

To: Prison Governors
Chief Executives of Host PCTs

cc. Prison Service Area Managers
Regional Prison Health Leads
RDC Leads, HCCJP CSIP
Standards Audit Unit
HM Inspectorate of Prisons
Healthcare Commission

Gateway reference: 6218

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Dear Colleague

PERFORMANCE MANAGEMENT OF PRISONERS' HEALTH SERVICES

I am writing to clarify the current and future auditing and performance management arrangements for prisoners' health services, in light of the completion of the transfer of those services from the public sector to the NHS in April 2006.

Please note that any changes to auditing arrangements only apply to public sector establishments in England where commissioning of prison health services has transferred to the NHS.

Auditing arrangements for the contracted estate will remain unchanged until further notice.

Arrangements to April 2006

2. Hitherto, auditing of prison healthcare has been conducted to assess compliance with a Health Services for Prisoners standard generated by the Prison Service as part of its overall standards framework. Over the past five years, the Prison Service and the Department of Health have been adapting the standard to ensure that it adequately reflects the modernising of the service. Consequently the standard now consists almost entirely of requirements that reflect standards of healthcare in the NHS.

3. The Prison Service and the Department of Health agreed that where health services for prisoners are commissioned by the NHS, the health care

standard will no longer contribute to a prison's overall performance scores as assessed by the Prison Service Standards Audit Unit. However, we fully recognise this period of transition to new arrangements and consequently, PCTs largely welcomed this additional support to ensure that there were monitoring arrangements in place for the prisoners' health services they are now commissioning. The following arrangements have therefore been in place and will remain so until 1st April 2006:

- HMPS Standards Audit Unit (SAU) have continued to audit against the healthcare standard for any prison where prisoners' health services are commissioned by the NHS and provide non-mandatory action plans. This approach is supported in the recently issued Prison Service Order 0250 on Standards Audit (this can be accessed on the Prison Service website www.hmprisonservice.gov.uk) Audit reports are purely advisory for the prison and the PCT, do not contain any action against which a Governor would normally have to report to the Prison Service, and will not count towards a prison's overall audit performance scores. Prison health services have also continued to self-audit.
- Where a local PCT/prison partnership is satisfied that alternative arrangements are in place, such that it is felt that an SAU report against the existing standard would not add value, then they have agreed with Prison Health, or their Regional Prison Health Development team, to opt for health services to be excluded from the scope of a Standards Audit exercise, including self-audit.

4. The Healthcare Commission issued the following advice in relation to monitoring prison health services through the NHS performance management framework:

“When completing their declarations PCTs should consider how they have taken the standards into account in their commissioning arrangements for prison healthcare services. We are applying the same principle to the commissioning of prison healthcare as to commissioning in general. We have outlined our approach to assessing commissioning as part of the core standards assessment in "Criteria for assessing core standards." “When commissioning services, PCTs should be taking into account the core standards, with the aim that those services meet the core standards. However, in year one, the Healthcare Commission will **not** base its assessment of a PCT's compliance with core standards on the level of compliance achieved by the commissioned services. Rather, a PCT's declaration of its compliance with the core standards should include consideration of whether its commissioning processes take into account the requirements of the core standards”.

Arrangements from April 2006

5. From April 2006, in relation to prison health services, a PCT will be assessed on its commissioning by the Healthcare Commission. The assessment of the actual services themselves will be undertaken by HM Inspectorate of Prisons via a memorandum of understanding (MOU). The Commission and HMIP have been working closely for some time exploring how prison health services can be assessed, and how this can take place without placing an unnecessary burden of inspection on prisons and PCTs. The MOU sets out the working relationship between HCC and HMIP. It details how HMIP will continue to inspect and report on the health outcomes for prisoners within the prison while the Healthcare Commission will assess the arrangements for, and effectiveness of, the PCT's commissioning arrangements generally. The MOU will be available on both the Healthcare Commission (www.healthcarecommission.org.uk) and HMIP website in due course. HMIP is in the process of reviewing their expectations in the light of "Standards for Better Health"- the new version of which will be published shortly – and will come into use from April 2006.

Health Services for Prisoners Standard

6. To coincide with the start of the HCC/HMIP new processes for prison health services, Prison Health will introduce a new Prison Service Performance Standard during 2006. As the current standard will no longer be relevant, in that the quality of services will be monitored via NHS processes in conjunction with HMIP, a new standard is being developed that sets out a prison's new and continuing responsibilities in relation to prisoners' health and health services. The new standard "Governors' Responsibilities for Prisoners' Health and Health Services" will be issued for consultation in May 2006.

7. Work is currently being led by Prison Health to look at supporting local implementation of the national requirements which includes the development of a performance management framework.

If you have any queries specific to a forthcoming audit at an establishment, you will need to contact Standards Audit direct. For all other queries regarding the advice in this letter, please contact Prison Health.

Yours sincerely

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