

# The Role of the Voluntary and Community Sector in NOMS



## Report of the Consultation on the Draft Strategy

June 2005

## INTRODUCTION

A national conference to celebrate and promote the relationship between NOMS and the voluntary sector was held in November 2004 and attracted over 500 delegates. Following this, a draft strategy setting out proposals by NOMS for working with the voluntary and community sector was published at the end of January 2005. The strategy was distributed to a wide range of stakeholders including:

- Voluntary and Community Sector Organisations – a range of national, regional and local organisations engaged in working with offenders and their families
- National Probation Service – National Probation Directorate, Regional Managers, Probation Areas (Chiefs, Chairs and Partnership Managers)
- The Public Sector Prison Service – HQ groups, Area Managers, individual establishments (Governors and Voluntary Sector Co-ordinators)
- National Offender Management Service HQ Units
- Home Office Units
- Government Offices for the Regions
- Contracted prisons/private sector companies
- Union groups

The strategy was sent out via e-mail, with hard copies available for anyone requiring one and 1000 of these were distributed. It was also publicised via voluntary sector infrastructure bodies to their members (Clinks, Anne Peaker Centre for the Arts and Action for Prisoners Families). Copies were placed on the Prison Service and Home Office Websites and promoted through the Prison Service Intranet. Information about the strategy was included in Third Sector Magazine.

A report ***“Enhancing the role of the Voluntary and Community Sector: A Case Study of the Yorkshire and Humber Region”*** prepared by Sheffield Hallam University on the existing and potential relationship between NOMS

and voluntary organisations in Yorkshire and Humberside was also circulated with the strategy. It was felt that views on the value of this regional model and the recommendations in the report would be useful.

## CONSULTATION PROCESS

A full 12 weeks was allowed for the return of responses to the consultation. Organisations were provided with forms for return of hard copies or invited to reply by e-mail.

Two events to facilitate discussion on the strategy were organised during the consultation period in collaboration with Clinks and the relevant Regional Offender Manager, one in York in February and the second in the West Midlands in April. These were attended by 164 people with a mix of representatives from national and local voluntary organisations, probation and prison staff.

There was also an event organised in Wales by the Wales Council for Voluntary Action and it was agreed following this event that a separate report looking at current engagement in Wales, gaps in provision and ways in which the relationship with the voluntary sector should be developed in Wales would be taken forward as part of the Pathfinder. NOMS VSU provided a member of staff to undertake this work and her report will form part of the overall Pathfinder report.

NOMS VS & APVU organised two further events to provide a report back on the initial findings from the strategy. These were held in Liverpool and Bristol on the 16 and 25 May, again with the Regional Offender Managers and attended by over 250 people.

## RESPONSES

A total of 70 individual replies were received. These included a response synthesising views from the consultation events and others, which drew together the views of a number of different organisations or individuals. In total the replies represented the views of 259 organisations.

Responses were received from the following groups:

Responses	%
<b>Voluntary Sector</b>	<b>80%</b>
National	(12.5%)
Regional	(4%)
Local	(62%)
Faith	(1.5%)
<b>Probation (NPS/NPD)</b>	<b>10.5%</b>
<b>Prisons</b>	<b>3%</b>
<b>Private Sector</b>	<b>1%</b>
<b>Other</b>	<b>5.5%</b>

The level of response from prisons is disappointing and there is no obvious reason for this. The Prison Service has undertaken considerable work to establish more effective working relations with the voluntary sector over the last three years and staff may have felt that as the Service has its own national strategy further comment was not needed but this is purely speculative.

## GENERAL COMMENTS

The majority of responses were very positive as the quotes below indicate:

***“There is much to be welcomed in this consultation document. The underpinning philosophy of developing meaningful and effective partnerships, the commitment to a transparent and inclusive contracting process and the acknowledgement of the ability of the Voluntary Sector to deliver high quality services should be applauded” (National voluntary and community sector organisation)***

***“Welcome the acknowledgement of the significant and central contribution which the sector has made to the work of the correctional agencies. The organisations represented by the project strongly endorse the encouragement for greater partnership working between the VCS and NOMS which is represented by the strategy” (National Strategic VCS Partnership)***

***“The difficulty in the past has probably originated from the distrust by “professionals” towards the VCS and overcoming these negative cultural barriers is emphasised in the document. It is good to see this being positively addressed” (NOMS HQ staff)***

There was however a strong feeling amongst respondents from the Probation Service that the report did not represent the investment in the development of partnership work made by the Service and that too much emphasis was given to prisons:

***“The Probation Service has a long and established history of working with voluntary organisations and it is disappointing that this long engagement is not well reflected in the consultation document the focus of which seems to be the prison experience....absence of any real understanding of the range and type of organisations that make up the VCS” (Probation Area ACO)***

There was a feeling too that too positive a picture was painted of the voluntary sector

***“Presents a very rosy picture of voluntary organisations. It is how large voluntary organisations like to portray themselves but is not often matched by reality on the ground” (Probation Area)***

## EXTENT AND NATURE OF VCS ENGAGEMENT WITH NOMS

The draft strategy opened with a brief description of the past and current relationship between prisons, probation and the voluntary and community sector and examined the ways in which voluntary organisations add value to the work of the two services.

Respondents were asked to consider if a fair description of the extent and nature of current VCS engagement was given:

**Yes = 62.5%**

**No = 13%**

**UNCLEAR = 24.5%**

Most respondents felt the description was fair but others commented that:

***“Does not demonstrate Probation’s long history of working with the VCS”***

***“Too great an emphasis on the prison experience”***

***“Does not consider the wider range of VCS that work only with offenders as members of the community and not as specialists”***

***“Suggests current engagement is small scale- not clear that without the VCS NOMS would be seriously impoverished.”***

***“There are other characteristics e.g. improving the quality of life – not just reducing re-offending”***

***“Does not recognise the indirect input of voluntary organisations working outside the criminal justice system and also the significant contribution some voluntary and community organisations have made***

***to meeting the needs of women offenders and preventing offending in the first place.”***

## **OTHER AREAS OF VCS ENGAGEMENT**

Respondents were asked if other areas of engagement should be considered and the following were all mentioned

- Drink Impaired Drivers
- OBPs
- Alcohol services
- Advocacy
- Gambling
- Services for bme groups
- CP/unpaid work supervision
- Female Prisoners/offenders
- Campaigning Groups
- Ex-offender Led Organisations
- Mental Health
- Sexuality Groups
- Drama and arts groups
- Domestic violence

It was not possible to list all the work undertaken by the 1500 organisations working with prisons and probation and several organisations were disappointed that the work of their organisation was not specifically mentioned.

The following were also highlighted as omissions.

- Use of volunteers
- Faith Groups
- Restorative Justice
- Victims
- Mediation
- Circles of Support
- Mentoring
- Link to CDRPs and LSPs

All of these are important areas of work but are central to the NOMS Communities and Civil Renewal Strategy published at the beginning of March, which has been the subject of a separate consultation exercise.

It is important that the links between the two strategies are made clear and that these areas of work are reflected in the actions that are taken forward.

## **FACILITATING VCS INVOLVEMENT IN NOMS**

The draft strategy addressed the question of the extent to which the VCS should feature in NOMS. A number of steps were set out to facilitate VCS involvement:

- Defining the variety of roles the VCS can play as NOMS develops
- Ensuring channels for discussion
- Establishing representation on key NOMS workstreams
- Bringing in new VCS providers to work with offenders where demand is likely to be high
- Persuading private sector providers to work in partnership with VCS providers
- Preparing VCS groups to enhance and extend services to meet new demands
- Encouraging VCS groups to work collaboratively with each other and with private and public sector providers.

## THE RIGHT STEPS?

Respondents were asked whether the steps outlined above were the right ones:

**Yes = 58%**

**No = 9.5%**

**Unclear = 17.5%**

**No response = 15%**

Responses stressed the need for opportunities for groups of all sizes to contribute, and the need to ensure that the relationship between the VCS and NOMS should not sacrifice the **“distinctive ethos and dynamics of VCS”**. There was a feeling that the value of the VCS in planning and setting priorities was underplayed and that greater communication and collaboration was needed, with a real drive to improve the capacity of the sector so that it **“is fit for purpose”**. The need for information on funding streams and contract opportunities was highlighted. National organisations asked for national framework agreements, whilst at the other end of the scale it was stressed that **“some parts of the sector are insufficiently funded to take part in competitions- they do not have the capacity to engage in consultations or share skills and experiences”**.

Overwhelmingly respondents emphasised the need for the focus to be local and asked for local mapping, local commissioning and local consultation.

Asked what further measures were needed and the provision of more regional and local focus was a common theme in the replies. It was felt that **“ROMS will need good relationships with regional and local infrastructure bodies as well as specially convened consortia”** and that good use should be made of existing local and regional VCS. Again the need for clarity in terms of provision of service and respective roles was raised. Respondents were looking for an emphasis on the quality of

provision, and reassurance that this rather than price would be the determining factor in the purchasing of services. There was a reminder that **“the VCS does not exist to meet NOMS targets – Service Level Agreements need to recognise need to meet charitable objectives”**

Many respondents highlighted the need for an accessible point of contact in prisons and probation and it was suggested that there should be Partnership Managers in every probation area and an enhanced role for Voluntary Sector Co-ordinators in prisons.

The role of the new Regional Offender Managers was seen as key to the creation of regional collaboration. It was suggested that they should assess needs for new services in key areas, map current provision (in terms of the quality of provision), organise joint training events to overcome cultural barriers and develop local as well as regional strategies for VCS engagement. ROMS should also promote consortia building to encourage the VCS to share the cost of central services such as HR, finance, IT and evaluation, but there should be financial support for consortia **“to incentivise collaboration rather than competition”**.

## REACHING A WIDE RANGE OF ORGANISATIONS

Respondents were asked to advise on ways in which NOMS could reach a wider range of smaller and more local organisations, as these comprise the majority of organisations currently working with offenders. Again local as well as regional strategies for engagement were promoted, with resources, perhaps including ring-fenced funding to support this. There was a concern amongst some respondents that NOMS could focus too strongly on national organisations. The use of specialist and generalist infrastructure, umbrella bodies, and existing forums e.g. mental health and faith based networks was promoted, as was the value of the local knowledge of Probation Boards. Several groups called for the creation of a registration scheme/provider list or national database of providers.

Communication and information from the ROMS was seen as vital with an increased use of web-based technology, regular newsletters and bulletins and local and regional seminars. In sending out information and particularly when contract opportunities become available ROMS should publicise these as widely as possible using networks, roadshows, local press and advertising. Commissioning arrangements should be kept simple and include one off/small scale contracts and there should be the facility for spot purchasing for specialist services.

## REMOVING BARRIERS

The strategy identified a range of barriers that will need to be overcome if the voluntary sector is to be seen as a real partner in NOMS. The two principle barriers identified were negative cultural attitudes and inappropriate procurement procedures. Respondents were asked if the issues identified were the most important and the majority felt the barriers were well summarised:

**Yes = 60.5%**

**No = 5%**

**No response= 34.5%**

## OTHER AREAS OF CONCERN

Respondents were then asked to identify other areas of concern that NOMS needs to address. These tended to confirm that procurement is key, that longer contracts are needed, with 5-10 years suggested to allow a focus on delivery and that an understanding of full cost recovery needs to be fostered at all levels within NOMS. It was felt there needed to be clearly specified quality standards and **“realistic expectations, realistic timetable for bidding, information on criteria e.g. value for money”**. The need for local as well as regional procurement mechanisms was also stressed.

Not all respondents accepted that there were negative cultural attitudes – although comments such as **the “VCS needs to be more professional”, “few VCS independently evaluated/too little evidence of effectiveness”, “conflicts between voluntarism and performance management”** and the need for a **“cultural shift to recognise expertise of sector”** would indicate that this is an issue. There were suggestions that this could be addressed through joint training and information exchange. Some respondents felt that there is a **“fundamental tension between partnership and contestability – are the VCS partners or competitors”** and that staff would **“become more secretive and less inclined to share”**. **“Co-location of NOMS and provider staff to assist in breaking down barriers”** was recommended.

The need for evaluation was generally accepted but it was suggested that NOMS should cover costs of evaluation as part of contracts and to recognise the need to measure the contribution of distance travelled and ‘softer outcomes’ as part of reducing re-offending. To achieve effective evaluation requires **“clarity on outcome measures and methodologies for evaluation and funding for evaluation”**.

The under-representation of specialist services e.g. for women and black and minority ethnic offenders was highlighted by several respondents and it was suggested that there should be **“ ring-fenced funding for groups working in under-represented areas”**. The need for **“regulations, values and attitudes that prevent offenders contributing more voluntary activity in this sector”** also needs to be addressed

A recurring theme was the belief that this **“needs to be partnership so that VCS has a voice and is not merely steered by NOMS”** and that NOMS is **“not consigning the VCS to become a provider to NOMS on NOMS terms”**. NOMS will need to be seen to be **“respecting the independence of the sector in line with the Compact.”**

## AREAS OF SUPPORT

The areas identified above emerged again when respondents were asked to identify areas of support for the VCS that NOMS needs to address. In addition respondents emphasised the need to address contracting and procurement, with calls for systems that avoid bureaucracy, emphasise quality not price and are based on outcomes not outputs, with a balance of risks. It was also felt that **“providers must be able to demonstrate their ability to meet race equality and diversity criteria”**.

The introduction of contestability raised several concerns: **“contestability assumes Government has the answers”** and **“need to avoid impact of contestability stifling innovation”**. There were also fears that larger organisations **“will push out smaller ones”** and that the VCS will be expected to be involved in enforcement. This was coupled with a frustration that NOMS had yet to define **“roles and expectations”** for the sector.

## GROWING THE MARKET

The draft strategy set out a number of practical measures that should be adopted including steps to expand the current range of providers and encourage partnerships between VCS and public and private sector providers. Respondents were asked if NOMS was right in assuming that such an expansion is necessary:

**Yes 56.5%**

**No 15%**

**Not Sure 15%**

**No response 13.5%**

The majority of respondents recognised the need for NOMS to have a **“cost effective way of accessing new skills”** and that the demands of the Criminal Justice Act would make this a necessity. It was seen as important

to meet gaps in current provision e.g. for women, black and minority ethnic groups and in areas such as mental health. However this should not be **“a cost cutting exercise”** and should only be considered **“if questions of quality, accountability etc are settled satisfactorily”**. There was concern that NOMS should make **“effective use of existing providers”** and **“look at the capacity of existing providers to expand and deliver services first”**.

## THE RIGHT APPROACHES?

There was a general feeling that the right approaches were being developed within NOMS centrally but that this needed to be reflected at a regional level with greater emphasis for instance on the VCS shown in the Regional Reducing Action Plans being developed by ROMS. These should be linked to the wider agendas of community safety and other parts of the criminal justice system. It was also felt that NOMS would not succeed in facilitating VCS engagement without investment in areas such as infrastructure, consortia building, piloting, training and achieving cultural change.

It was suggested that NOMS should review other sectors, where the VCS had been engaged as a major provider of services, (such as health, homelessness and work with asylum seekers), to see what impact this has had on providers and whether the range of providers has increased or decreased.

NOMS ability to succeed will also depend on the time-scale and it was felt that as present the **“ bigger picture is very vague”**.

## PARTNERSHIPS WITH PUBLIC/PRIVATE SECTOR?

**Yes – 63.75%**

**No – 5%**

**Not sure 12.5%**

**No response -18.75%**

The majority of respondents supported this. It was felt that there were already **“numerous examples of good practice”** in both the public and private sectors. There were however a number of concerns as several organisations felt that partnership with the VCS might be **“used as window dressing or to enhance credibility”** or that the VCS would be included **“to make bids more palatable not for their real value”**. Sub-contracting will need to be based on clear understandings and underpinned by Service Level Agreements. Private sector providers felt that there were **“well developed relationships in private prisons and one provider quoted partnerships with 80-100 VCS organisations.”**

There were concerns that NOMS would have little influence over the sub-contracting process and VCS services could be undervalued or only included as a **“tiresome add on to obtain a contract”**. VCS organisations entering into partnerships would need to ensure that there were margins to fund development and innovation.

Many organisations made the point that partnerships should be entered into **“only if the role is compatible with the organisations ethos and purpose”** and did not compromise charitable aims and objectives. Several organisations felt there could be ethical issues in working with the private sector, which might prevent them from wishing to enter into partnerships. For example one respondent felt **“partnership with the private sector will lead to VCS financial support being top-sliced for the benefit of shareholders”**

## SHARING INFORMATION

One of the problems underpinning the partnership relationship is the sharing of information. Respondents identified different understandings of confidentiality, problems of access to data, lack of understanding of data protection act and a lack of joined up systems. This was coupled with a lack of inter-agency trust and frustrated by incompatible IT systems.

The draft strategy asked if new protocols might help to address these difficulties. The general response was that protocols might help and it would be useful for national models to be drawn up but this should only be done in consultation and if training was provided to address issues of trust, allay fears and misconceptions and ensure protocols are correctly applied. Access to shared information was felt to be key with the ability to input information on interventions. As one respondent described it there should be **“electronic information connectivity between VCS and NOMIS- the VCS needs to be part of gsx network”**

## THE ROLE OF NOMS VOLUNTARY SECTOR AND APPROVED PRISON VISITS UNIT

The creation of the Unit was welcomed and it was felt that communication from VSU is **“already very good”** and **“ the approachability and accessibility of staff of the Unit is very welcome”**. The key role of the Unit was seen as ensuring that the **“VCS voice is heard in the development of NOMS”**. The Unit will need to provide timely information, share good practice, promote capacity building, provide training and advice and support. The roles set out for the Unit were endorsed and the proposals to ensure appropriate and accessible contractual arrangements were seen as fundamental. It was also suggested that the Unit should **“create an independent information and appeal unit to manage purchaser/provider issues.”** The Unit was also rightly reminded of the need to be aware of the different structures in Wales.

## INFORMATION AND COMMUNICATION

Respondents were asked to detail the information needed from NOMS and to suggest the best ways in which this should be provided. Responses again indicated the need to communicate at national, regional and local levels. For most organisations information on opportunities and procurement processes were seen as most important. Several respondents stressed that organisations would need time to prepare for new areas of work. As has been detailed before it was felt that communication with the VCS should form part of a wider communication strategy for NOMS. There was also a call for **“reassurance that offenders not budgets remain central”**.

The view amongst respondents was that NOMS should use as wide a range of different methods as possible - e-mail newsletter, paper-based and website. However face to face relationships and events and conferences were seen as being equally, if not more important, as was ensuring a local dimension.

The suggestion of an e-mail newsletter was supported by 62% of respondents but respondents asked for hard copies to be available too and for information to be placed on a regularly up-dated website. There was a perception amongst national organisations that smaller organisations may not have IT but little suggestion from local organisations that this was the case, although some felt that organisations should not have to bear the printing costs.

## INDEPENDENT FUNDERS

Independent funders have been crucial in developing and sustaining innovative VCS providers and have helped to build much of the added value brought by the VCS to work with offenders Respondents were asked to propose ways in which NOMS should be seeking to work with independent funders. It was suggested that there should be regular and consistent dialogue with information provided on both sides so that there could be a **“more strategic use of funding streams”**. NOMS should also promote offenders as a priority to funders.

## YORKSHIRE AND HUMBERSIDE STUDY

This detailed study of the Yorkshire and Humberside region was circulated with the draft strategy and respondents were asked to consider whether they agreed that it illustrated an approach to working with the voluntary sector that could be applied in other regions. Only 32 respondents completed this part of the questionnaire and of these 93% felt it was relevant to other regions, with the exception of Wales. Others felt it was interesting but not applicable countrywide as each region has its own characteristics and that it was very focussed on resettlement.

Respondents felt that the recommendations should be adopted by NOMS but there needed to be a local as well as regional focus and the lack of focus on jointly commissioned areas needed to be addressed.

Some respondents felt that NOMS should adopt all the recommendations in the report, but the one, which received strongest (although not universal support) was the idea of a neutral bidding agency. Staff exchanges to address cultural issues, the proposal to establish a regional and local knowledge management system for planning and commissioning of services, more opportunities for job movement by rationalising professional development and training and the involvement of VCS groups in business planning were also welcomed.

## NEXT STEP

An Action Plan to take forward areas of the strategy endorsed through the consultation process, incorporating ideas from responses has been produced. This sets out a plan of work to put in place an effective relationship with the VCS and to work with the VCS to ensure that it is well placed to take full advantage of the opportunities NOMS will offer when full commissioning is introduced in April 2007.

June 2005



