



Justice and Home Affairs Committee

Corrected oral evidence: Prison culture: governance, leadership and staffing

Tuesday 11 February 2025

10.40 am

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Members present: Lord Foster of Bath (The Chair); Lord Bach; Baroness Bertin; Lord Dubs; Lord Henley; Baroness Hughes of Stretford; Baroness Meacher; Baroness Prashar; Lord Tope.

Evidence Session No. 9

Heard in Public

Questions 118 - 133

Witnesses

[I](#): Michelle Jarman-Howe, Chief Operating Officer of Prisons, HMPPS; Dominic Herrington, Executive Director of Transforming Delivery Directorate, HMPPS; Louise Alexander, People Director, HMPPS and Business Partnering.

USE OF THE TRANSCRIPT

1. This is a corrected transcript of evidence taken in public and webcast on www.parliamentlive.tv.

Examination of witnesses

Michelle Jarman-Howe, Dominic Herrington and Louise Alexander.

Q118 **The Chair:** Welcome, everybody. This is the ninth public evidence session in the House of Lords Justice and Home Affairs Select Committee inquiry into culture and governance of prisons. We are delighted to have before us three witnesses from HMPPS. I would be grateful if each of you could very kindly introduce yourself.

Dominic Herrington: I am the executive director for Transforming Delivery in HMPPS, which is a directorate that looks at reform, change and helping the prison and probation system improve.

Michelle Jarman-Howe: I am the chief operating officer for prisons. I am responsible for the prison system operational national measures across the country.

Louise Alexander: Good morning. I am the people director for HMPPS and I lead a couple of other teams in the people and capability team in the Ministry of Justice. I have been in the role coming up to six months.

The Chair: Thank you very much indeed. Each of my colleagues will come in with various questions, but I will begin by looking at the leadership in our prisons. There are various routes to become a leader in our prisons. There is the three-year programme, the two-year programme and people who work their way up through the ranks. Could you give us a quick summary of which of those routes appears to be the most successful?

Dominic Herrington: As you said, there are a number of routes. Most of our governors come up through the ranks—so a set of operational expertise, assessment centres and interviews. Some governors will come up through that route but also from a probation, psychology or personnel background, but also with that operational experience. Some will have entered through a graduate route as well.

The three-year and two-year routes that you refer to are actually talent schemes that accelerate improvement through the ranks. They are quite early in their life, so we do not have people who have come through that three-year scheme who have become governors yet. It is designed for people to attain roles at middle leadership.

There is not a route that stands out as one that generates the most improvement, as you describe it. Our governors come from a range of backgrounds and are in a range of geographies. The one that I would point out that we notice is the graduate entry route. Our chief executive, Amy Rees, came in as a graduate, and that was a deliberate graduate management scheme which was tailored for people to become actual prison governors. Michelle was on that scheme as well. That is the route that we observe producing governors, but it would not be accurate to say that there is a certain route that has generated particularly more improvement. Our governors come from a range of settings and have a range of experiences.

The Chair: If we stick with the graduate route, one of the graduate schemes, Unlocked Graduates, which has provided quite a large number of people into the prison officer cadre, is under some contract difficulties at the moment. Do you want to outline what those difficulties are and why we have got to where we are?

Dominic Herrington: I will say what I can for the committee. Unlocked Graduates produces just about 1% of our overall workforce. We set out a procurement competition in the summer, with the terms and conditions being very open and fair to all bidders there. We offered a contract to Unlocked Graduates. It did not sign that contract. That was disappointing for us and for them. We are now really committed to making sure that those Unlocked Graduates who are still in the prison system and going through their training have the most useful—

The Chair: Can I be clear? You say that it was reopened and the terms and conditions were provided. Am I correct that the terms and conditions were very significantly different from the terms and conditions to the previous contract under which it had been operating?

Dominic Herrington: The terms and conditions evolved and changed in the way that any contract from four or five years ago would be different to the conditions now. I am not a contractual expert, but we were really hopeful and Unlocked Graduates saw those conditions right at the start of the process and entered into that competition.

The Chair: My understanding is somewhat different, so let us be really clear about this. Unlocked Graduates saw a different set of terms and conditions and said that it felt very uncomfortable with that and that it was probably not an appropriate set of conditions, because they were very different indeed from the previous conditions. It was not given an opportunity to be able to negotiate any changes to those. It was put off by the significantly different changes in terms and conditions. Is that correct?

Dominic Herrington: The terms and conditions and the changes were outlined to every bidder right at the start of the process.

The Chair: My question is whether they were significantly different from the previous terms and conditions of the previous contract.

Dominic Herrington: They had changes and you would reflect that in the way that a contract evolves. Overall, we thought that, because it saw those terms and conditions at the start and was fully aware of what they were, there was a choice then for it to enter into that competition. We wanted it to do it and it did it.

The Chair: I absolutely understand that it had an opportunity to look at it. It had an opportunity to decide whether to go ahead. At the moment it is not going ahead, as I understand it, because it finds the terms and conditions wholly unacceptable. I am trying to understand why the changes were made that are so significant that an organisation that most people would judge has been incredibly successful in

recruiting people into the Prison Service is now in real danger of no longer continuing.

Dominic Herrington: The conditions changed. They changed because contracts change. Our strong belief was that those conditions in that contract—this is why we wanted them to sign the contract—would not be a disincentive to it signing the contract. We thought right up until the end that, because it had put the bid in and entered into all of that, it had understood the terms and conditions. They had been explained. We clarified a number of points for it through the process that it asked about and it was disappointing for us and disappointing for them that they did not sign the contract in the end.

The Chair: One key difference, having looked at some of the contract details, as I can see, is that in fact the HMPPS was effectively taking the scheme in-house. It would have meant that Unlocked Graduates would simply not have had the freedom and autonomy to make changes that it thought were necessary over time. Is that correct?

Dominic Herrington: I would take a different view to that. In the operation of that contract, if we had wanted to take that scheme in-house, we would have taken it in-house. We put out a procurement and a competition. Unlocked bid for that competition, as did other bodies.

Lord Tope: What is your different view?

Dominic Herrington: My different view is that there was enough autonomy and freedom for it to operate as a charity, providing the services and training that it does for a small number of graduates every year.

Lord Tope: Do you feel that it is being unreasonable in its view? If so, why?

Dominic Herrington: It is not for me to put words into their mouth. It was and is a matter for them. My view is that, if we had had a situation where we were so worried that another body would be doing something autonomously, we would have run it all in-house. Actually, what we put out was a competition. The terms and conditions were fair and open all the way through. Unlocked was not the only bidder for that contract. Other bidders came in for that contract as well. My view at the end was that it was hugely disappointing that they did not sign that contract. We wanted them to sign that contract.

Now we have to think about the other things that are there, the first being the 200 Unlocked Graduates who are currently going through the scheme, to make sure that they have placements and to make sure we can help them with Unlocked. We have a professional and cordial relationship with Unlocked Graduates. I was talking to Unlocked Graduates last week about some of the wider workforce reforms that we are trying to introduce to the prison system and want to bring in to help our excellent prison officers. There is still a conversation and a dialogue with Unlocked

Graduates about all of the work that we are doing. It was just really disappointing that they did not want to sign this contract.

Q119 The Chair: I am very grateful for that. We must move on. It is an issue that I know concerns the committee and we will be returning to it.

If we can move on, once people are there, there is obviously a range of support systems that you have and so on. This is particularly important, bearing in mind, if we look at the figures, that the retention rate of the Prison Service at the moment is really quite disturbing. I have been doing my own calculations. In a year, 7.5% of civil servants leave and 8.8% of GPs and teachers. Even during the pandemic, it was only 11.5% of nurses who left, and yet within the Prison Service 13.5% of prison officers leave, including a very large number of them who leave within less than one year. That support system is clearly very important. Do you want to talk us through what support is offered? More importantly, what thoughts do you have about improvements to that support service?

Dominic Herrington: The retention rate for prison officers in terms of resignations has actually slightly improved. We may have different statistics, because it has improved.

There are two things I would say. First, we look at this in terms of how we retain individuals, and we also look at how we can help particular prisons and sites. In terms of looking at retention, the first way in which we look at this is, "Why are people leaving?", so we carry out exit interviews with staff. We have an annual people survey that looks at why people are leaving and how people feel about working for HMPPS.

We identify the drivers of attrition and the things that will cause people to leave. There are three main drivers that have come through the last surveys and the last set of evidence we have got. The first is around career progression, the second is about ways of working and the third is about staff well-being. We will then look at what we are doing for each of those three drivers. For career progression, we now have a career progression tool that staff can use with their line managers to guide them and work out what the opportunities are that those staff will have in terms of working through the ranks and the range of opportunities.

In terms of the second area, we will always look at what we can do to strengthen line management. First-line management of our staff is absolutely critical. We have Ministry of Justice programmes for first-line managers that will give the basics of how to be a manager. One key thing about being a manager is how you retain, motivate and enthuse your staff. We are looking at doing more of that in the Prison Service through our Enable programme. I can talk a bit more to the committee about that.

The Chair: In terms of the details, if you could write to us with your thoughts on that, that would be helpful.

Dominic Herrington: I will do. The second thing I wanted to say was about the retention in particular prison sites. We look at this through, “Why are individuals leaving?”, but we are also looking at which prisons particularly have retention issues. They are concentrated in a smallish number of prisons. We do two things there. We have a retention toolkit, which is ideas, tips and advice, often from other prisons, about how a prison can address retention in its locality and look at how it is communicating to its staff, rewarding its staff and building a culture of success and improvement that people want to be part of.

The second thing is that, if there is a particular issue where retention is particularly acute, we will engage, through Michelle’s team, to give particular national support to that prison. Our experience of retention is that a lot of that is driven by local conditions and how local leadership and management is working with staff. What are the career progression options? What is the well-being offer that we have for staff? We have an extensive well-being set of offers and packages for staff to add. We are always looking to review and add to that. Our staff do an incredible job with some very dangerous and vulnerable people, and looking after their well-being is absolutely critical to ensure that they stay in the organisation.

The Chair: That has clearly not been that successful so far, given the number of people who leave so early.

Dominic Herrington: I would slightly take a different view on that because the retention rate I have is 8.5%, but I know that numbers may vary. We have just introduced nine new full-time well-being area leads across the organisation, who are really bringing drive, extra capacity and extra focus on well-being as an issue.

The Chair: I am anxious that we move on. Perhaps you could write in more detail, but I am looking at the figures. Over 1,000 prison officers left in the last 12 months who had served less than 12 months in the service. That is 34% of all the people who left the service. It must be worrying that we are not retaining those people. Yes, a further number of nearly 1,000 left after less than three years of service. The figures are higher than for other areas, such as teachers, nurses, GPs and so on. There is a clear issue there that perhaps you could write to us with your thoughts on.

I have two very quick questions, then I am anxious that we move on. During all of that support procedure, you also, of course, have performance assessment mechanisms that go on. We were told by one of our witnesses that those performance assessment results are not recorded. Is that correct?

Dominic Herrington: I might ask Louise to come in on this one, because it is her particular area.

Louise Alexander: We have a performance management approach that we changed a couple of years ago, back in April 2022. We moved to more regular, shorter, informal conversations to be able to give real-time feedback and recognition to people. Those conversations happen every eight weeks or so. Sometimes, if teams

are larger, that can be longer. Those conversations are not recorded on a central database, so we do not have a national picture from that point of view, but often they are recorded locally. A line manager might take notes or make notes of actions ready for that next conversation two or three months later.

The Chair: Should there not be a more formal recording of assessments, however they are made, of prison officers to help with future decisions about promotion, for example?

Louise Alexander: As well as the local eight-weekly conversations, there is a quarterly local senior manager conversation. That senior management quarterly session gives oversight to make sure that those conversations at a local level happen. It also looks at people who might need extra support, who might be in that stage of having a dip in their performance, for whatever reason that might be, or those who are also performing highly and have high potential. We might look at other opportunities and development for them too. That level happens too. We are looking at whether it is something that we could record in terms of those conversations at a local level, but we are trying to balance that with the extra admin that that would be asking managers to do.

The Chair: I welcome very much the support you are giving, the encouragement in those sessions and so on, but there still appears to be, from what you are saying, no formal recording system of individual officers' performance over the years.

Louise Alexander: There is no central recording system of that. If people are on formal poor performance process, then we do record that—

The Chair: The answer is that there is not. I have another very quick question. One issue we have been looking at is equality, diversity and so on within the workforce. Am I correct that, if I look at your webpage, it sets out that data on ethnic diversity is not collected about anybody on band 6 and above, including governors? We have no record of ethnicity and diversity in relation to senior officers in our prisons. Is that correct? It is what it says on your website. I am just asking whether it is correct.

Michelle Jarman-Howe: We certainly have data for officers and we have our own internal management information. In terms of individuals' ethnic background, for example, that is self-reported in the service.

The Chair: The webpage says that, "on band 6 and above, including governors and deputy governors, site managers and heads of functions like human resources", ethnic diversity data is not collected.

Dominic Herrington: Chair, we would have to check that. We have a range of talent schemes for ethnic-minority staff. They are absolutely critical for us.

The Chair: Could you let us know?

Michelle Jarman-Howe: It may be that they are not published, rather than not collected.

Q120 Lord Henley: You have described the various different recruitment processes for leadership roles. I want to know whether you are satisfied that they attract the competent and qualified candidates that you and the service need. Are there also instances where underperforming leaders are reassigned rather than held accountable? What safeguards are in place to prevent that?

Michelle Jarman-Howe: The competence of leaders—we are talking about governors specifically here—is really critical to the performance of a prison. Being a governor is a hugely challenging role, albeit a very worthwhile one. Governors are absolutely held to account for performance and delivery through a wide range of mediums, so public scrutiny through HMIP, for example, through Ministers, and through a wide range of measures in performance. We are really clear about that. We are also really clear that, if there is a performance issue that is attributable to an individual governor, that governor is held to account for it. Likewise, if there is a disciplinary issue for which that governor is accountable, that governor is held to account for it.

It is important, however, to recognise that not all of our prisons are created equal. We have some extremely challenging establishments. Some of our very best-performing governors are in some of our most difficult prisons, as you might understand. Therefore, the performance reflection of that institution is not necessarily a direct reflection of that individual performance. It is really important that we place individual sites, and indeed the service, in context, given the challenging period that we have had.

Absolutely, if there are significant performance issues, we will hold governors accountable. There is a formal process for that. It is also important to make the point that, to be a good governor, you have to be matched to the right prison. Some governors have particular strengths that are particularly suited to certain types of establishments or establishments at a certain time in their history. It is sometimes the case that a governor may fit better in another prison and bring all of their skills, experience and considerable contribution to the organisation. It may be better for them to do that on another site and we will do everything we can to facilitate that.

Dominic Herrington: As Michelle said, we have a range of governors and a range of sites. Going back to the first question from the Chair, we will always be looking at the routes through which governors come. For us, having more than one route is a good thing. There is a diversity of routes. Whether people come through the ranks from being a prison officer or from probation or other services, if needs be, that is something we will always be keeping under review and looking at.

Q121 Baroness Hughes of Stretford: Good morning. I would like to ask you about the process for recruiting officers as opposed to leaders. We have heard from a number of witnesses that this is a highly centralised process by HMPPS and that governors are not able to recruit officers to their own establishment. Is that the case and, if so, why?

Michelle Jarman-Howe: Recruitment for prison officer grades, particularly for band 3, new-entry prison officers, is done nationally. That is done online because we recruit at a very significant scale. We put 5,300 new officers in two years ago and 4,300 new officers in the year before. It is a large-scale operation. We are a really big organisation that needs to make sure that we can continue to recruit for our staff.

We recruit centrally, and that is for a number of reasons, the first of which is that we have assessors who are skilled in undertaking that work. It is pretty much what they do all day, every day. Most of those assessors have previous HMPPS experience, so operational experience. That is done primarily through an online assessment centre, but that online assessment centre is live. Candidates are engaging in real time with real individuals. We have undertaken an evaluation of our assessment centre processes. There is no difference in terms of outcomes from the face-to-face assessment processes that we used to undertake. In fact, it has probably more positive outcomes in terms of characteristics.

Baroness Hughes of Stretford: I am going to get to some of those points, so I will just interject. As professionals, does it make sense to you that, as a leader in a prison, you do not have any say at all in who turns up at your door as an officer? That seems to contradict everything that happens in many other public services, particularly those providing a service to people.

Michelle Jarman-Howe: A national recruitment process means that a certain standard is met for every candidate across the country. When you join the Prison Service and are recruited as a prison officer, you have met a national standard on the national assessment centre. That is important for us because we redeploy prison officers across the country at various times during their service, and prison officers must be fit to serve elsewhere across the country.

I would make the point as well that, because we are a large-scale organisation and do a lot of recruitment, there is something about the operational impact of undertaking that recruitment locally. I was a governor years ago and in charge of a very large establishment that used to recruit many dozens of prison staff. If we were to undertake that system in, say, one of our large local London prisons at the moment, a typical establishment last year would have had to undertake several hundred assessment centre processes themselves locally, putting front-line staff to that deployment—to that exercise. It is much better from our perspective that we are able to manage that on a national basis.

Baroness Hughes of Stretford: Yes, perhaps from your perspective. Let us look at how robust that process is. I think you have just said that most of the processes—we have the chart in our papers outlining the various stages—rely on online interviews, or self-assessments then online interviews, rather than face-to-face. For many, if not most, applicants, they do not actually go inside a prison until they have got through that assessment process. I must challenge a little bit how robust you think that is. On this as well, can you tell us a bit about the vetting and screening

system that takes place for those candidates?

Michelle Jarman-Howe: Our recruitment process is robust. We can demonstrate that by the fact that a very significant number of individuals who apply to work in the Prison Service do not make it to the final selection and final recruitment process.

Baroness Hughes of Stretford: Could you give us the figures on those? Could you tell us how many people who apply fail to be appointed? Secondly, post recruitment, how many people go on to fail at the end of the probationary period?

Michelle Jarman-Howe: We do not publish data on this, but we use a planning assumption. In order to recruit the right number of staff for prisons, we use a planning assumption. Our planning assumption is that for every between 20 and 25 individuals that apply for a role as a prison officer, one person will get through. That is our planning assumption. That varies across the country, in different establishments in different parts of the country and we have a time lag on some of that data, but it is between one in 20 and one in 25, broadly, in terms of our planning assumption.

Baroness Hughes of Stretford: What about at the end of the probationary period?

Michelle Jarman-Howe: We can come back to you with the figures at end of probationary period.

Louise Alexander: We do not publish that data either.

Baroness Hughes of Stretford: I know that you do not publish, but I am asking the question.

Louise Alexander: We can absolutely come back on that. Our aim through the probation period is to help those people get to the point where they can perform and stay with us. We do everything we can through that probation period to be able to keep people, because of course we have gone through the recruitment process. We have put a lot of effort into their training and we do everything we can to support them to stay with us.

Baroness Hughes of Stretford: If you could write to us with those two figures, one at the end of the application and one at the end of probation, that would be very helpful.

The Chair: So that I can understand, when I quoted earlier the over 1,000 prison officers who left within the first year, those would all be people who are on the probationary year, presumably. Would that be correct?

Michelle Jarman-Howe: We can certainly tell you leavers, so individuals who elect themselves to leave.

Baroness Hughes of Stretford: That is not necessarily people who fail the process.

The Chair: I want to be clear that we can separate out between those who choose to leave and those who you decide are inappropriate to continue.

Q122 **Baroness Hughes of Stretford:** Could we touch on vetting and the screening process? We have heard that this is not very robust. It is not as robust as it is for police officers. Are social media posts looked at in that process? Could you outline very briefly what vetting takes place?

Michelle Jarman-Howe: All directly employed staff for HMPPS undertake vetting to enhanced level 2. For some sites, high-security sites for example, that might be slightly higher. We obviously had the high-profile incident last year in one of the London establishments. Since then, there has been more proactive tracing of declared offender connections for those individuals who might have had previous relationships or closeness to offenders.

We also undertake some social media contact. We are also making sure that we are using resources appropriately. Where individuals might have a particular profile on social media, we are encouraging them to disclose that with us and we are following up with them. The social media stuff can be very tricky because it relies on a lot of self-disclosure, partly because you have to have the details. Most individuals do not use social media using their own names. They use various categories, as was the case in Wandsworth. We go as far as is possible to go, but we rely a lot on self-disclosure.

Baroness Hughes of Stretford: Finally on this little bit, what English language test is used for foreign national applicants?

Michelle Jarman-Howe: All candidates are assessed to the same standard on an assessment centre for new-entry prison officers. It does not matter whether you are a foreign national applicant or indeed any other applicant. All applicants have to demonstrate sufficient verbal English skills to get through a live interview, albeit on Zoom but in real time. They also have to complete a written exercise, which is reading information about a prisoner case—for example, writing a summary and completing a form. They must show a reasonable understanding of grammar and the use of English. Post the assessment centre and the recruitment process, there is the 12-month probationary period in which individuals continue to be assessed.

Baroness Hughes of Stretford: Looking briefly at the post-appointment and probationary period we have touched on, you are going to send us the numbers of people who actually fail that. What is the actual assessment of people during and at the end of that probationary period? What does that involve?

Louise Alexander: At the beginning, the manager will sit down with the individual and be clear on performance, attendance and behavioural code of conduct expectations and set that out. Then there will be regular conversations with that individual to talk about how they are performing, how their attendance is and their behaviour and how that fits with the values of the organisation.

If it is found that, in one or a number of those areas, there are issues, there will be conversations about what support can be made available, whether that is sometimes workplace adjustments, additional training or something like that, so looking at how we can support people through that. There will be ongoing conversations and feedback, giving people clarity about how they are performing and whether it is satisfactory.

Baroness Hughes of Stretford: Is that well structured and recorded so that, if you want to fail somebody at the end of the year, you have a record of the issues that have been raised during those discussions?

Louise Alexander: It should be locally, yes. It is a well-established probation policy. It is not a new one or anything like that. With the amount of pressure that the operation has been under in particular in the last couple of years, there is not the amount of time that managers in general I know would like to be able to do some of these things. To be able to get to the point where we are saying to somebody, "I am sorry, but we are now looking to terminate our employment of you", we have to have that record as well.

Baroness Hughes of Stretford: I wonder whether centrally you actually know what is going on. We have had evidence that, yes, there are supposed to be these meetings recorded. Talking more generally about the appraisal system, yes, there is supposed to be an appraisal system, but actually it is not happening.

Louise Alexander: Is it happening in the way that we would like it to everywhere? No, and that is often because of very good reasons in terms of the operational pressure and whether managers have enough time to do some of these conversations. We are looking at what we can do to help with that, so, for example from an HR side of things, whether there are certain things within those processes we can take away from those managers to give them more time to be able to focus on some of these conversations. In a couple of years, there will be another system coming in that will help. There are things like that. We want to make it as good as it can be.

Baroness Hughes of Stretford: Very quickly, is there a central register of prison officers, as is the case with other similar professions? If so, is it available? If not, should there not be?

Michelle Jarman-Howe: No, we do not have a professional register of prison officers and we currently do not have a plan to introduce a register for prison officers. There was a recommendation made from the independent inquiry into sexual abuse in closed institutions. That recommendation, I think, was made in 2022 as a follow-up. We are thinking what further steps can be taken to potentially register individuals who work with young people in our YOIs and STCs. We are working on that currently, but there is not a plan at the moment to do that more widely across the Prison Service.

The Chair: You just said earlier that a new system is coming in in two years. What is

this new system?

Louise Alexander: In two to three years, there will be a new back-office system across the Ministry of Justice, along with three other government departments, that will replace the back-office HR and finance system that we have at the moment. That will provide different levels of functionality.

The Chair: Is it intended that that will provide us with, as Baroness Hughes was asking for, a central register? Is that included in the design of the new system? If not, why not? Given that you have pointed out it is a problem and you have a new system coming along, one would assume the new system will include this.

Louise Alexander: At the moment it is still at design stage. There are a huge amount of design workshops going on around that.

The Chair: There is an opportunity for it to be put in the design of the new system. We might recommend that, but we will come back to that. We have already touched very briefly on the issue of leadership, support, training and so on. I know that Baroness Bertin wants to go into a bit more detail on that.

Q123 **Baroness Bertin:** As the Chair said, we have touched quite a bit on the appraisal thing. I would urge you definitely to put centralised appraisals and tracking within this new system, because it strikes me that it seems a bit chaotic at the moment. In your mind, what is the appraisal system as you see it at the moment? What structure does it actually take?

Louise Alexander: We changed it a couple of years ago and it is a cross-Civil Service performance management approach. It moved away from a tick-box twice-a-year formal conversation to a more regular eight-weekly, or can sometimes be 12-weekly, conversation between the line manager and the individual, talking through what their objectives are, how they have done over that last period against their objectives that were set in the last conversation, what and how they have gone about doing things, where their strengths are, where their development is and any career progression. It is a conversation deliberately designed to be a more real-time, more often, conversation.

Baroness Bertin: Nearly all organisations set themselves KPIs. They have a measuring system. Do you have that or is it just conversational?

Louise Alexander: It is a conversation based on performance for those particular individuals and sometimes team performance. It is difficult sometimes to be able to isolate an individual performance alongside a team performance.

Baroness Bertin: My point is whether you are measuring that 5 is good and 1 is bad for the data, if you are, one hopes, going to put in a more professional, modern, up-to-date service that would mirror, let us say, a private sector service where you are tracking what the workforce is doing and setting yourselves targets. Do you have that sort of set-up?

Louise Alexander: We moved away from ratings, if I understand the question correctly, so an individual getting a 5 or a 1, depending on their performance. We moved away from that, as a lot of organisations did, to try to focus on the quality of the conversation and the feedback. Cross-Civil Service, we found that people focused on the marking that they got, rather than what the line manager was talking to them about in terms of how they were performing and how they could do better.

We differentiate between those people who are having dips in performance, and therefore who might then tip into a formal poor performance procedure, or those people at the top end who are high-performing, meeting their objectives, going over and above and displaying great behaviours and thinking about the potential they might have and what other roles they could apply for. At that bottom and top end we do separate conversations and they are the ones that go into those quarterly conversations with the senior managers too.

Baroness Bertin: I have a couple more questions. Are you able to flesh out and give us a bit more detail on what professional growth looks like in practice?

Dominic Herrington: We have a range of things for staff, depending on which level they are at. As I talked about earlier, for middle leaders, there are programmes across the Ministry of Justice, such as first-line leader programmes, how to be a great manager and great leader and the basics of management and leadership. We have programmes of professional growth for staff that are working across prisons and probation, particularly on resettlement of offenders, so there are sets of training for them.

One other thing we are doing now is refreshing and bringing in new CPD for prison officers, particularly those who are under two years of experience, because we have recruited more and younger staff recently. Those modules are now being tested across a number of prisons. Those are very much in the reality of being a prison officer: how do you create safety? How do you create rehabilitation? How do you do the basics of being a prison officer, but also how do you build strong, bounded relationships with prisoners that enable you to put prisoners on the path to rehabilitation and keep everyone safe?

We have work there and many more plans to do that, which we are really excited about, because it is the sort of area that has probably in the past not been invested in. That is part of what we call our Enable programme. Some is already there, particularly for key roles, but also we want to widen that out, particularly for staff who have under two years' experience.

Baroness Bertin: We had some quite worrying evidence last week that there was very little sharing of what "good" looks like among prisons, particularly with the private prison/public prison relationship. Do you have a system where you are learning from other models?

Dominic Herrington: A lot of our workforce change and workforce investment programme is built on learning from, particularly, some of the Norwegian system.

Baroness Bertin: Sorry; I should have been clearer. I was meaning more within prisons. Are you able to learn from private prisons?

Dominic Herrington: There is a national dialogue with the private prisons. We bring governors together. Twenty governors have been on a governor development programme. We are going to do the successor to that this year. In local areas, we have area executive directors, so they will extend invites to private prisons as well in those areas, so that they can come together. We have national events where prison governors can learn from each other. We have a national safety week. We have insights festivals. We have the governing governors' conference. There are a range of ways. It is growing and there is going to be more to do there, but that is our approach.

Baroness Bertin: On self-disclosure, Baroness Hughes mentioned about police vetting. There have been very high-profile cases in the Prison Service but also in the police for all of this. If, let us say, at the weekend, you go out as a prison officer and get into all kinds of trouble, are you having to disclose that? What is the onus on you to then let your management team know? Do you have a system of tracking what is going on with your prison officers in real time?

Michelle Jarman-Howe: Yes, there is an expectation of disclosure if you are encountering the police. We would expect our staff to be straightforward and honest about that. We are often advised if the police are conducting inquiries into a member of our staff, and line managers will take appropriate action in that case. Obviously, if a case goes to court it becomes a matter of public record as well. There are instances where we regularly check staff on their vetting as well, so if something has happened during that period, ultimately we will discover them. We keep our vetting under close review to make sure that we are doing the right thing by staff undertaking these particularly difficult jobs.

Q124 **Lord Bach:** Good morning. We have had some discussion already—I think Mr Herrington in particular—around updates on various training initiatives that have been introduced to support officers. I want to, as quickly as I can, ask you about three of them in particular. Two you have mentioned already briefly. One was the Enable programme. I would like to ask you how that is going and what it actually involves, not in too much detail because you can write to us, as I think you agreed with the Lord Chairman a few minutes ago. We have heard that you are considering extending the length of that initial training to 15 weeks, so perhaps in your reply on Enable you could deal with that issue.

Dominic Herrington: Enable is looking at training, development and leadership on three levels. On training, we are looking at how we can extend the 10-week training period. We have a pilot starting in Pentonville prison, which is looking at how you build that. It might end up as 15, 14 or 16 weeks, but that would be the first step. Ultimately, the aim would be that there would be much more initial training and

development opportunities in that first year. The Enable programme has started. It is a good start. It is early days. We are starting off with the training pilot in Pentonville.

Crucially, we are also looking at refreshing the content of prison officer training. What we are starting on now there is how we can build into prison officer training a greater element of how prison officers and prisoners relate, communicate and talk. This is based, as I said before, on some of the learning from the Norwegian system, some of the work that Alison Liebling has done, and some of the evidence that our governors tell us about ensuring that the content of the training needs to do two things: first, reflect the logistics of being a prison officer, so how you search a cell, how you use keys, how you operate safety processes, but also how you build those powerful relationships between prison officers and prisoners. There is something on the content.

I will be as quick as I can. This stuff is really ambitious, unashamedly, for our prison system and prison staff. The development side of it is that, as I said in the previous answer, in that first 12 months we want to create far more opportunities for prison officers to have structured development time, so that the initial training, if it ends up as 15 weeks, is not just a cliff edge. There is structured intervention, structured support and help. We will create a set of modules for whatever the prison needs.

The final part of Enable is about leadership opportunities, so more leadership opportunities for governors. We are going to introduce a new refreshed talent management system for prison governors, a new two-day induction package, which will be starting in a few months for new governors, and a whole range of different offers. We have 10 governors recently signed up for some modules at Cranfield School of Management. It is that kind of thing that the third bit of Enable will bring.

I would summarise it by saying that it is early days. It is a good start, but we are working. Our Minister is very enthused about the whole approach to this and about the extension of training particularly, and what we can do to build and help our governors be even better in their jobs.

Lord Bach: Thank you. That is very helpful. The next one was also mentioned in passing and that is new initiatives to support staff well-being. Say a word or two more about that, please, to help us. Was there nothing before? Is there something now?

Dominic Herrington: There is a whole range of things now. We have a helpline, free counselling, mental health allies and peer support systems. Obviously we have incident response teams as well. If something goes wrong in a prison, we have to make sure that the staff are looked after immediately.

We are bringing in nine new full-time well-being leads. Their job will be to do two or three things. One is to improve the uptake of this. The evidence tells us that we have a lot on offer, but not all of it is taken up enough. There will be a big job to communicate that across the organisation. The second thing is to co-ordinate that

so that every area of the nine areas has a well-being plan, so it brings it all together so people can see it and the take-up is better. The third thing is that we have a set of peer support groups and we want to co-ordinate those better, because they will often overlap. That will look at mental health, carers and trauma practitioners, so a whole range of support. We want to co-ordinate, communicate and improve the take-up of all of our well-being offer.

Lord Bach: Is this all new? What does it take the place of?

Dominic Herrington: A lot of the offer is there. What is new is nine new senior posts to co-ordinate, communicate this more and boost the take-up of everything we are doing. As I said at the start, if that is one of our key drivers of attrition, we should do something about it, and that is what this is about.

Lord Bach: Lastly, on specific training plans, tell us a bit about the Tackling Unacceptable Behaviour Unit and how that is working.

Dominic Herrington: I am going to pass to Louise on that one because she is the expert there.

Louise Alexander: Setting and maintaining those high standards of behaviour and professionalism is an absolutely key priority for us, and we know that they underpin staff well-being, motivation and engagement. They have an impact on things such as attrition too.

The Tackling Unacceptable Behaviours Unit was set up to do a number of different things: to help staff resolve issues when they come up; to provide a confidential helpline for people to ring and to give advice to individuals and managers in terms of how to handle incidents, concerns or worries that people might have; and there is a mediation service in there too. A lot of the time when there are issues in a workplace, if we can get an early resolution to those issues, through things such as mediation, that can often resolve something in a more satisfactory way than going through a formal process, which is always there still for people to be able to use anyway.

There is a climate assessment tool, where a team of people go into prisons and will work with the senior team there to understand how people are feeling, to look at the culture and environment of the place and come up with a local action plan with that team. There is a new behaviour impact team that looks after the practicalities about how to help senior managers put in things in their prisons and teams that will help them at a real practical level to do those things.

We have seen the take-up of the helpline increase quite a lot. In that last quarter between October and January, there has been a 50% increase in the take-up of the helpline from the same period last year. From a mediation point of view, just over 90% of the people who have gone to that mediation service have then either partially or fully been able to resolve their issues through that service. We are building on this all the time. There is a lot more to be done and we are looking at

what is and is not working. I hope that it is part of a package of things that will be able to help people.

Q125 **Baroness Meacher:** As you were saying, some prisons function extremely well and others much less well, largely no doubt due to the very different levels of leadership in those different prisons. Are there structured opportunities to bring together those less well-performing prisons with the high-performing prisons and the leaders of those prisons, in order to try to achieve a more uniform service where all the prisons are performing well?

Michelle Jarman-Howe: There are a couple of structured opportunities over the course of the year. All of the governors report to PGDs—prison group directors—within a group, so they will be meeting with their colleagues on at least a monthly basis in those prison group areas. Likewise, AEDs can share good practice between governors and between governors and prison and probation areas as well, so that individual sites can learn and raise performance.

There is a range of initiatives that we deliver to support prisons that are struggling, including sharing expertise from the centre. For example, for a prison that is having particular difficulties around safety, we have specialist teams to support around all of that. Likewise, we deploy from across the operation. In establishments that we consider are at risk of a significant dip in performance or a prison that we are anticipating might attract an urgent notification from the inspectorate, we will deploy standards coaching teams to work with staff in those establishments to try to raise performance. We will do what we can to support the governor in terms of lining up coaches or mentors from across the service.

We have prison group directors who have smaller commands than they used to many years ago, so they can spend much more time in those sites as well, giving personal input and support. We spend a lot of time focusing on trying to get improved outcomes, but, as I said before, it is important to have context. Some prisons are extremely difficult to lead. Some prisons are very well performing because of outstanding contributions by governors and staff, but actually the risk profiles of some of those sites look a bit different.

Baroness Meacher: That is a very comprehensive response. Thank you very much for that. I do not know whether the other two of you want to add anything, particularly perhaps on the prisons that are most difficult to manage. I do not know whether you have anything to add.

Dominic Herrington: One thing that we want to do and will do through the Enable work we are doing is investing in more development opportunities for governors. One thing that governors tell us they like is when we can bring them all together. As Michelle said, that can happen at area level and we have area exec directors who do that. As we are building more development opportunities for governors, that will bring them together more and to share practice as well. There is a lot in place, but we want to offer more and more.

Baroness Meacher: That is really helpful. Thank you very much indeed.

The Chair: Following that up, you said earlier that some of these meetings of governors, for instance, bring together the public and private sector prison governors. We are talking about learning lessons from each other. Is there anything you have now learned after they have been going for a large number of years now? Is there anything about the way in which the private sector prisons are organised that would be beneficial if it could be introduced into the public sector prisons?

Michelle Jarman-Howe: It has been decades now that we have had private prison providers. Certainly over the course of that time there has been a huge amount between both sectors that we have passed through. It was certainly the case in the early days that the private sector had a very significant emphasis on relationships and one-on-one engagement. While we have always had that in the public sector, we formalised those arrangements as key work a number of years ago.

The private sector has genuinely been very innovative in its use of technology and has some of the first sites to use individual prisoner data pods on wings. We have learnt from and developed that. Some of Dominic's team lead now on taking forward our technological advances. Likewise, the way that we organise some of our staff grading, for example, was not a lift from the private sector but was certainly inspired by some of the learning from it.

There are things that we engage with. It is very important to us that all prisons across HMPPS, whether private or public, perform effectively. We will always do what we can to support other providers to ensure that they are able to sustain their delivery, including leaning in, supporting and teaching where we are able to. We also work together in times of crisis, including during the capacity crisis last year. Providers from all parts of the system absolutely stepped up during that time and meant that we were able to continue to service the operation.

The Chair: It is very helpful to know that there have been lessons learned both ways and that changes have taken place.

Dominic Herrington: We visit private prisons as well. We read the inspection reports. They are part of the system.

The Chair: Without delaying this, one thing that the private prisons would say is that their governors have greater autonomy, something that I suspect the public prison governors would like, but that is just a comment on the side.

Q126 **Baroness Prashar:** Good morning. Can we move on to talk a little bit about the continuity between the Prison Service and the Probation Service and what initiatives are in place to enhance the experience of prisoners and make sure there is continuity between the two services?

Dominic Herrington: If I start on that, there are a couple of things that I would draw out. One is that we have now a programme where prison officers and probation officers will work together on the sentence management, resettlement and

planning of offenders as they go through the prison system and then particularly just before they are released, before they reach the end of their sentence or are going out into the community. There is a set of training modules that both prison officers and probation officers can take. There is oversight of that work by a senior probation officer and a head of an offender management unit in a prison as well. There is a lot more joint working on the actual mechanics of planning a sentence, what interventions that offender needs and where they are going to be in the prison system. That has been going a couple of years now.

The second thing that I would point to is that we now have a new intelligence management system, which has just started this year. That replaced an older, more expensive one. That gives prison and probation staff much greater access to the intelligence that we have on each individual. For some of these individuals, the intelligence is absolutely critical. Sex offenders can have different levels of offence. That intelligence management system is giving prison offender managers, who are the staff who do this, far more access to the sets of intelligence that we have on offenders. There is a lot more now because of the resettlement planning, and that is absolutely critical. Crucially, there is now far more access for probation officers and prison officers to work together on this. That happens through the training that they do and the oversight, but also, as I said, through the intelligence management system. We use a common risk assessment process across prisons and probation. We use a system that both prison officers and probation officers will look at.

As Michelle said, we have a programme in HMPPS called One HMPPS, which has really brought together prisons and probation much more closely. In our area model, our area executive directors will bring together the leaders of prisons and probation into one team. That has been going on for 14 or 15 months now, but, again, it is really promising. When you are bringing together leaders from both services, that is going to spawn people working together to look at resettlement, employment opportunities in the community and accommodation issues.

Baroness Prashar: You say that these are relatively new, but have you done any evaluation of how effective they are? Have you heard any criticism of these schemes?

Dominic Herrington: The intelligence management system is new. We thought the old system was not working well enough. The old system was called Mercury. We thought it was not working well, so we brought in a new system.

The area executive directors have been in post for 15 or 16 months. That will be evaluated as everything is evaluated.

The resettlement work that I talked about has been looked at and assessed. One of the issues that the assessment has pulled out is that staff need to be given the time to do the training. As Michelle said, the prison system has been under tremendous pressure over the last 18 months. We have to make sure we can create the space for staff to go on the training, particularly to look at that resettlement work.

Everything that we do is constantly evaluated. We are also told a lot; our front line is very active when it does not work. We are always listening to what people tell us on this.

Michelle Jarman-Howe: Dominic has covered most of it, but, genuinely, the key thing in terms of how the two parts of the organisation work closely together is that we have probation staff who are working in prisons, who are familiar with that environment and who are working with offender management units. We have a huge amount of joined-up working across the system. For example, all of the changes that we made to release schemes for prisoners last year had an impact on probation. We are making sure that part of the organisation is absolutely ready to face the challenges coming up over the coming year. Prison and probation are two halves of the whole. We are one organisation that is trying to get the best outcomes.

Baroness Prashar: With regard to the offender management in custody model, the Chief Inspector of Probation said that there is a breakdown of communication between the Prison Service and the Probation Service. He described the scheme as overly complex and ineffective. Do you have any comment on that?

Dominic Herrington: When he came out with that analysis, we had conversations with him about that. We have been looking at how we can simplify the processes in the model.

Michelle's point still stands. For the first time, we have probation officers working in prisons. I went to a prison the other day. It is not unusual to have probation officers working in prisons. There are ways we can simplify things and make them as streamlined as possible—and we will do that—but the structural point is really important. Probation officers and prison officers are working together and looking at offenders as a whole.

Prisons and probation are not just working together; they are also working with the police. We have local multi-agency public protection arrangements, MAPPAs, where prisons, probation and the police will be looking at particularly high-risk offenders when they are due to come out. What is the plan for them? How do we manage that kind of risk? The structural point is important. There is always going to be more to do on simplifying and improving the processes.

Baroness Prashar: The figures are not very encouraging in terms of reoffending and all of that. Is the caseload of probation officers an issue?

Dominic Herrington: The Probation Service, like the Prison Service, is doing a fantastic job given the level of demand that has been put on it. We see that in the conversations that we have with staff. As Michelle said, last year there was an early-release scheme of 4,000 or 5,000 prisoners. The Probation Service did a fantastic job, with prisons, of preparing for the release of 4,000 or 5,000 offenders. There are always areas that we can improve. The scale of that and the challenges that it involves were considerable.

Michelle Jarman-Howe: Colleagues from probation are hugely engaged in this. The key thing for probation and all of the thinking going on in probation at the moment is around how we can best match resource to risk. That is the key point for probation, thinking about how to make sure that higher-risk individuals who are under probation support are receiving the appropriate levels of attention. Probation colleagues are giving a huge amount of thought to that at the moment in order to make sure they are able to manage the pressures.

There is also something about the use of technology in probation going forward, in the same way as prisons are having to think about the use of technology and how that might help us with ongoing pressures in the coming years. There is lots of focus on that at the moment. There was a commitment last year to increased probation officer numbers. I am sure the Government might say more about that in the coming days too.

Q127 Baroness Hughes of Stretford: I just have a quick follow-up to my colleague's question. When HMI Probation reported in March 2023, two years ago, he pointed out that only 40% of prisoners went into settled accommodation, only 8% went into employment and on average 30% were returned to custody, at least partly because they did not have the stability outside. Would you say those figures have now improved as a result of the changes you have been talking about? What are those statistics now?

Dominic Herrington: We can write with those specific statistics. The first thing to say is that for some prisoners we are importing the vulnerabilities that they already had before they became prisoners. We are dealing with a group of people who are very vulnerable.

We provide some accommodation for prisoners, but we work very closely with local authorities, which have the statutory duty for providing accommodation for prisoners when they leave prison.

In terms of employment, the picture is better in terms of the employment rates for people coming out of prison. We have a series of big employers that are interested in taking on prisoners, such as Greggs, Iceland and others. I do not have the statistics with me, but on employment we have a lot more positive support from big employers and we have a lot more interest in how prisoners can become useful members of the labour force. If it is okay, we will write you with the statistics.

Baroness Hughes of Stretford: It would be good to have the current outcome figures, thank you.

Q128 Lord Bach: It may seem a ridiculous question, but which prison officers meet with probation officers? Who are the prison officers who do this? Are they the ones who look after prisoners in their cells or are they more senior? Who is it? It sounds like a new kind of relationship, although I wonder how new it really is. What relationship is there? Who are they dealing with? When a probation officer comes into the prison, who does he see?

Michelle Jarman-Howe: The relationship is not entirely new. The offender management model has been around for a number of years. If we are talking about the most direct engagement between prisons and probation, that happens with the prison offender managers and the community offender managers and probation staff.

Every establishment has an offender management unit that is responsible for most offender risk management processes. That is where probation staff will be primarily based in terms of supporting prisoners. The staff who work in those units on the prison side are prison offender managers, who are typically band 4. There will be staff from other grades as well who are involved in engaging with probation. A band 3 prison officer might have a query about a particular prisoner that they are engaged with. If they want to get some advice from the prison's offender management unit, they may speak to a probation officer as a result of that engagement.

Primarily, the relationships are between the band 4s and other colleagues working in the offender management unit.

Lord Bach: They are not band 3s.

Michelle Jarman-Howe: Band 3s can, but primarily the relationship is in that area. Probation staff are out on the wings. Sometimes I will be walking around a prison and someone will say, "Miss, are you a probation officer?" Probation staff are visible on wings, but the primary interaction is in the offender management unit.

Lord Bach: Does each prisoner have a probation officer once they are in prison?

Michelle Jarman-Howe: It depends on the risk profile and the sentence. There are periods of time when the probation officer is much more active in the case, such as immediately after arriving in custody and getting ready for release. It varies depending on the risk profile of the prisoner.

Q129 **Lord Tope:** We are changing now to the governance structure. Could you give us a quick summary of the governance structure of the service?

Dominic Herrington: HMPPS has an agency board and a senior executive leadership team.

Lord Tope: That is for the country as a whole.

Dominic Herrington: Yes. Under that, we have seven regional area executive directors. They oversee prisons and probation in each of the seven regions of the country. Under those regional directors sit prison group directors, regional probation directors, governors and heads of probation units.

Lord Tope: Does that include the private sector as well?

Dominic Herrington: No. Part of the central HMPPS headquarters oversees the contracts with private prisons.

Lord Tope: They are separate from your regional structure.

Dominic Herrington: Yes, but, as I said earlier, our new regional structure is increasingly inviting private sector prisons locally to come in and work on issues that might be going on in particular areas. For example, we have a small number of women's prisons and a private prison is part of that group or network of prisons.

Lord Tope: You have just referred to your new regional structure. How new is it?

Dominic Herrington: 15 months.

Lord Tope: As new as that. Is it bedding down and working well?

Dominic Herrington: Yes, really well. The intention is to make sure our work is closer to what is going on in regions and nearer prisons and to build really strong partnerships with other areas, such as health, education, accommodation and local employers. We have new employment councils that are starting up in various areas.

It is a reflection of the fact that we want our service to be closer to the ground and build those powerful partnerships with local authorities, particularly, and a whole range of partners. Prisons are complicated and the needs are complicated, as you know. It is really important that we are working with lots of other partners to meet those needs because we cannot meet them all ourselves.

Lord Tope: What motivated the change? Why did you change?

Dominic Herrington: We reduced the size of our headquarters. Our headquarters has been reduced by 15% to 20% and we have saved £37 million. We want to make sure our operations are more regionally and locally facing. How are we going to build those partnerships with local authorities, health and local employers? We are not going to be able to do that from the national level. It has to be done more regionally and locally. That was the driver.

Lord Tope: How was it happening, if it was, before the change?

Dominic Herrington: Before, we had a north and a south approach to it. We have now expanded that. We have seven regions. We have seven excellent area executive directors who are leading the work there. As I said earlier, it has started really well.

Lord Tope: Have you come across any weaknesses in the new system? How are you evaluating?

Dominic Herrington: It will be evaluated, as I said. Through our annual business plans, there will be an evaluation of how various bits of the operation are working. We have not come across notable weaknesses yet. In a way, it was a reflection of the fact that our prison estate and our prisoners are increasingly complex. Their needs are more complex. We need to have those partnerships with a range of other providers, because we cannot meet every need just from prisons and probation.

Lord Tope: How is accountability arranged across and between all the regions?

Dominic Herrington: There is a set of national policies and frameworks that we have for the operation of the prison system. As you are aware, it is a very interdependent system with prisoners moving around the system. We have a national set of performance data. The accountability is led by the director general of operations, who is a senior member of staff in the centre. He holds the area executive directors to account through performance conversations, bilaterals and the use of data. Michelle and one of Michelle's colleagues are particularly close to that. I do not know whether you want to take over at this point.

Michelle Jarman-Howe: In terms of accountability for prisons, for example, I meet with all of the area executive directors every quarter to go through performance and particular risks that they are facing within the region. Phil Copple, the director general of operations, does that across prisons and probation. Kim Thornden-Edwards, the chief probation officer, also meets them from a probation perspective.

That goes through the line. I also meet all of the prison group directors quarterly as a group to go through our key issues and make sure that we are all focused on the right areas of attention.

Lord Tope: What specific challenges does this structure bring with it?

Michelle Jarman-Howe: It is a different way of working. There are far more opportunities than challenges. To come back again to the example of the capacity crisis last year, we were very much operating as a national system. We had a national gold command arrangement, which is our most senior command structure.

Even though we were operating as a national system to manage through that crisis, the AEDs were absolutely pivotal in driving delivery in their regions from both a probation and prison perspective, and were being very innovative in driving partnerships, relationships and those skilled communications in the regions. Take the example of the release schemes that we did last year. SDS40 was the release scheme that got the most attention, late last year. Those AED relationships in the region were absolutely critical to its success. HMPPS has demonstrated that it can operate really flexibly at national and regional level. We are hoping to get the best of both worlds.

Q130 **The Chair:** I am sorry; we are going to have to move on. Just so I am clear, if you take a number one governor, who is the line manager of a number one governor and who are all the other managers of number one governors?

Michelle Jarman-Howe: An in-charge governor—that is a number one, as you refer to it—would report to a prison group director, a PGD.

The Chair: Is the group director at a regional or a central level?

Michelle Jarman-Howe: That is at an area level. A prison group director will have four or five prisons; normally, they will have between four and six. They report to an area executive director, who is responsible for prisons and probation. The AEDs report up to the director general.

The Chair: I may be a bear of very small brain, but I would be very grateful if you could send me a little map outlining where the layers of responsibility are.

Michelle Jarman-Howe: Of course, yes.

Q131 **Lord Bach:** I come from the Midlands, and I am thrilled to see that it is as huge on the map as it is. Why is it such a huge area? We have a small map in front of us. The Midlands area comes right down to north London. Why is it so big? Is that because there are a lot of prisons? Is there some other explanation? It is just a quick question, really; we could have a quick answer, please. Does anyone know the answer?

Michelle Jarman-Howe: Some of this is about history, I guess. Before the AEDs, the Midlands was split up into three prison group director commands. When we introduced One HMPPS, it made sense for all of the Midlands to go under one area executive director. That helps the relationships with probation, of course, where we have that joint reporting, and with the police and other partners in that region.

It is very manageable as a region. The area executive director there has come from a very strong probation background and has done a tremendous job in terms of bringing both parts of the operation together.

Q132 **Lord Dubs:** Can we turn to the work of the chief inspector and the relationship of the chief inspector to your service. How do you respond to recommendations? Is there a formal mechanism for engaging with the Chief Inspector of Prisons? How does it work?

Michelle Jarman-Howe: The chief inspector produces a range of reports. There were 70-odd last year, both local reports on prisons and thematic reports. If those are typical inspection reports, as opposed to an urgent notification, they will be shared with the prison system within seven weeks of being written. We then have a three-week period to undertake factual accuracy checks; a final report is published within 14 weeks; and then we have a further three months to do a formal action plan response to any recommendations or significant areas of concern from the inspectorate. We do that to a timeframe. Those responses and the reports are published on GOV.UK for complete transparency.

In terms of other engagement as well, we really value the scrutiny that HMIP brings to the prison system. We absolutely recognise the value of its reports. We have a range of structured engagements with it at DG and chief operating officer level. Of course, governors and PGDs engage with the inspectorate every time it visits an establishment.

It is a reciprocal relationship. If there is something very significant happening in the prison system, we brief them on it. When we were really struggling with recruitment a few years ago—that is no longer the case now—we were routinely briefing the inspectorate on that. We were briefing the inspectorate on capacity initiatives last year. They come and engage with us when they are thinking about

introducing something new, such as the new leadership measure that the inspectorate brought in a few years ago. There is lots of engagement there.

Finally, there is a written protocol between us and the inspectorate, which sets out how both parties will operate. There is huge amounts of engagement. We very much value their input.

Lord Dubs: Does that happen for all the recommendations or are there some that just disappear into a limbo? In other words, I get the impression that you do not respond to all the recommendations. Is that a mistaken impression on my part?

Michelle Jarman-Howe: We do respond to all recommendations. There is an action plan response. We do not necessarily accept all of the recommendations. In those circumstances, we will be clear about why we are not accepting a recommendation. We might not consider that it is viable for an establishment to deliver on a recommendation.

Otherwise, yes, governors will have a clear action plan. If it is a prison inspection, governors will have a clear action plan. There will be progress assessments made against that by the prison group director and their line manager, as was previously explained. The inspectorate will visit and undertake, in some circumstances, an independent review of progress of delivery against those recommendations.

Lord Dubs: You mentioned that sometimes it is not appropriate to take a particular course of action. Do you engage with the inspectorate about that? Is there an ongoing discussion or is it just a one-off thing?

Michelle Jarman-Howe: We absolutely accept the vast majority of recommendations. We might reject a recommendation if it is made locally. For example, there might be a recommendation around crowding in a prison. The inspectorate might quite rightly have a strong view around crowding in an establishment and might make a recommendation around that. It is our view that HMPPS undertakes assessments of crowding. We operate in a context where we have to serve the courts; we have to ensure that we have sufficient capacity available.

There might be recommendations that would involve significant amounts of investment, for example. While we too would absolutely welcome that significant amount of investment, we cannot hold the governor accountable for that because, like all government departments that require investment, we are dependent on SR bids for that.

Lord Dubs: Did you say there was a time limit for you to respond to each recommendation? Is there anything like that?

Michelle Jarman-Howe: Yes. If a prison has received a very significantly poor inspection report and an urgent notification is issued, we have 28 days to respond to that urgent notification and then the usual period following the inspection report. If it is a typical and more usual inspection report, there is a time limit of 14

weeks for the report and then we have three months to respond and provide the action plan to that.

Lord Dubs: You always meet those time limits.

Michelle Jarman-Howe: We always meet them. I cannot think of a single example where we have not met the timeframe.

Q133 **The Chair:** I am enormously grateful for all of the responses to our questions. As I said at the beginning, if there is anything you wish you had said but have not had the time, please feel free to write to us. You are going to write to us about a number of specific issues.

Before we bring it to an end, let us relax a little bit. Imagine a situation where all three of you had no need to worry about what Ministers and politicians say, but you did not have tons of extra dosh. What one thing would you like to see changed in our Prison Service? It should be realistic, something that we might put in our recommendations, for instance. What would you like us to say? What would you really like to be able to do that, for some reason or other, is not happening at the moment?

Dominic Herrington: I would like us to be able to deliver our Enable programme because that potentially is transformational for our workforce in terms of training, development and leadership. To be able to do that, would make an extreme—

The Chair: Why can you not deliver it?

Dominic Herrington: We have just started it. There is no reason why we cannot. There will be issues that will get in the way, I am sure, but it is a key agency priority to do that. The investment that we will be able to make in our officers and leaders through training and development will be transformational.

Michelle Jarman-Howe: From my perspective, it would need to be around population and capacity. We have made huge progress in the last year. It is an absolute credit to governors and everybody who has worked in and around prisons and, indeed, in probation over the last 12 months that we have got through the capacity crisis.

We are very optimistic about what the sentencing review will bring and, indeed, all of the steps that were taken last year and those that are coming this year to mitigate some of the capacity impacts. We need to get the prison system and indeed the justice system on a footing where capacity and population are manageable in the longer term and prisons are used for the right purposes. If I were to have a wish list, that would be number one.

The Chair: Clearly, poor old David Gauke has a lot on his shoulders. We have already had discussions with him, and we were very clear that we share your view. If you had more space or fewer prisoners, what would you want to do with that? Why do you want to make it easier? Is it just to make prison officers' lives easier? Why do we want to achieve fewer prisoners in prison?

Michelle Jarman-Howe: To be clear, prisons strive to achieve this anyway, but it gives us the space and the opportunity to deliver good services.

Last year, when the system was operating at maximum pressure—it was the hottest that I have ever known the service to be in 30 years—you could absolutely see the impact in terms of performance and the huge system strain that we were operating under in terms of our officers, our governors and our prisoners, who are at the centre of all of this. They need to have the ability to get into a prison, to settle and undertake programmes, to receive personal activity and to be there long enough to develop relationships with staff and reduce reoffending—

The Chair: I am slightly surprised you have not used these words, but maybe you are saying it, just your own language: the biggest failure of our Prison Service at the moment, some would argue, is the appalling issue with rehabilitation, reoffending and so on. Is that what you are talking about?

Michelle Jarman-Howe: Yes, that is our purpose: to keep the public safe and to prevent reoffending. Yes, it is absolutely about, as I say, regimes, programmes and rehabilitation, but it is also about safety. Prison environments need to be safe and respectful. Our staff and all of our teams do an outstanding job to try to manage that every day. When a system is under pressure, that becomes extraordinarily difficult.

The Chair: Do you have a wish list item?

Louise Alexander: Mine would be very similar. From a people point of view, it would be to use some of that space and time to do some of those more in-depth one-to-one conversations and development. It would be to have the time that people need to have those relationships with their line managers and to think about what they want to do next. From a well-being point of view, as we were saying earlier, there is lots of support out there and lots of things that people can do to benefit them and their teams. It is about trying to get them the time and space to use that as much as possible.

The Chair: Thank you all very much indeed. We are going to have to draw it to a close. We really are grateful.