

Service	Unpaid Work / Community Payback	Document	Service Specification	Version	P 2.0
Sign Off Completed	Minister of State 22-07-09		Sign Off Pending	None	
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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.

1. Service Specification Document	2. Operating Model P2.0	3. Direct Service Costs & Assumptions Document P2.0	4. Cost Spreadsheet P2.0
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Version Control Table		
Version No.	Reason for Issue / Changes	Date Issued
P1.0	First publication	05/10/2009
P1.1	Re-issued with supporting documents	29/10/2009
P2.0	Re-issued with updated references	28/01/2010

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Introduction to Unpaid Work/Community Payback Specification

1.	Service Name	<p style="text-align: center;">Unpaid Work/Community Payback</p> <p>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.</p>
2.	Key Outcome(s) for Service	<ul style="list-style-type: none"> • 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	<p>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.</p> <p>The Sentencing Guidelines Council guidelines suggest the following lengths of Unpaid Work requirements at the three seriousness levels in the community sentencing band:</p> <ul style="list-style-type: none"> • Low 40 – 80 hours • Medium 80 – 150 hours • High 150 – 300 hours <p>N.B. In cases of breach of a community order, a minimum of 20 hours Unpaid Work can be added as a <i>new</i> requirement to a community order where that community order does not already contain an Unpaid Work requirement.</p> <p>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</p>

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		<p>complex offender needs.</p> <p>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.</p> <p>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).</p> <p>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.</p> <p>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.</p> <p>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.</p>
4.	Service Elements In Scope	<p>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:</p> <p>A: Public confidence in Community Payback promoted B: Stakeholders consulted and informed C: Suitable placements organised</p>

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		<p>D: Community Payback scheme is monitored and managed E: Offender prepared for Unpaid Work F: Offender undertakes Unpaid Work G: Unpaid Work requirement is managed and enforced</p> <p>N.B. G above incorporates the Specification, Benchmarking and Costing Programme 'Early Priorities' recommendation that the <i>requirement management</i> 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 <i>requirement management</i>.</p>
5.	Out of Scope / Dependent Service Elements	<ul style="list-style-type: none"> • 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	<p>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.</p> <p>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 <i>National Standards</i> in the early 1990's) until it was renamed Community Punishment in 2000.</p> <p>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</p>

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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.

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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.

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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	<p>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.</p> <p>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.</p>
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

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National Minimum

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

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Service Element	Outputs / Output Features	Row #	Applicable Offender Types	Policy Theme	Example Methods of Measurement / Assurance	References for Detailed Mandatory Instructions
Stakeholders consulted and informed (continued)	Sentencers are provided with information regarding Community Payback projects and Unpaid Work requirements to inform their sentencing decisions.	7	All offenders		Potential Performance Indicator via Survey	Community Payback Manual Pages 14-15
Suitable placements organised	Work undertaken by offenders is rigorous and demanding to meet the public expectations of punishment and provide payback to the community.	8	All offenders	Casey Review	Contract/SLA Management and/or NOMS Internal Audit	Community Payback Manual Pages 16-24
	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.	9	All offenders		Contract /SLA Management and/or NOMS Internal Audit	Community Payback Manual Pages 16-24
	Placements are assessed in accordance with Health and Safety requirements.	10	All offenders		Contract /SLA Management and/or NOMS Internal Audit	Community Payback Manual Pages 16-24
	Sufficient placements are provided that meet the placement quality standard.	11	All offenders	Skills and employment pathway	Contract /SLA Management and/or NOMS Internal Audit	Community Payback Manual Pages 16-24
	Beneficiary surveys are undertaken for all Community Payback projects.	12	All offenders	Casey Review	Planned Performance Indicator via Survey	Community Payback Manual Pages 16-24
Scheme is monitored and managed	Case records are maintained.	13	All offenders		Contract /SLA Management and/or NOMS Internal Audit	Community Payback Manual Pages 25-29
	Data is provided as required for performance and statistical returns.	14	All offenders		Contract /SLA Management and/or NOMS Internal Audit	Community Payback Manual Pages 25-29

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Service Element	Outputs / Output Features	Row #	Applicable Offender Types	Policy Theme	Example Methods of Measurement / Assurance	References for Detailed Mandatory Instructions
Scheme is monitored and managed (continued)	Community Payback staff are competent for the work they undertake.	15	All offenders		Contract /SLA Management and/or NOMS Internal Audit	Community Payback Manual Pages 25-29
	Equipment and transport are provided and maintained safely.	16	All offenders		Contract /SLA Management and/or NOMS Internal Audit	Community Payback Manual Pages 25-29
	Worksites and placements are subject to oversight, monitoring and quality assurance.	17	All offenders		Contract /SLA Management and/or NOMS Internal Audit	Community Payback Manual Pages 25-29
Offender prepared for work	Offender assessed and allocated to placement that takes account of risk status.	18	All offenders		Contract /SLA Management and/or NOMS Internal Audit	Community Payback Manual Pages 30-39
	Offender assessed in respect of potential attendance and, where required, a Compliance Plan is developed and implemented.	19	All offenders	Offender Compliance	Current Performance Indicator (Proxy)	Community Payback Manual Pages 30-39
	Offender undertakes pre-placement induction within prescribed timescales.	20	All offenders		Current Performance Indicator	Community Payback Manual Pages 30-39
	Diverse needs of offenders, including their personal safety, are identified and matched to suitable placements.	21	Vulnerable, Disabled, BME and Female offenders	Diversity	Contract /SLA Management and/or NOMS Internal Audit	Community Payback Manual Pages 30-39
	Rationale for Placements is formally recorded.	22	Offenders assessed as posing a medium and high risk of harm to the public	Public Protection	Contract /SLA Management and/or NOMS Internal Audit	Community Payback Manual Pages 30-39
Offender attends Unpaid Work	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.	23	All offenders		Current Performance Indicator	Community Payback Manual Pages 40-45

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Service Element	Outputs / Output Features	Row #	Applicable Offender Types	Policy Theme	Example Methods of Measurement / Assurance	References for Detailed Mandatory Instructions
Offender attends Unpaid Work (continued)	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.	24	Offenders subject to Intensive requirements		Current Probation Area Return	Community Payback Manual Pages 40-45
	Worksites and placements are run in accordance with Health and Safety requirements, including the using/wearing of protective equipment.	25	All offenders		Contract /SLA Management and/or NOMS Internal Audit	Community Payback Manual Pages 40-45
	Contingency plans are in place to minimise offender stand-downs.	26	All offenders		Current Performance Indicator	Community Payback Manual Pages 40-45
	Communication and duty systems are in place to provide worksites with emergency support.	27	All offenders		Contract /SLA Management and/or NOMS Internal Audit	Community Payback Manual Pages 40-45
	Offender is enabled to attend employment-related training/education up to a maximum of 20% unpaid work hours ordered.	28	Unemployed offenders	Skills and employment pathway	Potential Performance Indicator	Community Payback Manual Pages 40-45
Requirement is managed and enforced	Offender is supported and motivated to maximise attendance.	29	All offenders	Offender Compliance	Current Performance Indicator (Proxy)	Community Payback Manual Pages 46-54
	Offender's placement is reassessed and reviewed in light of new risk information.	30	All offenders		Contract /SLA Management and/or NOMS Internal Audit	Community Payback Manual Pages 46-54
	Offender Managers are provided with timely information regarding offender's attendance, behaviour and risk indicators.	31	Offender subject to multiple requirements and Young Offenders		Contract /SLA Management and/or NOMS Internal Audit	Community Payback Manual Pages 46-54
	Failure to attend is followed up within prescribed timescales.	32	All offenders		Current Performance Indicator	Community Payback Manual Pages 46-54

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Service Element	Outputs / Output Features	Row #	Applicable Offender Types	Policy Theme	Example Methods of Measurement / Assurance	References for Detailed Mandatory Instructions
Requirement is managed and enforced (continued)	Relevant information regarding failure to attend is communicated to the Offender Manager within prescribed timescales.	33	Offenders subject to multiple requirements and Young Offenders		Current Performance Indicator	Community Payback Manual Pages 46-54
	Where appropriate breach action instigated within prescribed timescales.	34	All offenders on standalone requirements		Current Performance Indicator	Community Payback Manual Pages 46-54
	Where required, relevant Community Payback staff attend court to give evidence.	35	All offenders		Contract /SLA Management and/or NOMS Internal Audit	Community Payback Manual Pages 46-54
	Case record and administrative procedures are completed.	36	All offenders		Contract /SLA Management and/or NOMS Internal Audit	Community Payback Manual Pages 46-54
	Requirement is completed within a 12-month period.	37	All offenders		Potential Performance Indicator	Community Payback Manual Pages 46-54
	Offenders surveyed regarding their experience of Community Payback.	38	All offenders	Offender Compliance	Potential Performance Indicator via sample Survey	Community Payback Manual Pages 46-54

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

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