



HMI Prisons governance framework

Introduction

HMI Prisons is an independent inspectorate led by HM Chief Inspector of Prisons. We scrutinise the conditions and treatment of prisoners and other detainees and report on our findings.

We help to make sure that detention is humane, safe, respectful and helps to prepare people for release ahead of their return to the community. We do that by carrying out independent inspections of prisons, young offender institutions, secure training centres, and court custody in England and Wales and places of immigration detention across the UK.

HMI Prisons has established a number of advisory and executive groups to ensure the organisation discharges its responsibilities effectively.

This framework sets out how HMI Prisons is governed including the key staff and boards involved in this.

Section 1 Governance structure

Sponsoring department

HMI Prisons is an arms length body of the Ministry of Justice (MoJ) and receives most of its funding from the MoJ.

The MoJ is responsible for ensuring that the use of any such funds meets the standards of governance, decision-making and financial management expected and required of all civil servants and public office holders who manage public money. The Permanent Secretary of the MoJ is the Principal Accounting Officer (PAO), to whom HM Chief Inspector is accountable for the appropriate use of resources in accordance with budgetary delegation arrangements.

HMI Prisons also receives funding from the Home Office for work related to the inspection of immigration detention, from the Ministry of Defence for the inspection of military detention facilities and from other jurisdictions for inspections of prisons or other places of detention by invitation.

Key sponsorship meetings

HM Chief Inspector of Prisons has an annual appraisal with a senior sponsor in the MoJ.

The Deputy Chief Inspector of Prisons and Head of Secretariat have twice-yearly business assurance meetings with the MoJ's ALB Centre of Expertise.

The Head of Secretariat meets monthly with the MoJ's sponsorship team.

HMI Prisons senior leadership

HM Chief Inspector of Prisons

The Chief Inspector of Prisons is appointed from outside the prison service by the Secretary of State for Justice initially for a period of three years. They report directly to the Secretary of State and relevant ministers on conditions for and treatment of prisoners in England and Wales and the Home Secretary on conditions for and treatment of detainees in all places of immigration detention in the UK.

The Chief Inspector chairs HMI Prisons's Corporate Governance Board.

Deputy Chief Inspector of Prisons

HM Chief Inspector of Prisons is supported by a Deputy Chief Inspector of Prisons who is a senior civil servant.

The Deputy Chief Inspector of Prisons chairs HMIP's Delivery Board.

Decision-making boards and committees

HM Chief Inspector has established a mechanism for collective decision-making and corporate oversight within HM Inspectorate of Prisons (HMIP) to ensure that the Inspectorate meets expected standards of governance, risk and financial management. This is called the Corporate Governance Board (CGB).

The Chief Inspector has also established an operational mechanism for overseeing delivery of HMIP's inspection programme and business plan, to ensure that the Inspectorate is making progress against its agreed objectives. This is called the Delivery Board (DB).

CGB and DB are supported by three committees focusing on providing oversight, advice and supporting decision-making on key policy areas including:

- Fire, Health and Safety committee
- Equality and Diversity Advisory Group
- Learning and Development committee.

We also operate a number of information sharing meetings including a weekly tactics meeting and quarterly communication meeting, thematics board and policy forums. These are not executive bodies and fall outside the scope of this governance framework.



Section 2 Board roles and responsibilities

Board members

All board members are members of staff with relevant expertise to support the effective delivery of the board's responsibilities.

Membership of CGB and DB is linked to key roles and responsibilities and are not subject to change other than the inspection Team Leader represented at CGB. Membership of supporting committees is for a term of two years, although some roles are permanent members by nature of their and the board's responsibilities.

A full list of members for each board is listed in their Terms of Reference.

Corporate Governance Board

The Corporate Governance Board (CGB) is responsible for the overall strategic direction of HMIP, corporate good governance, risk management and financial management. This means that it:

- a. agrees HMIP's strategic objectives and annual business plans and monitors progress against these objectives
- b. takes the final decisions on all significant work under the annual business plan
- c. scrutinises spend and financial management to ensure financial probity and that HMI Prisons is delivering value for money
- d. ensures that HMI Prisons has appropriate policies and processes in place to meet all legal and regulatory requirements
- e. assesses and manages risk across the organisation.

CGB meets quarterly and is chaired by the Chief Inspector of Prisons.

Delivery Board

The Delivery Board (DB) is responsible for the operational delivery of the annual Business Plan and annual Inspection Programme. The Business Plan, Inspection Programme and specific projects are ultimately approved by the CGB; DB's role is to lead preparatory design and planning, and to ensure delivery within agreed financial parameters and timescales.

DB therefore recommends items for approval to CGB, escalates key risks to the CGB, and is responsible for implementing decisions of CGB as they affect operational delivery. Timely flow of information between the Boards is crucial and is primarily the responsibility of the Deputy Chief Inspector and Head of Secretariat, who sit on both boards.

DB meets quarterly and is chaired by the Deputy Chief Inspector.

Equality and Diversity Advisory Group

Reporting into CGB, the Equality and Diversity Advisory Group (EDAG) supports HMI Prisons's work in promoting equality and valuing diversity by scrutinising our processes, policies and decisions to ensure they comply with relevant legislation and do not create adverse or disproportionate outcomes for different groups of staff; agreeing and monitoring outcomes in key areas and providing support and advice to CGB on particular areas identified as likely to warrant greater attention relating to equality issues.

Its remit also includes monitoring outcomes. In addition, the group works closely with the Respect forum to review and enhance how we inspect equality and diversity in places of detention.

EDAG meets quarterly and is chaired by the Deputy Chief Inspector.

Fire, Health and Safety Committee

Reporting into CGB, the Committee is responsible for implementing the HMI Prisons Fire, Health and Safety policies and supporting MoJ policies.

The Committee uses the HSE Management System consisting of six key areas; Policy, Organisation, Planning /Implementation, Measuring, Review and Audit to ensure it meets the health and safety needs of HMI Prisons staff and wider stakeholders.

The Fire, Health and Safety Committee meets twice a year and is chaired by the Deputy Chief Inspector.

Learning and Development Committee

Reporting into Delivery Board, the Committee is responsible for implementing HMI Prisons' L&D objectives, supported by MoJ policies. It promotes a smarter, simpler and more unified L&D approach across the Inspectorate. It is responsible for a L&D plan covering areas including coaching and mentoring, mandatory training, continuing professional development, development days, peer-to-peer support, leadership development and L&D vision for the inspectorate.

The L&D Committee meets quarterly and is chaired by the Head of Secretariat.

Thematics Board

The Thematics Board discuss evidence-driven thematics ideas from specialist inspection teams (women, children, immigration, health care), policy forums or CJJI business planning. All ideas, no matter the original source of the idea, should be presented to the Board via the relevant group. The Board make an agreement on which ideas, if any, should go to the Working Group stage to draft a Business Case to go to CGB for agreement. Project plans are then reviewed and signed off by DB.

The Thematics Board meets quarterly and is chaired by the Head of Research, Data and Thematics.

Section 3 Identifying and managing risk

The corporate risk register

HMI Prisons maintains a corporate risk register documenting all significant risks, assigning a risk score based on the levels of both likelihood and impact and appropriate mitigating actions.

The risk register is overseen by the Corporate Governance Board, which has overall responsibility for managing risk on behalf of the organisation.

Corporate Governance Board reviews the risk register at every meeting or by correspondence if responses to emerging risks need agreeing outside of scheduled meetings.

The Head of Secretariat is responsible for maintaining the risk register.

Section 4 Ethical guidelines

As a public appointee, the Chief Inspector of Prisons has committed to upholding the standards of conduct set out in the [Committee on Standards in Public Life's Seven Principles of Public Life](#).

All HMI Prisons staff are civil servants who must abide by the [civil service code](#). In addition to this, HMI Prisons has established its own code of conduct for all employees and board members, which promotes ethical decision-making and compliance with relevant legislation and MoJ policies.

In developing the inspection programme and thematic inspection methodologies, HMI Prisons follows its [ethical principles for research](#).

All board and committee members are expected to declare any potential conflicts of interest and will not take part in discussions where there may be such a conflict.

Section 5 Audit functions

Internal audit and review

HMI Prisons works closely with key business partners in MoJ's Centre of Expertise to ensure compliance with key MoJ policies including in key areas such as financial management. We submit monthly returns on our budget to MoJ, who are responsible for ensuring we discharge our financial responsibilities effectively. We hold monthly internal financial review meetings to scrutinise our spend, and provide quarterly updates on this to Corporate Governance Board.

An annual statement of our income and expenditure is included in our annual report and accounts, which is laid before parliament.

HMI Prisons is committed to ensuring proper practice and accountability in its governance, and commissioned MoJ's Centre of Expertise to review our governance arrangements in 2023 as part of a wider internal review.

External audit and review

As an inspectorate, HMI Prisons recognises the value of external scrutiny and challenge. We are committed to ensuring that our processes and decision-making are transparent, defensible and comply with all relevant regulations and policies.

Once every five years, therefore, we will commission an external audit of some of our key processes to be identified and agreed by CGB.

Section 6 Stakeholder engagement

HMI Prisons is committed to being as transparent as possible in our work, while protecting the necessary confidentiality of our unannounced inspection programme and the independence of our decision making from MoJ. The vast majority of our business relates to the delivery of our inspection programme. No external stakeholders are therefore part of our CGB or DB.

Instead, we have developed the following means of ensuring stakeholders are engaged in every stage of our policy and programme development, and that we understand and are able to respond to their feedback in our continuous improvement.

Formal consultation and surveys

- We carry out an annual consultation on our proposed inspection programme and accompanying inspection framework. We also carry out an annual stakeholder survey, in which we ask stakeholders to provide us with feedback to help us operate as effectively as possible. The responses to both of these are considered at our CGB.
- As part of the (CJJI) group, we also consult on the CJJI's two-year business plan.
- At the end of every inspection, we ask governors/directors to complete an exit survey. This feedback is considered in detail by the inspection team leader and is included in our monthly DB meetings to consider where improvement may be necessary or other action appropriate.
- We publish our annual business plan on our website, and an annual report and accounts after the end of each financial year outlining how we delivered against this, our findings and a statement of our income and expenditure.
- When developing proposals for a particular programme of work or development of a new policy, we engage with relevant stakeholders from the third sector, prison service, MoJ or Home Office including holding formal consultations where appropriate.

Regular stakeholder meetings

- The Chief Inspector meets quarterly with the Minister for State for Prisons, Probation and Reducing Reoffending. The Chief Inspector also meets several times a year with the Lord Chancellor and Secretary of State for Justice and the Minister for Sentencing and Youth Justice and with the Home Office Minister for State.
- The Chief Inspector and Deputy Chief Inspector meet quarterly with senior officials from the MoJ and HMPPS.
- The Chief Inspector and Team Leader for Immigration meet regularly with Home Office officials.
- HMI Prisons is part of the CJJI group. The Chief Inspector meets quarterly with other Chief Inspectors of the CJJI and the Head of Research, Data and Thematics attends the quarterly CJJI Development Group meeting.

- The Chief Inspector attends steering group meetings of the UK National Preventive Mechanism and its 21 members, which are usually held on a quarterly basis.
- We meet regularly to share intelligence on key issues and risks with stakeholders including the PPO, IMB, other inspectorates such as HMI Probation and key inspection partners including Ofsted, Estyn, CQC and Health Inspectorate Wales, and with third sector organisations relating to both prisons and immigration.
- We also meet as required with organisations including the NAO.