

XX XXXXXX XXXXXX
XXXXXX XXXXXX
XXXXXX XXXXXX XXXXXX

XXXXXX@XXXXXXXXXX.XX.XX

26 September 2016

Dear xx xxxxxx,

Request under Freedom of Information (Scotland) Act 2002

Thank you for your freedom of information request of 3 September 2016, received by us on 3 September 2016. This gave a statutory deadline for responding of 30 September 2016 under the terms of the Freedom of Information (Scotland) Act 2002. I am pleased to attach the information you requested.

In your request, you asked for;

Please can you provide full details of all deductions made by the SPS/Scottish Government to your contracted payments as a result of variances to the agreed performance standards.

This should include:

When the variance occurred (year is fine)

What was the nature of the variance (i.e what was the incident, for example 'Failure to Provide Meal' or 'failure of security procedures').

And how much was deducted.

I would like this information for the last five financial years.

The Scottish Prison Service do not make direct payments to Serco Limited. The agreement to operate HMP Kilmarnock is between the Scottish Ministers and Kilmarnock Prison Services Limited. Serco are the operating subcontractor for the prison.

Although the payments are not direct, we do hold the information you requested.

The following amounts were deducted from the contracted payments by the Scottish Prison Service:

Year/Quarter (Applicable Dates)	Amount Deducted
Year 13 – Quarter 2 (25 June 2011 – 24 September 2011)	£39,339
Year 13 – Quarter 3 (25 September 2011 – 24 December 2011)	£32,662
Year 13 – Quarter 4 (25 December 2011 – 24 March 2012)	£26,841
Year 15 – Quarter 3 (25 September 2013 – 24 December 2013)	£49,310
Year 17 – Quarter 2 (25 June 2015 – 24 September 2015)	£42,388

I have attached the breakdown of the performance measures which were applied in these quarters. By way of an explanation, there is a threshold level of applied performance points below which no financial penalties are applied. Further details are available in Schedule F of our contract which can be viewed online at <http://hmpkilmarnock.co.uk/about-contract.html>. We do not hold information to link a specific incident to a specific amount deducted from the payment.

If you are dissatisfied with this response, you have the right to request an internal review. Your request should be made within 40 working days of the date of receipt of this letter, and we will reply within 20 working days of receiving your request.

Under section 20(3)(c)(ii) of the Act your request should outline your reason for seeking a review. If you remain dissatisfied following an internal review, you then have the right to make a formal complaint to the Scottish Information Commissioner.

If you require an internal review to be carried out, please write to

The Director
HM Prison Kilmarnock
Mauchline Road
Kilmarnock
KA1 5AA

The review will be undertaken by staff who were not involved in the original decision making process.

Yours sincerely,

A handwritten signature in black ink, appearing to be "A Hill", written in a cursive style.

Andrew Hill
Head of Performance and Compliance

enc

HMP KILMARNOCK

YEAR 13 QTR 2	PERFORMANCE POINTS		
CURRENT POINTS INCURRED:	743		
CONTRACT REFERENCE:	PRD 4	PRD 5	PRD 6
2.1g DISCOVERY OF SMUGGLED IN ITEMS	125	150	50
2.1i FAILURE OF SECURITY PROCEDURE	30	30	40
2.2a STAFF ASSAULT NO INJURY	5		
2.2b PRISONER ASSAULT MINOR INJURY	20	60	
2.2b PRISONER ASSAULT NO INJURY		20	40
2.2b PRISONER ASSAULT SERIOUS INJURY	100		
2.2f INCIDENT OF SELF HARM	5		50
2.2m TOOL LOSS (NOT RECOVERED)	12		4
2.2l TOOL LOSS (RECOVERED)			2
2.3e RESPOND TO COMPLAINT TIMEOUSLY			
POTENTIAL:	0		
POLICE POTENTIAL:	0		
GRAND TOTAL	516		
BASELINE	516		
HEADROOM	0		
EXCESS	227		

HMP KILMARNOCK

YEAR 13 QTR 3	PERFORMANCE POINTS		
CURRENT POINTS INCURRED:	665		
CONTRACT REFERENCE:	PRD 7	PRD 8	PRD 9
2.1g DISCOVERY OF SMUGGLED IN ITEMS	75		100
2.1i FAILURE OF SECURITY PROCEDURE	30	50	50
2.2a STAFF ASSAULT NO INJURY	15	10	15
2.2b PRISONER ASSAULT MINOR INJURY	80	60	60
2.2b PRISONER ASSAULT NO INJURY	5	5	10
2.2b PRISONER ASSAULT SERIOUS INJURY		50	
2.2f INCIDENT OF SELF HARM	15	20	5
2.2m TOOL LOSS (NOT RECOVERED)	4		
2.2l TOOL LOSS (RECOVERED)			
2.3e RESPOND TO COMPLAINT TIMEOUSLY			
2.4d FAILURE TO DELIVER STRUCTURED ACT	5		
2.5b FAILURE TO START VISIT WITHIN 20 MINS	1		
POTENTIAL:	0		
POLICE POTENTIAL:	0		
GRAND TOTAL			
BASELINE	516		
HEADROOM	0		
EXCESS	149		

HMP KILMARNOCK

YEAR 13 QTR 4	PERFORMANCE POINTS		
CURRENT POINTS INCURRED:	594		
CONTRACT REFERENCE:	PRD 10	PRD 11	PRD 12
2.1g DISCOVERY OF SMUGGLED IN ITEMS	100	100	75
2.1i FAILURE OF SECURITY PROCEDURE	30		10
2.2a STAFF ASSAULT NO INJURY		10	5
2.2a STAFF ASSAULT MINOR INJURY		20	
2.2b PRISONER ASSAULT MINOR INJURY	20	40	80
2.2b PRISONER ASSAULT NO INJURY	10	10	20
2.2b PRISONER ASSAULT SERIOUS INJURY			
2.2c INCIDENT OF CONCERTED INDISCIPLINE		20	
2.2f INCIDENT OF SELF HARM	5	10	20
2.2m TOOL LOSS (NOT RECOVERED)			4
2.2l TOOL LOSS (RECOVERED)	2		
2.3e RESPOND TO COMPLAINT TIMEOUSLY	3		
2.4d FAILURE TO DELIVER STRUCTURED ACT			
2.5b FAILURE TO START VISIT WITHIN 20 MINS			
POTENTIAL:	0		
POLICE POTENTIAL:	0		
GRAND TOTAL	594		
BASELINE	516		
HEADROOM	0		
EXCESS	78		

**HMP KILMARNOCK
PERFORMANCE SUMMARY**

5 FEBRUARY 2014

YEAR 15 QTR 3	PERFORMANCE POINTS		
CURRENT POINTS INCURRED:	500		
CONTRACT REFERENCE:	PRD 7	PRD 8	PRD 9
2.1g SMUGGLED IN ITEM	25	25	100
2.1i FAILURE OF SECURITY PROCEDURE	10	10	10
2.2a ASSAULT ON STAFF - NO INJURY	5	5	5
2.2b ASSAULT ON PRISONER - NO INJURY	0	5	5
2.2b ASSAULT ON PRISONER - MINOR INJURY	20	40	20
2.2b ASSAULT ON PRISONER - SERIOUS INJURY	50	50	50
2.2f INCIDENT OF SELF HARM	5	5	0
2.2i TOOL IMPLEMENT LOSS (RECOVERED)	2	0	2
2.3e RESPOND TO PRISONER COMPLAINT	0	1	0
2.6 FAILURE TO REPORT	0	50	0
POTENTIAL:	0		
POLICE POTENTIAL:	0		
GRAND TOTAL	500		
BASELINE	380.5		
HEADROOM	0		
EXCESS	119.5		

HMP KILMARNOCK

12 January 2016

YEAR 17 QTR 2	PERFORMANCE POINTS		
CURRENT POINTS INCURRED:	459		
CONTRACT REFERENCE:	PRD 4	PRD 5	PRD 6
2.1g DISCOVERY OF SMUGGLED IN ITEMS	25	50	25
2.1h KEY/LOCK COMPROMISE	0	55	0
2.1i FAILURE OF SECURITY PROCEDURE	30	0	0
2.2a STAFF ASSAULT NO INJURY	15	5	0
2.2b PRISONER ASSAULT MINOR INJURY	0	100	20
2.2b PRISONER ASSAULT NO INJURY	5	10	0
2.2b PRISONER ASSAULT SERIOUS INJURY	50	50	0
2.2f INCIDENT OF SELF HARM	0	5	10
2.3e RESPOND TO COMPLAINT TIMEOUSLY	0	3	1
2.4(b) FAILURE TO DELIVER WORK HOURS	0	0	0
2.4(d) FAILURE TO STRUCTURED ACTIVITY	0	0	0
POTENTIAL:	0		
	0		
POLICE POTENTIAL:	0		
GRAND TOTAL	459		
BASELINE	361.5		
HEADROOM	0		
EXCESS	97.5		