

Ministry of Justice and Territorial Offices Overarching SLA

TO/MoJ Co-ordinators	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
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TO/MoJ Sign off	
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Background

The Territorial Offices comprise the Wales Office, the Scotland Office and the Office of the Advocate General for Scotland, and the Northern Ireland Office. The Scotland Office and the Office of the Advocate General for Scotland are two separate departments reporting to separate Ministers (respectively the Secretary of State for Scotland and the Advocate General for Scotland) but they share a single Parliamentary vote and a single Accounting Officer. References to the Scotland Office in this document and in its annexes are to be read to include the Office of the Advocate General unless explicitly stated otherwise.

From 1999 to 2003 the Scotland Office and the Wales Office were separate departments of state. From 2003 until 31 March 2011 the Scotland Office and the Wales Office formed part of the Department of Constitutional Affairs (DCA) and from 2007 the Ministry of Justice (MoJ). The reason for this merger was that as separate departments SO and WO were too small to provide for themselves economically and efficiently with many corporate services and could not readily recruit staff to their London offices. DCA was chosen as the appropriate parent department because of its policy responsibilities which included devolution policy. SO and WO were provided with a wide ranging level of support and corporate services by the MoJ as part of DCA, and then MoJ. However SO's and WO's were funded separately from DCA and MoJ and they reported separately to their own Ministers who were not DCA or MoJ Ministers.

Since its creation in 1972 the Northern Ireland Office has always been a separate department of state. It has never formed part of MoJ or DCA, or any other department. At one point it was planned that NIO would become part of MoJ on the same basis as SO and WO but this was not implemented.

In the autumn of 2010 the then Cabinet Secretary, Sir Gus O'Donnell decided, with the agreement of the Permanent Secretary of MoJ and the three heads of the TOs,

- that NIO would continue as a separate department of state and that SO and WO would again become separate departments of state;
- that the three heads of the TOs would report for line management purposes to the Director-General in the Cabinet Office responsible for constitution policy;
- that the heads of SO and WO would become Principal Accounting Officers for their respective departments from April 2011;
- that the three TOs would form a common staffing pool with the Ministry of

Justice for recruitment and posting purposes. Terms and conditions of staff in SO and WO would continue unaffected and NIO could undertake a staff options exercise to allow its staff to choose whether or not they wished to move to MoJ terms and conditions;

- that advice on MoJ terms and conditions and the full range of HR support services would be available for all three TOs under a Service Level Agreement;
- that MoJ would continue to provide the services it provided at that time to SO and WO in such matters as internal audit, accommodation and security, under SLAs as appropriate;
- that payroll and the preparation of accounts would be supported by MoJ under a SLA and;
- that financial transaction processing would remain unchanged from present arrangements.

The purpose of the new arrangement was to enable the TOs to be accountable to Parliament separately for their own performance and use of resources, while enabling

- SO and WO to continue to be able to use MoJ staff and to recruit new staff from the wider MoJ pool;
- NIO to recruit from the wider MoJ pool for the first time;
- TO staff to pursue their careers with access to greater opportunities than would be the case if they were confined to the TO in which they were based;
- all TOs to have access to corporate services that provide value for money because they are provided by a large department which can cultivate specialist expertise and enjoy economies of scale.

The Cabinet Secretary wrote separately but in identical terms to the three heads of the TOs. Copies of his letters of October are at **Annex A**.

The purpose of this overarching SLA-and its associated separate SLAs-is to give effect to the intention set out in the Cabinet Secretary's letter. The overarching SLA describes the high level relationship between MoJ and the three TOs.

Individual SLAs between MoJ Business Areas and the Territorial Offices have also been created to cover particular services. In some cases these SLAs are derived from SLAs that were already in place before April 2011; in other cases they were drafted for the first time after April 2011 but described services provided before that date. The services provided to the three TOs and the basis upon which those services are provided differs from service to service; those differences are documented in the different SLAs. These individual SLAs are annexed to this

overarching SLA as **Annex B**. Additionally, this overarching SLA encompasses those discrete services not included in individual Business Area SLAs; see **Annex C**

The Territorial Offices recognise that MoJ will provide the TOs with no less a standard of service that would be provided to any other part of MoJ. If the TOs wish to receive different or additional services they must agree the matter with the relevant part of MoJ, which will liaise with the service provider in the case of external contracts, and may be charged an additional fee for the service.

Where the Territorial Offices use services provided to MoJ by external contractors (such as in such matters as IT, building maintenance and security guarding) the Territorial Offices will be considered as a part of the MoJ HQ and services received will be to no less a standard and subject to the charging process set out in the individual SLAs.

Corporate Recharge process

The current overhead recharge is the process by which MoJ recharges a proportion all corporate overhead to each of its agencies, NDPBs and associated offices. The recharge is a 'below the line' notional soft charge to each area of the business and there is no transfer of resource and no cash implication resulting from this exercise.

From 1st April 2011 both Wales Office and Scotland Office produce their own resource accounts and are not part of MoJ's accounting boundary. It was agreed on a service by service basis that MoJ will charge the territorial offices for service provided, except where the use of the service is slight and infrequent and the cost of charging would be disproportionate. From 2012-13 MoJ will transfer a budget to both Wales Office and Scotland Office (as the budget is assumed in MoJ's baseline), estimated to the agreed level of recharge for the financial year, before recovering these costs by issuing an invoice (i.e. hard charge). For the 2011-12 financial year, MoJ and Territorial offices will agree a transitional arrangement for the MoJ recharges as part of the preparation of the final accounts.

Where MoJ extends the corporate service to the Northern Ireland Office (NIO), no budget is transferred to them as the budget is assumed in NIO's baseline. MoJ will hard charge NIO (by issuing an invoice) for the service provided.

Assurance – ALB Governance Division

The Arm's Length Bodies Governance Division (ALBGD), Corporate Performance Group (CPG), Ministry of Justice (MoJ), will oversee the relationship between the Territorial Offices and the MoJ. The Division, headed by [REDACTED], has responsibility for public appointments, ALB assurance, review and capability, ALB reform and change, sponsorship of a small number of ALBs.

Scope of Assurance SLA

The SLA covers the relationship between the ALB Governance Division, Corporate Performance Group, MoJ and the Scotland Office, the Wales Office and the Northern Ireland Office; 'the Territorial Offices'.

Roles and Responsibilities

The ALB Governance Division will:

- Advise on the resolution of any disputes between the TOs and with the MoJ (who will liaise if necessary with the service providers if externally provided) after reasonable efforts have been made by the parties to resolve such disputes and in accordance with any dispute resolution procedures detailed in individual SLAs;
- Support the development of positive and effective working relationships with the Territorial Offices;
- Inform the Territorial Offices of Government, MoJ and CPG policy and news in a timely manner;
- Provide advice, on request, about governance matters such as risk and financial management;

The Territorial Offices will:

- Provide ALB Governance Division with copies of SLAs agreed with MoJ service providers;
- Advise ALB Governance Division of disputes with MoJ service providers that cannot be resolved within the terms of the agreed SLAs;
- Advise ALB Governance Division of any risks that might need to be escalated to the ALB Governance Division risk register;
- Inform ALB Governance Division of any issue or incident which might impact on the reputation of MoJ.

Territorial Offices/ALB Governance Division Working Arrangements

All parties agree to communicate openly and when appropriate on an informal basis.
The initial point of contact in the ALB Governance Division is:

[REDACTED]

[REDACTED]

[REDACTED].

Some of the individual SLAs contain a mechanism for resolving disputes that might arise between the TOs and the relevant part of MoJ. For services not subject to a specific SLA or services without a specified dispute resolution mechanism, the first stage will involve an attempt to resolve the issue by the officials in the relevant TO(s) and MoJ responsible for the operation and oversight of the SLAs. If the dispute cannot be resolved by the representatives, the management structure of both parties will be used as a basis for escalation, involving MoJ ALB Governance Division.

In respect of proposed changes to SLA arrangements not covered by a specific SLA, these can be requested by either party, but will require the agreement of both to be accepted.

Review of document

ALB Governance Division will review, in conjunction with the Territorial Offices, this document 12 months after its commencement to ensure that the agreements are operating effectively. Thereafter, it will be formally reviewed every 2 years. ALB Governance division will meet with the heads of the Territorial Offices, or their nominees, on an annual basis

Signed on behalf of the Ministry of Justice

[REDACTED]

Head of ALB Governance Division 13 July 2012

Signed on behalf of the Northern Ireland Office

[REDACTED] Director General 19 July 2012

Signed on behalf of the Scotland Office and the Office of the Advocate General

Director of the Scotland Office _____ Date: _____

Signed on behalf of the Wales Office

Director _____ Date: _____

Discrete Services

MoJ provide TOs with a number of discrete services which are used on an ad hoc basis. No SLAs have previously been in existence to formally set out the provision of these services but they are captured in the overarching SLA for the first time.

1. State Honours – Applicable to WO only

1.1 Nominations for honours for MoJ staff posted to the Wales Office will continue to be handled and co-ordinated through the MoJ, with the WO considered as a component of Corporate Performance Group (CPG).

1.2 The WO will be included in the bi-annual trawl for nominations.

1.3 WO will be responsible as before for identifying relevant individuals and preparing the nomination papers, with any necessary advice from the MoJ honours unit before submission to the Honours Secretary via the CPG Honours Co-ordinator.

1.4 Honours nominations for non-MoJ staff working in WO will be handled by their respective seconding home Department or government.

Charging process

1.5. There is no charge for this service and will not be recorded in accounts

Contacts

MoJ Honours Secretary

[REDACTED]

3rd Floor Temple Court

35 Bull Street

Birmingham B4 6EQ

DX 701993 Birmingham 7

[REDACTED]

[REDACTED]

Corporate Performance Group Honours Coordinator

[REDACTED]

Ministry of Justice,

9th floor (9.37), Zone C,
102 Petty France,
London, SW1H 9AJ.

[REDACTED]

Mobile: **[REDACTED]**

2. Welsh Language Unit

2.1 The MoJ will continue to provide access to the HMCTS Welsh language translation service. A separate SLA, covering the core MoJ and associated non-MoJ bodies, will agree the set out levels of service and costs.

Charging process

2.2. A direct charge using agreed costs within the Welsh Language Unit SLA

Contact

Head of Welsh Language Services

[REDACTED]

Her Majesty's Courts and Tribunals Service

Caernarfon Criminal Justice Centre

Llanberis Road

Caernarfon

Gwynedd

LL55 2DF

[REDACTED]

[REDACTED]

3. Print Room Services

3.1 MoJ will continue to provide printing services to Territorial Offices and there will be no change to the way this service is provided or the way TOs are charged.

3.2 Job turnaround performance targets for MoJ customers are already agreed and documented and will be the same for TOs.

3.3 The Prison Industries Printing Team (PI Print) will print standard forms, documents, posters, leaflets, business cards and any other kind of printed materials.

3.4 For all printing requirements (including business cards) TOs should send the PI Print request form to the PI Print team. This should be either emailed or posted together with any samples if required to the PI printing team address on the request form.

3.5 Ad hoc work sent to the printing team is produced in prison workshops by offenders. If a document is of a sensitive nature requiring special handling it can be produced by the central Print Room in 102 Petty France operated by Xerox. All print jobs submitted to the Print Room should be sent with a completed print request form. The print room has the facility to accept jobs in hard copy, on disk or by email.

Charging Process

3.6 Printing completed by the PI Printing team will be hard charged to TOs after delivery of the goods.

Contacts

Prison Industries Printing Team

3rd Floor 3.08
Clive House
70 Petty France
London
SW1H 9EX

[REDACTED]

MoJ Print Room

[REDACTED]

102 Petty France
London
SW1H 9AJ

[REDACTED]

4. Specialist Legal Advice

4.1 The Territorial Offices have their own lawyers and requests for general advice and advice relating to the devolution settlements should be directed to the relevant office:

- Office of the Advocate General
- Home Office Legal Adviser's Branch
- Legal Advisers to the Wales Office
- Northern Ireland Office (NIO) Legal Advisers

Specialist advice

4.2 Requests for legal advice any Territorial Office on Human Resources or Estates matters should usually go via HR or Estates Directorate of Ministry of Justice. Past experience has shown the need for advice to be infrequent.

4.3 Ministry of Justice Legal Directorate will provide such legal advice to any of the Territorial Offices above either itself or through a gateway function. This means that Legal Directorate will consider any request on a case by case basis, against the available resource and nature of the request. If for any reason there is insufficient resource in Legal Directorate at the time of the request (or there is litigation), it will operate as intelligent customer to assist the relevant Office in sourcing appropriate advice through TSol.

4.4 There would be no charge for the provision of specialist employment or estates legal advice directly by Legal Directorate. In the event a Territorial Office is directed to TSol, TSol hard charge for their legal services which would need to be covered by the relevant Territorial Office.

4.5 The provision of advice to the Scotland Office and the Office of the Advocate General and the Wales Office pursuant to this suite of Service Level Agreements is subject to the provisions of the Memoranda of Understanding between (1) the Ministry of Justice and the Scotland Office and the Office of the Advocate General, and (2) the Ministry of Justice and the Wales Office concerning the status of MoJ staff in the Scotland Office and the Office of the Advocate General, and in the Wales Office.

Contacts

Human Resources

[REDACTED] HRBP, Legal

Estates Directorate

[REDACTED]

Workplace Manager

Legal Directorate

[REDACTED]

Deputy Director, Corporate Advisory Team

Ministry of Justice Legal Directorate
102 Petty France
London SW1H 9AJ
Tel: [REDACTED]
[REDACTED]

5. Sustainability and Carbon Emissions (WO and SO-OAG)

5.1 The Scotland Office and Wales Office estates are provided with estates management and facilities services by the MoJ. SO/WO also use the MoJ's procurement machinery and processes. In estates management and procurements matters MoJ will ensure where it is in the Department's power to do so that WO and SO comply with legislation and Government policy on sustainability matters.

5.2 In the case of those initiatives or centrally mandated programmes that clearly require each TO to report or act as a separate Government department (such as the Carbon Reduction Commitment) the TOs will do so. Where departments may be exempt from centrally mandated programmes such, as GGC, the SO-OAG and WO will liaise closely with MoJ to ensure the implications of such exemptions are understood fully by all parties. In the case of any other initiatives or centrally mandated programme WO, SO-OAG and MoJ will liaise closely on a case by case basis to examine the implications are for WO and SO-OAG.

5.3 The MoJ will provide advice and support to the TOs on sustainable development issues. There will be no charge for data/advisory/management services.

5.4 The current energy supply arrangements will remain effective. These arrangements include the provision of utilities to WO's buildings and SO's London building within the MoJ Framework Agreement.

5.5 General consumption information from these energy supply contracts is supplied to the SO-OAG and WO on a monthly basis.

Contacts [REDACTED]

MoJ SD Delivery
Ministry of Justice
Sessions House
Lancaster Road
Preston. PR1 2PD
[REDACTED] | [REDACTED]