative procedures are completed.</td>
<td>36</td>
<td>All offenders</td>
<td>Contract /SLA Management and/or NOMS Internal Audit</td>
<td>Community Payback Manual Pages 46-54</td>
</tr>
<tr>
<td></td>
<td>Requirement is completed within a 12-month period.</td>
<td>37</td>
<td>All offenders</td>
<td>Potential Performance Indicator</td>
<td>Community Payback Manual Pages 46-54</td>
</tr>
<tr>
<td></td>
<td>Offenders surveyed regarding their experience of Community Payback.</td>
<td>38</td>
<td>All offenders</td>
<td>Offender Compliance</td>
<td>Potential Performance Indicator via sample Survey</td>
</tr>
</tbody>
</table>

Page 13 of 14
Option(s) Available for Directors of Offender Management (DOMs) to Commission

<table>
<thead>
<tr>
<th>Service Element</th>
<th>Outputs / Output Features</th>
<th>Row #</th>
<th>Applicable Offender Types</th>
<th>Policy Theme</th>
<th>Example Methods of Measurement / Assurance</th>
<th>References for Detailed Mandatory Instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Targeted Intervention - Employment Skills</td>
<td>Placements are provided to maximise opportunities for the development and accreditations of skills to meet the needs of offenders with an identified employment need.</td>
<td>39</td>
<td>Unemployed offenders</td>
<td>Skills and employment pathway</td>
<td>Potential Performance Indicator</td>
<td>Community Payback Manual Page 55</td>
</tr>
<tr>
<td>High Profile Projects</td>
<td>High Profile Projects (as referred to in the mandatory National Minimum Row 9) will be locally commissioned.</td>
<td>40</td>
<td>All offenders</td>
<td></td>
<td></td>
<td>Community Payback Manual Pages 18-20</td>
</tr>
</tbody>
</table>
Service Specification for Unpaid Work / Community Payback

Operating Model Document

This document describes the inputs and processes that can deliver the outputs in the specification efficiently and effectively. The inputs and processes have been identified through benchmarking in probation areas by the NOMS Specification, Benchmarking and Costing programme. The Operating Model is the basis for the calculation of direct service costs and is also available for probation managers to compare to their current practice.

The operating model is not mandated by the Service Level Agreement or Contract.
## Version Control Table

<table>
<thead>
<tr>
<th>Version No.</th>
<th>Reason for Issue / Changes</th>
<th>Date Issued</th>
</tr>
</thead>
<tbody>
<tr>
<td>P1.0</td>
<td>First publication</td>
<td>29/10/2009</td>
</tr>
<tr>
<td>P2.0</td>
<td>Re-issued to accompany updated Specification</td>
<td>28/01/2010</td>
</tr>
</tbody>
</table>
About this document:

This document should be read in conjunction with the Service Specification document, the Direct Service Costs & Assumptions document and the Cost Spreadsheet.

This Operating Model is presented in the format of a NIMBUS process map, which will be available shortly to be viewed in an interactive format.

This Operating Model is set out in two sections:
1) Organisational Processes (from page 4 below)
2) Offender Processes (from page 11 below)

Key

- Process description
- Grade of staff to deliver process
- Duration of time taken to deliver the process
- Supporting information

THIS OPERATING MODEL IS NOT MANDATORY
Organisational Processes

All Staff timings (Du) in Organisational Processes are per 100,000 offender hours worked

See further details on page 5 below

See further details on page 6 below

See further details on pages 7-9 below

See further details on page 10 below
Public Confidence Promoted

Minimum Requirement: All suitable Community Payback placements should be made visible to the local community including the wearing of distinctive clothing.

- Every effort should be made to inform the local public about Community Payback projects undertaken in their community by proactive liaison with all types of local media, including newspapers, radio and regional television.
- Annual report should be produced detailing all Community Payback projects undertaken (this should be a stand-alone document made available in print/web site).

1. **Public given opportunity to express views as to suitable projects**
   - $D_u = 240.00h$
   - Band 4
   - Band 4 Premium
   - Band 5
   - Band 5 Premium

2. **Community Safety Forums consulted regarding suitable projects**
   - $D_u = 200.00h$
   - Band 4
   - Band 5

3. **Media and Community relations proactively managed**
   - $D_u = 160.00h$
   - Band 4
   - Band 5
Stakeholders consulted and informed

1. Report writers kept informed of Community Payback Schemes
   - Du=75.00h
   - Band 4

2. Sentencers kept informed of Community Payback Schemes
   - Du=150.00h
   - Band 4
   - Band 4 Premium
   - Band 5
   - Band 5 Premium

This should be achieved by written information and/or presentations at relevant meetings to aide sentencing decision making and assessment of suitability.

This should be achieved by written information and/or visits/presentations to team meetings to aide report writers in their assessment of suitability.
Sufficient and Suitable Placements Organised

- Work undertaken by offender should be rigorous and demanding to meet the public expectations of punishment and provide payback to the community.
- Sufficient placements should be provided to meet local SLA targets and projects should meet the placement quality standard.
- Placement sourcing will seek to maximise community and environmental benefit.

1. Placements identified
   - Du=504.00h
   - Band 3
   - Band 4

2. Placements assessed in accordance with health and safety requirements
   - Du=835.00h
   - Band 3

3. Contract with Beneficiary agreed
   - Du=201.25h
   - Band 3

4. Relationship with Beneficiary Managed
   - Du=500.00h
   - Band 3
   - Band 4

5. Work Project completed
   - Du=100.00h
   - Band 4

On completion of each project (or annually for long term work) the Beneficiary must be given the opportunity to place on record their views and levels of satisfaction.
Sufficient Placements Provided

Assumptions for Women Offenders: 50% individual placements, 25% standard groupwork projects, 25% specialist groupwork projects (see box 2 on page 9)
Specialist Groupwork Projects Provided

1. Projects in High Sparsity Localities
   - Average size 5 offenders
   - Projects covering specific localities where demand is insufficient for standard sized groups to operate

2. Projects for Women Offenders
   - Average size 4 offenders
   - Projects meeting their specific needs as identified in the Good Practice Guide on Women Offenders

3. DOM Commissioned
   - Average size 5 offenders
   - Projects undertaking specific work requested by the public/CDRPs (e.g. graffiti removal) which cannot provide sufficient work for a standard sized group

4. DOM Commissioned Option
   - Average size 7 offenders
   - Projects providing opportunities for the development and accreditation of skills to meet the need of offenders with an identified employment need
Unpaid Work/Community Payback scheme is monitored and managed.

There must be a recorded programme of periodic management visits to all worksites (including weekends) to ensure projects are run in accordance with the national specification for Unpaid Work/Community Payback and all health and safety requirements. Community Payback staff are competent for the work they undertake.

1. Equipment and transport will be provided and maintained safely
   \( Du = 500.00 \text{h} \)
   Band 3
   Band 4

2. Data will be provided to NOMS as required for performance and statistical returns
   \( Du = 200.00 \text{h} \)
   Band 4
   Band 2

3. Worksites subject to Quality Assurance
   \( Du = 367.00 \text{h} \)
   Band 4
   Band 4 Premium
   Band 5
   Band 5 Premium
Offender Processes

Staff timings (Du) in Offender Processes are per average Unpaid Work Requirement of 110 hours based on the following assumptions:-

- 90 hours for individual placements
- 120 hours for groupwork placements
- 50% weekday, 50% weekend split for groupwork placements
- 80% standard 20% specialist project provision
- Of specialist provision 75% will be weekday

See further details on page 12 below
See further details on pages 13-14 below
See further details on pages 15-16 below
See further details on page 17 below
Offender prepared for work

(This covers the first two offender hours worked and includes assessment and induction)

1. Pre-Sentence liaison with report writer
   - Du=1.00'
   - Band 3

2. Receive notification of UPW requirement or transfer in
   - Du=15.00'
   - Band 2

3. Open case file
   - Du=30.00'
   - Band 2

4. Assess offender for placement suitability
   - Du=90.00'
   - Band 3
   - Band 3 Premium

5. Allocate offender to placement
   - Du=20.00'
   - Band 3

6. Offender undertakes pre placement induction
   - Du=55.00'
   - Band 3
   - Band 3 Premium

Occasional pre court liaison anticipated regarding suitability e.g. shift workers, offenders on incapacity benefit etc.

Relevant information collated (court reports, previous convictions etc.). Electronic and manual case file created and appropriately stored.

A risk of harm screening assessment should have been completed by the report writer. If not this must be undertaken prior to allocation.

The offender should also be assessed in respect of their potential attendance and, where required, a compliance plan developed and implemented.

For offenders presenting a medium and high risk of harm to the public the rationale for placement must be formally recorded.

Diverse needs of vulnerable, disabled, BME and female offenders including personal safety are identified and matched to suitable placements.

Induction must cover unpaid work rules, attendance and enforcement procedures and worksite health and safety.
Work instructions should be for a minimum of 6 hours per week (or 18 for intensive requirements) and not interfere with work/training commitments, caring responsibilities and religious observance.

1. Offender scheduled to work
   - Duration: 54.00' (Band 2)

2. Non-compliance is enforced
   - Duration: 166.50' (Band 2, Band 3)

3. Offender attends groupwork project on weekday
   - Duration: 1031.00' (Band 3)

4. Offender attends specialist group project provision on weekday
   - Duration: 1443.00' (Band 3)

5. Offender attends groupwork projects at weekend
   - Duration: 1031.00' (Band 3 Premium)

6. Offender attends specialist group project provision at weekend
   - Duration: 1443.00' (Band 3 Premium)

7. Workgroups co-ordinated and provided with support on a weekday
   - Duration: 231.00' (Band 3)

8. Workgroups co-ordinated and provided with support at weekend
   - Duration: 202.00' (Band 3 Premium)

9. Record of hours worked collated and recorded
   - Duration: 95.00' (Band 2)

Offender Attends Groupwork Placement
(Based on average 120 hour requirement and 6.5 hours offender hours worked per session)

- Following each work session there should be liaison with each project/placement to gather relevant information regarding offender’s behaviour and progress.
- Attendance at employment related training/education can contribute up to 20% of Unpaid Work hours.
Appropriate enforcement is applied to Groupwork Placement

( Based on an average of 34% of offenders instructed to work will not attend )
Offender attends Individual/Agency placement

(Based on an average 90 hour requirement)

1. Offender introduced to Agency
   
   $D_u = 60.00'$
   
   Band 3
   Band 3 Premium

2. Record of hours collated and reported
   
   $D_u = 180.00'$
   
   Band 2

3. Placement monitored and supported
   
   $D_u = 240.00'$
   
   Band 3
   Band 3 Premium

4. Non-compliance is enforced
   
   $D_u = 85.50'$
   
   Band 2
   Band 3

Attendance at employment related training/education can contribute up to 20% of Unpaid Work hours.

Placements run in accordance with health and safety requirements.
Appropriate enforcement is applied to Individual/Agency placement

(Based on an average of 20% of offenders instructed to work will not attend)

1. Failure to attend investigated
   - Failure to attend must be followed up within the prescribed time scales
   - Stand alone requirement
   - 70%

2. Enforcement action taken where appropriate
   - Band 3
   - Du=15.00'

3. Relevant information regarding failure communicated to offender manager
   - Band 3
   - Du=10.00'

Information regarding failure to attend must be communicated to the Offender Manager within the prescribed time scales.
Requirement is managed

(Based on average of 110 offender hours worked per requirement)

1. Offender supported/motivated to maximise attendance
   - Duration: 120 hours
   - Band: 3

2. Placement and progress kept under review
   - Duration: 60 hours
   - Band: 3

3. Offender Manager provided with timely information
   - Duration: 180 hours
   - Band: 3

4. Requirement completed within 12 months, transferred out or revoked
   - Duration: 60 hours
   - Band: 2 (50%), Band: 3 (50%)

5. Undertake Breach
   - Duration: 120 hours
   - Band: 2
   - Band: 3

- Offender (or sample) surveyed regarding their experience of Community Payback
- If requirement not completed within 12 months then the order should be returned to court for extension
- Case record and all administrative procedures completed
- Where case is transferred out NOMS procedures should be followed

In cases of contested breach Community Payback staff may be required to attend court as witnesses
Service Specification for
Unpaid Work / Community Payback

Direct Service Costs & Assumptions Document

This document presents the direct service costs, describes the approach to costing the operating model and explains the costing assumptions and how they were determined.
Version Control Table

<table>
<thead>
<tr>
<th>Version No.</th>
<th>Reason for Issue / Changes</th>
<th>Date Issued</th>
</tr>
</thead>
<tbody>
<tr>
<td>P1.0</td>
<td>First publication</td>
<td>29/10/2009</td>
</tr>
<tr>
<td>P1.1</td>
<td>Re-issued for clarification in order to align with updated Cost Spreadsheet. Costs amended per hour worked. Costs clarified as immaterial for High Sparsity Locality Groups under the High Profile Projects option.</td>
<td>27/11/2009</td>
</tr>
<tr>
<td>P2.0</td>
<td>Re-issued to accompany updated Specification</td>
<td>28/01/2010</td>
</tr>
</tbody>
</table>
Introduction

All costs have been calculated according to the following key principles of the NOMS cost treatment policy for calculating direct service costs:

- Only direct running costs specific to the service (pay and non-pay) are included;
- Indirect costs (including management costs), overheads, capital and set-up costs are out of scope;
- A 5% tolerance level has been applied to final costs to take account of inevitable ranges in timings;
- National average public sector 2009/10 pay rates have been used.

The direct costs are intended to support local challenge and commissioning discussions and can be used for internal benchmarking within the public sector. They must not be used on their own to determine resource allocations or make comparisons beyond the public sector.

Further work on service costing systems, building on this cost treatment policy, is being taken forward by NOMS to capture full actual costs to meet the requirements of the Carter / NAO reports.

This document should be read with the Service Specification document, Operating Model document and Cost Spreadsheet.
UNCLASSIFIED

Direct Service Costs

The table below summarises the Direct Service Costs.

The table below utilises two cost units for Unpaid Work:
- Cost per offender commencement including *first two hours worked* (e.g. attendance at pre-placement work session (PPWS) session)
- Cost per subsequent offender hour worked

The unit costs are segmented as follows:

- Individual/Agency placements
- Standard group projects during weekdays
- Standard group projects during weekends
- Group projects during weekdays in high sparsity localities
- Group projects during weekends in high sparsity localities

The first two cost rows in the table below are the unit costs for the *National Minimum* (Specification Rows 1-38).

The final two cost rows in the table below identify the *additional* unit costs the *Options Available for Directors of Offender Management (DOMs) to Commission* would incur if commissioned in the Contract / Service Level Agreement with the Provider (Specification Rows 39 and 40).

<table>
<thead>
<tr>
<th>Service</th>
<th>Cost Units</th>
<th>Unpaid Work/Community Payback</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost Units</td>
<td></td>
<td>Individual Placements</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Commencement</td>
</tr>
<tr>
<td>National Minimum</td>
<td></td>
<td>£82.40</td>
</tr>
<tr>
<td>Employment Skills: Row 39</td>
<td></td>
<td>£4.82</td>
</tr>
<tr>
<td></td>
<td></td>
<td>n/a</td>
</tr>
<tr>
<td>High Profile Projects: Row 40</td>
<td></td>
<td>n/a</td>
</tr>
</tbody>
</table>
Assumptions

1. The Operating Model and Direct Service Costs assume the local implementation of the NOMS Specification, Benchmarking and Costing Programme ‘Early Priorities’ recommendations for savings in Community Payback, namely:

   - The management of offenders on Unpaid Work requirements should be re-integrated back into Community Payback operations
   - Individual / Agency placements should increase from an estimated national average of 23% to 33%
   - The size of supervised work groups should increase from an estimated national average of 5.5 to 7

2. Nationally, about 50% of offenders are employed. Generally (but not exclusively), they need to undertake their Unpaid Work requirements at weekends, when additional staffing costs apply. This varies in different parts of England and Wales, and may well change significantly as the recession impacts disproportionately on offenders, many of whom have limited employment skills. It is anticipated that the Service Level Agreement with the Director of Offender Management (DOM) would, on the basis of local offender employment data, identify the implications for funding Community Payback schemes.

3. The concept of a high sparsity locality recognises that, in some parts of the current 42 Provider Areas, the volume of offenders receiving Unpaid Work requirements is so low and public transport so poor that it is not feasible to run standard-sized supervised work groups (average of 7 offenders). This is because in such an area, offenders would spend an unacceptably disproportionate amount of their Unpaid Work hours sitting in a van. It is proposed that the Service Level Agreement with the DOM could, on the basis of local commencement data, identify such localities, where funding would be on the basis of a reduced average group size of 5 offenders.

4. Women Offenders currently constitute 11% of the Community Payback caseload. Row 22 of the Specification states that “Diverse needs of offenders including their personal safety are identified and matched to suitable placements”. It is recognised that, for a significant proportion of women offenders, a mixed group may be an unsuitable environment for them to carry out community payback. Therefore, costings have been based on the following assumptions:

   - 50% of Woman Offenders will attend individual placements
   - 25% will attend standard groupwork placements
UNCLASSIFIED

- 25% will attend specialist provision for women offenders such as a women only workgroup – specialist provision has been costed at 4 offenders per group at weekday rates

5. The Direct Service Costs assume the proportion of 11% of female offenders in order to give average costs.

6. The assumption for costing groupwork projects is that the supervisor starts work 30 minutes before the group commences and works 30 minutes after it finishes and this is accounted for in the generic 16% non-attributable time assumption factored into the salary costs.

7. Previous drafts of the costs for this service used higher assumed percentages for travel and subsistence in high sparsity / rural probation areas. However it was identified through stress testing of the model with areas that this was too high and is now shown as 5% for areas that operate a transport fleet (shown in the spreadsheet as “transport running costs”). This assumption can be varied in the cost spreadsheet.

8. The option available for DOMs to commission on employment and skills is only costed to offenders during the week, therefore no costs are shown for weekend groups for this option.

9. The option available for DOMs to commission on high profile projects now shows no additional costs in high sparsity localities because the high profile projects are costed on the basis of group sizes of 5, which is the same group size assumption already used to cost the national minimum in high sparsity localities.

10. This version is unchanged from P1.1. Version P1.1 contained amended calculations for transport costs and ‘offender scheduled to work’ groupwork costs, updated after technical errors were identified in the operation of Cost Spreadsheet version P1.0.

11. All timings, staff grades and other cost assumptions can be varied in the accompanying Cost Spreadsheet.

The following pages outline in detail the assumptions made on staff resources (pay-bands and timings) in order to produce the Direct Service Costs.
1) Organisational Process

a) Public Confidence Promoted

Public Views

1. Public given opportunity to express views as to suitable projects

\[ Du = 240.00h \]

- Band 4
- Band 4 Premium
- Band 5
- Band 5 Premium

Per 100,000 offender hours worked, based on the following assumptions:

- Four localities
- Attendance at five meetings per annum
- Six hours per meeting (x 2 staff) including preparation, attendance, travel and recording.
- 50/50 split Band 4 & 5 attendance
- 25% of Band 4 & Band 5 time / attendance will be at the premium evening rate of 30%

Community Safety Forums

2. Community Safety Forums consulted regarding suitable projects

\[ Du = 200.00h \]

- Band 4
- Band 5

Per 100,000 offender hours worked, based on the following assumptions:

- Four localities
- Attendance at eight meetings per annum at each locality
- Five hours per meeting including preparation, attendance, travel and recording.
- 50/50 split Band 4 & 5 attendance
UNCLASSIFIED

• Additional liaison and outside meetings with Local Authority officers = 10 hours per annum x 4 localities = 40 hours

**Media / Community relations**

<table>
<thead>
<tr>
<th>3</th>
<th>Media and Community relations proactively managed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Du=160.00h</td>
</tr>
<tr>
<td>Band 4</td>
<td></td>
</tr>
<tr>
<td>Band 5</td>
<td></td>
</tr>
</tbody>
</table>

Per 100,000 offender hours worked, based on the following assumptions:

• Producing copy to communications officer for annual Community Payback Report – 20 hours
• Producing copy to communications officer for periodic news releases – 60 hours per annum.
• Media interviews /media liaison – 40 hours per annum.
• Research relating to media enquiries 40 hours per annum.
• 50/50 split Band 4 & 5 attendance

**b) Stakeholders Consulted and Informed**

**Inform Report Writers**

<table>
<thead>
<tr>
<th>1</th>
<th>Report writers kept informed of Community Payback Schemes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Du=75.00h</td>
</tr>
<tr>
<td>Band 4</td>
<td></td>
</tr>
</tbody>
</table>

Per 100,000 offender hours worked, based on the following assumption

• 15 events per annum (mix of team meetings and staff induction) at five hours per meeting including preparation, attendance, travel and recording.
Sentencers

2
Sentencers kept informed of Community Payback Schemes

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Du=150.00h</td>
<td></td>
</tr>
<tr>
<td>Band 4</td>
<td></td>
</tr>
<tr>
<td>Band 4 Premium</td>
<td></td>
</tr>
<tr>
<td>Band 5</td>
<td></td>
</tr>
<tr>
<td>Band 5 Premium</td>
<td></td>
</tr>
</tbody>
</table>

Per 100,000 offender hours worked, based on the following assumptions:

- Three benches - attendance at four Court based meetings per Bench per annum (5 hours per meeting including preparation, attendance, travel and recording.) = 60 hours
- 9 visits to work sites by Sentencers per annum (Eight hours per visit including preparation, attendance, travel and recording.) = 72 hours
- Producing copy to communications officer for Sentencer newsletters and briefings – 18 hours per annum
- 50/50 split Band 4 & 5 attendance
- 25% of Band 4 & Band 5 attendance will be at the premium evening rate of 30%
c) Sufficient and Suitable Placements Organised

Placements Identified

<table>
<thead>
<tr>
<th>1</th>
<th>Placements identified</th>
</tr>
</thead>
<tbody>
<tr>
<td>Du=504.00h</td>
<td></td>
</tr>
<tr>
<td>Band 3</td>
<td></td>
</tr>
<tr>
<td>Band 4</td>
<td></td>
</tr>
</tbody>
</table>

Per 100,000 offender hours worked, based on the following assumptions:

30 new agency/individual placements required per annum (2 initial visits per annum will not progress to full assessment)

- Estimated that 12 of these placements will be self referred and require 30 minutes initial processing by phone = 6 hours per annum at Band 3
- Estimated that 20 new placements per annum will result from cold calling/meetings at an average of 5 hours each = 100 hours per annum at Band 3
- Estimated that a further 8 hours at Band 3 per annum are taken up by responding to and managing unsuitable referrals.

85 new group projects required per annum (average of 20 sessions at 40 offender hours per session - 8 initial visits per annum will not progress to full assessment)

- Estimated that 48 of these placements will be self referred and require 30 minutes initial processing by phone = 24 hours per annum at Band 3
- Estimated that 20 new placements per annum will result from cold calling/meetings at an average of 5 hours each = 100 hours per annum at Band 3
- Estimated that 25 placement (high profile, CDRP sponsored, specialist need etc) projects a year will require more in depth initial meetings and liaison at an average of 10 hours each = 250 hours split 50/50 between Band 4 & Band 5
- Estimated that a further 16 hours per annum at Band 3 are taken up by responding to and managing unsuitable referrals.
Specialist Placements Provided:

- 1 Projects in High Sparsity Localities
  - Average size 5 offenders
  - Projects covering specific localities where demand is insufficient for standard sized groups to operate

- 2 Projects for Women Offenders
  - Average size 4 offenders
  - Projects meeting their specific needs as identified in the Good Practice Guide on Women Offenders

Based on the following assumption:
- 5 offenders per group

Women Offenders currently constitute 11% of the Community Payback caseload. At row 22 of the specification it states that “Diverse needs of offenders including their personal safety are identified and matched to suitable placements”. It is recognised that for a significant proportion of women offenders a mixed group may be an unsuitable environment for them to carry out community payback. Therefore, costings have been based on the following assumptions:

- 50% of Women Offenders will attend individual placements
- 25% will attend standard groupwork placements
- 25% will attend specialist provision for women offenders such as a women only workgroup – specialist provision has been costed at 4 offenders per group at weekday rates
Specialist Placements Provided:

DOM Commissioned

| 3 | High Profile Low Volume Projects |

Average size 5 offenders

Projects undertaking specific work requested by the public/CDRPs (e.g. graffiti removal) which cannot provide sufficient work for a standard sized group

Based on the following assumption:
- 5 offenders per group

DOM Commissioned Option

| 4 | Skills Development Projects |

Average size 7 offenders

Projects providing opportunities for the development and accreditation of skills to meet the need of offenders with an identified employment need

Based on the following assumptions
- 7 offenders per group (5 in High Sparsity localities)

For 28 offenders (average length 8 months) = 42 per year x 120 hours = 5040 hours

Training
- Two Band 3 Supervisors x 2 training days = 16 hours x 2 = 32 hours

Meetings
- Two Band 3 Supervisors x 4 meetings (4 hours attendance and preparation) = 16 hours x 2 = 32 hours
- One Band 4 Manager x 4 meetings (4 hours attendance and preparation) = 16 hours
UNCLASSIFIED

Assessments for Placements

<table>
<thead>
<tr>
<th>Placement Type</th>
<th>Description</th>
<th>Du</th>
<th>Band</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Placements assessed in accordance with health and safety requirements</td>
<td>835.00h</td>
<td>3</td>
</tr>
</tbody>
</table>

Per 100,000 offender hours worked, based on the following assumptions:

30 new agency/individual placements required per annum (2 initial visits per annum will not progress to full assessment)
- Initial visit - 60 minutes plus 45 minutes travel = 105 minutes x 32 visits = 56 hours
- Risk Assessment visit - 90 minutes plus 45 minutes travel = 135 minutes x 30 visits = 67 hours 30 minutes
- Recording (Health & Safety forms plus Placement Quality Standard Checklist) = 120 minutes x 30 visits = 60 hours

85 new group projects required per annum (average of 20 sessions at 40 offender hours per session - 8 initial visits per annum will not progress to full assessment)
- Initial visit - 60 minutes plus 45 minutes travel = 105 minutes x 93 visits = 162 hours 45 minutes
- Risk Assessment visit - 120 minutes plus 45 minutes travel = 165 minutes x 85 visits = 233 hours 45 minutes
- Recording (Health & Safety forms plus Placement Quality Standard Checklist) = 180 minutes x 85 visits = 255 hours

Beneficiary Contract

<table>
<thead>
<tr>
<th>Contract Type</th>
<th>Description</th>
<th>Du</th>
<th>Band</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Contract with Beneficiary agreed</td>
<td>201.25h</td>
<td>3</td>
</tr>
</tbody>
</table>

Per 100,000 offender hours worked, based on the following assumptions:

- 1 hour 45 minutes per meeting including preparation, attendance, travel and recording
- 85 new group projects per annum and 30 new agency based placements per annum =115
Relationship with Beneficiary Managed

Per 100,000 offender hours worked, based on the following assumptions:

- A total of 200 Beneficiary relationships per annum need to be managed – 75 individual placements and 125 group projects.
- Significant amount of Beneficiary liaison will occur as part of worksite and placement visits (accounted for in “Offender attends Groupwork Placement”) but there will need to be occasional additional liaison particularly in terms of project reviews and when and if any difficulties arise – this is estimated at 2 hours 30 minutes per project per annum = 500 hours.
- Most Beneficiary liaison will be undertaken by Band 3 staff, but some high profile projects will require Band 4 (or occasionally Band 5) involvement therefore costing will be at 70% Band 3 and 30% Band 4

Project Completed

Per 100,000 offender hours worked, based on the following assumption:

- Surveying of 200 new and existing projects per annum (75 individual and 125 group) at 30 minutes average, for initial request to Beneficiary and targeted follow up = 100 hours per annum
d) Community Payback Scheme is Monitored and Managed

Equipment Maintained

1. Equipment and transport will be provided and maintained safely

<table>
<thead>
<tr>
<th>Band 3</th>
<th>Band 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Du=500.00h</td>
<td></td>
</tr>
</tbody>
</table>

Per 100,000 offender hours worked, based on the following assumptions:
(based on field visit estimates)

- 200 hours per annum Transport
- 300 hours per annum Stores
- Split 50/50 between Bands 3 and 4

N.B. Transport and Stores costs apply almost exclusively to groupwork sites rather than individual agency placements.

Data Provided to NOMS

2. Data will be provided to NOMS as required for performance and statistical returns

<table>
<thead>
<tr>
<th>Band 4</th>
<th>Band 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Du=200.00h</td>
<td></td>
</tr>
</tbody>
</table>

Per 100,000 offender hours worked, based on the following assumptions:
(based on field visit estimates)

- 200 hours per annum
- Split 50/50 between Bands 2 and 4
Quality Assurance Visits

3

Worksites subject to Quality Assurance

\[ D_u = 367.00h \]

- Band 4
- Band 4 Premium
- Band 5
- Band 5 Premium

Per 100,000 offender hours worked, based on the following assumptions (based on field visit estimates):

- Worksite visited every 15 sessions worked (600 offender hours worked) - visit lasting 90 minutes including travel and recording = 165 hours per annum at Band 4 (for 67,000 group hours)
- Average of two visits to 75 agency / individual placements per year (600 offender hours worked based on the average placement taking 4 offenders per week) – visit at 60 minutes including travel and recording = 150 hours per annum at Band 4 (for 33,000 individual placement hours)
- Band 5 inspectorial tour of worksites = 8 visits per annum at 6.5 hours including travel and recording = 52 hours
- Estimate that half of quality assurance and inspectorial tour visits will take place at weekends and thus incur a premium payment of 50%
2) **Offender Process**

a) **Offender Prepared for Work**

**Pre Sentence Liaison with Report Writers**

1. Pre - Sentence liaison with report writer
   - Du = 1.00'
   - Band 3

Per offender, based on the following assumption:

- This will occur in 10% of cases and take an average of 10 minutes

**Receive Notification**

2. Receive notification of UPW requirement or transfer in
   - Du = 15.00'
   - Band 2

Per offender, based on the following assumptions:

- Appointment made by Case Administrator
- Case Administrator should book/confirm assessment and induction dates and inform offender (this may have already have been done at court by court duty officer)
Open Case File

3

Open case file

Du=30.00'

Band 2

Per offender, based on the field visit timings.

Assess offender for placement suitability.

4

Assess offender for placement suitability

Du=90.00'

Band 3

Band 3 Premium

Per offender, based on the following assumptions:

- 15 minutes preparation/reading
- 1 hour offender interview
- 15 minutes for recording
- 25% evening premium for interviewing employed offenders
Allocate offender to placement

Per offender, based on the following assumptions:

- 10 minutes for standard group worksite placements (50%)
- 30 minutes for placements requiring additional planning and liaison
  (50%) e.g.
  - individual placements
  - high risk
  - high need (e.g. diversity, young offenders)
  - problematic (gang membership)
Offender undertakes Pre Placement Induction

Per offender, based on the following assumptions:

- Pre Placement Work Session involving 6 offenders per Band 3 staff member = 2 hours
- Recording and liaison following Pre Placement Work Session = 1 hour 30 minutes
- Total time required is 3 hours 30 minutes - therefore assuming 6 offenders per Band 3 staff member = 35 minutes per offender.
- 25% evening and 25% weekend premium for inducting employed offenders

High Sparsity Area

- Pre Placement Work Session involving 3 offenders per Band 3 staff member = 2 hours
- Recording and liaison following PPWS session = 45 minutes
- Total time required is 2 hours 45 minutes - therefore assuming 3 offenders per Band 3 staff member = 55 minutes per offender.
- 25% evening and 25% weekend premium for inducting employed offenders
b) Offender Attends Groupwork Placement

Offender scheduled for work

<table>
<thead>
<tr>
<th></th>
<th>1</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Offender scheduled to work</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Du=54.00’</strong></td>
<td>Band 2</td>
</tr>
</tbody>
</table>

Based on average 6.5 offender hours worked per session

Assuming 34% non attendance rate the average offender will be scheduled 25 times for a groupwork placement – the time allowance for scheduling is 15 minutes per group of 7 offenders

Although offenders may have been given verbal work instructions at the previous work session, this time allowance reflects scheduling approach using automated IT systems.
Non compliance is enforced

1. Failure to attend investigated
   - Du=15.00'
     - Band 2

2. Non-compliance is enforced
   - Du=166.50'
     - Band 2
     - Band 3

3. Relevant information regarding failure communicated to offender manager
   - Du=10.00'
     - Band 3

4. Enforcement action taken where appropriate
   - Du=15.00'
     - Band 3

Stand alone requirement
55%

If multiple requirement order or young offender
45%

Based on Field Work estimates of a 34% non attendance rate this process will occur on average on 6 occasions for a groupwork placement.
Offender attends weekday groupwork projects

3

Offender attends groupwork project on weekday

\[ Du = 1031.00' \]

Band 3

Based on average 6.5 offender hours worked per session and therefore the offender needs to attend 18.5 sessions to complete the average requirement.

Based on assumptions

- The average size of group is 7 offenders
- The supervisor starts work 30 minutes before the group commences and works 30 minutes after it finishes and this is accounted for in the generic 16% non attributable time assumption factored into the costs.

Offender attends weekday group project specialist provision

4

Offender attends specialist group project provision on weekday

\[ Du = 1443.00' \]

Band 3

Based on average 6.5 offender hours worked per session and therefore the offender needs to attend 18.5 sessions to complete the average requirement.

Based on assumptions

- The average size of group is 5 offenders
- The supervisor starts work 30 minutes before the group commences and works 30 minutes after it finishes and this is accounted for in the generic 16% non attributable time assumption factored into the costs.
UNCLASSIFIED

Offender attends weekend groupwork projects

| 5 |
| Offender attends groupwork projects at weekend |
| Du=1031.00' |
| Band 3 Premium |

Based on average 6.5 offender hours worked per session and therefore the offender needs to attend 18.5 sessions to complete the average requirement.

Based on assumptions

• The average size of group is 7 offenders
• The supervisor starts work 30 minutes before the group commences and works 30 minutes after it finishes and this is accounted for in the generic 16% non attributable time assumption factored into the costs.

Offender attends weekend group project specialist provision

| 6 |
| Offender attends specialist group project provision at weekend |
| Du=1443.00' |
| Band 3 Premium |

Based on average 6.5 offender hours worked per session and therefore the offender needs to attend 18.5 sessions to complete the average requirement.

Based on assumptions

• The average size of group is 5 offenders
• The supervisor starts work 30 minutes before the group commences and works 30 minutes after it finishes and this is accounted for in the generic 16% non attributable time assumption factored into the costs.
Weekday workgroup co-ordination and support

<table>
<thead>
<tr>
<th>Workgroups co-ordinated and provided with support on a weekday</th>
</tr>
</thead>
<tbody>
<tr>
<td>Du=231.00' Band 3</td>
</tr>
</tbody>
</table>

Based on average 6.5 offender hours worked per session

Estimate of 2 hours 30 minutes per two groups based on:

- 60 minutes assembly/mustering management including stand-down contingency co-ordination
- 60 minutes site visits/support including travel (worksite visited every other session)
- 30 minutes meet and review end of work session with supervisors

Weekend workgroup co-ordination and support

<table>
<thead>
<tr>
<th>Workgroups co-ordinated and provided with support at weekend</th>
</tr>
</thead>
<tbody>
<tr>
<td>Du=202.00' Band 3 Premium</td>
</tr>
</tbody>
</table>

Based on average 6.5 offender hours worked per session

Estimate of 2 hours 30 minutes per two groups based on:

- 60 minutes assembly/mustering management including stand-down contingency co-ordination
- 60 minutes site visits/support including travel (worksite visited every other session)
- 30 minutes meet and review end of work session with supervisors
**Record of hours worked**

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Record of hours worked collated and recorded

Du=95.00'

Band 2

Based on an average 120 hour requirement for offenders attending groupwork projects

Based on the following assumption:

- Following each session recording of hours worked = 5 minutes
UNCLASSIFIED

c) Offender Attends Individual / Agency Placements

Offender Introduction to Individual Placement

1

Offender introduced to Agency

Du=60.00'

Band 3
Band 3 Premium

Based on an average 90 hour requirement for offenders attending individual projects

Based on the following assumptions:

• 30 minutes meeting and 30 minutes travel time
• 65% weekday and 35% weekends

Record of hours worked at Individual Placement

2

Record of hours collated and reported

Du=180.00'

Band 2

Based on an average 90 hour requirement

Based on the following assumptions:

• Average of 15 work sessions attended plus 3 sessions for 20 % non attendance
• Following each session phone call to placement and recording = 10 minutes
Individual placement monitoring and support

Based on an average 90 hour requirement

Based on the following assumptions:

- 60 minutes (30 minutes meeting plus 30 minutes travel) per every 24 hours worked at placement by offender (average of four x 6 hour sessions)
- 65% weekday and 35% weekends
Non Compliance is enforced

4 Non-compliance is enforced

Du= 85.50'

Band 2
Band 3

2 Enforcement action taken where appropriate

Stand alone requirement

70%

Du=15.00'

Band 3

1 Failure to attend investigated

Du=15.00'

Band 2

70%

30%

3 Relevant information regarding failure communicated to offender manager

If multiple requirement order or Young Offender

Du=10.00'

Band 3

30%

Based on Field Work estimates this process will occur on average on 3 occasions per requirement.
### d) Requirement is Managed

**Offender supported and motivated**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1</strong></td>
<td>Offender supported/motivated to maximise attendance</td>
</tr>
<tr>
<td></td>
<td><strong>Du=120.00’</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Band 3</strong></td>
</tr>
</tbody>
</table>

- Based on field visit estimates – can be part of pre-work assembly/mustering management or visits to work sites
- Differential allowance of 90 minutes for individual/agency placements, and 135 minutes for groupwork placements

**Placement and progress kept under review**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2</strong></td>
<td>Placement and progress kept under review</td>
</tr>
<tr>
<td></td>
<td><strong>Du=60.00’</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Band 3</strong></td>
</tr>
</tbody>
</table>

Based on field visit estimates – can be part of pre-work assembly/mustering management or visits to work sites – also includes completion of recorded progress reviews

**Offender Manager provided with timely information**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>3</strong></td>
<td>Offender Manager provided with timely information</td>
</tr>
<tr>
<td></td>
<td><strong>Du=180.00’</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Band 3</strong></td>
</tr>
</tbody>
</table>

Based on field visit estimates with recognition that YOT liaison in particular often requires more time.
UNCLASSIFIED

Requirement Completed within 12 Months

1. Requirement completed within 12 months, transferred out or revoked

   Du=60.00'
   Band 2 (50%)
   Band 3 (50%)

Based on the following assumptions:

1. Estimate of 15 minutes to complete case record
2. Exit Survey completed once per average order of 110 hours:
   - 10 minutes for standard cases
   - 30 minutes where there has been specialist provision (e.g. unemployed offenders, women offenders)
   - Approximately 66% of cases are standard – therefore average time allowed is 15 minutes
3. Termination of case including closure of written file and logical file on case record systems.

Breach

1. Undertake Breach

   Du=120.00'
   Band 2
   Band 3

Breach occurrence rate of 40% (and a successful eventual completion rate of 73%) is based on the following assumptions:

- Nationally 27% of cases do not complete their requirement satisfactorily – the same time allowance is being made whether breached for non compliance or revoked for other reasons.
- It is also recognised that in terms of cases breached many go on to complete the requirement satisfactorily.
- In some cases there may be a number of breaches before the requirement is revoked and another sentence substituted
- Estimated that 25% of individual/agency placements and 45% of groupwork placements are breached.
Operating manual for COMMUNITY PAYBACK: delivering the sentence of UNPAID WORK
CONTENTS

Introduction

Service Element 1: Public confidence promoted
Output 1: All suitable Community Payback placements are made visible to the local community including the wearing of distinctive clothing
Output 2: Public is given opportunity to express their views as to the suitability of Community Payback projects in their local community
Output 3: Local forums (such as CDRPs and Community Safety meetings) are consulted regarding suitable Community Payback projects to promote public confidence and crime prevention
Output 4: Placement sourcing will take account of the views of local people regarding suitable Community Payback projects
Output 5: Media and community relations are proactively managed to promote public confidence and an annual report is produced detailing all Community Payback projects undertaken

Service Element 2: Stakeholders consulted and informed
Output 1: Report writers are provided with information regarding Community Payback projects and Unpaid Work requirements to inform their assessment of suitability
Output 2: Sentencers are provided with information regarding Community Payback projects and Unpaid Work requirements to inform their sentencing decisions

Service Element 3: Suitable placements organised
Output 1: Work undertaken by offenders is rigorous and demanding to meet the public expectations of punishment and provide payback to the community
Output 2: Placement sourcing will seek to maximise community and environmental benefit including High profile/benefit but low volume projects (e.g. Graffiti removal) as locally commissioned by the DOM
Output 3: Placements are assessed in accordance with Health and Safety requirements
Output 4: Sufficient placements are provided that meet the placement quality standard
Output 5: Beneficiary surveys are undertaken for all Community Payback projects

Service Element 4: Scheme is monitored and managed
Output 1: Case records are maintained
Service Element 5: Offender prepared for work

Output 1: Offender assessed and allocated to placement that takes account of risk status
Output 2: Offender assessed in respect of potential attendance and, where required, a Compliance Plan is developed and implemented
Output 3: Offender undertakes pre-placement induction within prescribed timescales
Output 4: Diverse needs of offenders including their personal safety are identified and matched to suitable placements
Output 5: Rationale for Placements is formally recorded

Service Element 6: Offender attends Unpaid Work

Output 1: Offender is given work instructions for a minimum of 6 hours per week that do not interfere with work/training commitments, caring responsibilities and religious observance
Output 2: Offender is given work instructions for a minimum of 18 hours per week that do not interfere with work/training commitments, caring responsibilities and religious observance
Output 3: Worksites and placements are run in accordance with Health and Safety requirements including the using/wearing of protective equipment
Output 4: Contingency plans are in place to minimise stand-downs
Output 5: Communication and duty systems are in place to provide worksites with emergency support
Output 6: Offender is enabled to attend employment related training/education up to a maximum of 20% unpaid work hours ordered

Service Element 7: Requirement is managed and enforced

Output 1: Offender is supported and motivated to maximise attendance
Output 2: Offender’s placement is reassessed and reviewed in light of new risk information
Output 3: Offender Managers are provided with timely information regarding offenders’ attendance, behaviour and risk indicators
Output 4: Failure to attend is followed up within prescribed timescales
Output 5: Relevant information regarding failure to attend is communicated to the Offender Manager within prescribed timescales
Output 6: Where appropriate breach action instigated within prescribed timescales
Output 7: Where required relevant Community Payback staff attend court to give evidence
Output 8: Case record and administrative procedures are completed
Output 9: Requirement is completed within a 12 month period
Output 10: Offenders surveyed regarding their experience of Community Payback

Service Element 8: DOM commissioned option – Targeted Intervention – Employment Skills
Output 1: Placements are provided to maximise opportunities for the development and accreditation of skills to meet the needs of offenders with an identified employment need

Additional Requirements and Guidance: Working with 16 and 17 year old offenders
Output 1: YOTs are consulted regarding placements for young offenders
Output 2: Placements are provided that meet the specific needs for safety and support required by the Children’s Act 2004
Output 3: Young offenders needs, particularly in respect of safety and support, are assessed and recorded
### INTRODUCTION

**The manual**


2. It is part of a structure that links the Unpaid Work/Community Payback specification, Probation Circulars/Instructions and Gateway Notices and other instructions or guidance from NOMS.

3. This manual follows the structure of the specification to help ensure that there is guidance on every aspect of fulfilling the requirements imposed.

4. Each **Service Element** section begins by highlighting the main mandatory requirements that apply to the **outputs** in that element. As well as bringing together the requirements imposed by the specification, Probation Circulars and instructions from Gateway Notices, this manual also identifies other minimum requirements for the delivery of Community Payback.

5. Because the nature of some aspects of provision locally will vary so much across the country, the area of employment skills will be subject to local negotiation with the DOM. Accordingly, this is covered separately in a section on locally negotiated provision (Service Element 8). Although the DOM does not have to agree to this provision, if it is undertaken then the mandatory requirements in this section apply. The specification also identifies high profile/low volume projects for local commissioning by DOMs. This provision is covered under **Service Element 3: Output 2**.

6. The specification only refers explicitly to young offenders, other than in the introduction, in relation to offender management arrangements. At present, Unpaid Work for 16 and 17 year olds is still provided, either directly or in partnership, by probation boards and trusts. In order to be clear about the current expectations of this work a section entitled **Additional Requirements and Guidance: Work with 16 and 17 year olds**, is provided at the end of this manual.

**Unpaid Work and Community Payback**

1. The Criminal Justice Act 2003 created a new sentence, the Community Order, that could be made up of one or more requirements; Unpaid Work is one of these requirements. The same requirements apply to the Suspended Sentence Order.

2. Unpaid Work replaced the Community Punishment Order which had been introduced by the Criminal Justice and Court Services Act 2000. This in turn replaced the Community Service Order which had begun as a sentence in the 1970s.

3. Community Payback was launched in 2005 as a branding exercise for Unpaid Work, focusing on greater visibility, with the intention of raising public awareness of the sentence, giving the public a chance to...
nominate work that could be done by offenders and, as a consequence, improving public confidence. The momentum of this was maintained with the introduction of the Mayoral Projects. As well as providing many opportunities for positive publicity these projects have also raised the profile of closer cooperation between probation and Local Authorities.

4. The place of Community Payback has become more central following the proposals in the review, *Engaging Communities in Fighting Crime*. To reduce the confusion of different names for different aspects of the work done, Community Payback is now the term used to refer to any work done by offenders and the organisational structures required to deliver it. The sentence of the court remains Unpaid Work as that is set by the legislation.

5. To reduce confusion and present a more consistent message to the public, Unpaid Work teams or units (and those still referring to themselves as Community Service Units) should become known as Community Payback Units. The same name should be used on websites, promotional material etc.

### Core principles

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>The safety of the public, staff and offenders is paramount. Proper risk assessment and management is central to this and involves all staff delivering Community Payback at all times.</td>
</tr>
<tr>
<td>2.</td>
<td>This is a sentence of the court; first and foremost it is a punishment with rehabilitation of the offender being a secondary, although important, consideration. It is only possible to be in a position to address rehabilitation once it is clear that Community Payback provides a robust and credible punishment.</td>
</tr>
<tr>
<td>3.</td>
<td>As this is work for the benefit of the community, that community should have a voice in the decision making process about what work should be undertaken by offenders.</td>
</tr>
<tr>
<td>4.</td>
<td>It makes offenders pay back to their communities in a constructive and demanding way.</td>
</tr>
<tr>
<td>5.</td>
<td>Pro-social delivery of Community Payback ensures that offenders can experience and learn from a positive and law abiding environment that would be endorsed by courts and the public.</td>
</tr>
<tr>
<td>6.</td>
<td>It does not replace paid employment, nor does the beneficiary gain competitive advantage due to the provision of free labour.</td>
</tr>
</tbody>
</table>

### What's New

This manual introduces a number of changes; some in response to legislation and reports (Casey review, Corston report etc.) and some as a consequence of lessons learned in the field since the last manual was issued. Below is a list of significant changes.

1. The Specification Benchmarking and Costing Programme’s *Early Priorities* report sought to identify savings that could be made. The notional costings for Community Payback that were developed from
this were based on three assumptions:
- Re-integrating requirement management back into Community Payback operations (see Service Element 7: Output 2);
- Increasing the national average use of Individual/Agency Placements from 23% of hours worked to 33%;
- Increasing the national average group size from 5.5 offenders to 7.

The Direct Service Costs and Assumptions Document identifies how different types of provision require different levels of resourcing. Full use of this model should be made when planning services and negotiating with DOMs to ensure that the most appropriate range of provision is developed to respond to the needs and requirements of the local area.

2. Public expressing views about appropriate work to be undertaken by offenders on Community Payback – Service Element 1: Outputs 2 & 4

3. Distinctive Clothing – orange high visibility vests – Service Element 1: Output 1

4. Annual report of Community Payback projects undertaken – Service Element 1: Output 5

5. Consultation with Youth Offending Teams about placements for young offenders – Additional Requirements and Guidance: Output 1

6. Robust and credible punishment in the view of the public – Service Element 3: Output 1

7. Community Benefit – Service Element 3: Output 1


9. Women offenders should not be allocated to work alongside male offenders – Service Element 5: Output 4

10. Managers making or endorsing placement decisions in respect of high or medium risk offenders and recording the rationale for those decisions – Service Element 5: Output 1 and Service Element 5: Output 5

11. Allocation based on three sequenced stages – Service Element 5: Output 1

12. Post Sentence Assessment Interview and Pre-Placement Work Session replaced by an Induction that
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>13.</td>
<td>Offender Compact introduced – <strong>Service Element 5: Output 3</strong></td>
</tr>
<tr>
<td>14.</td>
<td><strong>Offender must be instructed to attend the allocated work site within 7 days (i.e. 1 week) of Induction being completed</strong> – <strong>Service Element 5: Output 3</strong></td>
</tr>
<tr>
<td>15.</td>
<td><strong>Those offenders eligible for intensive delivery of Community Payback must be instructed for a minimum of 18 hours per week over 3 days</strong> – <strong>Service Element 6: Output 2</strong></td>
</tr>
<tr>
<td>16.</td>
<td><strong>Every offender must be instructed to attend weekly</strong> – <strong>Service Element 7: Output 9</strong></td>
</tr>
<tr>
<td>17.</td>
<td>An allowance for travelling time can no longer be made – <strong>Service Element 6: Output 4</strong></td>
</tr>
<tr>
<td>18.</td>
<td>Local websites must have an easy means for the public to nominate Community Payback projects and contain up to date information about Community Payback locally – <strong>Service Element 1: Output 2</strong></td>
</tr>
</tbody>
</table>
**SERVICE ELEMENT 1: PUBLIC CONFIDENCE PROMOTED**

<table>
<thead>
<tr>
<th>Mandatory Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>• It is vital that every probation area and other provider of Community Payback establishes mechanisms by which the public in their communities can express their views about what work should be done and to learn about the progress of the work that has been selected.</td>
</tr>
<tr>
<td>• All areas and providers should ensure that a local plan for community engagement that takes account of the lessons learned from the “Citizens’ Panels” is implemented in a way that capitalises on local circumstances.</td>
</tr>
<tr>
<td>• Distinctive clothing is not to be worn by 16/17 year olds and those subject to Enforcement Orders under the Children and Adoption Act 2006.</td>
</tr>
<tr>
<td>• Distinctive clothing must be used on all suitable work sites (see PC 19/2008 paragraph 6 for details of exceptions to suitability).</td>
</tr>
<tr>
<td>• A report detailing all Community Payback projects undertaken must be completed annually.</td>
</tr>
<tr>
<td>• The report must be submitted to NOMS.</td>
</tr>
</tbody>
</table>

**Output 1: All suitable Community Payback placements are made visible to the local community including the wearing of distinctive clothing.**

**Applicable Offender Segment:** All offenders (N.B. Distinctive Clothing only applies to adult offenders)

1. Visibility has been an aim of Community Payback since its introduction in 2005. This has been a central element of the work to raise public awareness of, and confidence in, community sentences. All of the means used to promote visibility remain relevant and should be employed across the full range of placements.

2. **All** placements are suitable for being made visible; no work should, in effect be exempt from this. However, the nature of the placement will inform the decision about the approach, or approaches, to be adopted to making it visible. The vast majority of placements should lend themselves to a range of means to making them visible. The criteria concern safety, beneficiary preference and effectiveness. Where there are clear grounds for concern that there would be a risk to staff, offenders (and this includes the risk of abuse or racially abusive behaviour to staff or offenders) or the public from identifying a Community Payback worksite while the work is underway, alternative measures should be employed as outlined below. Where a beneficiary has a justifiable belief that advertising the benefit they receive from Community Payback directly will damage their business interests, other approaches will need to be used to bring this to the public’s attention. Where work is undertaken away from the public’s view, such as in Probation Service workshops, there is little to be gained by large scale
promotional activity at the work site itself. Although appropriate signs etc. should be used to ensure that the public can readily identify work that has been undertaken through Community Payback, it is important to make every effort to promote the work by other means. In this way, equal attention can be paid to work done on individual placements etc. as it can to group projects in public places.

3. Plaques to mark work that has been completed are a simple and lasting testament to the contribution made by offenders undertaking Community Payback. Although the logo is an important means of identifying the work as having been done through the Community Payback programme it remains poorly recognised by the public so it will rarely suffice on its own. Where possible, plaques or similar notices should include some text to identify the link with the probation service and that the work has been performed by offenders as part of a court sentence.

4. Signs on ‘A’ frames and vehicles are an important means of publicising work in progress but the points made above about relying solely on the logo apply equally here. Where work is undertaken in conjunction with partner agencies this can be highlighted in this way too.

5. Placements are not only made visible through promotional activity at the actual worksite. Use of local and national media is an important part of promoting visibility and raising public confidence. See Service Element 1: Output 5 for further discussion on this.

6. Supervisor clothing has provided an opportunity to identify a work group as performing Community Payback. The advent of distinctive clothing for offenders has meant that it is even more important than ever, that members of the public can easily identify who is supervising the work group.

7. PC 19/2008 introduced distinctive clothing for offenders in the form of orange high visibility vests bearing the Community Payback logo on the front and the words Community Payback (bilingual for Welsh areas) on the back. This is an important development in the visibility and public confidence agenda; all Community Payback staff should ensure that they are familiar with the requirements of this circular and subsequent guidance so that it is implemented fully, including promoting the benefits of visibility to beneficiaries and others. This Circular has introduced some significant changes in practice, not least of all the position of 16 and 17 year olds subject to Community Punishment Orders, CPROs and Youth Rehabilitation Orders with an Unpaid Work requirement. The PC makes it clear that where a worksite is suitable for the use of high visibility they must be worn and 16/17 year olds should not be instructed to work on those sites. In the short term it may be difficult for some areas to allocate them to projects, such as workshops, that keep them away from the public view. The same situation applies to those subject to Enforcement Orders under the Children and Adoption Act 2006.
8. The Justice Seen, Justice Done campaign, delivered through the Neighbourhood Crime and Justice Pioneer Areas, is another initiative to raise the visible profile of Community Payback. The ringfenced allocation of Community Payback hours is expected to be focused on visible demanding outdoor work, conducted at times and in places where the public is most likely to see it. It is important that this is seen, both in the Pioneer Areas and in other areas, as part of the visibility agenda and central to the development of Community Payback. The lessons learned in this initiative need to be taken on by non Pioneer areas.

Output 2: Public is given opportunity to express their views as to the suitability of Community Payback projects in their local community.

Applicable Offender Segment: All offenders.

1. When Community Payback was launched in 2005, one of its features was that the public should be invited to express their views about the suitability of work to be undertaken by offenders. The initial campaign used the local media to organise a public vote and the opportunity to nominate work was continued through the development of websites as well as postcards, bookmarks and similar promotional material to be used in public places. This approach has been employed once more with greater advertising through the Justice Seen Justice Done campaign in the Pioneer Areas. Non Pioneer Areas need to keep abreast of developments through the JSJD campaign and, in particular, the use of the national and local websites.

2. It is vital that every area establishes mechanisms by which the public in their communities can express their views about what work should be done and to learn about the progress of the work that has been selected. In all areas this needs to embrace a variety of measures to ensure that the broadest possible spread of the public is enabled to express their views.

3. The Citizens’ Panel pilots of 2008/9 sought to explore the opportunities presented for community engagement by existing structures in collaboration with the police and local authorities. Although it became clear that “Citizens’ Panel” does not properly describe the most effective arrangements the pilots did identify that it is possible to use existing systems for consulting the public and feeding back information at little or no additional cost. The lessons learned are posted on Epic. In the first instance these lessons will be taken forward by the Neighbourhood Crime and Justice Co-ordinators in the Pioneer Areas. However, all areas should ensure that a local plan for community engagement that takes account of these lessons is implemented in a way that capitalises on local circumstances. In general, the most likely approach to provide real access for the public is through local fora operated by the police or Local Authority, especially the police.

4. Community Impact Statements prepared by the police to inform sentencers about the impact of specific offences on local communities, can also provide a valuable indication of public concern, towards which Community Payback resources may be appropriately directed. Arrangements should be made for Community Impact Statements to be made available to Community Payback staff responsible for sourcing work placements.
5. For any provision for community engagement that seeks to encourage the public to express their views about what work should be undertaken to be seen as a success it is vital that it avoids creating expectations that are bound not to be met. It is important, therefore, that the general criteria for judging suitability are publicised along with the overall aims of Community Payback. As well as reducing the number of inappropriate proposals for work, informing the public about the purpose and criteria for Community Payback contributes significantly to the public confidence agenda.

6. All probation trusts/boards are expected to have websites that contain a Community Payback page. It is important that a consistent message is given across the country so the description and criteria for suitability outlined on the Direct.gov website should be reflected in all local websites. **Local websites must also contain an easy means for the public to nominate Community Payback projects; ideally this should be an online form but at least be a form to be emailed.** Response times also need to be spelled out clearly, identifying the process for acknowledging nominations (this should be within 2 working days of receipt), and when a decision about the nomination will be made and how that will be communicated (this should include an estimation of when the project is likely to be started and completed). It is also important that the phone number(s) and email addresses for the public to use for nominating projects or queries about Community Payback are publicised on local websites.

7. **Local websites must also have up to date information about Community Payback projects.** This is likely to include photographs, descriptions of the projects, relevant dates, details of the beneficiaries (where appropriate), the numbers of hours/offenders used. It is important that this part of the website is kept up to date. Clearly, there may be some long-term, high profile projects that a probation board/trust would want to keep celebrating, and that would be very appropriate, but the public should be able to see the changing nature of projects undertaken reflected in the up to date content of the website.

8. Where photographs identifying offenders are used the following guidance should be followed. It is not appropriate to use photographs identifying offenders who are facing further charges, do not expressly give their permission, or have recognised victims who may reasonably not wish to see the offender on a website. It is important to recognise that offenders’ giving their permission is not the only consideration here.

**Output 3:** Local forums (such as CDRPs and Community Safety Meetings) are consulted regarding suitable Community Payback

1. Crime and Disorder Reduction Partnerships and Community Safety Partnerships have a critical responsibility at a local level for addressing community safety issues. It is important, therefore, to ensure that the contribution that Community Payback can make is given a high profile in these groups.

2. Routine and authoritative representation at appropriate meetings is critical to ensure that the position of the Probation Service generally, and Community Payback in particular, is promoted and understood.
<table>
<thead>
<tr>
<th>Projects to promote public confidence and crime prevention.</th>
<th>3. Ideally, the contribution of Community Payback should be written into the strategic plans of a CDRP or CSP so that its place is recognised and secured, and a routine mechanism is established for identifying suitable work for offenders to undertake that supports the local community safety and crime prevention agenda.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Output 4: Placement sourcing will take account of the views of local people regarding suitable Community Payback projects.</strong></td>
<td>1. Once the arrangements for community engagement outlined in Service Element 1: Output 2 above are in place it is vital that the views expressed are acted upon. As well as providing a list of potential projects (ideally a prioritised list), those arrangements will also build up a picture of what is of most concern to the local community; Community Impact Statements should also contribute to this.</td>
</tr>
<tr>
<td><strong>Applicable Offender Segment:</strong> All offenders.</td>
<td>2. Members of staff responsible for sourcing placements need to ensure that there is a demonstrable link between the areas of concern expressed by the local community and new work that is arranged. It may be that some work will not easily fit this criterion, depending on the nature of the local priorities, but is still appropriate to undertake as it addresses wider NOMS/ministerial requirements.</td>
</tr>
<tr>
<td><strong>Applicable Offender Segment:</strong> All offenders.</td>
<td>3. The ways in which Community Payback can address the areas of local concern should be highlighted in promotional material. As well as encouraging local community participation this will contribute to the aim of improving public confidence and to enhancing the reputation of Community Payback.</td>
</tr>
<tr>
<td><strong>Output 5: Media and community relations are proactively managed to promote public confidence and an annual report produced detailing all Community Payback projects undertaken.</strong></td>
<td>1. Media campaigns have been extremely effective in getting the positive message of Community Payback across to the public. This has been the case both with large scale campaigns, such as the Justice Seen Justice Done campaign, and smaller scale local campaigns. Probation areas and other providers of Community Payback should foster good relations with their local media companies (press, radio, TV) to keep the benefits of Community Payback in the public eye as much as possible. A substantial element of the government’s approach to increasing public confidence is built around this.</td>
</tr>
<tr>
<td><strong>Applicable Offender Segment:</strong> All offenders.</td>
<td>2. Direct approaches to the public are also an opportunity to promote confidence. Public events, displays at conferences or in public venues, all provide a vehicle for presenting the positive message of the benefits that Community Payback brings.</td>
</tr>
<tr>
<td></td>
<td>3. Other agencies’ newsletters, such as the police and local councils, offer a cost effective route to reaching a wide audience. Information about Community Payback projects can help the police to deliver on their Policing Pledge commitment to inform the public about what has happened to those convicted of crimes. Targeted leafleting before or after a Community Payback project can be cheap and provide a way of letting the public know about activity that has happened and their opportunities to have a say.</td>
</tr>
</tbody>
</table>
4. In addition to feeding back at local meetings there will often be police and council run networks of key community figures – such as Community Crime Fighters – to whom information about projects delivered as part of Community Payback can be passed. These individuals provide a route for reaching others in the community who might not engage with local services.

5. The format of the annual report is not prescribed. The intention is that all of the work undertaken by offenders should be catalogued in one place. As a minimum this can be a list detailing the beneficiary, the nature of the work undertaken, the number of offenders involved, information about the safety of work projects and the number of hours of work performed. This can be augmented by more detailed descriptions of a smaller number of projects that highlight particular aspects of the contribution that Community Payback can make. The contribution that this makes can be even stronger with the inclusion of photographs and comments from offenders, beneficiaries and members of the local community. The material used to keep the website up to date (see Service Element 1: Output 2) will form part of this.

6. The purpose of this report is to promote openness and transparency in the work that is done so that critical stakeholders can easily see the range and volume of work performed as well as the benefits that have accrued to the community.

7. Clearly there is also great promotional potential in this report so the more attractive and accessible it can be made the better. It can be made available in public places such as libraries, used at conferences and meetings or to support presentations about the work of Community Payback (or of the work of the probation service more broadly). It can also be made available on the local service website.

8. The completed reports should be forwarded by 31 January following the calendar year end (first report to be submitted January 2011), preferably in electronic form, to NOMS to provide an accurate record of the work undertaken across the country. This will make it considerably easier to respond to questions from MPs, ministers and other government bodies without always having to approach local services each time, as well as helping with the sharing of good practice.
## Service Element 2: Stakeholders Consulted and Informed

### Mandatory Requirements

- District Judges and Magistrates need to be provided with information about Community Payback activities in local areas.

### Output 1: Report writers are provided with information regarding Community Payback projects and Unpaid Work requirements to inform their assessment of suitability.

| Applicable Offender Segment | 1. Report writers and court staff should be provided with sufficient information about Community Payback to enable them to make informed decisions about the suitability of offenders for Community Payback. This should be provided for by making suitable induction arrangements available for newly appointed assessment and offender managers, regular presentations by Community Payback managers at team meetings and by the provision of a copy of the Community Payback Annual Report and other written information about Community Payback to report writers and court staff.
|                           | 2. In addition Community Payback staff should be available for consultation by court staff and staff responsible for pre-sentence reports. Such consultation may concern the potential placement of offenders who may have particular requirements as a result of disability, potential vulnerability or personal safety, or whose successful placement may involve special arrangements to accommodate carer responsibilities or complex travel arrangements. It is important that offenders are not disadvantaged as a result of not being able to access Community Payback and that their access requirements are assessed and met. |

### Output 2: Sentencers are provided with information regarding Community Payback projects and Unpaid Work requirements to inform their sentencing decisions.

| Applicable Offender Segment | 1. District Judges and Magistrates should be informed about Community Payback activities in local areas. This may be achieved by presentations to sentencers by Community Payback staff and by providing sentencers with copies of the local Annual Report. As a result of community engagement activities by courts, sentencers may well become aware of particular issues of concern by local people, which can be addressed by Community Payback. This may provide a further avenue for consultation with the public about the work that offenders should undertake.
|                           | 2. Judges in the Crown Court should also be provided with information about the work done by offenders sentenced to Unpaid Work. This may be achieved by presentations and by ensuring that information about Community Payback is available in the Crown Court. |
## SERVICE ELEMENT 3: SUITABLE PLACEMENTS ORGANISED

### Mandatory Requirements

- Placements must provide work which is demanding for offenders.
- Placements must be seen to provide a robust and credible punishment by members of the public.
- All Community Payback work must be beneficial to communities.
- Community Payback must not replace paid employment, or provide any organisation with a commercial or competitive advantage as a result of the provision of free labour.
- Before offenders are allocated to a work project the placement must be assessed against placement quality standard criteria.
- When allocating offenders to Community Payback work sites priority must be given to the management of risk of harm and likelihood of re-offending.
- A Placement Assessment and Work Provider Agreement must be completed when a Community Payback placement is established for the first time.
- All Community Payback work placements must be subject to a health and safety risk assessment before work commences.
- Community Payback staff responsible for the assessment of potential work placements and the supervision of offenders must be trained in the identification of hazards and the evaluation of risks on work sites, the use of appropriate precautions and the agency’s health and safety policy.
- Health and Safety risk assessments must be reviewed, as a minimum at 12 month intervals, and whenever there is a change to the tasks being undertaken or the nature of the risk.
- Organisations responsible for Community Payback must comply with current legislation.

### Output 1: Work undertaken by offender is rigorous and demanding to meet the public expectations of

1. Placements must provide work which is demanding for the offenders allocated to the placement and it must be seen to provide a credible punishment by members of the public. Punishment is the primary purpose of Community Payback and any rehabilitative impact that the sentence may have must be a secondary, albeit important, consideration when assessing the suitability of potential Community Payback work projects.
2. The offenders’ working day must contain suitable breaks, not totalling more than 1 hour, unless there is a requirement to make an appropriate reasonable adjustment, taking into account disability or other need, such as religious observance.

3. During breaks, offenders are still under supervision and still serving their sentence in the community. Appropriate behaviour, therefore, is important at these times too and has a significant impact on public opinion and confidence. Orange high visibility vests with the Community Payback logo make identification easy so vigilance by supervisors is critical.

4. When identifying suitable work projects for groups of offenders priority should be given to those projects which provide outdoor work, which is suitable for being made visible to the public by the use of distinctive clothing and other means. A range of indoor work projects should also be available for use in adverse weather when work outside would be precluded. It is important that this includes work placements which are able to meet the needs of people with disabilities, including learning disability.

5. All Community Payback work must be beneficial to communities. This requirement is likely to be met where the work project has been identified directly by members of the local community, or indirectly by a CDRP or Community Safety Panel. Other potential work projects should be assessed to ensure there is genuine benefit to members of the local community, disadvantaged groups or others.

6. Work which is clearly of benefit to local communities is also likely to be seen as useful by offenders allocated to the placement. This is likely to increase offender’s readiness to comply with their orders by providing a clear sense of purpose and sense of personal pride in the work done. This may be further enhanced by positive feedback from beneficiaries and members of the public.

7. Agency or individual placements provide a cost effective alternative to supervised work groups for offenders assessed as suitable for placements of this nature. Sufficient individual placements should be available to ensure that it is not necessary to allocate offenders to supervised work groups unless the risks and needs of the offender demand a group placement. It is important to remember that individuals, who may be assessed as low risk, may present a higher risk when in a group situation. The same requirements relating to visibility are applicable to agency placements. Requests by organisations operating individual or agency placements to be exempted from the visibility requirements of PC19/2008 should only be granted if made in writing and if convincing evidence is provided on the basis of health and safety concerns or business risk to the beneficiary.

### Output 2: Placement sourcing will seek to

1. The importance of community benefit as a criterion for judging the suitability of a project has become even more explicit since the move to involve the public in decision making about the work to be undertaken by
maximise community and environmental benefit. This may include high profile/benefit but low volume projects (e.g. Graffiti removal) as locally commissioned by the DOM.

Applicable Offender Segment: All offenders.

1. Staff with responsibility for local decision making about the work that is undertaken have to ensure that community benefit is high on their list of priorities and that this can be demonstrated. Probation areas and other providers of Community Payback should ensure that they receive copies of Community Impact Statements, so this information can be used to inform decisions relating to the way in which work by offenders can redress the harm caused by offending (see Service Element 1: Output 2).

3. Planet Payback was a campaign launched to raise the awareness of the contribution that Community Payback can make in environmental matters and to stimulate debate and innovation. Although the term is no longer used the relevance and importance of the work remain. Environmental benefit can cover a wide spectrum from re-cycling to conservation to maintaining community spaces and beyond. These can vary in scale from small ad hoc local projects to large long term projects. This is an area of work in which the voluntary sector is already heavily involved (e.g. Forestry Commission, BTCV, English Heritage) which is ideal for partnership working.

4. This will be a significant criterion for the selection of future work and if the situation arises where there is more appropriate new work than can be undertaken, community and environmental benefit will also be a significant criterion for deciding which existing work should be retained and which should be brought to an end. This criterion applies equally to group, individual and agency placement work.

5. Some projects will be appropriate to undertake on the grounds that they are high profile and address issues of local concern (graffiti removal is the most often cited example) but do not provide sufficient work to warrant a group of more than 4 or 5 offenders. It is recognised that in these cases special arrangements need to be made to accommodate the higher cost of running such projects and that this will be managed through local negotiation with the DOM.

6. These arrangements do not have to be restricted to projects such as graffiti removal but can be tailored to local circumstances and needs.

7. Ultimately it is for the DOM to set the volume and nature of this work following local negotiation.

Output 3: Placements are assessed in accordance

1. All Community Payback work placements must also be subject to a health and safety risk assessment before work commences. This assessment is required to meet the current legislative requirements and
must be undertaken by a suitably trained and competent person. Agencies responsible for the delivery of Community Payback work must have a written health and safety policy and provide training by suitably qualified staff. Community Payback staff should understand their responsibility for their own health and safety, that of colleagues, offenders, beneficiaries and members of the public affected by work.

2. Community Payback staff responsible for the assessment of potential work placements and the supervision of offenders must be competent to identify hazards and evaluate risks on work sites, use appropriate precautions and follow the agency’s health and safety policy. All staff must co-operate and communicate on health and safety matters, be able to demonstrate competence in the use of machinery and equipment or systems provided for their own and others personal safety. Health and safety assessments of work sites must be clearly recorded and available to all staff involved in Community Payback activities, including those with responsibility for the placement of offenders.

3. It must be confirmed that organisations providing individual or agency placements have suitable health and safety arrangements in place and that risk assessments are adequate to meet the needs of offenders. If suitable arrangements are not in place a risk assessment should be undertaken by staff responsible for Community Payback.

4. NOMS publishes a series of generic risk assessments for Community Payback projects. Local providers of Community Payback may choose to use these as a basis for more detailed risk assessments. Further guidance on working safely on Community Payback work projects can be found in the National Health and Safety Policy (PC 21/2007).

5. Health and Safety risk assessments must be reviewed every 12 months and whenever there is a change to the tasks being undertaken. Assessments must also be reviewed following incidents at the work site and if there is indication that there has been a significant change to the assessed risks present at work sites. General advice on undertaking risk assessments can be found in the National Health and Safety Policy Manual (PC 21/2007).

6. The Construction (Design and Management) Regulations 2007 require that some Community Payback projects involving construction or maintenance activities exceeding 30 working days or 500 person days must have a named CDM Co-ordinator and be notified to the Health and Safety Executive. Probation Areas or other providers of Community Payback can only act as CDM Co-ordinator for a work project with the consent of the beneficiary or work provider. For further guidance on CDM, reference should be made to the CDM Guidance provided at Appendix G or the HSE website.

7. Local instructions must provide sufficient detail to ensure that staff and offenders undertaking Community Payback work are aware of their responsibilities and have access to the relevant policies.
Payback can do so safely. Risk and contingency plans must be in place to ensure safe working with materials and tools, the induction of offenders, safe transport to the work site, and an appropriate response in the event of an accident or incident involving violence. It is also necessary to provide for the health and safety of any individuals who may become the target of harassment, bullying or victimisation.

8. Organisations responsible for Community Payback must comply with current legislation. The working time regulations apply only to paid employment, but it is necessary to ensure that offenders have sufficient rest before commencing Community Payback or paid employment.

<table>
<thead>
<tr>
<th>Output 4: Sufficient placements are provided that meet the placement quality standard.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Applicable Offender Segment:</strong> All offenders.</td>
</tr>
</tbody>
</table>

1. In addition to providing work which is rigorous and demanding for individual offenders, sufficient placements should be available to meet SLA or other targets and to ensure that offenders are able to commence Community Payback within the required timescales. In addition, all work placements must be capable of safely accommodating the risks posed by offenders allocated to the placement and meet the required placement quality standard.

2. When allocating offenders to Community Payback work sites priority must be given to the management of risk of harm and likelihood of re-offending. The presence or proximity of children or vulnerable adults to the work site and potential opportunities for offending should be considered in relation to what is know from OASys and other assessment tools about offenders who are likely to be allocated to the work placement.

3. Research has demonstrated that certain features or work projects appear to improve the positive impact of Community Payback. Work experienced by offenders as useful and rewarding has been shown to increase the likelihood of compliance with the order. Similarly the opportunity to gain employment related skills, such as good timekeeping and the ability to follow instructions, has been linked to a reduction in pro-criminal attitudes. The relationships formed by offenders with supervisors, beneficiaries and others who model good behaviour and challenge anti-social attitudes has a positive impact, as does the opportunity to help others by doing useful work. By ensuring that Community Payback is of good quality, it is able to meet the needs of public visibility and punishment, and has the prospect of reducing the likelihood of re-offending.

4. All Community Payback work placements must be assessed to identify relevant risk related information and to ensure minimum placement quality standards are met. This assessment should be recorded and available to all relevant staff for reference. A template Community Payback Work Placement and Work Provider Agreement is provided at Appendix A. This or a similar form should be used to identify placement qualities and the actions required of the beneficiary to improve the quality of offender’s experience at the work placement.

5. A Placement Assessment and Work Provider Agreement, or similar form must be completed when a Community Payback placement is established for the first time and before offenders are allocated to the
placement for the first time. It should then be reviewed and amended when there is a significant change in placement, or the nature of the work undertaken. When actions have been identified as necessary to improve the placement, these should be reviewed periodically to confirm that the remedial actions continue to be undertaken.

6. When assessing a potential placement it is important to establish that the work will not be a substitution for paid employment. This is not always a straightforward issue but those responsible for assessing placements must satisfy themselves that where the beneficiary has a responsibility for undertaking the work (e.g. when working with local authorities) the Community Payback contribution is adding capacity. In these circumstances Community Payback will make it possible for work to be undertaken that would otherwise not be done. Similarly it is important to ensure that the provision of free labour is not used by a beneficiary to gain competitive advantage when bidding for work. This is likely to be particularly important when working with Third Sector and social enterprise partners. Simply charging the beneficiary for the provision of labour is not an appropriate response to this; it is important that there can be no suggestion that a profit is made from offender labour, neither by the beneficiary nor by the probation service.

7. Placement Assessments should be used by staff responsible for allocating offenders to work placements, to ensure that offenders who pose identified risks are not allocated to placements, where they may pose a risk of harm to vulnerable individuals, staff or other group members. Similarly offenders who pose a high risk of reconviction should not be allocated to placements which provide ready opportunities for offending. Placement Assessments should be retained in electronic form and should be accessible to staff responsible for placements and for allocating offenders to work placements. A random sample should be audited annually by managers responsible for Community Payback.

8. Placement quality requires organisations responsible for the delivery of Community Payback to work with beneficiaries and others involved in the delivery of Community Payback to create a positive and pro-social working environment. When assessing potential Community Payback work placements the purposes and activities of the beneficiary organisation should be consistent with the principles of valuing equality, diversity, social inclusion and justice. The attitudes and behaviour of people involved in working with or supervising offenders will be especially important where offenders are supervised directly by the beneficiary (see Service Element 4: Output 5).

9. In accordance with the requirement to promote public confidence, it might be anticipated that a large number of potential Community Payback work placements will be identified directly by members of the public, or indirectly via CDRP’s and Community Safety Meetings. Potential work projects referred in this way should be assessed in a timely manner (see Service Element 1: Output 2, paragraph 6) and the beneficiary of the work provided with a date by which the work will start. Staff time should also be made
available to develop new and innovative work placements, which may require contact with organisations, which may not previously have benefited from Community Payback work by offenders. In this way it will be possible to ensure that no part of the community is inappropriately excluded from the opportunity of benefiting from Community Payback.

<table>
<thead>
<tr>
<th><strong>Output 5:</strong> Beneficiary surveys are undertaken for all projects.</th>
<th>1. At the conclusion of work at a placement, or at least annually in the case of ongoing Community Payback work projects, beneficiaries should have an opportunity to express their views about Community Payback and the standard of work achieved. A draft beneficiary survey form can be found at Appendix E.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Applicable to:</strong> All placements.</td>
<td></td>
</tr>
</tbody>
</table>
## SERVICE ELEMENT 4: SCHEME IS MONITORED AND MANAGED

### Mandatory Requirements

- **As a minimum requirement** offenders sentenced to Community Payback must be subject to an OASys Risk of Harm screening before allocation to any work site.

- Where offenders are assessed as posing a medium or high risk of harm or re-offending the justification for the placement must be recorded and the decision endorsed by a Band 5 manager or equivalent.

- A sentence plan must be completed and reviewed in accordance with current National Standards and OASys requirements with all offenders who are subject to Community Payback.

- Agencies responsible for Community Payback must provide work placements and projects which are of a good standard and assure the quality of both the work placement and the delivery of Community Payback.

- Health and safety assessment must be completed by competent, suitably skilled and trained staff before work commences. Efficient systems must also be in place to ensure that all accidents and incidents are recorded and reviewed.

- Probation areas and other organisations responsible for the delivery of Community Payback must provide or arrange appropriate training for staff.

### Output 1: Case records are maintained.

**Applicable Offender Segment:** All offenders.

1. Probation areas and other providers of Community Payback must maintain suitable records in relation to individual offenders, work groups and work sites, in order to minimise the risks arising from Community Payback activities to the public, staff and offenders. It is necessary to record the hours worked towards the sentence and the standard of work and behaviour on each attendance. Records should also be maintained to facilitate sentence planning with offenders as required by National Standards.

2. As a minimum requirement offenders sentenced to Community Payback must be subject to an OASys Risk of Harm Screening before allocation to any work site. If further risk factors are indicated by this screening, a full OASys and any other indicated assessment must be completed. The Community Payback Assessment Form should also be completed at the earliest opportunity during induction and made available to staff responsible for the allocation of the offender to a work placement.

3. Probation areas and other providers of Community Payback should ensure that those responsible for the allocation of offenders to work placements and staff responsible for their supervision are provided with risk information relating to individual offenders, which are of sufficient detail to enable sound risk judgements to be made. Where offenders are assessed as posing a medium or high risk of harm or re-offending the justification for the placement must be recorded and the decision endorsed by a Band 5 manager or equivalent.
manager or equivalent.

4. A sentence plan must be completed and reviewed in accordance with current National Standards and OASys requirements with all offenders who are subject to Community Payback. For cases allocated to Tier 1 of the OMM the OASys Layer 1 sentence Plan is a convenient option.

Output 2: Data is provided as required for performance and statistical returns.

1. Probation areas and other providers of Community Payback should ensure that health and safety accident and incident reports, performance, statistical and other returns required by NOMS are accurate and timely.

Applicable Offender Segment: All offenders.

Output 3: Community Payback staff are competent for the work they undertake.

1. **Staff delivering Community Payback must be subject to recruitment procedures, which ensure that appropriate appointments are made.** Probation areas and other provider organisations must ensure that staff dealing directly with offenders and information relating to offenders are subject to enhanced CRB checks and are registered with the Independent Safeguarding Authority, in accordance with current legislation.

2. Staff training is necessary in order that to ensure that offenders gain maximum benefit from Community Payback in terms of reduced re-offending and improved employability. Organisations responsible for the delivery of Community Payback must provide or arrange appropriate training for staff. As a minimum this training must include training in relation to risk assessment and risk management, performance management, pro-social modelling and health and safety. Staff responsible for work placement assessments should be competent to assess risks which may arise from Community Payback work projects being made visible to the public.

Applicable Offender Segment: All offenders.

Output 4: Equipment and transport are provided and maintained safely.

1. **Vehicles used to transport offenders must be suitable for purpose and maintained in accordance with the manufactures instructions and current regulations.** Probation areas and other organisations responsible for Community Payback must ensure that drivers are competent and appropriately qualified to drive vehicles used to transport offenders to work sites (see Appendix H).

2. **Equipment used by offenders must meet current regulations and be maintained in accordance with the manufacturers’ instructions and health and safety legislation.** Personal protective equipment must also meet the required regulations and procedures must be in place to ensure that personal protective equipment is used in accordance with health and safety risk assessments and maintained in a safe condition.

3.
### Output 5: Worksites and placements are subject to oversight, monitoring and quality assurance.

**Applicable to:** All placements.

<table>
<thead>
<tr>
<th></th>
<th>Probation areas and other agencies responsible for Community Payback must provide work placements and projects which are of a good standard and assure the quality of both the work placement and the delivery of Community Payback.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.</td>
<td>The Placement Assessment and Work Provider Agreement is a means of assessing the quality of Community Payback work projects. <strong>This must be completed when a project or placement is established for the first time and reviewed and amended when there is a significant change.</strong> It may be necessary to review the Agreement more frequently if remedial actions by the beneficiary are required, in order to confirm that these actions are promptly taken. If work projects or placements fail to meet the required standard, or if remedial actions are not taken as agreed, the work placement should be closed.</td>
</tr>
<tr>
<td>3.</td>
<td>Health and safety assessment must be completed by competent, suitably skilled and trained staff before work commences. <strong>This assessment must also be reviewed if there is a significant change.</strong></td>
</tr>
<tr>
<td>4.</td>
<td>To assure the quality of work placements it is necessary for providers of Community Payback to monitor the quality of all work placements assessments. A random 10% sample of Placement Assessment and Work Provider Agreements and Health and Safety Risk Assessments, should be audited by appropriately qualified staff each year.</td>
</tr>
<tr>
<td>5.</td>
<td>The pro social delivery of the sentence is a key element of Community Payback and it is therefore important that the quality and consistent delivery of PSM on supervised work sites is assured. As part of the process of supervision and appraisal managers responsible for Community Payback should observe full time supervisors at least 4 times a year using the PSM Action Checklist (<a href="#">Appendix D</a>). Part-time and sessional supervisors should be observed at a minimum of 6 monthly intervals. Adequate time should be taken to provide feedback to supervisors and identify potential areas in which practice may be improved. Regular visits should be made to agency or individual placement to ensure that work with offenders is being conducted in a pro-social manner. If the beneficiary organisation is responsible for the supervision of a significant number of offenders, it may be appropriate for staff in the organisation to be provided with pro-social modelling and other suitable training.</td>
</tr>
<tr>
<td>6.</td>
<td>The use of the Community Payback Exit Survey (<a href="#">Appendix F</a>) also provides a measure of the pro social delivery of the sentence. This should be administered towards the end of the sentence by a member of staff other than the offender’s usual supervisor, if the offender is allocated to a group placement.</td>
</tr>
</tbody>
</table>
## SERVICE ELEMENT 5: OFFENDER PREPARED FOR WORK

### Mandatory requirements

- Ensuring that a placement can safely manage the risk posed by an individual offender is the first priority of allocation.

- As a minimum, every offender undertaking any type of Community Payback must have an OASys Risk of Harm screening completed before allocation and reviewed in accordance with National Standards.

- Placement allocation decisions in medium and high risk cases must be made by, or endorsed by, a manager and the rationale for the decision formally recorded.

- All of the elements of induction must be completed before an offender attends a worksite and that this must be completed within 5 working days of the sentence being imposed.

- Offenders must be given information about the rules, roles and responsibilities (particularly in relation to the wearing of distinctive clothing) and health and safety instruction, including the use of Personal Protective Equipment, before they commence work on a worksite. This training and information must be given in a manner and form which meets their individual skills and ability to comprehend.

- If not completed beforehand, induction must include screening with a suitable learning needs assessment, such as First Move (see PC 13/2007), to enable offenders to be allocated to placements able to meet these needs.

- Once the induction is completed the offender must be instructed to attend the allocated work site within the next 5 working days.

- Organisations responsible for the delivery of Community Payback must ensure that there are placements available that meet the needs of people with disabilities, including learning disability.

- Offenders from particular cultural backgrounds must not be expected to undertake activities which are contrary to their culture or religious beliefs.

- Sufficient individual and group placements must be available to meet the needs of female offenders.
Output 1: Offender assessed and allocated to placement that takes account of risk status.

Applicable Offender Segment: All offenders.

1. As a minimum, every offender undertaking any type of Community Payback must have an OASys Risk of Harm screening completed before allocation to a work site and reviewed in accordance with National Standards. Where the screening indicates the need for further investigation a full OASys assessment must be undertaken. All other material provided for the sentencing courts (e.g. previous convictions, assessment reports and Offender Group Reconviction Scale (OGRS) scores) must be made available to Community Payback staff allocating offenders to work sites. A sentence plan will be prepared by the Offender Manager that specifies any risks and how they will be addressed. The primary responsibility for risk of harm assessment lies with the Offender Manager but all staff have a responsibility to contribute to that assessment. Effective management of the risk of harm is a coordinated response by all staff.

2. Community Payback is not normally considered a suitable disposal for those offenders who pose a very high risk of harm to the public. Offenders whose risk of harm is assessed as unacceptable in terms of safe management in a Community Payback work placement should be considered for a return to court for re-sentencing.

3. An assessment of high or medium risk requires that there are identifiable indicators of risk of serious harm (OASys User Manual – Chapter 8). This means that decisions about the level and nature of supervision on Community Payback must demonstrate an appropriate response. Ensuring that a placement can safely manage the risk posed by an individual offender is the first priority of allocation.

4. The allocation decision making process, therefore, is in three sequenced stages:
   i. What is the assessed level of risk of harm posed by the offender and what type of placement is best suited to manage the nature of that risk safely? Where the risk is assessed as medium or high the decision about allocation must be made or endorsed by a manager and the reasons recorded (see Output 5).

   ii. Are there personal factors to be taken into account in allocation in this case? In the Community Payback Assessment Form (Appendix B) personal factors are identified in sub-groups such as Offending and/or behaviour, Individual circumstances, health, disability, travel etc. This is a wide ranging category of factors that need to be addressed once it is clear that the level of risk can be properly managed.

   iii. Is an identified training or employment need to be addressed in this case? A suitable placement to address training or employment needs can be identified (subject to the level of provision negotiated with the DOM – see Service Element 9) once it is clear that risk and personal factors can be properly managed. If not completed beforehand, induction must include screening with a suitable learning needs
assessment such as the First Move, Initial Skills Checker (see PC 13/2007). The score from the assessment should be recorded on the Assessment Form and if needs are identified the offender should be allocated to a work placement or other provision able to meet these needs, if suitable provision is available.

5. This process is represented diagrammatically at Appendix C to assist those staff making allocation decisions.

6. The Community Payback Assessment Form is also organised to reflect this sequence so that the relevant information is available more helpfully for those making allocation decisions and so that those collecting the information, and completing the assessment form, can see the link between the information being requested and the decision making process.

7. Many offenders on Community Payback fall into the low risk category and the allocation decision will usually be straightforward. Offenders who pose a medium or high risk of harm will require more individualised decisions and the involvement of staff with a more specialist knowledge of a range of placements and the needs they can accommodate. Placement decisions for offenders who pose a medium or high risk of harm should also be made or endorsed by a Band 5 manager or equivalent (see Service Element 4).

**Output 2:** Offender assessed in respect of potential attendance and, where required, a Compliance Plan is developed and implemented.

**Applicable Offender Segment:** All offenders.

1. Offender attendance is in everyone’s interests; not least of all because enforcement is a costly addition to the process. Where an offender has a history of non-attendance on previous sentences, this should be explored and a plan agreed for improving compliance.

2. Following a failure to attend, the offender’s attitude and motivation should be reviewed and, where required, a Compliance Plan established and implemented. This is an Offender Management task that can properly be undertaken within Community Payback units. *In cases of multi-requirement orders this must be done in collaboration with the Offender Manager who remains in overall control of planning and decision making in an individual case.*

3. There are many approaches that have been employed to improve offenders’ attendance for Community Payback, some with greater effect than others. SMS messaging has been popular in a number of areas although research results are not promising for Community Payback. Mentoring has been used successfully in many areas of probation practice, including Community Payback, and is likely to be a component of any comprehensive approach to improving attendance.

4. As well as aiming to improve attendance, Compliance Plans should also identify what strategies are to be employed to motivate the individual offender to gain the most benefit from the opportunities that can be made available as part of Community Payback.
1. **Output 3:** Offender undertakes pre-placement induction within prescribed timescales.  
   **Applicable Offender Segment:** All offenders.

   There is no longer a requirement for the Post Sentence Assessment Interview and Pre-Placement Work Session structure to be maintained. However, it is a requirement that all of the elements of induction are completed before an offender attends a worksite and that this must be completed within 7 days of the sentence being imposed.

2. There are three basic, but not necessarily discrete, elements to induction:
   - Information gathering/assessment
   - Information giving/instruction
   - Matching/allocation

3. **Information gathering/assessment:** the Risk of Harm screening must be completed before an offender can be allocated to, or attend, a worksite. Where possible, this should be completed before sentencing, not least of all because it should inform considerations of suitability for the sentence. If, as a consequence of the screening, a full Risk of Harm assessment is required, this too must be completed before work allocation. The Community Payback Assessment Form (Appendix B) must also be completed before an offender can be allocated to work. Clearly the earlier this can be done, the easier it is to manage the whole process within 7 days and if it can be completed pre-sentence or before the offender leaves court, the timescale will be easier to manage. This leaves the question of who should complete it. What is important is that the person who is best placed to complete it does so, and this is unlikely to be an Offender Manager unless there is a full PSR and the decision is taken locally that this is the right stage in the process for it to be done. Therefore, court staff or Community Payback staff responsible for requirement management are likely to be those best placed to undertake this task.

4. **Information giving/instruction:** offenders must be given information about the rules, roles and responsibilities (particularly in relation to the wearing of distinctive clothing) and health and safety instruction, including the use of Personal Protective Equipment, before they commence work on a worksite. This information must be given in a format which meets individual requirements in relation to comprehension, literacy and disability. Induction information must clearly explain the standard of behaviour expected on work sites and will include no unreasonable or disruptive behaviour, no attendance under the influence of drink or drugs and restrictions on smoking and the use of mobile phones. Local circumstances will dictate how this is done; for those areas that currently have an effective Pre-Placement Work Session it may be practical to retain it, where this is not the case an alternative approach may be more effective. The extent and nature of the information to be given will depend on the opportunities provided by the local Community Payback scheme but this is likely to include employment and skills development/accreditation opportunities. It may also include more detailed health and safety or first aid instruction, or information about the range of worksites and the way they are selected.
5. **Matching/allocation:** the allocation process is outlined in **Service Element 5: Output 1.** It is important that attention is paid to accommodating the individual offender’s ‘personal factors’, including access requirements, so that a safe and productive placement is allocated. Wherever possible, an offender should be matched to provision that can address their skills or employment needs.

6. Motivating the offender to attend and to make the most of the opportunities available through Community Payback is a critical aspect of induction, just as it is throughout the order. The Offender Compact is due to be launched as a formal, required mechanism for motivating offenders and will have to be completed during the induction process in accordance with the relevant Probation Instruction. This sets out the expectations both of the offender and the Community Payback unit, the benefits that come with compliance and the consequences of non compliance. This should be used as a tool to promote a positive view of Community Payback, to highlight the benefits that the offender can gain and to encourage them to capitalise on the opportunities available to them. Clearly the nature and extent of the benefits will vary according to the situation of the individual offender and the provision available locally. However, every effort should be made to demonstrate what each offender has to gain by compliance and potentially to lose through non compliance.

7. **Once the induction is completed the offender must be instructed to attend the allocated work site within the next 7 days.** In exceptional circumstances, where it has not been possible to make reasonable adjustment to accommodate the diverse needs of an offender, a manager of Band 5 or equivalent may authorise an extended time period.

8. All induction time post sentence should be credited against the hours ordered by the court. Clearly any time spent on information gathering and assessment pre-sentence cannot be counted.

**Output 4:** Diverse needs of offenders including their personal safety are identified and matched to suitable placements.

**Applicable Offender Segment:** Vulnerable, Disabled, BME and Female offenders.

1. Particular care needs to be exercised when completing **Section 3 Personal Factors** of the **Community Payback Assessment Form.** This is the opportunity to identify the individual requirements of disabled, BME, vulnerable and female offenders and to highlight what impact these may have on the allocation of work. Consequently it is not sufficient just to tick the relevant boxes, the details and impact need to be completed thoroughly too. The individual offender’s view about the impact is important in order to avoid assumptions based on stereotypes. It is important to demonstrate that the offender’s view is taken into account in the allocation decision; this does not mean that it dictates the decision.

2. The Disability Discrimination Act 1995 (DDA) makes it a responsibility to promote **disability equality** and to adopt an understanding of the social model of disability. The Act defines disability as: **A physical or mental impairment with long term, substantial effects on someone’s ability to carry out normal day to day activities.** Organisations responsible for the delivery of Community Payback must ensure that there
are placements available that meet the requirements of people with disabilities, including those who experience hearing impairment, dyslexia, learning difficulty and other health related conditions. Disabled offenders themselves may be best placed to identify what reasonable adjustments are required to enable them to participate.

3. Ideally, report writers will alert Community Payback staff in advance of sentencing if there is an offender with a disability or other need who is likely to be sentenced to Community Payback so that they can then make preliminary contact with suitable projects or placements to try to ensure that work can commence within the required timescale. Any unavoidable delay in starting work should be authorised by a Band 5 manager or equivalent.

4. Attendance on Community Payback must not be prevented or hindered for an offender by virtue of their race, ethnic background, cultural or language requirements, or any other factor which could lead to discrimination against them. Offenders must not be expected to undertake activities which are contrary to their culture or religious beliefs. It is important that assumptions are not made about these issues and that time is taken at the assessment stage to establish with the offender what the impact on allocation needs to be.

5. **Sufficient individual and group placements must be available to meet the needs of female offenders.** The Equality Act 2006 places a duty on public authorities to promote equality of opportunity between men and women. The Corston Report has highlighted the need for different services and policies for women in the criminal justice system, to ensure equality of treatment and outcome. Ideally women should be allocated to work placements which take account of their needs. This may be an individual placement which is sensitive to the needs of women, or a specific female only group placement. When planning provision for women offenders, the assumption should be that they will not be allocated to work alongside male offenders. *The views of female offenders themselves must be taken into account in allocation.*

6. In developing the specification, the higher costs of appropriate provision for women offenders were taken into account and are outlined in the Direct Service Costs and Assumptions Document. It is quite appropriate, therefore, in consultation with the DOM (or relevant member of the DOM’s team), to allocate resources accordingly.

7. The needs of women offenders who are pregnant or new mothers need to be carefully considered and subject to risk assessment. Women are also more likely than men to be subject to enforcement orders under the provisions of the Children and Adoption Act 2006, because they are more likely to have residence of children in cases involving disputed contact. The same considerations should apply to
Community Payback placements for women subject to enforcement orders, but individuals subject to enforcement orders must not be required to wear distinctive clothing or allocated to work placements which are made visible to the public in other ways.

8. If an offender who is undergoing Gender Reassignment, or has a Gender Recognition Certificate, needs to be found a placement, consideration must be given to any risks to the offender and whether a group placement would be appropriate. The views of the individual offender need to be sought and taken into account.

9. The Gender Recognition Act 2004 makes it an offence to disclose information about the gender history of anyone who holds a Gender Recognition Certificate. Good practice would be to treat those who are applying for a GRC in the same way. This has implications for the exchange of information with placement providers, especially in cases where offenders have changed their name.

### Output 5: Rationale for placements is formally recorded.

**Applicable Offender Segment:** Offenders assessed as posing a medium and high risk of harm to the public.

| 1. | Because the nature of the risk posed by an offender is individual it is not possible to prescribe generally the way in which it should be managed. What is of the utmost importance in every case, however, is that the nature of that risk is specifically identified and a placement selected that can properly manage that risk. *In the event of an incident or further offence these decisions would be rigorously scrutinised and must be capable of withstanding such close examination.* |
| 2. | In some cases, although the level of risk may be assessed as medium or high, it may be very specific or narrowly focused, such as in domestic violence cases. While it may be perfectly appropriate to manage this risk in an ordinary setting it is important not to allocate to a placement that may actually heighten that risk, for example at a location near to where the victim lives or works. |
| 3. | This means that there is no prescription about a maximum group size based on risk. In every case where the offender is assessed as posing a medium or high risk of harm an individual decision has to be made about the most appropriate way to manage that risk safely. |
| 4. | *All placement allocation decisions for medium and high risk offenders must be made by, or endorsed by, a Band 5 manager or equivalent and the rationale for that decision must be formally recorded.* |
### SERVICE ELEMENT 6: OFFENDER ATTENDS UNPAID WORK

#### Mandatory requirements

- **The first work session must be arranged to take place within 7 days of sentence.**

- A sufficient range and number of work placements must be available to ensure that offenders sentenced to Community Payback can commence work within 7 days of sentence and be provided with instructions to work for the minimum average required number of hours each week.

- As far as practical Community Payback must be arranged to avoid conflict with the offender’s religious beliefs, employment and education or training.

- Following each attendance for Community Payback, the offender must be provided with a record of the hours worked that day, the total hours worked to date and an assessment of the standards of work and behaviour achieved.

- Unemployed offenders eligible for intensive delivery of Community Payback must be instructed for a minimum of 18 hours per week over a period of three days.

- Providers of Community Payback must ensure work is conducted at minimal risk to the public.

- Contingency plans must be in place to ensure an appropriate response to the possibility of violence towards offenders and staff from outside the work group and the risk of violence towards staff from Group members.

#### Output 1: Offender is given work instructions for a minimum of 6 hours per week that does not interfere with work/training commitments, caring responsibilities and/or religious observance.

**Applicable Offender Segment:** All offenders.

1. **The first work session must be arranged to take place within 7 days (i.e. 1 week) of sentence.** Post sentence, pre-placement induction (see Service Element 5: Output 3) can be counted as the first work session. The next work session (usually the first session on the work site) must be arranged to take place within 7 days of the completion of induction.

2. A sufficient range and number of work placements must be available to ensure that offenders sentenced to Community Payback can commence work within 7 days of sentence and be provided with instructions to work for the minimum required number of hours each week. This excludes periods when the offender is in custody, certified sick, when work instructions have been suspended pending a breach hearing, or a period of up to 2 weeks each year when Community Payback operations are closed down.

3. As far as practical Community Payback must be arranged to avoid conflict with the offender’s religious beliefs, employment and education or training. It may also be necessary to arrange Community Payback to take account of offender’s dependant care commitments.
4. Up to 20% of Community Payback hours ordered by the court may be credited for time used for education or training (see Output 6 below).

5. Following each attendance for Community Payback, the offender must be provided with a record of the hours worked that day, the total hours worked to date and an assessment of the standards of work and behaviour achieved.

<table>
<thead>
<tr>
<th>Output 2: Offender is given work instruction for a minimum of 18 hours per week that does not interfere with work/training commitments, caring responsibilities and/or religious observance.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Applicable Offender Segment:</strong> Offenders subject to Intensive requirements.</td>
</tr>
<tr>
<td><strong>1.</strong> Unemployed offenders eligible for intensive delivery of Community Payback must be instructed for a minimum of 18 hours per week over a period of three days. If an offender is employed on receipt of a Community Payback sentence which qualifies for intensive delivery, they will become eligible for this intensive delivery if their employment status changes.</td>
</tr>
<tr>
<td><strong>2.</strong> Providers of Community Payback must ensure that systems are in place to provide offenders who are subject to intensive delivery of Community Payback with instructions to work for a minimum of 18 hours over 3 days each week. Suitable arrangements must also be made for the enforcement of orders which are subject to intensive delivery. In all other respects the delivery requirements are the same as those for orders which are being worked at a minimum of 6 hours each week.</td>
</tr>
<tr>
<td><strong>3.</strong> NOMS has been advised by JobCentre Plus that intensive Community Payback will not impact on eligibility for Job Seekers Allowance if priority is given to appointments with JobCentre Plus, any training course, jobsearch steps, or interview with a prospective employer (see Appendix I).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Output 3: Worksites and placements are run in accordance with Health &amp; Safety requirements including the using/wearing of protective equipment.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Applicable Offender Segment:</strong> All offenders.</td>
</tr>
<tr>
<td><strong>1.</strong> In addition to ensuring compliance with Service Element 3, Output 3 relating to health and safety above, which is intended to ensure that work sites meet the standards required by current health and safety legislation, providers of Community Payback must also ensure work is conducted at minimal risk to the public. Risk assessments of individual work projects must identify not only the maximum group size manageable at the work site, but also any issues that may affect the nature of the risk of harm that can be managed at the work placement.</td>
</tr>
<tr>
<td><strong>2.</strong> Staff must be able to demonstrate competence in the use of any machinery or equipment used on work sites and be capable of instructing offenders in the use of any equipment. Before an offender is permitted to use any equipment or machinery, their competence in the use of the equipment and comprehension of safety rules must be confirmed and recorded.</td>
</tr>
<tr>
<td><strong>3.</strong> Providers of Community Payback must ensure that staff implement appropriate workplace precautions for specific risks and that personal protective equipment or systems is available and used to ensure the safety of those carrying out Community Payback work.</td>
</tr>
</tbody>
</table>
### Output 4: Contingency plans are in place to minimise stand downs.

**Applicable Offender Segment:** All offenders.

1. The pro-social ethos of Community Payback and offender compliance is potentially undermined if having reported for work offenders are stood down as a result of operational difficulties. Whilst seeking to operate Community Payback work placements at maximum efficiency, providers of Community Payback should therefore seek to avoid standing down offenders who have reported for work. Contingency plans must therefore be in place to avoid this possibility.

2. Suitable contingency plans may involve mustering offenders at one point to enable individuals to be allocated to different work placements if required, although were possible offenders should have a regular supervisor in order to meet the requirements of Output 6 below. The availability of staff on standby to replace staff that may be unavailable at short notice. The provision of alternative work placements to replace those that may be unavailable on the day, or as a result of poor weather.

3. If it is necessary to stand down offenders as a result of operational difficulties, before work commences, 1 hour should be credited towards the sentence. If an offender is stood down from a work site as a result of operational difficulties, adverse weather conditions, or for disciplinary reasons, time should be credited up to the point at which the stand down occurs. It is expected that work will continue in all but the most severe weather conditions. In order to retain the public credibility it is important that Community Payback is seen to take place in poor weather conditions, with the use of suitable protective clothing, unless the nature of the work or health and safety considerations makes this impossible.

4. Offenders should reasonably be expected to travel to Community Payback work sites and it is not appropriate that time should be credited towards the sentence when offenders are not under supervision. Travelling under supervision, for example in Community Payback transport, can be counted in full towards the sentence.

### Output 5: Communication and duty systems are in place to provide worksites with emergency support.

**Applicable Offender Segment:** All offenders.

1. Contingency plans must be in place to ensure an appropriate response to the possibility of violence towards offenders and staff from outside the work group and the risk of violence towards staff from group members.

2. A safe and effective level of supervision must be provided on Community Payback work sites. Larger work groups, groups operating in remote locations, or those accommodating higher risk offenders may require the supervision and support of two or more people. This may be achieved by combining groups or establishing projects in conjunction with local authorities, the police or other agencies, that are able to provide assistance with the supervision of offenders on the work site.

3. Adequate management oversight of Community Payback operations must be maintained at all times. Duty systems must ensure that a Band 5 manager or equivalent is available for consultation with front line staff and that no member of staff supervising offenders should work in isolation, without a telephone.
or face to face contact with a duty manager during the course of a working day. Effective communication must be maintained with staff supervising Community Payback work groups, bearing in mind that mobile telephones may not be a sufficient control measure where there is an inadequate signal.

Output 6: Offender is enabled to attend employment related training/education up to a maximum of 20% unpaid work hours ordered.

Applicable Offender Segment: Unemployed offenders.

1. Community Payback can provide opportunities for offenders to improve personal and practical employment related skills. This may include improving their problem solving skills, working co-operatively with others, gaining knowledge of health and safety, improving basic skills or skills for life and obtaining vocational skills qualifications. Probation areas and other organisations responsible for the provision of Community Payback must ensure that there are a sufficient number of work placements which are able to provide formal vocational or skills for life qualifications in each area for offenders who are unemployed and whose offending reflects employment related needs. Providers of vocational skills and skills for life (basic skills) must be able to provide offenders with a nationally recognised, accredited qualification.

2. Probation areas and other providers of Community Payback should ensure that with appropriate offenders full use is made of the 20% of the sentence, which is allowable towards learning and skills development. This provision should be targeted towards offenders with poor employment related skills and a history of worklessness or unstable employment. This provision is available to help offenders into training or education so any training or education commitments already in place at the commencement of the order cannot be counted towards the 20%. Community Payback provides a unique opportunity to engage offenders in learning in a practical work setting.

3. Learning provision on Community Payback work sites should also take account of local skills deficits and opportunities provided by local labour markets. Organisations working in partnership to deliver Community Payback, such as placement providers or local authorities may also provide valuable employment opportunities for offenders. Where possible guaranteed interview arrangements should be established with placement providers and partner agencies, which might provide opportunity for offenders to commence paid employment following the completion of their Community Payback sentences.
**SERVICE ELEMENT 7: REQUIREMENT IS MANAGED AND ENFORCED**

| Mandatory requirements | • Whenever any member of staff becomes aware of information relating to risk of harm they must relay it at the earliest practical opportunity to the member of staff responsible for managing the requirement.  
|                        | • Breach action in respect of an unpaid work requirement must be initiated in accordance with National Standards timescales.  
|                        | • Every offender must be instructed to attend for work on a weekly basis until the requirement is completed; for those subject to intensive arrangements this must be three times per week.  
|                        | • Local practices and procedures must be followed to ensure that all cases can be properly audited and information can be accessed by those who have a legitimate need to do so.  |

**Output 1: Offender is supported and motivated to maximise attendance.**

**Applicable Offender Segment: All offenders**

1. Attendance rates are a significant indicator of effective service delivery and crucial to offenders’ timely completion of their unpaid work requirements. Ensuring that offenders understand all expectations of them right from the outset aids motivation and makes attendance more likely. This starts at induction but continues throughout the requirement. It is based on clear systems, fairly operated, so that offenders understand what is expected of them at all times and any changes in arrangements are clear.

2. Until 2006 the management of offenders sentenced to unpaid work requirements, including responsibility for initial assessment, allocation to work placement, motivation and enforcement was integrated into the Community Payback intervention. The implementation of the National Offender Management Model resulted in the transfer of responsibility for the management of offenders sentenced to unpaid work requirements to Offender Management teams. The Specification Benchmarking and Costings ‘Early Priorities’ report on identifying savings in probation area expenditure found that the split in responsibilities between offender management and the Community Payback intervention had resulted in inefficiencies which had impacted significantly on performance and costs. The report recommended that the management of offenders sentenced to single requirement orders should be re-integrated back into the Community Payback intervention as a dedicated offender management role, or in combination with other roles. Management decisions, such as those relating to enforcement, in respect of offenders subject to multiple requirement orders including unpaid work should remain with offender management teams.

3. Pro-social modelling is an approach that clearly encourages appropriate behaviour and attitudes in offenders, leading to greater compliance, including attendance. Pro-social modelling (PSM) requires staff to model positive pro-social behaviour, teach good interpersonal and problem solving skills and to challenge anti-social behaviour and attitudes. Community Payback staff have long periods of contact...
with offenders and therefore significant opportunity to influence their behaviour. If staff consistently model pro-social behaviour, there is an increased likelihood that offenders will adopt this behaviour in their own relationships and resolve problems and conflict without recourse to anti-social or criminal behaviour. There is also evidence that the consistent use of PSM techniques increases offender’s compliance with court orders and may reduce the likelihood of re-offending.

4. Organisations responsible for the delivery of Community Payback must provide their staff with suitable pro-social modelling training. PSM is a set of attitudes and behaviours that underpins effective work with offenders. It should also be modelled throughout organisations responsible for the management of offenders and the delivery of community sentences. The personal authority and pro-social stances of staff working directly with offenders will be undermined if offenders see them being treated in a way which does not recognise the value of their work. Anti-social attitudes and behaviours modelled by those in authority can strongly reinforce these attitudes in offenders.

5. The impact of PSM is also reflects the relationship between offenders and those responsible for the delivery of Community Payback. Pro-social learning by example is more likely to take place in relationship which is characterised by mutual respect, a firm but fair approach and a relationship which demonstrates empathy and appropriate humour. The impact of personal relationships in achieving change will be limited where there is insufficient time for supervisors to give adequate attention to individual offenders and this should be considered together with the risks and needs presented by offenders when determining the optimum size of work groups.

6. Offenders must be aware of the rules of Community Payback and the boundaries of acceptable behaviour. They must also perceive that these rules are enforced consistently and fairly. The use of PSM should be introduced to offenders at induction. Staff in agencies responsible for providing or supporting the delivery of Community Payback should also model positive behaviour and be familiar with the principles of PSM. This will ensure the pro-social stance of Community Payback is not inadvertently undermined by other organisations which may be involved in supervising offenders undertaking Community Payback.

7. PSM is a key element of Community Payback and it is therefore important that the quality and consistent delivery of PSM on supervised work sites is assured. As part of the process of supervision and appraisal managers responsible for Community Payback should observe full time supervisors at least 4 times a year using the PSM Action Checklist (Appendix D). Part-time and sessional supervisors should be observed at a minimum of 6 monthly intervals. Adequate time should be taken to provide feedback to supervisors and identify potential areas in which practice may be improved.
<table>
<thead>
<tr>
<th>Output 2: Offender’s placement is reassessed and reviewed in light of new risk information.</th>
<th>8. Work placements that hold the offenders’ interest and clearly demonstrate benefit to the beneficiary or the wider community are most likely to secure offenders’ regular attendance. A proactive approach by supervisors to ensure that offenders understand the benefits of the work being undertaken is important to this.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Applicable Offender Segment:</strong> All offenders</td>
<td>1. Communicating all information speedily that may impact on considerations of risk is vital to maintaining safe working practices and protecting the public. This information may come through observation, from another organisation, directly from the offender or a member of their family. Whenever any member of staff becomes aware of such information they must relay it at the earliest practical opportunity to the member of staff responsible for managing the requirement (this may be a member of the Community Payback Unit or an offender manager) and a simple system needs to be in place and understood by all staff to do this.</td>
</tr>
<tr>
<td></td>
<td>2. Whenever information relating to the risk of harm posed by an offender is received, the placement allocation must be reviewed in the light of that information and revised if appropriate. The information and the decisions/actions taken must be recorded whether or not it triggers a full Risk of Harm review. This must be completed before the offender is instructed to work again and should, wherever possible, be completed so that weekly attendance is not interrupted. If this cannot be achieved the decision not to instruct should be endorsed by a manager.</td>
</tr>
<tr>
<td>Output 3: Offender Managers are provided with timely information regarding offenders’ attendance, behaviour and risk indicators.</td>
<td>1. As outlined in Service Element 7: Output 2 above, there needs to be a simple system in place to ensure that ad hoc information is communicated quickly to offender managers to ensure that they can make well informed, timely decisions.</td>
</tr>
<tr>
<td><strong>Applicable Offender Segment:</strong> Offenders subject to multiple requirements and young offenders.</td>
<td>2. There also needs to be a routine system for keeping offender managers up to date with information about offenders’ attendance and behaviour. This will be recorded on electronic case management systems but areas will need to decide how attention can be simply drawn to this information.</td>
</tr>
<tr>
<td></td>
<td>3. Where the responsible officer in relation to 16 and 17 year olds is based within a Youth Offending Team an efficient system needs to be in place to ensure that information is conveyed speedily so that decisions can be made and action taken in a timely fashion.</td>
</tr>
<tr>
<td>Output 4: Failure to attend is followed up within the prescribed timescales.</td>
<td>1. Unpaid work requirements need to be enforced rigorously in the same way as any element of a community or suspended sentence order. They are subject to the same decision making and timescales as all other requirements.</td>
</tr>
<tr>
<td><strong>Applicable Offender Segment:</strong> All offenders on standalone requirements.</td>
<td>2. Multiple requirement orders are managed by offender management teams require that good communication links are established and maintained between the Community Payback Unit and offender managers.</td>
</tr>
</tbody>
</table>
3. Where unpaid work requirements are managed by staff within a Community Payback Unit, those staff are well placed to follow up failures to attend quickly and with a more individualised approach than just routine letters (e.g. telephone). This is more likely to provide the opportunity to encourage the offender to offer an explanation and to help them re-engage with Community Payback.

**Output 5:** Relevant information regarding failure to attend is communicated to the Offender Manager within prescribed timescales.

**Applicable Offender Segment:** Offenders subject to multiple requirements and young offenders.

| 1. A simple system must be in place to ensure that offender managers or responsible officers within a Youth Offending Team are alerted quickly to an offender’s failure to attend so that action can be taken by them within the timescales prescribed by National Standards. In practical terms this means that the information must be given to the offender manager or responsible officer by the working day following the failure to attend, at the latest. |

| 1. Where appropriate, breach action is instigated within prescribed timescales. |

**Applicable Offender Segment:** All offenders on standalone requirements.

| 1. As with any other requirement of a community or suspended sentence order, breach action in respect of an Unpaid Work requirement must be initiated in accordance with National Standards timescales. |

| 1. When an offender is denying a breach at court, it is essential that relevant Community Payback staff are available to attend court and give evidence to support the prosecution. For some staff, unaccustomed to working in the court environment, this can be a stressful experience and it is worth ensuring that time is given to them for preparation. Visiting the court and witnessing proceedings as well as spending time with the prosecutor going over what is expected of them can help to raise their confidence. |

| 2. Breach proceedings are important not only because they hold individual offenders to account for complying with their order, but also because they demonstrate the rigour and fairness of the way that sentences are managed. The successful prosecution of appropriate breaches, therefore, gives an important message. Ensuring that all the relevant evidence is assembled and that members of staff are properly prepared to support the prosecution is crucial. |
| Output 8: Case record and administrative procedures are completed. | 1. Local practices and procedures must be followed to ensure that all cases can be properly audited and information can be accessed by those who have a legitimate need to do so.  
  
2. Recording procedures need to be able to keep an accurate check of the hours worked by an individual offender. The offender must be given a record of the number of hours they have worked and the number outstanding each time they attend for work. |
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicable Offender Segment: All offenders.</td>
<td></td>
</tr>
</tbody>
</table>
| Output 9: Requirement is completed within a 12 month period. | 1. The legal position is slightly confusing in that it requires that an unpaid work requirement is completed within 12 months but also states that it remains in force until the hours are completed.  
  
2. In those instances where circumstances have prevented attendance at the required level and it becomes apparent that the requirement will not be completed within 12 months the case must be returned to court. The area must decide whether the application should be:  
  - Revocation and resentence because the offender’s circumstances have changed and there is no realistic prospect that the requirement will be completed in a reasonable timescale. OR  
  - Extension of the requirement because the circumstances that prevented the offender from undertaking Community Payback have changed, or will change, so that there is a realistic likelihood that the requirement will be completed but in a period beyond 12 months. Legal advice received by NOMS suggests that powers to extend a Community Order are limited by the 3 year long stop provision contained in section 177(5) of the Criminal Justice Act 2003. In respect of a suspended sentence, section 200(4) specifies that an unpaid work requirement is specifically tied to the end of the operational period. Therefore any extension of the unpaid work requirement must be completed within the operational period stated in the original suspended sentence order.  
  
3. Every offender must be instructed to attend for work on a weekly basis until the requirement is completed. The only exceptions to this minimum rate are:  
  - The offender’s work makes it impossible to attend each week (for example those working on oil rigs or at sea). In these circumstances the offender may be required to attend for work a number of days each week that they are available to ensure that the requirement is completed within 12 months.  
  - The offender is classed as ineligible due to long term sickness, imprisonment (including remand) or they have been suspended pending breach proceedings.  
    Those subject to intensive arrangements must be instructed to attend three times per week.  
  
4. Offenders can be allowed to attend for work more frequently than this if it is possible to provide work without compromising the opportunity for those attending at the minimum level. This can aid offender motivation and compliance and, where possible, is good practice. |
5. Like any other requirement in a community or suspended sentence order, application may be made to revoke an order containing an unpaid work requirement, including on the grounds of the offender’s good progress. Schedule 8 of the 2003 Act refers to the circumstances in which it may be appropriate to revoke the order in the interests of justice, taking into consideration the circumstances which have arisen since the order was imposed. Generally, this limits revocations to exceptional situations when the offender is unable to complete the sentence imposed by the court as a result of a change in personal circumstances.

6. Section 199(5) of the Criminal Justice Act 2003 states that when sentencing in respect of two or more offences, the court may direct that the hours may be concurrent with or additional to those specified in any other order. The maximum number of hours that can be ordered to be worked in a 12 month period is 300. If a further similar order overlaps with an earlier one, both orders are best regarded as running concurrently from the dates they were imposed unless a court specifically directs that the further order is “consecutive”. Case law comments on the undesirability of imposing consecutive orders that result in the offender having to perform a total of more than 300 hours and that for all practical purposes such orders are regarded as if a single order.

Output 10: Offenders surveyed regarding their experience of Community Payback.

<table>
<thead>
<tr>
<th>Applicable Offender Segment: All offenders.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Exit surveys completed by offenders have provided valuable information to Community Payback units over the years. What is important is that there is a way to capture the offenders’ experiences of different placements, supervisors and the operation of Community Payback in a systematic way so that improvements can be made. Ultimately the value of this depends on the extent to which local managers use the information that this makes available.</td>
</tr>
<tr>
<td>2. Equally it is important for the offender to be able to give feedback on their experience. Demonstrating that their views are important, taken seriously and can make a difference is a reflection of the pro-social approach and a critical contribution to offender engagement.</td>
</tr>
<tr>
<td>3. A Community Payback Exit Survey is provided at Appendix F. It is designed to be straightforward to complete and does not require a ‘scoring’ system. However, local areas are at liberty to amend this to cover local circumstances if necessary. There is no requirement to submit returns to NOMS in relation to this. A spreadsheet for collating and analysing this data is available to download from EPIC.</td>
</tr>
<tr>
<td>4. Ideally, those responsible for helping/overseeing offenders completing this survey should not be the staff routinely involved in their supervision. Volunteers/mentors can be ideally placed to undertake this task.</td>
</tr>
</tbody>
</table>
### SERVICE ELEMENT 8: DOM COMMISSIONED OPTION – TARGETED INTERVENTION – EMPLOYMENT SKILLS

<table>
<thead>
<tr>
<th>Mandatory requirements</th>
<th>Output 1: Placements are provided to maximise opportunities for the development and accreditation of skills to meet the needs of offenders with an identified employment need.</th>
</tr>
</thead>
<tbody>
<tr>
<td>All providers must deliver a nationally recognised job related qualification.</td>
<td>1. Probation areas and other organisations responsible for Community Payback must establish work placements capable of supporting Vocational Skills Learning. Vocational Skills may include literacy and numeracy, problem solving or a vocational qualification.</td>
</tr>
<tr>
<td></td>
<td>2. Vocational Skills Learning should be targeted at offenders with poor employment related skills and full use should be made of the 20% allowance for learning and skills development in Community Payback.</td>
</tr>
<tr>
<td></td>
<td>3. Probation areas will need to provide clear information to the DOM’s office about the service provision needed (numbers, timing, areas to be covered and levels etc.). As the LSC/SFA moves from a local to a regional structure, negotiations at the regional level will become even more important and the DOM will be central to this. It is important that funding is directed at providing skill development and accreditation opportunities that meet identified offender need, not just mainstream provision.</td>
</tr>
</tbody>
</table>

**Applicable Offender Segment:** Unemployed Offenders.
## ADDITIONAL REQUIREMENTS AND GUIDANCE: WORKING WITH 16 AND 17 YEAR OLD OFFENDERS

### Mandatory requirements

- Opportunities must be made to consult with YOTs concerning Unpaid Work placements for young offenders sentenced to Youth Rehabilitation Orders.
- 16 and 17 year olds must not be required to wear high visibility Community Payback clothing or allocated to work sites where they are made visible to the public in other ways.

### Output 1: YOTs are consulted regarding placements for young offenders.

**Applicable Offender Segment:** Young offenders.

1. **Output 2: Placements are provided that meet the specific needs for safety and support required by the Children’s Act 2004.**

**Applicable Offender Segment:** Young offenders.

1. Section 11 of the Children Act 2004 places probation boards/trusts and other Community Payback provider organisations under a duty to discharge their functions ‘having regard to the need to safeguard and promote the welfare of children’. This means that in principle 16 and 17 year old offenders should not be allocated to mixed work groups with adult offenders. Where possible, organisations responsible for providing Community Payback should seek to develop appropriate provision specifically for 16 and 17 year old offenders. There are examples of external funding (e.g. CDRPs/CSPs) being sought successfully to make discrete provision possible. DOMs’ offices may also prove helpful in identifying appropriate funding.

2. YOTs can also be invited to collaborate in developing appropriate provision. The nature of this joint approach will vary according to the level of demand in an area, the resources available and other facilities in that area. This could range from advice about placements or access to age related services, to sharing the supervision of 16 and 17 year old offenders.

3. Section 11 of the Children Act 2004 and other provisions such as the United Nations Convention on the Rights of the Child require that the confidentiality of young people is maintained. For this reason PC19/2008 requires that 16 and 17 year olds are not required to wear high visibility Community Payback clothing, nor should they be allocated to work sites on which they are made visible to the public in other ways. Young Offenders should also not be allocated to work sites on which other members of the work group or supervisors are wearing identified Community Payback clothing.
4. Probation areas and other organisations responsible for the delivery of Community Payback must ensure that their health and safety provisions take into account the needs of 16 and 17 year olds under any current relevant legislation.

5. Written protocols should be in place with Youth Offending Teams, which define responsibility for the exchange of information, supervision, offender/case management, compliance and the enforcement of 16 and 17 year old offenders subject to community punishment orders or unpaid work requirements as part of a Youth Rehabilitation Order.

6. Protocols with YOTs must ensure that key information about young people such as the previous convictions, court report and ASSET risk assessment is available promptly to relevant staff when an order is made in respect of a 16 or 17 year old offender. YOTs will also contribute to the offender’s understanding of and engagement with Community Payback by ensuring they, and if appropriate their parents, are aware of the requirements of the order and the consequences of breach.

Output 3: Young offender needs, particularly in respect of safety and support, are assessed and recorded.

Applicable Offender Segment: Young offenders.

1. Every area should have an agreement with their local YOT(s) to ensure that any 16 or 17 year old subject to a CPO, CPRO or YRO can be referred to the YOT for support if Community Payback staff identify specific needs that cannot be met by the Community Payback unit. In such instances the needs, referral and any action taken should be recorded on the case record.

2. Irrespective of their apparent level of maturity, 16 and 17 year olds are not adults and must only be required to undertake work that is safe for them to perform.
APPENDICES

APPENDIX A – COMMUNITY PAYBACK WORK PLACEMENT AND WORK PROVIDER AGREEMENT
APPENDIX B – COMMUNITY PAYBACK ASSESSMENT FORM
APPENDIX C – COMMUNITY PAYBACK ALLOCATION PROCESS DIAGRAM
APPENDIX D – COMMUNITY PAYBACK PRO-SOCIAL MODELLING ACTION CHECKLIST
APPENDIX E – COMMUNITY PAYBACK BENEFICIARY SURVEY
APPENDIX F – COMMUNITY PAYBACK EXIT SURVEY
APPENDIX G – CDM GUIDANCE
APPENDIX H – GUIDANCE ON DRIVING
APPENDIX I – ADVICE FROM JOB CENTRE PLUS
<table>
<thead>
<tr>
<th>Placement Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Placement Name</td>
</tr>
<tr>
<td>Contact Name</td>
</tr>
<tr>
<td>Placement Type</td>
</tr>
<tr>
<td>Days Available</td>
</tr>
<tr>
<td>Placement Address</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Telephone</td>
</tr>
<tr>
<td>Mobile phone</td>
</tr>
<tr>
<td>Contact Address</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Telephone</td>
</tr>
<tr>
<td>Mobile</td>
</tr>
<tr>
<td>Email</td>
</tr>
</tbody>
</table>

1 Relevant Risk Information

Level of Risk of Harm Manageable at Placement?

- Vulnerable adults or children present at placement? Yes  No
- Ready opportunities for offending present at placement? Yes  No
Placement suitable for Identification as Community Payback Project and provides work of a suitably demanding nature | Yes | No
--- | ---

If a decision is taken not to make the site visible to the public, record the reasons for this decision:

Other factors to be taken into consideration when considering allocation of offenders to the placement:

### 2 Employment and Skills Related Opportunities

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
</table>
| Opportunity to gain employment related skills |     |    | Vocation Skill Opportunities |\
| Skills for life               |     |    | Formal Certification        |\
| Interpersonal Skills          |     |    | Guaranteed Interview        |\

Details of Skill and Employment Related Opportunities Provided by Placement:

### 3. Beneficiary Contact with Offenders

Details of planned contact with work provider and / or beneficiaries and frequency and nature of feedback to offenders.
## 4. Site Details

| Keys and Access Arrangements |

| Refreshments |

| Toilet and Washing Facilities |

| Smoking | Yes | No | Details: |

## 5. Placement Attributes

| Work Availability – Regular work assured | Yes | No |

| Work Availability Dependant upon Weather or other factors | Yes | No |

| Beneficiary supervision available | Yes | No |

| Accessibility – Placement easily accessed by workers without need for transport | Yes | No |

| Accessibility – any barriers to participation (please identify any reasonable adjustments required) | Yes | No |

## 6. Job Requirements

| Materials Required: |

| Materials Supplied by: |
Equipment Required:

Equipment Provided by:

Arrangements for Supervision of Offenders:

### 7. Placement Provider Agreement

I understand that as work provider I am responsible for ensuring that insurance cover is in place for the period that offenders and Community Payback staff are engaged on the project. I have discussed the work as listed above and understand that other tasks will have to be separately assessed before they can be undertaken. I will keep in touch with the agency delivering Community Payback and provide feedback to offenders as agreed in section 3 above.

I also understand that Community Payback is used to promote public understanding and confidence in community sentences. I consent to my organisation’s use of Community Payback being publicised in reports and other publicity material.

If the Construction (Design and Management) Regulations 2007 are applicable to the work being undertaken, I am agreeable to the organisation responsible for Community Payback acting as the CDM co-ordinator.

(Delete if not applicable)

<table>
<thead>
<tr>
<th>Signed Placement Provider</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title/Position</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Signed Community Payback Provider</th>
<th>Date</th>
</tr>
</thead>
</table>
## Community Payback Assessment Form

### 1 Individual Details

<table>
<thead>
<tr>
<th>Family Name</th>
<th>d o b</th>
</tr>
</thead>
<tbody>
<tr>
<td>Forenames</td>
<td>Case ID No</td>
</tr>
<tr>
<td>Alias</td>
<td>PNC No</td>
</tr>
<tr>
<td>Ethnic category</td>
<td>Gender</td>
</tr>
</tbody>
</table>

**Address**

<table>
<thead>
<tr>
<th>Home phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mobile phone</td>
</tr>
</tbody>
</table>

**Emergency contact details**

<table>
<thead>
<tr>
<th>Name</th>
<th>Relationship to offender</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>Home phone</td>
</tr>
<tr>
<td>Mobile phone</td>
<td></td>
</tr>
</tbody>
</table>

### 2 Risk of Harm details

<table>
<thead>
<tr>
<th>OASys Risk of Harm category:</th>
<th>Very High</th>
<th>High</th>
<th>Medium</th>
<th>Low</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full OASys assessment completed?</td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Full Risk of Harm assessment completed?</td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Risk Management Plan details/impact on placement allocation:

Comments:
### 3 Personal Factors

<table>
<thead>
<tr>
<th>Offending and/or behaviour</th>
<th>Yes</th>
<th>No</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sex offender</td>
<td></td>
<td></td>
<td>Known difficulty with others on Community Payback</td>
<td></td>
</tr>
<tr>
<td>Risk to children</td>
<td></td>
<td></td>
<td>Cannot be placed with male supervisor</td>
<td></td>
</tr>
<tr>
<td>History of offences against vulnerable adults</td>
<td></td>
<td></td>
<td>Cannot be placed with female supervisor</td>
<td></td>
</tr>
<tr>
<td>Hate based behaviour (e.g. homophobic, racially motivated)</td>
<td></td>
<td></td>
<td>Control issues (see OASys R4.2)</td>
<td></td>
</tr>
<tr>
<td>Frequent dishonesty</td>
<td></td>
<td></td>
<td>Concerns re: breach of trust (see OASys R4.3)</td>
<td></td>
</tr>
<tr>
<td>Needs close supervision or restricted placement</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Details/impact on placement allocation:

<table>
<thead>
<tr>
<th>Individual circumstances</th>
<th>Yes</th>
<th>No</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carer commitments</td>
<td></td>
<td></td>
<td>Women only provision</td>
<td></td>
</tr>
<tr>
<td>Language (e.g. need for translator)</td>
<td></td>
<td></td>
<td>Particular skills or experience</td>
<td></td>
</tr>
<tr>
<td>Cultural/religious needs</td>
<td></td>
<td></td>
<td>Other considerations</td>
<td></td>
</tr>
<tr>
<td>Vulnerability (e.g. age or maturity)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Details/impact on placement allocation:

<table>
<thead>
<tr>
<th>Health Information</th>
<th>Yes</th>
<th>No</th>
<th>Please give details below</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vertigo</td>
<td></td>
<td></td>
<td>Angina</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Skin conditions</td>
<td></td>
<td></td>
<td>Diabetes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Allergies</td>
<td></td>
<td></td>
<td>Asthma</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Condition</td>
<td>Yes</td>
<td>No</td>
<td>Disability (ref. DDA)</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>-----</td>
<td>----</td>
<td>-----------------------</td>
<td>-----</td>
<td>----</td>
</tr>
<tr>
<td>Claustrophobia</td>
<td></td>
<td></td>
<td>History of psychiatric illness</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other phobias</td>
<td></td>
<td></td>
<td>Treatment for depression or nervous disability</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Giddiness / fainting</td>
<td></td>
<td></td>
<td>Pregnant/new mother</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Blackouts</td>
<td></td>
<td></td>
<td>Back problems</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Epilepsy</td>
<td></td>
<td></td>
<td>Any prescribed medications being taken</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alcohol or drug problems</td>
<td></td>
<td></td>
<td>Other health problems relevant to work</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hearing impairment</td>
<td></td>
<td></td>
<td>Reduced physical capacity including difficulty with physical co-ordination</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Speech impairment</td>
<td></td>
<td></td>
<td>Mental illness</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Visual impairment (not corrected by glasses or contact lenses)</td>
<td></td>
<td></td>
<td>Severe disfigurement</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reduced mobility</td>
<td></td>
<td></td>
<td>Learning difficulties</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Progressive condition (e.g. cancer, muscular dystrophy)</td>
<td></td>
<td></td>
<td>Dyslexia</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other (please specify)</td>
<td></td>
<td></td>
<td>Do not wish to disclose</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Details/impact on placement allocation:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Details of GP:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employment and education</td>
<td>Yes</td>
<td>No</td>
<td>Is the offender in employment or education?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the employer or college aware of the Community Payback requirements?</td>
<td>Yes</td>
<td>No</td>
<td>Name of employer or college</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Address</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Days/hours per week</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Type of work or education</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Benefit Details</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>-------------------------</td>
<td>-----</td>
<td>----</td>
<td>-----</td>
<td>----</td>
<td></td>
</tr>
<tr>
<td>Income Support</td>
<td></td>
<td></td>
<td>Job Seeker’s Allowance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sickness Benefit</td>
<td></td>
<td></td>
<td>Disability Living Allowance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Incapacity Benefit</td>
<td></td>
<td></td>
<td>Severe Disability Allowance</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Other (e.g. student loan)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Details (including signing on details):</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Impact on placement allocation:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Travel</td>
<td></td>
<td></td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Cost of public transport from home to Community Payback</td>
<td></td>
<td></td>
<td>Offender has valid driving licence</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Public transport is accessible</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Placement restrictions due to travel difficulties</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Availability for Community Payback</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mon</td>
<td>Tues</td>
<td>Wed</td>
<td>Thur</td>
<td>Fri</td>
</tr>
<tr>
<td>Morning</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Afternoon</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Evening</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Skills or employment needs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Please indicate if there are problems with:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reading</td>
<td></td>
<td></td>
<td>Below 40</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Writing</td>
<td></td>
<td></td>
<td>40 – 59</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Numeracy</td>
<td></td>
<td></td>
<td>60 +</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Skills needs unlikely</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>List qualifications the offender has gained</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Skills the offender would like to learn</td>
<td>Is there a skills development need to address through Community Payback?</td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------------------------------</td>
<td>-------------------------------------------------</td>
<td>-----</td>
<td>-----</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Type of skills development</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Is there an employment need to address through Community Payback?</td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Type/nature of employment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Additional comments about skills or employment needs</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**5 Declaration**

These things have been given and explained to me:

<table>
<thead>
<tr>
<th>Information about Community Payback</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>THESE LINES ARE LEFT BLANK FOR UNITS TO INCLUDE FURTHER LOCAL INFORMATION</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

A copy of instructions for my first CP session on __________ Date __________

I agree to you sharing information with my placement provider if necessary

I agree to you contacting my GP and for you both to exchange information with each other, if necessary

I believe the information on this form is correct

I agree to attend for Community Payback as instructed

<table>
<thead>
<tr>
<th>Offender’s signature</th>
<th>Date</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Staff signature</th>
<th>Date</th>
</tr>
</thead>
</table>
Is RoH high?

Yes

Are there personal factors to be accommodated?

Yes

Is there a skills or employment need to be addressed?

Yes

- Supervised by suitably skilled and knowledgeable staff – ideally at a ratio of not more than 6 offenders per supervisor
- Placement accommodates personal factors
- Placement provides access to skills development or improved opportunities for employment

No

- Supervised by suitably skilled and knowledgeable staff – ideally at a ratio of not more than 6 offenders per supervisor
- Placement accommodates personal factors

No

Is there a skills or employment need to be addressed?

Yes

- Supervised by suitably skilled and knowledgeable staff – ideally at a ratio of not more than 6 offenders per supervisor
- Placement provides access to skills development or improved opportunities for employment

No

- Supervised by suitably skilled and knowledgeable staff – ideally at a ratio of not more than 6 offenders per supervisor

Is RoH medium?

Yes

Are there personal factors to be accommodated?

Yes

Is there a skills or employment need to be addressed?

Yes

- Supervised by suitably skilled and knowledgeable staff – ideally at a ratio of not more than 6 - 8 offenders per supervisor
- Placement accommodates personal factors
- Placement provides access to skills development or improved opportunities for employment

No

- Supervised by suitably skilled and knowledgeable staff – ideally at a ratio of not more than 6 - 8 offenders per supervisor
- Placement accommodates personal factors

No

- Supervised by suitably skilled and knowledgeable staff – ideally at a ratio of not more than 6 - 8 offenders per supervisor

No

Yes

- Supervised by suitably skilled and knowledgeable staff – ideally at a ratio of not more than 6 - 8 offenders per supervisor
- Placement accommodates personal factors
Is RoH low?

Yes

Are there personal factors to be accommodated?

Yes

Is there a skills or employment need to be addressed?

No

No

No

Yes

Is there a skills or employment need to be addressed?

No

Yes

Is there a skills or employment need to be addressed?


- Supervised by suitably skilled and knowledgeable staff – ideally at a ratio of not more than 6 – 8 offenders per supervisor
- Placement provides access to skills development or improved opportunities for employment

- Supervised by suitably skilled and knowledgeable staff – ideally at a ratio of not more than 6 – 8 offenders per supervisor

- Group – ideally not more than 10 offenders per supervisor - or Individual Placement
- Placement accommodates personal factors
- Placement provides access to skills development or improved opportunities for employment

- Group – ideally not more than 10 offenders per supervisor - or Individual Placement
- Placement accommodates personal factors

- Group – ideally not more than 10 offenders per supervisor - or Individual Placement
- Placement provides access to skills development or improved opportunities for employment

- Group – ideally not more than 10 offenders per supervisor - or Individual Placement
# Community Payback

## Pro-Social Modelling Action Checklist

<table>
<thead>
<tr>
<th>Community Payback Unit</th>
<th>Placement name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of Supervisor</td>
<td>Group</td>
</tr>
<tr>
<td></td>
<td>Individual</td>
</tr>
<tr>
<td>Name of Assessor</td>
<td>Date of assessment</td>
</tr>
<tr>
<td>Activities Observed</td>
<td>Length of time observed</td>
</tr>
<tr>
<td>Verbal feedback given on site</td>
<td>Yes</td>
</tr>
</tbody>
</table>

**Please complete a new checklist for each observation visit.**

Please complete the checklist after a period of observation that allows a reasonable length of time for a full range of examples of PSM to be demonstrated. For each example mark either the:

- **Pro** column with a ✓ if the pro-social-example was observed
- **Anti** column with a ✗ if the situation arose but the supervisor did not respond in a pro-social way
- **None** column with a N if that opportunity to be pro-social did not arise during the period of observation

Use the space provided at the end of each section to record any additional pro-social examples observed but which are not listed. It is possible to mark criteria both ✓ and ✗ if the situation occurs more than once.

### Pro-social modelling by example

<table>
<thead>
<tr>
<th>Did the supervisor model these pro social attitudes and behaviour?</th>
<th>Pro</th>
<th>Anti</th>
<th>None</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Greet each offender individually</td>
<td>✓</td>
<td>✗</td>
<td>N</td>
</tr>
<tr>
<td>2 Address offenders politely by name</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Use appropriate eye contact in conversation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Use appropriate body language</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 Use appropriate gestures</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 Use a balanced tone of voice</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7 Give attention to everybody</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 Treat everybody fairly having regard to individual needs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 Give clear instructions about the work to be done</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 Hold people to task firmly but fairly</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11 Uphold the rules</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Any other observed examples of pro-social modelling by example

<table>
<thead>
<tr>
<th>Pro social attitudes</th>
<th>Pro</th>
<th>Anti</th>
<th>None</th>
</tr>
</thead>
<tbody>
<tr>
<td>Did the supervisor reinforce these desirable attitudes?</td>
<td>✔</td>
<td>✗</td>
<td>N</td>
</tr>
<tr>
<td>12 An anti-drugs stance</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13 A responsible attitude to the use of alcohol</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14 A positive attitude to the police, the courts and Probation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15 A positive attitude to Unpaid Work</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16 A positive attitude to employment and education</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17 Anti sexist attitudes and socially inclusive values</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18 Respect for minority ethnic groups and other cultural backgrounds</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any other observed examples of desirable attitudes being reinforced</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Pro social rewards</th>
<th>Pro</th>
<th>Anti</th>
<th>None</th>
</tr>
</thead>
<tbody>
<tr>
<td>Did the supervisor reward these pro social attitudes and behaviour?</td>
<td>✔</td>
<td>✗</td>
<td>N</td>
</tr>
<tr>
<td>19 Good time keeping</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20 Courtesy</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>21 Good relationships with others involved in the work</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>22 Attention to the task in hand</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23 Complying with instructions</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24 Compliance with health and safety requirements</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25 Making useful contributions to the planning and organising of the work</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any other observed examples of desirable behaviour being rewarded</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
BENEFICIARY SURVEY

We want you to complete this survey so that we can understand your experience of Community Payback. It is important that we keep improving the service we deliver and your views, like those of sentencers and offenders, help us build up a picture that can inform those improvements. You do not need to give your name if you choose not to. However, if you want us to respond to any issues you raise in this form, we will need your details so that we can contact you.

Please put a ✓ in the box that best suits your answer. There is also a space for any comments you want to make for each question. You do not have to make any comments if you do not want to.

<table>
<thead>
<tr>
<th>Question</th>
<th>Options</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Is the work carried out by?</td>
<td>Individual offenders</td>
<td>Groups of offenders</td>
</tr>
<tr>
<td>2 Who supervises the offender(s)?</td>
<td>Your organisation</td>
<td>Community Payback provider</td>
</tr>
<tr>
<td>3 When is the work carried out?</td>
<td>Weekends</td>
<td>Weekdays</td>
</tr>
<tr>
<td>4 Over what period was the work carried out?</td>
<td>Less than a week</td>
<td>1 – 4 weeks</td>
</tr>
<tr>
<td>5 What is the nature of the work (please only identify the main one)?</td>
<td>Environmental/conservation</td>
<td>Graffiti removal/Litter removal</td>
</tr>
<tr>
<td></td>
<td>Painting/decorating</td>
<td>Restoration</td>
</tr>
<tr>
<td></td>
<td>Charity shop</td>
<td>Luncheon club</td>
</tr>
<tr>
<td></td>
<td>Clearing/maintenance</td>
<td>Animal work</td>
</tr>
<tr>
<td></td>
<td>Community safety</td>
<td>Other (please specify)</td>
</tr>
<tr>
<td></td>
<td>Recycling</td>
<td></td>
</tr>
</tbody>
</table>

Please rate the following issues by putting a ✓ in the appropriate box (Very good, Good, Poor, Very poor)

<table>
<thead>
<tr>
<th>Issue</th>
<th>Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 The level of information given about Community Payback.</td>
<td>Very good</td>
</tr>
<tr>
<td>7 Overall, how well Community Payback is organised and managed.</td>
<td></td>
</tr>
<tr>
<td>8 Offenders’ ability to carry out the work required.</td>
<td></td>
</tr>
<tr>
<td>9 The standard of offenders’ behaviour.</td>
<td></td>
</tr>
<tr>
<td>No.</td>
<td>Question</td>
</tr>
<tr>
<td>-----</td>
<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td>10</td>
<td>Helpfulness of Community Payback staff.</td>
</tr>
<tr>
<td>11</td>
<td>Offender’s attendance in accordance with instructions.</td>
</tr>
<tr>
<td>12</td>
<td>Sufficiency of labour and equipment to carry out the work.</td>
</tr>
<tr>
<td>13</td>
<td>Quality of the work done.</td>
</tr>
<tr>
<td>14</td>
<td>Standard of supervision of offenders.</td>
</tr>
<tr>
<td>15</td>
<td>Staff’s ability to motivate and encourage offenders.</td>
</tr>
<tr>
<td>16</td>
<td>Staff response to and ability to resolve problems.</td>
</tr>
<tr>
<td>17</td>
<td>Have you used Community Payback before?</td>
</tr>
<tr>
<td>18</td>
<td>Would you use Community Payback again?</td>
</tr>
<tr>
<td>19</td>
<td>Would you recommend Community Payback to others?</td>
</tr>
<tr>
<td>20</td>
<td>Are you more likely now to employ someone with a criminal record?</td>
</tr>
<tr>
<td>21</td>
<td>What was the main reason for becoming involved in Community Payback?</td>
</tr>
<tr>
<td></td>
<td>• To be involved in the rehabilitation of offenders</td>
</tr>
<tr>
<td></td>
<td>• To complete a job that would not otherwise be done</td>
</tr>
<tr>
<td></td>
<td>• To save money</td>
</tr>
<tr>
<td></td>
<td>• Other (please specify)</td>
</tr>
<tr>
<td>22</td>
<td>Can you suggest anything that would improve our delivery of Community Payback?</td>
</tr>
<tr>
<td>23</td>
<td>Is there any other comment you would like to make about Community Payback?</td>
</tr>
<tr>
<td>24</td>
<td>Would you like us to respond to any of the issues you’ve raised?</td>
</tr>
</tbody>
</table>

Thank you for completing this survey
**Community Payback Exit Survey**

We want you to complete this survey so that we can understand what the experience of Community Payback was like for you. It is important that we keep improving the service we deliver and your views, like those of sentencers and beneficiaries, help us build up a picture that can inform those improvements. The information about you that we ask for at the end of this form is also used to help us build up this picture and is not used for any other purpose. You do not need to give your name if you choose not to. However, if you want us to respond to any issues you raise in this form, we will need your name so that we can contact you.

Please put a ✓ in the box (Very; Fairly; Not at all etc.) that best suits your answer. There is also a space for any comments you want to make for each question. You do not have to make any comments if you do not want to.

<table>
<thead>
<tr>
<th></th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Was the work you did hard and demanding?</td>
</tr>
<tr>
<td>2</td>
<td>Were you kept busy all day?</td>
</tr>
<tr>
<td>3</td>
<td>Was the work you did useful to the local community?</td>
</tr>
<tr>
<td>4</td>
<td>Were you treated fairly and with respect by Community Payback staff?</td>
</tr>
<tr>
<td>5</td>
<td>Were you ever sent away when you arrived for work because we could not give you work to do?</td>
</tr>
<tr>
<td>6</td>
<td>What was the overall organisation of Community Payback like?</td>
</tr>
<tr>
<td>7</td>
<td>Did you learn anything useful to you through Community Payback?</td>
</tr>
<tr>
<td>8</td>
<td>How likely are you to offend again now you have finished Community Payback?</td>
</tr>
<tr>
<td>9</td>
<td>Did you complete your Community Payback hours?</td>
</tr>
<tr>
<td>10</td>
<td>If not, why did you not complete them?</td>
</tr>
<tr>
<td>11</td>
<td>What do you think we could do to improve Community Payback?</td>
</tr>
<tr>
<td>----</td>
<td>-------------------------------------------------------------</td>
</tr>
<tr>
<td>12</td>
<td>Are there any other points about Community Payback that you would like to make?</td>
</tr>
<tr>
<td>13</td>
<td>Do you want us to respond to you about any of the points you have raised?</td>
</tr>
<tr>
<td>14</td>
<td>Information about you</td>
</tr>
<tr>
<td>Are you?</td>
<td>Male</td>
</tr>
<tr>
<td>--------</td>
<td>------</td>
</tr>
<tr>
<td>Do you have any long term illness, health problems or disability which limits your daily activities or the work you do?</td>
<td>Yes</td>
</tr>
<tr>
<td>Is English your first language?</td>
<td>Yes</td>
</tr>
<tr>
<td>If not, what is your first language?</td>
<td></td>
</tr>
<tr>
<td>Do you consider yourself to be:</td>
<td></td>
</tr>
<tr>
<td>White British</td>
<td>Indian</td>
</tr>
<tr>
<td>White Irish</td>
<td>Pakistani</td>
</tr>
<tr>
<td>White Other</td>
<td>Bangladeshi</td>
</tr>
<tr>
<td>Caribbean</td>
<td>Any other Asian background</td>
</tr>
<tr>
<td>African</td>
<td>White &amp; Black Caribbean</td>
</tr>
<tr>
<td>Any other Black background</td>
<td>White &amp; Black African</td>
</tr>
<tr>
<td>Chinese</td>
<td>White and Asian</td>
</tr>
<tr>
<td>Other ethnic group</td>
<td>Any other mixed background</td>
</tr>
</tbody>
</table>

Thank you for completing this survey

No. | Unit | Date |
Unpaid Work Projects and CDM - A Guide to Compliance

The CDM Regulations were revised in 2007 and replaced the Construction (Design and Management) Regulations 1994 and the Construction (Health, Safety and Welfare) Regulations 1996. The aim of CDM 2007 is to integrate health and safety into the management of the project and to encourage everyone involved to work together to:

(a) improve the planning and management of projects from the very start;
(b) identify hazards early on, so they can be eliminated or reduced at the design or planning stage and the remaining risks can be properly managed;
(c) target effort where it can do the most good in terms of health and safety; and
(d) discourage unnecessary bureaucracy.

The effort devoted to planning and managing health and safety should be in proportion to the risks and complexity associated with the project. When deciding what you need to do to comply with these Regulations, your focus should always be on action necessary to reduce and manage risks. Any paperwork produced should help with communication and risk management. (ACOP pg 1 para 4) It is vital that those doing the work understand the risks involved and what to do about them. If the risks are low and the precautions well understood by those carrying out the work then there will be no need for a written plan. In other simple cases a brief summary that clearly sets out who does what and in what order will be enough. (ACOP pg 4 para 21)


Using the generic risk assessments already on EPIC, a guide to how CDM may apply to unpaid work projects is as follows:

<table>
<thead>
<tr>
<th>Unpaid Work projects Required?</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Catering Projects</td>
<td>No</td>
</tr>
<tr>
<td>2. Carpentry and Maintenance (non workshops) structure - Yes</td>
<td>If work is to a Site Clearance - Tree planting and general horticultural work - No</td>
</tr>
<tr>
<td>3. Groundwork/Gardening Tasks Yes</td>
<td></td>
</tr>
<tr>
<td>4. Graffiti Removal</td>
<td>Yes</td>
</tr>
<tr>
<td>5. Individual Agency Placements</td>
<td>Working in a Charity Shop - No, unless undertaking construction work</td>
</tr>
</tbody>
</table>
Notifiable Projects

Following the decision as to whether a project needs to comply with CDM one also needs to consider whether the project is likely to be notifiable. To be notifiable a project must:

(a) last more than 30 working days
(b) involve more than 500 person days, for example 5 people working for over 100 days

NB. A day is any day that construction work takes place, including weekends.

Long term/on going unpaid work projects where the work comes under one agreement, for example a contract with a local authority to redecorate social housing, is likely to be notifiable even if each separate redecorating project would not be long enough to become notifiable itself. It is likely that the HSE would consider the agreement for the redecoration of social housing over an extended period of time to be counted as one project for CDM purposes.

Projects, where the work is for a local authority or other large organisation, that comes under CDM and is notifiable, should be relatively straightforward to manage as those organisations (the beneficiaries) should have the necessary arrangements in place to comply with the additional duties notifiable projects are subject to e.g. appointing a CDM co-ordinator etc. Notification must be made on form F10 (Rev.) Copies can be obtained from: www.hse.gov.uk/lfserver/external/f10.

Q&A’s

Q1. Could you define, for a small project, what is an acceptable length of a “short extension” or “short term increase in the number of people” in order for it to remain non notifiable? (as per ACOP pg 3 paragraph 17)
A1. If work is almost complete but completion will mean that the project lasts just over 30 working days or just over 500 person days then it can remain non notifiable. If it is a genuinely unforeseen overrun a margin of 10/15% would be acceptable.

Q2. Where small beneficiaries’ knowledge of CDM is limited or non existent how much can the principal contractor (which is likely to be the Probation Board/Trust for small beneficiaries) get involved in advising the client on their duties to appoint a CDM co-ordinator etc? Could the Probation Board/Trust provide the CDM co-ordinator role or would this result in a conflict of interest?

A2. The Probation Board/Trust as the principal contractor (or contractor) should advise others on their duties as there is a requirement to co operate and co ordinate. The Probation Board/Trust could act as the CDM co ordinator as this role can be combined with another role. If the role is combined with the role of principal contractor, the CDM co ordinator must have sufficient independence to carry out their tasks effectively. On simple projects one person should be able to provide all of the support that clients need, but a team approach will be more common for larger or more complicated projects because of workload and skills required. (as per ACOP pg 19 para 88)

Q3. Where our projects come under CDM will existing paper work be sufficient?

A3. Non Notifiable Projects: Existing methods of managing unpaid work projects will need to be checked specifically against part 2 & 4 of the CDM Regulations 2007. It may be that existing paper work only needs some minor adjustments. Notifiable Projects: In addition to paper work being checked against part 2 & 4 of the CDM Regulations 2007 notifiable projects also have to comply with part 3 of the Regulations. Part 3 includes all the additional duties including: the appointment, by the Client, of the CDM co-ordinator; the appointment of a Principal Contractor; the inclusion of relevant information to the H&S File; the provision of a construction phase plan and notification, by the CDM Co-ordinator, on Form F10 (Rev) to the HSE.

Q4. Will project supervisors need additional training in order to comply with CDM?

A4. It is likely that in most Boards/Trusts that the person who sets up unpaid work projects and project supervisors will need a briefing/training session on CDM and the additional responsibilities incurred when a project is notifiable.

NB. This is only a guide and decisions on whether compliance with CDM is necessary will depend upon the nature of each individual project. If in doubt please seek advice from your Area H&S Advisor.
Unpaid Work Projects and CDM – Specific Duties and Duty Holders

Foreword

The introduction of the Construction (Design & Management) Regulations 1994 (as revised 2007) places new duties upon clients (generally the Beneficiaries), designers, principal contractors and contractors (generally the Probation Board or Trust) so that Health & Safety matters are taken into account before any construction work commences. Each has a duty to ensure that effective co-ordination and safety management is maintained throughout all stages of the project. This document should be read in conjunction with “Unpaid Work Projects and CDM – A Guide to Compliance.”

The key duties are as follows:

Clients Duties (CDM Regs. Part 2 – all construction projects)

- To make reasonable enquiries as to the competence and the proposed allocation of resources for Health & Safety of all appointed
- Ensure there are suitable management arrangements for the project including welfare facilities
- Allow sufficient time and resources for all stages
- Provide pre-construction information to designers and contractors

Clients Duties (CDM Regs. Part 3 – all notifiable construction projects)

(lasts >30 working days and/or involve more than 500 person days)

- Appoint CDM co-ordinator*
- Appoint principal contractor*
- Make sure that the construction phase does not start unless there are suitable:
  - welfare facilities, and
  - construction phase plan (schedule of works) in place
- Provide information relating to the health and safety (project) file to the CDM Co-ordinator
- Retain and provide access to the health and safety (project) file

*There must be a CDM co-ordinator and principal contractor until the end of the construction phase

Duties of CDM co-ordinator (CDM Regs. Part 3 – all notifiable construction projects)

- To give adequate advice to the client or contractor to enable them to comply with their duties
- Notify HSE Form F10 (Rev)
- Co-ordinate health and safety aspects of design work and co-operate with others involved with the project
Facilitate good communication between client, designers and contractors
Liaise with principal contractor regarding ongoing design
Identify, collect and pass on pre-construction information (project health and safety assessment)
Prepare / update health and safety (project) file

Duties of Principal Contractors (CDM Regs. Part 3 - all Notifiable Projects)

• Plan, manage and monitor construction phase in liaison with contractor
• Prepare, develop and implement a written plan (project health and safety risk assessment) and site rules.
  NB. Initial plan to be completed before the construction phase begins
• Give contractors / suppliers relevant parts of the plan (project health and safety risk assessment)
• Make sure suitable welfare facilities are provided from the start and maintained throughout the construction phase
• Check competence of all appointees (supervisors)
• Ensure all workers (offenders) have site inductions and any further information and training needed for the work
• Consult with the workers
• Liaise with the CDM co-ordinator regarding ongoing design
• Secure the site

Duties of Designers (CDM Regs. Part 2 - all Construction Projects)

• Ensure the client is aware of his duties under the CDM Regs.
• Eliminate hazards and reduce risks by design.
• Provide information in relation to residual risks, construction/structural design or maintenance work to assist others.

Duties of Designers (CDM Regs. Part 3 - all Notifiable Projects)

• Check a CDM co-ordinator has been appointed before commencing work.
• Provide any information needed for the CDM Co-ordinator and the health and safety file.

Duties of Contractors (CDM Regs. Part 2 - all Construction Projects)

• Check client (beneficiary) is aware of their duties
• Plan, manage and monitor own work and that of workers
• Check competence of all their appointees and workers
• Train own employees
• Provide information to their workers
• Comply with specific requirements in Part 4 of the Regulations
• Ensure there are adequate welfare facilities for their workers
Duties of Contractors (CDM Regs. Part 3 - all Notifiable Projects)

- Check a CDM co-ordinator and a principal contractor have been appointed and HSE notified before starting work
- Co-operate with principal contractor in planning and managing work, including reasonable directions and site rules
- Provide details to the principal contractor whom he engages in connection with carrying out the work
- Provide any information needed for the health and safety (project) file
- Inform principal contractor of problems with the plan (schedule of works)
- Inform principal contractor of reportable accidents, diseases and dangerous Occurrences

Duties for Everyone

- Check own competence
- Co-operate with others and co-ordinate work so as to ensure the health and safety of construction workers and others who may be affected by the work
- Report obvious risks
- Comply with requirements in Schedule 3 and Part 4 of the Regulations for any work under their control
- Take account of and apply the general principals of prevention when carrying out duties
ADVICE FROM JOBCENTRE PLUS

Based on the information provided, it is difficult to see how community payback alone would prevent a jobseeker from being entitled to Jobseeker's Allowance on the grounds of availability.

The basic conditions for receiving Jobseeker's Allowance are that a person is available for and actively seeking work. Jobseeker's Allowance regulation 6 states that in order to be regarded as available for employment, a person must be willing and able to take up employment of at least 40 hours per week. Generally we expect jobseekers to be available immediately should an interview or job opportunity arise however it would be unrealistic to expect them to sit by a telephone 24/7 waiting for jobcentre plus to call. We would take the view that anyone undertaking an Intensive Community Payback for Knife Crime Offences programme is proving that they are available for work by getting out of bed, turning up at the required location on time and doing what is asked of them for 5 days each week.

Providing the Intensive Community Payback for Knife Crime Offences programmes will allow the jobseeker to:

- Attend the jobcentre plus office when required, for example to sign each fortnight;
- Participate in any mandatory training courses/activities when required to do so by jobcentre plus;
- Attend a job interview or opportunity;
- Take up employment;
- Undertake mandatory jobsearch steps which are a Jobseeker's Allowance requirement;

Then his attendance on an Intensive Community Payback for Knife Crime Offences programme should not have an adverse impact on his availability for work.

Ideally the jobseeker will let his jobcentre plus adviser know that he is required to undertake an Intensive Community Payback for Knife Crime Offences programme and let the leader of the programme know that he must be available immediately to take up work or attend a job interview as a condition for receiving Jobseeker's Allowance. Jobcentre plus will provide the jobseeker with written evidence when he is required to attend the jobcentre plus office or any other mandatory activity so that his hours on the Intensive Community Payback for Knife Crime Offences programme can be rearranged.

1 Regulations do allow for certain groups of people to reduce their hours of availability for example if they have any physical or mental condition which would make it unreasonable for them not to restrict or if they have caring responsibilities.
You will appreciate that for Jobseeker’s Allowance each person is treated on an individual basis. Whenever a decision is made concerning benefit entitlement, the decision maker will have regard to the specific circumstances of the person concerned and any evidence/information they provide as well as the benefit legislation. For this reason no-one can say that everyone undertaking an Intensive Community Payback for Knife Crime Offences programme will be entitled to Jobseeker’s Allowance, but equally no-one can say that they will not.

All questions of entitlement to Jobseeker’s Allowance are decided by independent decision makers, against whose decisions there is a right of appeal to a Social Security Appeal Tribunal. There is a further right of appeal on points of law to the Social Security Commissioners.