



The Business Services Association
130 Fleet Street,
London.
EC4A 2BH

Business Services Association
Response to the Ministry of Justice Consultation
Prisons Strategy White Paper
February 2022

Overview

The Business Services Association - BSA - welcomes the publication of the Prisons Strategy White Paper and this accompanying consultation. The Strategy reflects significant steps forward in the Government's efforts to modernise the prison estate by making it resilient, secure, and a stepping-stone to sustainable resettlement. These are all efforts that the BSA and its members have long supported and we look forward to continuing to work with government to drive its work in this crucial policy area.

The BSA is a policy and research organisation. It brings together all those who are interested in delivering efficient, flexible and cost-effective service and infrastructure projects across the private and public sectors. A list of our members is included as an Annex below. In the justice sector, BSA members deliver a range of services; from building, managing and maintaining prisons, to delivering education and training services in prisons and communities. Members also provide employment for ex-offenders, either by taking them on within their own operations or through their work delivering employability programmes, with many supporting the New Futures Network initiative to employ prison leavers. The BSA is therefore well positioned to offer insights and proposals in relation to prisons policy and it is from this perspective that we submit this response to the consultation, commenting on the proposals in general rather than to the specific questions.

The vision set out in this White Paper is a sensible, innovative, and forward-looking vision of an effective prison system. The Strategy is rightly and pragmatically focused on the challenge of service delivery, but also the principles of fairness, decency, and respect which are, of course, central to the delivery of excellent prison regimes. Our response focuses on three cross-cutting themes that run throughout the White Paper: modernisation and capacity-growing; prisoners' skills, employability, and resettlement; and prison staff welfare and training.

In summary, the BSA and its members are pleased to see the commitment to strategic investment outlined in the Strategy. We would stress that it is crucial that investment in modernising and improving the prison system's capacity is coupled with sufficient funding to support both the regimes and reintegration programmes operating across the justice estate, including training and employability services. We note that the Ministry intends to "bring together in one place a detailed overview of the needs of the estate and the associated effect of underinvestment" as part of the strategy's work and we look forward to its publication.

We welcome the Ministry's engagement with industry throughout the preparation of the White Paper and would like to offer our continued support in the development of the strategy as a forum to promote constructive dialogue between government and business.

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Part One: Modernising the estate

The BSA and its members welcome the continued efforts to improve and modernise the prison estate. This key work brings with it a range of benefits. For example, it facilitates better provision of purposeful activity for prisoners and improved security, both of which contribute to safer and more productive environments for prisoners and staff.

The first area of modernisation is strategic investment in existing and new-build infrastructure. Much of the challenge of improving prison regimes concerns the existing estate and its capacity pressures. The MoJ must therefore confront the central challenge on how best to approach establishments and we would welcome the opportunity to discuss a range of potential solutions. Proper prison maintenance, including day-to-day estate inspection, minor repairs, and large-scale refurbishment, is vital to preventing cells being taken out of use and providing decent environments for prisoners and staff.

The significant new build capacity set out in the Strategy, specifically the six new prisons over the next five years and an 18,000-place prison build programme with an additional 2,000 temporary places over the next three years, is therefore welcomed. Investment in prison places will support the wider system and allow it to keep pace with the expected increase in the prisoner population. The BSA also notes the White Paper's investment in sustainability, and we were pleased to see the commitment that all new prisons will be zero net carbon ready from day one. Many BSA members are already supporting this work by identifying energy efficiency improvements across the prison estate through their role as government suppliers. In addition, the BSA and its members welcome the investment in accessible infrastructure for prisoners with disability or mobility issues, with 7% of all cells in new-build prisons being wheelchair accessible and accessibility audits to determine areas for retrofitting. We were also pleased to see the commitment to investment in a trauma-responsive offer for women prisoners and the specific support for pregnant women. These measures will increase the proportion of prisoners who are able to fully participate in the daily prison regime.

The second area of modernisation is the necessary investment in digitalisation and digital innovation, central to the delivery of modern regimes. Too many prisons operate without basic digital infrastructure, which in turn prohibits efficiency. Therefore, the BSA welcomes the technological upgrades to a further 11 prisons, and the design of new prisons to include infrastructure allowing for digital in-cell technology. Secure ICT and in-cell learning will facilitate access to training and employment resources for prisoners, supporting rehabilitation. Digitalisation and streamlining encompass the necessary changes and improvements to sharpen up burdensome administrative processes and transform outdated legacy data systems, such as NOMIS, so that staff can see the right data at the right time and in the right format, improving their ability to make informed decisions. Digital innovation in these areas will eliminate repetitive administration, improve communication, increase the amount of time available for working directly with service users and facilitate improved partnership working.

The third area of modernisation is the enhancement of safe and secure prison regimes and conditions, aided by facility renovation. The BSA and its members are aligned with this as a priority area for the White Paper, particularly the investment of £100 million in the Security Investment Programme to stem the flow of contraband.

The White Paper's commitment to seeking contracts from a mix of providers, and acknowledgement of the important role a mixed economy plays in the future of the prison estate, is certainly welcomed by the BSA and its members. A balanced mix of provision (including public, voluntary, and private sector offers the best route to innovation, value for money, and quality services, and will benefit the wider prison estate over time. BSA members have praised the MoJ's engagement with providers regarding current competitions. Members particularly value the level of trust underpinning the relationships between suppliers and authorities, but would like to urge caution about the difficulty of transferring risk for outdated infrastructure and stress the importance of procuring on quality as well as price.



Part Two: Resettlement

We welcome the focus on a more joined up approach to supporting prison leavers and we would encourage MoJ colleagues to consider work being done in other central departments such as the DWP's Commercial Agreement for the provision of Employment and Health Related Services.

Services outside prison could be improved to help ex-offenders move away from crime, and the BSA welcomes the commitment of £200 million a year by 2024-25 to improve access to support for destabilising factors, such as inadequate access to employment, accommodation, and substance misuse treatment. The BSA and its members strongly support the recognition that the employment of ex-offenders increases the social value of a public sector contract and many of our members are already closely involved in the work of the New Futures Network. Employers also benefit from securing committed and skilled people to fill gaps in our economy, and so dedicated Employment Advisers to develop local employment strategies, as well as local Employment Boards, is a significant step forward. The BSA also welcomes the Employability Innovation Fund which places business networks, employers, and training providers at the heart of employment workshops and sector-specific skills training delivery.

Key to ex-offender employment is investment in skills and training provision, which can be enormously beneficial to prison leavers if they are able to access it at the right time. The BSA and its members are pleased to see the recognition of skills certification for jobs on release, such as the Construction Skills Certification Scheme cards. The BSA and its members look forward to the opportunities presented by the MoJ's commitment to begin market engagement with a range of providers when current contracts end to improve the delivery and quality of training and employment services in prisons. The BSA therefore welcomes the initial steps made by the White Paper in this space, which include dedicated employability roles permanently based within prisons. This will achieve better employment outcomes for prison leavers. Further engagement with DWP and employability providers would be beneficial in shaping this provision, and it may be useful to look at the suitability of DWP's CAEHRs framework as a potential route to market.

In order to drive meaningful employment and life opportunities for prison leavers, and to facilitate a smooth transition, eligible participants should be able safely to access community programmes and innovative skills-based learning, whilst still in prison. This could be achieved through in-reach services from programme staff and allowing prisoners to access funded support leading up to their release in every prison. The current Work and Health Programme, for instance, does not allow local teams to work with individuals prior to their release, which reduces the likelihood of successful engagement. Additionally, prison leavers often fall through the gaps due to complexities in programme funding streams, eligibility, and access rules. Therefore, early engagement with DWP Prison Work Coaches and streamlining of processes are critical both to prison leavers' outcomes and regime efficiency and consistency across the whole estate.

We also urge the MoJ to consider further flexibility in its current timescales and approach to prison leaver employability. Whilst it is clearly essential to work on improving job prospects as early as possible, prioritising placement in a job too quickly can undermine the sustainability of resettlement efforts, and plunge individuals and their support workers into crisis management instead. Employability programmes for ex-offenders should therefore focus on properly understanding job goals, and MoJ should work alongside DWP and with industry to create and identify opportunities in growing sectors, such as green technology, as well as the sectors traditionally accessible to prison leavers.

Whilst personalised and localised approaches to employability and prison governance are generally welcomed, we would caution that this must be balanced against consistency and fairness across the prison estate. BSA members support a performance framework that measures outcomes transparently against the criteria in the White Paper.



Part Three: Staffing

Some BSA members manage prisons, including their staffing. The current challenges faced by the prison estate recruiting and retaining staff are rightly acknowledged by the White Paper, and must be addressed if the ambitions of the Paper are to be realised.

Therefore, the BSA welcomes large-scale investment in staff recruitment. Recruitment and retention of staff would also be improved with safer working conditions enabling staff to focus on meaningful rehabilitative work with prisoners, and digital innovation to relieve cumbersome administration contributing to a more efficient working environment.

The White Paper also does well to commit to investing in professional development and staff training to bring about more salient understandings of critical challenges and to build prison cultures which value skills, training, and resettlement.

Part Four: Summary

The BSA welcome the White Paper's sensible focus on service delivery and prison estates. Modernising through digitalisation and capacity-growing will both improve the resettlement, employability, and welfare of prisoners, and the wellbeing, recruitment, and retention of prison staff.

We would encourage the Ministry of Justice to increase its engagement with key service providers as the Strategy is implemented. In particular, early collaboration with organisations in the business services sector will be key to ensuring continued successful prison maintenance, digital infrastructure, and prison leaver employability. To this end, the BSA would like to reiterate our offer as a forum to promote constructive dialogue between government and business. For any requests, queries or further information, please contact bsa@bsa-org.com



Annex 1. List of BSA Members, February 2022

3C3 Ltd	Jobs 22
3SC	KBR
AECOM	Kier Group Plc
Amey Plc	KPMG
Aramark	Lita Group
Atkins	Maple Strategy
Atos	Maximus UK Ltd
Baachu	Mears Group
Balfour Beatty Plc	Medallia
BAE Systems	Mitie
Barclays Corporate	MTC
Bellrock Ltd	NatWest
Bevan Brittan LLP	NCG
Bouygues Energies and Services	OCS Group UK Ltd
Bright Network	P3
Browne Jacobson LLP	PHS Group
BT Group Plc	Pinsent Masons LLP
Business 2 Business	Polar Insight
Capita Plc	Purpose Led Performance
Catch 22	PricewaterhouseCoopers UK
CBRE Ltd	Reed in Patnership
CGI	Robertson FM
CH & Co Group	Salisbury Group
Chillblast	Seetec Group Ltd
City FM	Serco Group Plc
Clyde & Co LLP	Sharpe Pritchard LLP
CMS Cameron McKenna Nabarro Olswang LLP	Shaw Trust
Community Models	Sodexo Ltd
Compass Group Plc	Sopra Steria Ltd
Connect Assist	Space Solutions
Corndel Ltd	Spend Network
Costain	Strictly Education
Deloitte	TerraQuest Solutions Ltd
DWF LLP	The Gap Partnership
Elior UK Ltd	The Grichan Whitestone Partnership
Eric Wright FM	The Palladium Group
Fujitsu UK	The Sustainability Group
G3 Systems Ltd	Trowers & Hamlins LLP
G4S Plc	Turley
Glaston Consulting	Veolia
GoodPeople	Vercity
Hinduja Global Solutions	VINCI Facilities
HP	VPS Group
IBM	Wand Consulting
Incentive FM	Wates Group
Ingeus	Willmott Dixon
ISS UK Ltd	