

**NOMS** National Offender  
Management Service  
Working together to reduce re-offending



## **Enhancing the role of the Voluntary and Community Sector**

### **A Case Study of the Yorkshire and Humber region**

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# Executive Summary

This report was commissioned by the Chief Executive of the National Offender Management Service (NOMS) to evaluate at ground level, using the Yorkshire and Humberside region as a case study, what is currently being achieved by the Prison and Probation Services in working with the Voluntary and Community Sector (VCS); and to identify and provide analysis of perceived barriers and make recommendations to improve the engagement of the sector.

The study has been set firmly in the regional context and has drawn on the Regional Resettlement Strategy in its exploration of the role of the Voluntary and Community Sector (VCS). The involvement of the VCS in Yorkshire and Humberside has been evaluated to reveal a picture of significant engagement both in the range and types of services provided and the scale of that provision. The critical issue of funding sources for VCS activity and their impact on the engagement of the VCS has also been explored.

## Contextual Background

The Yorkshire and Humber region launched an innovative Regional Resettlement Strategy in June 2003. This draws on good relationships with the VCS and is linked to the creation of NOMS and the restructuring of the Prison and Probation Services. NOMS will focus on the management of offenders throughout their sentence, driven by information on what works to reduce offending and will ensure effectiveness and value for money are improved through the greater use of competition from private and voluntary sector providers.

In recent years, there have been a number of government initiatives which have sought to increase involvement of the VCS in the delivery of public services. A number of key documents, such as the 'Modernising Government' and 'Justice for All' White Papers, the Cross Cutting Review and the Carter Report have been explored in the context of VCS involvement in the criminal justice sector to provide a contextual background for this study. Initiatives such as moves to a focus on performance management, the development of new IT infrastructures, the pressure to increase skills in the work force, the civil renewal agenda, and, crucially, the commitment to a mixed economy of provision through contestability are also critical to an understanding of the context of increasing VCS involvement. All this work takes place in the context of the National Rehabilitation Strategy – Reducing Re-Offending National Action Plan.

## Background to the Study and Methodology

This report was prepared between May and October 2004. The key elements of the work were:

- desk research and documentary analysis
- semi-structured interviews written responses and focus groups
- data collection and analysis

The interviews were conducted across the range of services and agencies involved in offender management and interventions. The focus groups were used to develop the ideas which were evolving from the interviews and to test out emerging propositions. The data collection exercise was used to map VCS involvement across the sector and collated information from each probation region, all the prisons in the region and from a number of VCS organisations.

## The Role of the VCS

The report looks at the nature and role of the VCS and explores the main barriers to increasing involvement. The main strengths of the VCS have been encapsulated as follows:

- **Community based** - being connected to the local experience and to the service user
- **Customer-focused** - client-centred, needs-reactive and holistic
- **Provision of specialist skills and experience** - meeting specialist needs in areas such as employment, basic skills, housing, services to BME groups, women etc
- **Diversity** - of focus and of type and size of organisation
- **Responsiveness** - responding to a climate of quick and unpredictable policy changes
- **Mainstreaming** - looking at the wider VCS, not just those working in Criminal Justice

## Barriers and Opportunities

The key barriers to the involvement of the VCS, though reflected differently by different stakeholders, have been collated around five main themes alongside the opportunities they create.

- They are identified as:
- Cultural dissonance - Trust and respect
- Capacity concerns - Capacity building
- Structural problems - Structural Development
- Difficult funding regimes - Positive Funding culture
- Unequal Access - Equal Access

## Key Recommendations

**1 The Regional Offender Manager, as a matter of early priority, should put in place a knowledge management system to provide co-ordinated, region-wide data and information retrieval services to assist the planning and commissioning of services from the VCS.**

**2 The region must have accountability and audit structures which enable the demands of target-setting, security, enforcement, confidentiality and benchmarking to be clearly articulated and understood by both the statutory and voluntary sectors.**

**3 Effective networking takes time and each agency must ensure mutual respect is enhanced and good positive working practices between the agencies are assured**

**4 Enhancing quality service provision can be achieved by creating more opportunities for job movement between all the relevant agencies. This process will help generate an enhanced skill mix in the sector. This will best be supported through the rationalisation of professional development and training processes.**

**5 All agencies, the prison and probation service, and the private sector should seek opportunities, where relevant, to develop effective partnerships with the VCS and this should be supported by the active consideration of mechanisms designed to enhance partnership working**

**6 Procurement and contracting processes must be conducted to support best value outcomes and this requires careful attention to the way in which the procedures are developed and the way the process is conducted including assuring fair access for VCS**

**7 Consideration should be given to the setting up of a neutral bidding agency at a regional level for the VCS who can develop the specialist skills to ensure the process of procuring contracts is fair and open so that all VCS agencies, both large and small, can compete on equal terms**

**8 Mechanisms must be developed to ensure that the VCS has equal access to the 'strategic table' on the development of services in the region**

## **Part One Contextual Background**

The Home Secretary in issuing the White Paper 'Justice for All' focused on re-balancing the criminal justice system as he wrote:

*'The people of this country want a criminal justice system that works in the interests of justice. They rightly expect that the victims of crime should be at the heart of the system. This White Paper aims to rebalance the system in favour of victims, witnesses and communities and to deliver justice for all, by building greater trust and credibility.'* (Home Office, 2002)

The overhaul of community sentencing, the introduction of new custodial orders including Custody Plus and Suspended Sentence Orders (all resulting from the Criminal Justice Act 2003) and the concurrent development of a new organisation, the National Offender Management Service following the Carter Report (Carter 2003) to oversee the way in which the correctional services deliver, has created a fresh impetus for change in who delivers what services. This presents challenges to all stakeholders - public, private and voluntary - and any discussion of the enhancement of the role of the VCS has to take place within this larger policy arena.

### **1.1 Cross Cutting Review**

This work also needs to be set in the larger national context of government commitments to this sector. The Cross Cutting Review on '**The role of the Voluntary and Community Sector in Service Delivery**', conducted in 2002, noted:

*"There are around half a million voluntary and community organisations (VCOs) in the UK. These range from small, local community groups to large, established, national and international organisations. Some have no income at all and rely on the efforts of volunteers; others are, in effect, medium-sized businesses run by paid professional staff.'* (HM Treasury, 2002, 2.1)

This study found the same definitional difficulties experienced by the Cross Cutting Review and we will not adopt an overly prescriptive notion of what the VCS is and who should be

classified as part of it<sup>1</sup>. In Part 1 Section 3 this study focuses on the key characteristics of the VCS as defined by the respondents to the study and rather than seeking a tight definition this seems a more productive approach to follow. It is clear the VCS sits alongside the statutory providers - in this field the prison service, the probation service and the emerging National Offender Management Service, and the private sector. This defines its position if not its characteristics. Again drawing on the Review this study concurs with their view that

*'From the data a picture emerges of a diverse sector with a large number of small organisations but dominated, in funding terms, by a subset of large organisations.'* (HM Treasury, 2002, 2.6)

## 1.2 Support for VCS

The government has clearly promoted an agenda which emphasises the importance and centrality of the VCS in delivering public services. The VCS is seen as an essential partner and a channel for the implementation of a wide range of government policy objectives. With the distinctive focus of much VCS work being located with disadvantaged people, crime and social exclusion figure highly on the government agenda for the VCS.

The £125 million identified as part of the Futurebuilders fund aims to assist voluntary and community organisations in their public service work. The fund is 80% capital and 20% revenue. It will contribute to four key Government public services priorities:

- health and social care
- crime and social cohesion
- education and learning; and
- support for children and young people

Infrastructural support has been furthered boosted by the announcement of the ChangeUp funding streams as the Ministerial Foreword indicates:

*'The Framework (for ChangeUp) sets out a ten year vision for building the capacity of frontline organisations and putting in place the infrastructure support they need. It identifies the key actions which should be taken immediately and in the longer term to turn that vision into reality.'* (ACU, 2004)

How far this financial support through Futurebuilders and ChangeUp effectively assists the VCS in achieving the expansion government desires will depend on a series of interrelated factors. As the National Council for Voluntary Organisations' (NCVO) report, *A model for the future*, states the sector's infrastructure must:

- *Be sector owned and led*
- *Sustainable*
- *Have infrastructure at each tier of government*
- *Promote diversity* (NCVO, 2004)

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<sup>1</sup>For the purpose of this report, the 'voluntary and community sector' has not been tightly defined. It is intended to be wider in scope than "general charities" and the "voluntary sector", inclusive of organisations reflecting the characteristics of social enterprise but narrower in scope than "non-profit", "third" sector or "social economy". (HM Treasury 2002)

In considering the work of this study these commitments and the cautionary remarks have been uppermost in our minds. Crucial questions have helped construct a framework in which a meaningful debate about enhancing the role of the VCS in this particular sector – (the work of the correctional services, the prison and probation services) can be conducted.

This background reflects the way in which public service delivery has been transformed and this shapes the particular way in which the key stakeholders approach the task of managing offenders and reducing crime.

### **1.3 Modernising CJS and the VCS**

Since 1997 there have been distinct patterns of change in the way public services' delivery is to be managed. The Government White Paper '**Modernising Government**' regard a '*first class, responsive and efficient public services*' (NAO, 1999) as critical. Key features which impact on the way in which any public sector reform develops are:

- Performance management in the public sector
- IT infrastructures to enable communication
- New policy priorities
- Changing the skills requirements within criminal justice
- Development of a mixed economy of provision through contestability

#### **1.3.1 Performance management in the Public Sector**

The focus on achieving targets has dominated public services discourse in recent years. The setting of challenging targets has meant that each agency has had to review its provision and focus more keenly on achievements. This can jeopardise those services not contributing directly to the achievement of the targets, particularly within tight budgetary regimes. The bargaining power of those agencies working with the public sector can be, somewhat paradoxically, both weakened and strengthened within this strategy. Weakened where their services are dependent on public sector funding but deemed as not an essential service to meet targets. Strengthened where their control over a particular area of service delivery makes the public sector dependent upon them to meet key targets. This study will consider the impact of this audit culture on the place of the VCS in public sector delivery and the consequential restraints on the statutory services in procuring services.

#### **1.3.2 IT infrastructures to enable communication**

New IT infrastructures have been seen as central to the achievement of many of the key modernising goals listed here. Indeed in the Home Office Five Year Strategic Paper it is stated:

*'Technology will be used to further transform the detection of crime and the processing and management of offenders'* (Home Office, 2004)

The implications of this shift are important for the criminal justice sector. If the goals of joined up services, of increasing efficiency, of making targets outcome focused rather than output focused, then coordination and integration of communication strategies and information flow is vital. This issue is further complicated by the need to create structures which enhance the

capacity of all stakeholders involved to access information on a routine basis. This is a challenge facing the VCS in working within correctional services. Indeed accessing reliable information and gathering data is an issue in discerning how the criminal justice system currently functions.

### **1.3.3 New policy priorities**

At the heart of public reform is the commitment to develop joined up practices as evidenced in all major government documents since 1997. Joined-up justice supports the development of partnership in service delivery as well as producing organisational and technological reform to develop the infrastructure to support and enhance partnerships. This is the challenge which all the stakeholders face in moving forward on an agenda which seeks explicitly to combine and develop service delivery in a more co-ordinated and 'end-to-end' fashion. The concept of offender management is central in joined up justice and partnerships will be crucial to achieve that goal.

### **1.3.4 Changing skills requirements within criminal justice**

Achievement of changes in service delivery are predicated on an increasing range and diversity of skills in the workforce. Increasingly the silos of professional expertise, separate training and requiring a specific skill set, are seen to be inadequate to deliver the services required. This is producing shifts of responsibility on who does what and demands practitioners' skills which are, more specifically, accredited and benchmarked. This trend is noticeable in the training requirements of accredited programmes, in the provision of offender management for low and medium risk offenders, in delivering basic skills training, housing advice or drug counselling. Such important sub-sets of skills demand a more varied and flexible workforce to be prepared to deliver quality and robust services. This means distinct challenges to all the stakeholders in meeting these new professional development demands.

### **1.3.5 Development of a mixed economy of provision through contestability**

Underpinning service delivery is a commitment to Best Value and the government's clear vision of how this can be achieved is through a market driven philosophy emphasising competition and contestability. This is explicitly part of the agenda of NOMS as reflected in this statement by its Chief Executive:

*'Contestability simply means allowing alternative providers to compete for work so that we can be sure that we are obtaining the very best value for money in managing offenders'* (NOMS, 2004)

It challenges all stakeholders within the correctional services to look at their current provision and ensure that they are fit for purpose as the mechanisms for contestability unfold in the next two years. There is also clear potential for a partnership approach to contestability as also outlined by the Chief Executive.

*'To ensure cost effectiveness the Government is keen to encourage competition in the provision of correctional services. Opening up the 'corrections market' will allow many more organisations to use their skills and expertise to bear in helping offenders to turn away from crime. The Government expects to see partnerships developing between public and private sector*

*providers and the voluntary and community agencies that harness their respective strengths'* (NOMS 2004)

#### **1.4 Civil renewal agenda**

The reforms of the Criminal Justice System have to be seen as part of a wider agenda which the government has identified as the civil renewal agenda. David Blunkett in the Scarman lecture said:

*'The civil renewal agenda is about supporting interdependence and mutuality, not simply leaving individuals or communities to fend for themselves. We are talking here about building the capacity, the social assets, and the leadership which will enable communities to take advantage of both the targeted help which is available and broader economic and social improvements and investment'.* (Blunkett, 2003)

There are a range of initiatives, including citizen-focused policing, which seek to give priority to this agenda and they are relevant to the work of the correctional services.

*'NOMS has an overarching goal to reduce re-offending and this can only be achieved with the support of local communities. Frances Flaxington, who has been appointed to develop a NOMS communities and civic renewal strategy, said: "We want to develop community engagement and encourage more people to work with offenders in their local communities. We know there is good practice to draw on from the Prison and Probation Services and this will help us to develop the NOMS strategy.'*(NOMS 2004)

#### **1.5 General commitment to VCS**

The foregoing illustrates just how pivotal the role of the VCS may be under the modernising agenda. How far this will be translated into active funding support will unfold in the next five years. Given the unprecedented level of change in the public sector in general and in correctional services in particular this study is charged with investigating whether this general commitment can be translated into enhanced involvement.

There has always been a tradition of volunteering in the criminal justice sector indeed many individuals continue to visit prisoners and support them through the difficult experience which is custody. In a variety of important ways volunteers support Visitors Centres, play facilities and services giving an important back-up to the work undertaken by paid employees. This study focuses more on the development of a VCS as a **key funded provider of services to offenders**. The study has identified the key barriers which inhibit enhanced involvement and in many ways these features reflect what has been found in other studies initiated across the VCS as a whole. By addressing these issues in the context of criminal justice reform it is hoped that the opportunities presented and the recommendations suggested will create an agenda for action on which NOMS can lead in the next five years.

## 2 The Yorkshire and Humber Region and the Regional Resettlement Strategy

### 2.1 Introduction

The Yorkshire and Humber Regional Assembly’s strategic framework seeks to bring economic, cultural and social growth and development to the region. Its aspirations are set out in **Advancing Together** (Y & H Assembly 2004), the strategic framework, and includes a commitment to a range of strategies and initiatives. The Regional Resettlement Strategy (Senior 2003) is one of the policy documents referred to in this strategic framework. In preparing the Regional Resettlement Strategy the diagram below was created to illustrate the complex web of relationships which exists within the region.

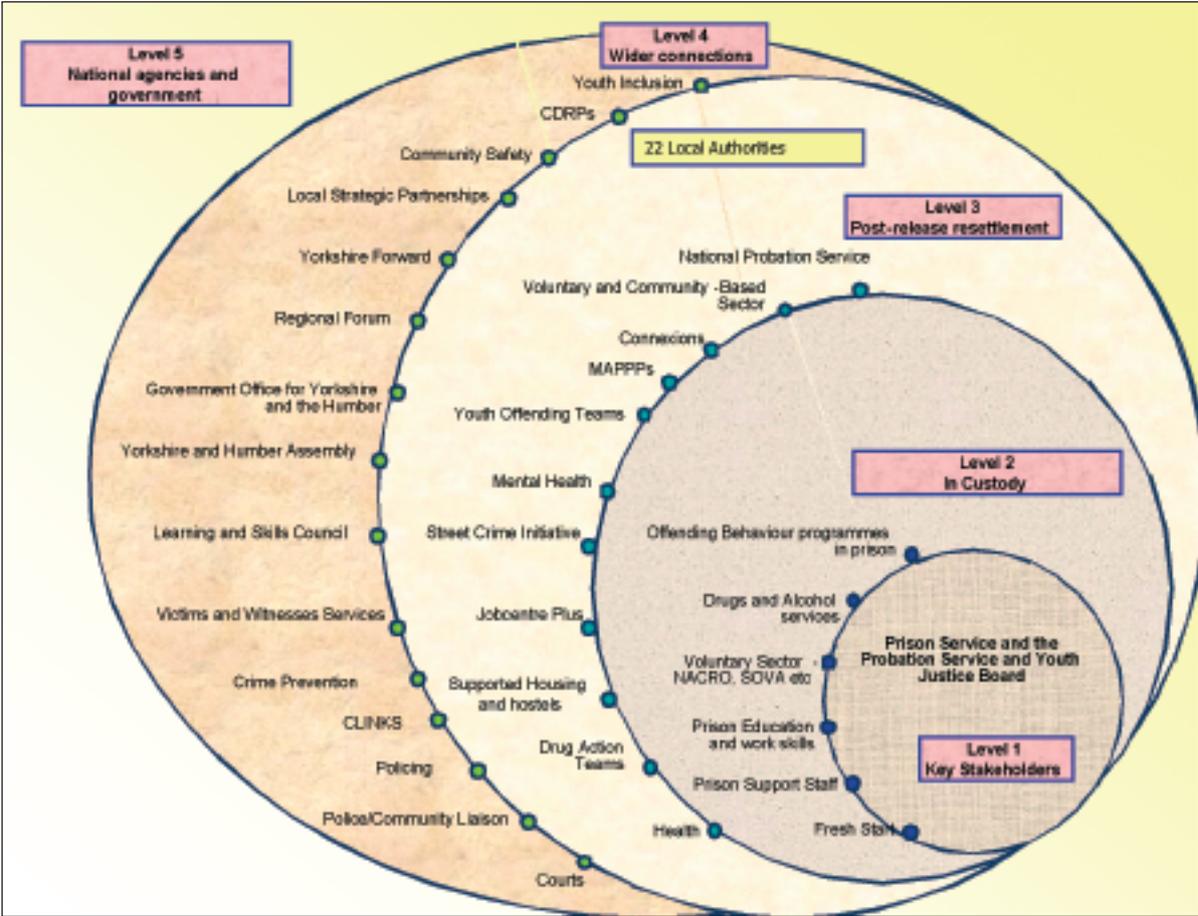


Figure 1: Diagram taken from Senior (2003)

The support given to the Resettlement Strategy– Pathways to Resettlement (Senior, 2003) – demonstrates the way in which the whole community of interest across the region judge the importance of crime reduction measures. The Resettlement Strategy was adopted in June 2003 and includes the following statement about the role of the VCS:

*‘There are numerous voluntary organisations that work in Prisons and with the Probation Service and Youth Offending Teams to deliver services to offenders as part of their resettlement plan. Strengthening partnerships and mainstreaming the work of these organisations can provide a level of expertise and support that simply cannot be offered by*

*bodies such as the Probation or Prison Service alone. Voluntary organisations are crucial in terms of ensuring continuity for the offender from custody to community.’ (Senior 2003 p11)*

The important role of the VCS in the region was recognised in the many good practice examples which are included in that strategy document and which have been noted during the present study. The enhancement of the VCS role in the region thus builds on a good baseline of existing activity. The HMPS Area Voluntary Sector Co-ordinator has galvanised the work of the VCS Co-ordinators in the prison estate. During the course of the study five VCS Co-ordinators were interviewed and a routine meeting of the VCS Co-ordinators Group was attended. Their commitment to their role was evident and exemplified through the way that they had developed a Directory of the VCS services for reference and use in their prison. These sources have been used in developing a picture of VCS activity across the region.

## **2.2 Funding sources for the VCS**

The changing sources of funding have produced a rich variety of funding outlets which overall has meant less exclusive reliance on funding from the statutory sector. This has proved difficult to track without systems which can accurately capture this information. Data has been provided from prison and probation services and the interview respondents have talked about the range of other funding sources available.

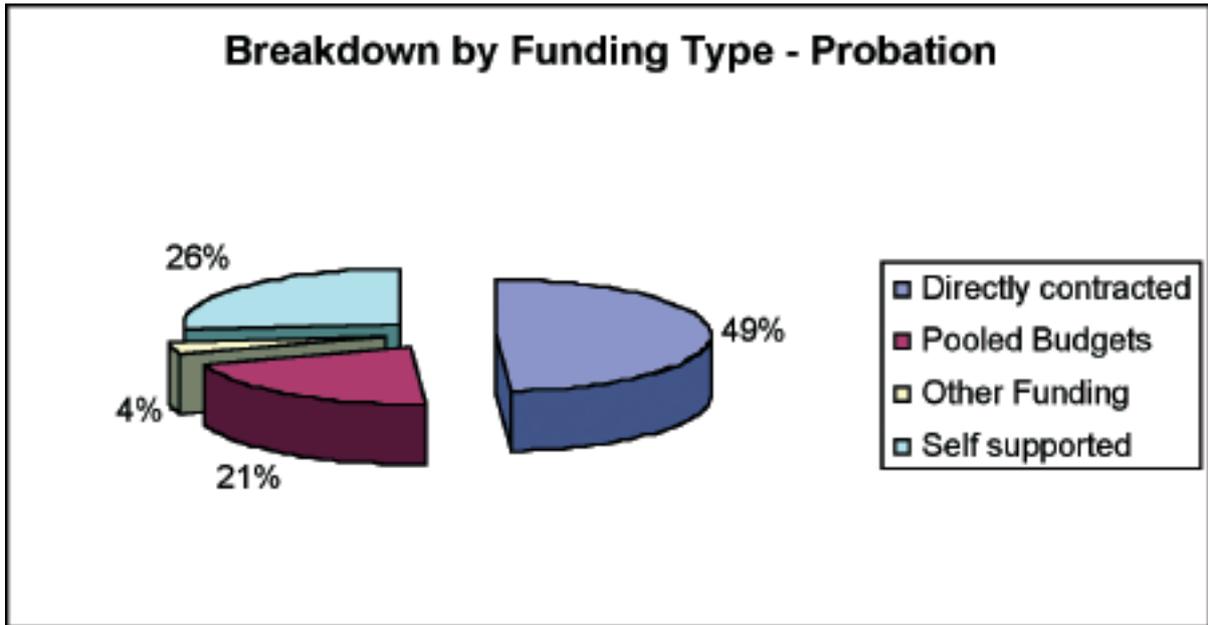
The sources of funding assistance for service provision have been categorised as follows:

- services contracted directly by prison or probation
- services which involve pooled budgets e.g. Supporting People/DATS
- services where other funding is involved e.g. ESF, SRB
- services given by the VCS to the correctional services which involve no direct cost to the statutory services or which are self-supported

### **2.2.1 Services contracted directly by the probation service**

In the 1990s probation areas were required to spend a proportion of their budget originally 5% and then rising to 7%. This was known as ‘Partnership’ monies. In 2001 with the advent of the national service this policy was abandoned. The picture which has emerged since then reveals conflicting evidence about whether the probation service now spends as much on partnership contracts as previously. It seems, on self-report from the probation areas in this region, that overall a lower proportion of the budget is now spent on partnership contracts, although this varies in each of the probation areas. A variety of perspectives were offered to explain this change including:

- the increased use of pooled budgets which have involved a specific transfer of resource and therefore a reduction in directly controlled budgets
- a more focused use of the VCS to meet the requirements of service targets which has meant the loss of some contracts where this added value cannot be justified



Source: NPD Mapping Exercise, 2003; Responses from Probation Areas (Aug/Sept 2004)

### 2.2.2 Services directly funded by the prison service

The prison estate engages the VCS in a variety of ways using funds drawn from national budgets such as Drugs Strategy and Custody to Work, at a regional level to fund contracts across the region such as housing advice and ETE services and within individual prisons. The use of the VCS to provide services in prison would appear to be vibrant and growing as the way in which the VCS can help deliver key areas of expertise is increasingly recognised by the Heads of Resettlement and VCS Co-ordinators.

*'the VCS is a major link to the community, preparing people for going back to the community'*  
**Strategic manager, prison service**

### 2.2.3 Services which involve pooled budgets

The aim of a pooled budget is to achieve flexibility in the use of funds and other resources which are brought together by partners and placed in a discrete fund in order to meet the common objectives i.e. the needs of an identified group of people. The Commissioning Groups most often referred to in this context are Supporting People and DATs. Whether this form of funding arrangement offers enhanced opportunities was

*'I like the philosophy of Supporting People it normalises offenders'*  
**Practice manager, housing**

*'in joint commissioning we lose control, and don't share a language - we can get caught up in other agendas such as the health agenda'*  
**Strategic manager, probation**

discussed with respondents. There were some concerns expressed by strategic managers in the probation services about the loss of control over resource allocation which pooled budgets engendered.

*'not sure about pooled budget approach led by non-offender-based commissioners. Ideally should be prison and probation lead as regulators'*  
**Strategic manager, probation**

## 2.2.4 Services where other funding involved

Increasingly the VCS has begun to access other sources for funding. This has involved a range of project-based work particularly drawing on various funding streams within European Social Fund initiatives. Such projects often involve a change in the relationship between the VCS and the statutory sectors. Often ESF funding requires partnerships to exemplify joined-up practices and lead partners in Development Partnerships are more likely to come from the VCS. This will predominately mean that the larger VCS organisations, with the infrastructure and business support services to support major projects, will lead but projects can include a range of smaller VCS agencies involved in aspects of the project. Typically prison and probation services are engaged as matched funders providing staff to enable the funding to be drawn down and support the project work as it develops.

## 2.2.5 Services given by the VCS which involve no direct cost to the statutory services or are self-supported

One of the features of the VCS emphasised by respondents is its ability to be flexible and creative in developing services. Whilst the requirements of con-

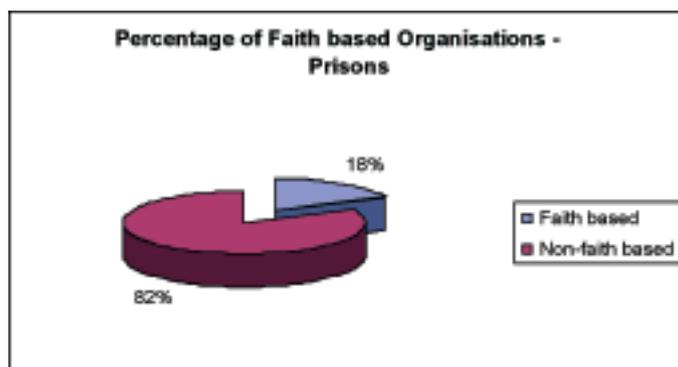
*In HMP Leeds around 80 volunteers are attached to the chaplaincy. Work includes faith-based groups for worship, bible study and support for Muslims; prison visiting, self-harm support, bereavement, depression and alcohol counselling, AA, and help with a healthy living project through the Visitors' Centre which addresses family-related issues*

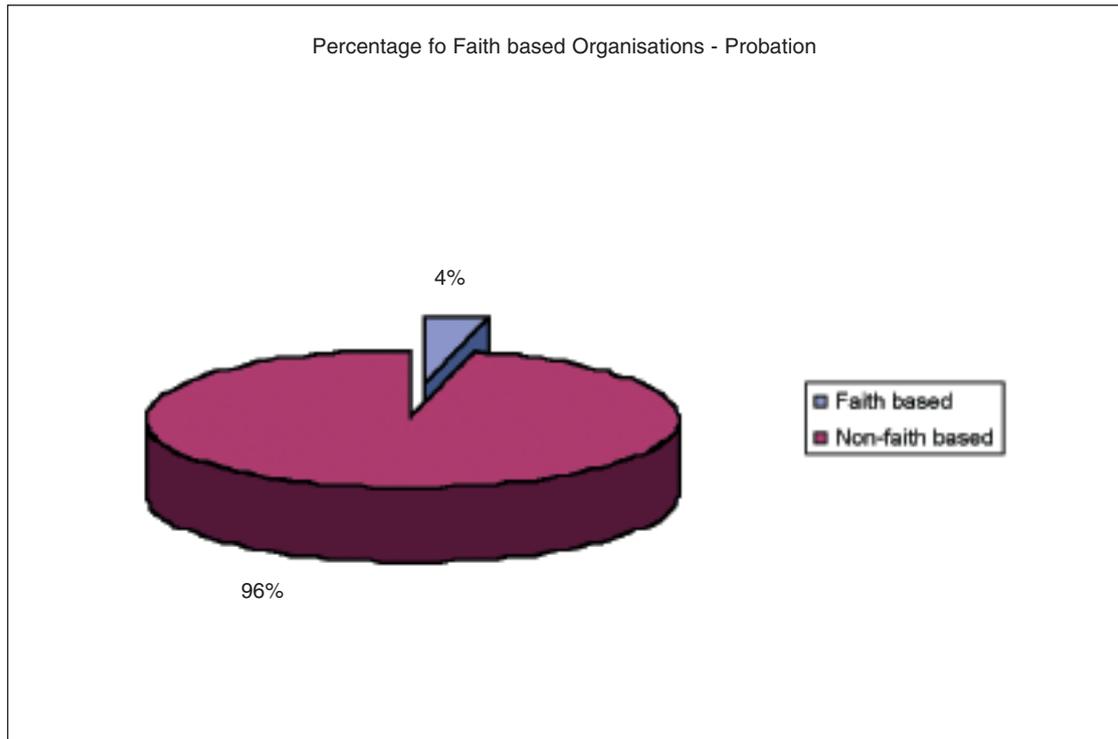
tractual business carry with them some disincentives for the sector many more open-ended services, which do not require funding but where the organisation is self-supported, are an essential feature of services for offenders and this is particularly the case for services within prison. Volunteers, often organised through the prison chaplaincy, have a range of services to give in the prison from acting as

*The Project team visited HMP New Hall to attend a meeting of the Community Forum organised by the Voluntary Sector Co-ordinator, Chaplain and the Resettlement team in the prison. It brought together over 40 individuals from a variety of organisations many with faith-based connections and providing a range of voluntary services within and outside the prison.*

prison visitors through to staffing Visitors' Centres. Typically there is no contractual relationship and may involve only one or two individuals from a range of organisations. For instance the Mothers Union provides services which include facilitating parenting classes, holding a monthly Mother's Union meeting, and supervising a children's play area.

This self-supported work is particularly valuable in prisons where links need to be maintained with the community. Faith-based organisations are particularly featured in this category.





Source: Responses from Prison and Probation Services (Aug/Sept 2004; Directories of Voluntary Services, 2003/4; CLINKS Working with Prisoners Directory; Yorkshire & Humberside List of Voluntary Groups in Prisons (2004);

### 2.3 Size of the business overall – is it worth engaging the VCS further?

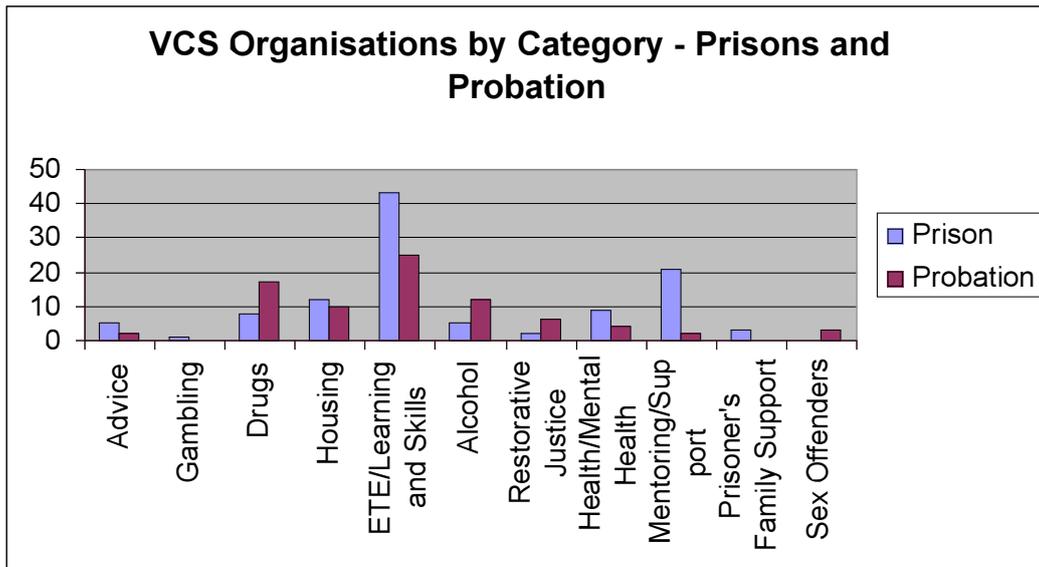
Discussions in Annex 1 indicated the difficulty of determining the funding size of the VCS across the region. Even with the caveats expressed about the figures it is clear that there is a substantial engagement of the VCS when all the funding streams are taken into account.

#### Range of VCS agencies

It is clear from responses to both the qualitative and quantitative research that there is already a significant critical mass of VCS organisations working with the prison and probation services in the region.

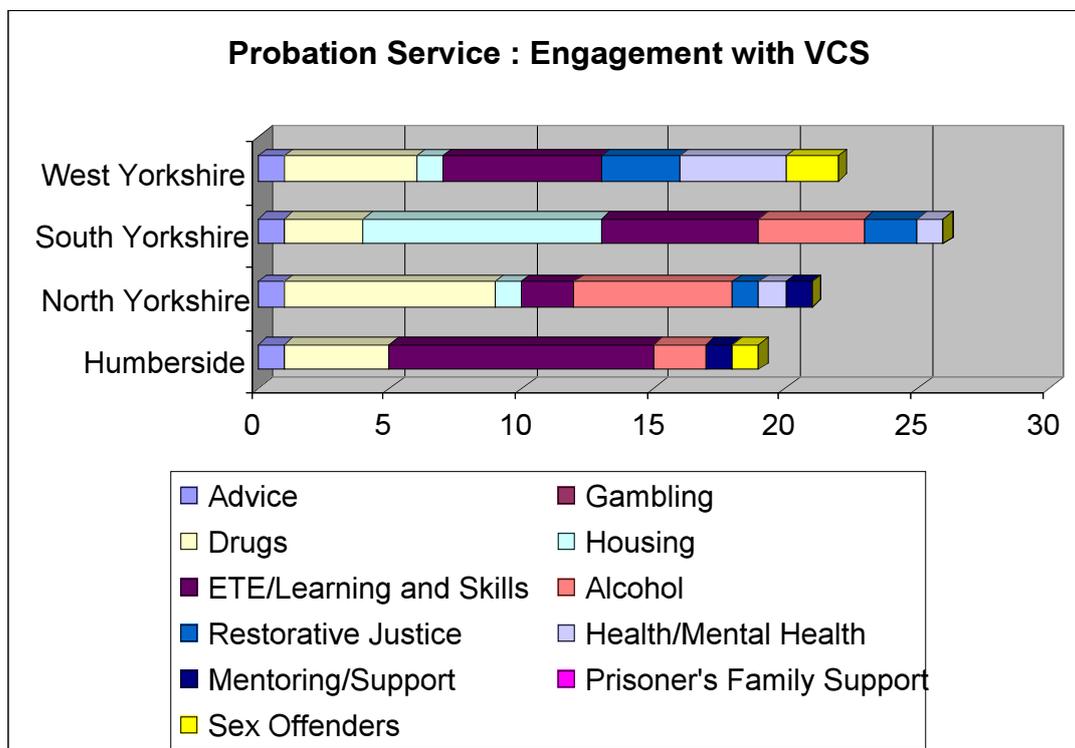
*'cannot simply retain prison and probation to do everything. Service provision needs to be developed and evidence is there it needs to be expanded otherwise it impacts upon core functions'* **Prison Chaplain**

The diagram overleaf shows the range of services provided and the significant levels of engagement of VCS agencies with both prison and probation services.



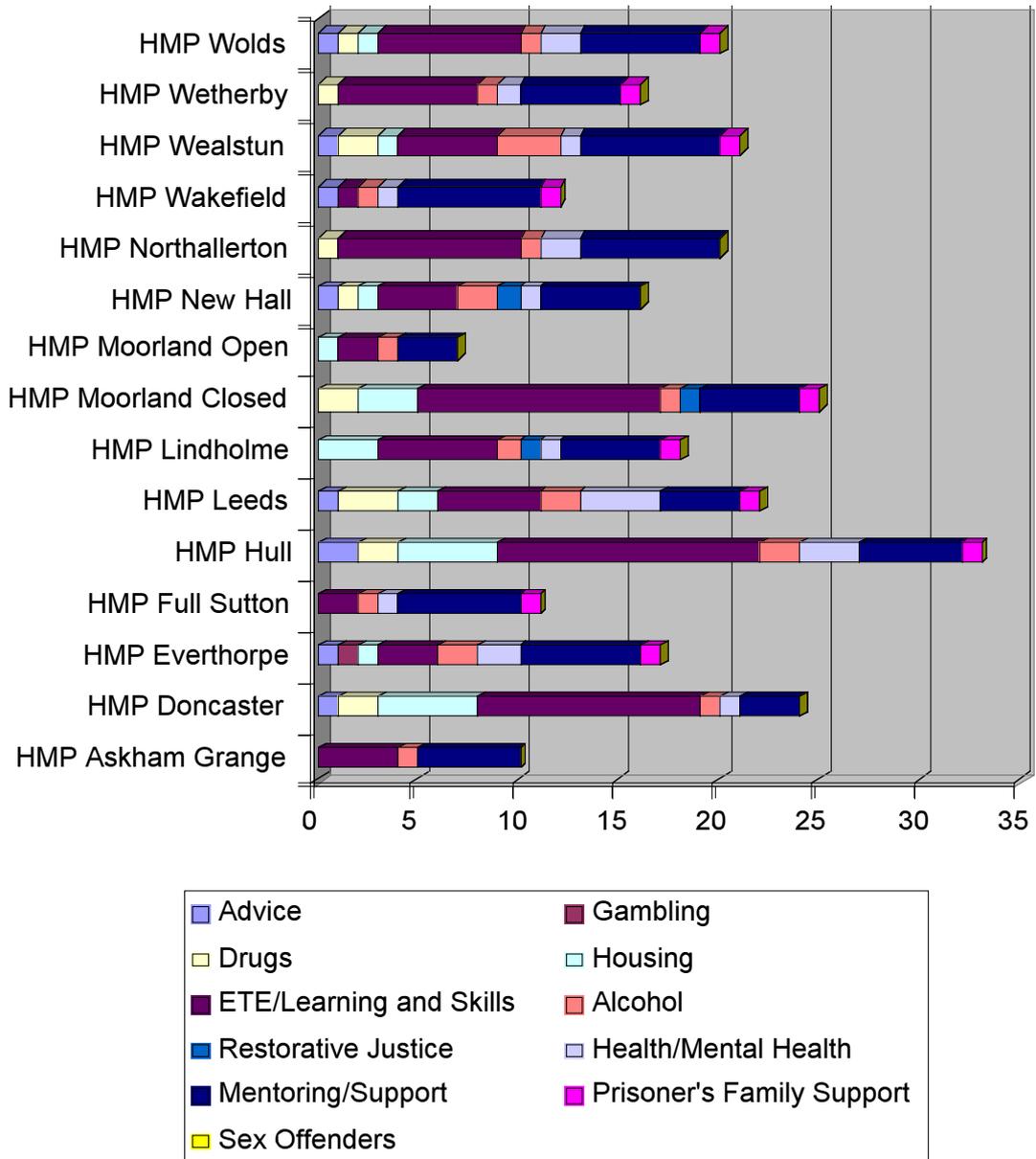
Source: Responses from Prison and Probation Services (Aug/Sept 2004); Directories of Voluntary Services, 2003/4; CLINKS Working with Prisoners Directory; Yorkshire & Humberside List of Voluntary Groups in Prisons (2004); NPD Mapping Exercise, 2003

A more detailed breakdown of services provided by the VCS for each prison and the four probation areas is shown in the two diagrams below.



Source: Responses from Probation Service (Aug/Sept 2004); NPD Mapping Exercise, 2003

### Prison Service Engagement with VCS



Source: Responses from Prison Services (Aug/Sept 2004); Directories of Voluntary Services, 2003/4; CLINKS Working with Prisoners Directory; Yorkshire & Humberside List of Voluntary Groups in Prisons (2004);

The diagrams above show the volume of organisations in the sector. As previously described, detail on the amount spent on these services at the level of individual organisation or even by region has been more problematical, and we have been unable to extrapolate sufficient information for the prison service.

For the probation service, tables for activity in financial year 2002/3 and 2003/4 are provided in Annex 2. They show that funding is focused on ETE with learning and skills, drugs and alcohol and mentoring support. Housing does not feature as it is channelled through the pooled budget arrangements of Supporting People. These foci do not vary significantly in each year.

**2.4 Respondents views of the VCS**

*'we have the capacity to respond to everything government does, conduit for through the gate resettlement services'* **Strategic manager, VCS**

All stakeholders reflected a common view that the VCS were and should remain a key stakeholder in provision for offenders. The nature of the relationship which exists between the VCS and the statutory services was the subject of much debate and barriers identified to effective working will be explored in a later section. The VCS is seen as offering creative, responsive and innovative solutions to focused areas of service delivery.

*'VCS makes a specific contribution - it is not-for-profit, linked to local communities, interests in specialised areas and adds richness'* **Regional manager, probation**

**Targeted Delivery of Support Services in probation and prison**

*'have staff with different approaches - freed from professional baggage - a critical friend to the service - makes you stop and think'* **Strategic manager, probation**

Many respondents focused on the way in which traditional probation practice has undergone a marked shift in the past decade. The change in priority for probation created by the National Probation Service

*'avoid pitfalls of monopoly providers. Good for innovation and taking risks'* **NOMS manager, probation**

formation has increased its emphasis on risk assessment and public protection. One of the clearest consequences was the lessening engagement in what could be termed the 'welfare' work which fulfilled probation's traditional duty to advise, assist and befriend. The increased emphasis on enforcement and compliance reflecting the centrality of public protection meant the service is looking to supplement its services from the wider VCS. However this is not an open-ended commitment to needs-led services because of funding constraints and the probation services' definition of essential services.

A key theme emerging from interviews with the prison sector was need for institutions to reach out to the community. This was exemplified in a number of ways including engaging in outreach work, working with local businesses, bringing community representatives into the prison and in the positive push given to contracting the VCS as an aspect of that community focus.

*'VCS are the enablers -collection from the prison gate- credible community organisations offering a service independent/in partnership with statutory sector'* **Middle manager, prisons resettlement**

*'prison doesn't do change very well -need to develop relationship with VCS as helps in links to the wider world'* **Middle manager, prisons resettlement**

It would be misleading to conclude that the focus of services provided by the VCS on welfare and needs based assessments always leads to an open door policy from the statutory services. Indeed the study reveals a good deal of ambivalence about the role that the VCS plays and this will be discussed in relation to the barriers

experienced. In relation to generating work for the VCS the pattern most evident across the region for contract funded work is pragmatism. Servicing the needs of the statutory sector to enable them to meet their statutory requirements is a key feature. This gives a purchase on the system for the VCS but also makes their involvement uncertain, tenuous and dependent more on the changes in political and policy direction than on any deeper acceptance of the role they can play. It is unsurprising therefore when looking at the spread of agency involvement across the region to note that services for ETE and Basic skills, for housing, for drugs and for support services dominate the organisational agenda of VCS involvement. Indeed whilst individual statutory agency managers may have a personal view of the intrinsic value of the VCS most are centred on the pressing needs of their organisations.

*'we are focused on delivering our business plan and we need to see who can deliver to our specifications'* **Strategic manager, probation**

*'needs of the offender evaluated first then engage the right type of agency. There is a wide range none is excluded'* **Contracts Manager, prison**

## Part Three      Role of the VCS

This section is designed to give an account of how the VCS in the region has been characterised through the views of the respondents to this study. Questions were asked about what the VCS is seeking to achieve and what can be regarded as the mission of the VCS in work with offenders and in the criminal justice system. Responses were collated to produce a set of key features which recur with sufficient frequency in the interviews to constitute a shared description of the characteristics of the VCS in the region. This is presented diagrammatically below. Given the diversity of size, function and type of organisation, these common characteristics show the added value the VCS can bring to the correctional services.

All stakeholders have contributed to this analysis and the different emphasis given by individuals and organisations is conveyed through direct quotes from individual respondents.

### 3.1 Pyramid of features essential to mission

The diagram below summarises those characteristics most associated with the VCS by our respondents. It is organised as a hierarchy with the most frequently represented element at the base of the pyramid and the least frequently mentioned characteristic at the top.



#### 3.1.1 Community-based

The words 'local', 'community' and 'grass-roots' featured prominently in all respondents' descriptions of mission. They were often used to distinguish the character of the VCS from both the public statutory sector and the private sector, and denoted a set of images about being connected to the local experience and, by extension, to the service user. They were also used in a slightly negative connotation when being local and responsive sat uncomfortably with the statutory sector in its duty to offer public protection. The VCS respondents talked of

drawing on local populations to staff their projects and saw this as added value. Some of those workers were not seen as having, or indeed wanting to have, a more extended involvement in the criminal justice system - their motivation being about help and giving something back to the community. This could mean that those who worked in the VCS sector were not necessarily looking for other involvement. This pattern was changing however with increasing numbers of workers coming into the VCS sector from the statutory sector and vice-versa. This has training and staff development implications which are discussed in a later section. Conveying well this aspect of mission are the following statements:

- *‘the type of staff we attract would never work within statutory agencies. They are community-minded, have a different outlook and work through self-interest not career-focused - you could say ‘doing good’* **VCS Practice Manager, Restorative Justice**
- *‘added value is link to the community - prison staff are prison staff, the VCS give a different entry point’* **middle manager prison - resettlement**
- *‘more localised and more responsive to local needs - greater community focus and take offenders on their own terms’* **Resettlement Delivery Team - probation**
- *community focus good for BME groups - probation focuses on mass numbers and difficult to focus on specific needs - people feel at home with local services’* **Diversity manager probation**
- *‘must reflect what goes on in the community. Added value of being not in uniform - VCS much more approachable but less control-oriented’* **HOLS Manager, prison**

One distinction stakeholders wished to emphasise was that being community-based was not always the same as being a community organisation. Community groups are a distinctive part of the wider VCS and may act to support members from their community in ways which is unlikely to bring them into direct contracts with the statutory sector.

### 3.1.2 Customer-focused

In describing the ways in which the VCS work in the criminal justice sector the notion of meeting needs was a frequent comment from respondents. This implied a high degree of client-centredness and consensual engagement in work with offenders. An holistic approach to assessment was taken which was a concept more akin to a welfare-orientation to practice than a risk management approach. The reluctance by many of the VCS agencies to engage in work where compliance was a feature seemed to encapsulate an important boundary. From a statutory sector perspective this feature emerged as a resistance to working in ways which suited their approach and targets and it was expressed as a reluctance to be accountable and submit to the rigours of audit. This idea was pursued in the interviews and examples emerged where some VCS organisations were willing to cross this boundary and operate under a public protection umbrella. Whilst it could be argued that all work with offenders is focused on needs this is often expressed in terms of risk management or a more limited concept of criminogenic need than that implied in assigning this term to the VCS. It is most clearly illustrated in the comments below.

- *‘VCS work well on arrangements based on prisoner need - service moulded to meet the needs of the prisoner’* **Strategic Manager, prison - resettlement**
- *‘hold the moral highground based on the needs of the prisoner – customer-focused’* **Strategic Manager, prison area office**

- ‘needs-led service – take a wider picture and focus on specific needs, we help VCS access resources’ **middle manager probation**
- ‘good linkage between needs and offending’ **Strategic Manager probation**
- ‘if locally provided services with a view to local need – yes’ **middle manager probation**
- ‘we are focused on needs and can react quickly to demands made of us’ **VCS Strategic Manager resettlement**

### 3.1.3 Specialist skills/experience

The complexity of issues which face offenders in prison and in the community demand a variety of responses. Whilst the statutory services have developed their expertise as professionals to deliver on the key agendas of public protection and rehabilitation they are often faced with meeting more specialist need for which their general services may be inadequate. This could include specialist services in areas of education, employment, training, basic skills, housing, drug rehabilitation, alcohol counselling and other areas or for particular groups - for example BME groups, sex offenders, women offenders or young people or in particular locations. It is these skills and expertise where the sheer variety of foci for the VCS enables it to offer niche advice, assistance and service delivery. This can include using services which are outside the criminal justice world as in housing or benefits advice for instance. Also where the VCS has concentrated its own service delivery to develop and deliver expertise in a particular field - e.g. The Apex Trust on Employment training, SOVA and Rainer on Mentoring or ETE, Foundation Housing on advance to Black and Asian Offenders, Turning Point on drugs counselling, Stonham Housing or the Langley House Trust on specialist accommodation. These examples are all taken from those working in this region and show the distinctive ways in which the VCS contribute to the network of services which can be used by the statutory sector and by service users themselves. A further point is that many of these VCS

*The VCS Co-ordinators in the region prepare a Directory of VCS organisations who they work with now and might engage in the future. This allows them to trawl available resources when a particular issue/need arises in the prison that cannot be met form existing resources<sup>4</sup>*

*SOVA act as lead partner with prison service and probation service involvement with other VCS agencies in an ESF funded Project under EQUAL called Women into Work. This project employed a peer research methodology using women ex-offenders to research the needs of individual women offenders around ETE in prison and in the community. Four pilot projects run by NACRO (London), SOVA (Y&H), in Norfolk and CAST (London) all use **peer mentors** as a key feature of the provision of ETE services in and outside prison.*

organisations are single issue providers, indeed some will pride themselves as only offering a particular service. It is argued that this enables the VCS to work cooperatively as they are not always in strict competition with each other. Examples of this are The Apex Trust, REMEDI, DISC, Humbercare, Turning Point, Compass, and many housing advice organisations.

A growing element of this expertise is the way in which the VCS has begun to pioneer the use of ex-offenders as counsellors, mentors and workers in particular agencies. This approach has many applications and suggests an important restorative element to provision.

### 3.1.4 Diversity

The range of skills and expertise discussed in the previous section is one aspect of the diversity which the VCS brings to its work with offenders. This diversity of focus is also a

diversity in terms of type and size of organisation. Many respondents found it difficult to precisely define the VCS because the comparability between organisations was sometimes felt to be unhelpful. An organisation which is small, only has volunteers and works with a local prison is different to an organisation which, whilst still a charity, operates as a limited company, has a massive range of staff and businesses, has a complex infrastructure to deliver regional and national contracts and thus employs high numbers of staff.

A further element of diversity is reflected in the ability of the VCS to respond to those groups particularly disadvantaged and discriminated in the system. There was general recognition that the needs of the BME sector were not adequately met either through statutory provision or through services operated by the VCS. There were examples of good practice but all respondents were concerned to find more positive solutions to the needs of particular minority groups:

- *'positive nature of working with offenders – need to enable VCS to challenge prejudice'* **Strategic Manager, prison area office**
- *'BME provision poor – gaps evident in this area, diversity agenda has a long way to go and VCS often has better access'* **middle manager probation drugs**
- *'faith-based sector set up to meet both spiritual needs and act as community organisations important role'* **Diversity Manager, probation**

### 3.1.5 Responsiveness

This is a feature which respondents found was another key feature of the mission of the VCS. In a climate where policy change occurs often quickly and unpredictably the need to have the ability to change tack and develop new approaches and services was seen by the statutory service as a key feature which attracted them to use the VCS. Conversely where the VCS could not adapt and deliver this could reduce the commitment. The VCS respondents whilst applauding their own ability to act in a responsive manner to requests also found that this was sometimes abused by the statutory sector who they felt seemed willing to change parameters and agreements far too easily, often disrupting service delivery. All stakeholders agreed that the less bureaucratic the organisation the more responsive they could be.

The long history of innovation associated with the VCS gave it the ability to 'work outside the box' and respond in short time scales to bidding cycles. This was only possible, as we shall see in Section 8 below, when the organisation had the infrastructural supports to do so.

- *'more open door attitude, more flexible attitudes'* **Middle manager, prisons - resettlement**
- *'be more responsive, can't do it all ourselves'* **middle manager probation**
- *'difference between being flexible and being on the edge'* **Focus Group feedback**

### 3.1.6 Mainstreaming

Defining a distinctive sub-set of the whole VCS who work with offenders and in the criminal justice field proved to be a somewhat elusive endeavour. This was partly because the range of organisations which did work with offenders varied in their main orientation. They can be loosely characterised as:

- working solely with offenders (such as Nacro, SOVA or Apex Trust)
- working with disadvantaged groups where offenders were identified as a priority group (e.g. Princes Trust, Turning Point or Shelter)
- working with people in the community of which some of their clientele may be offenders but enter the service as community referrals (e.g. Mothers Union)
- working in the mainstream VCS (Samaritans, Citizen's Advice)

During the interviews this led onto a helpful debate about whether the purchasers would wish to look at the wider VCS rather than those VCS organisations traditionally identified as working in this field. This was a reflection of a view that normalisation processes and mainstreaming fitted well with the developing government policies on Social Inclusion. There certainly seems to be an interest by the purchasers in looking rather wider than had traditionally been the case with an increasing variety of organisations involved in service delivery. This was partly stimulated by also increasing the demand for high standards and quality benchmarks which some of the larger community-based agencies possessed. The increased use of regional contracting widens the potential for agencies to get involved using their size and existing structure to bid successfully for regional contracts.

One of the unintended consequences of these processes of regionalisation, inclusiveness and normalisation is that the smaller VCS may become threatened by these combined developments. The stakeholders expressed mixed views about this because, whilst most supported the other elements of the pyramid above, best value and cost-effectiveness considerations were criteria which drove some of this new thinking amongst purchasers and commissioners.

One stage further was to seek views on whether that part of the VCS who is not involved at all in work with the correctional services may wish to expand their areas of involvement and thus increase the options available to those commissioners. In addition to circulating all agencies affiliated to the Regional Forum and the National Association of Councils for Voluntary Service (NACVS) and interviewing key individuals from that wider sector, a small telephone survey was conducted with 9 CVS linked organisations in the region of which 7 were CVS Directors. The results are reproduced in the box below.

- *'need both offender-based and non-offender-based organisations'* **Strategic Manager, prisons area office**
- *'inter-agency relationships force individual agencies to take the King's shilling if they want part of the action'* **Focus Group feedback**
- *'who advocates – need for mainstream vol agencies like MIND, Children's Society, Drugs and Alcohol services'* **VCS Strategic Manager**

## Summary of telephone interviews with CVS representatives

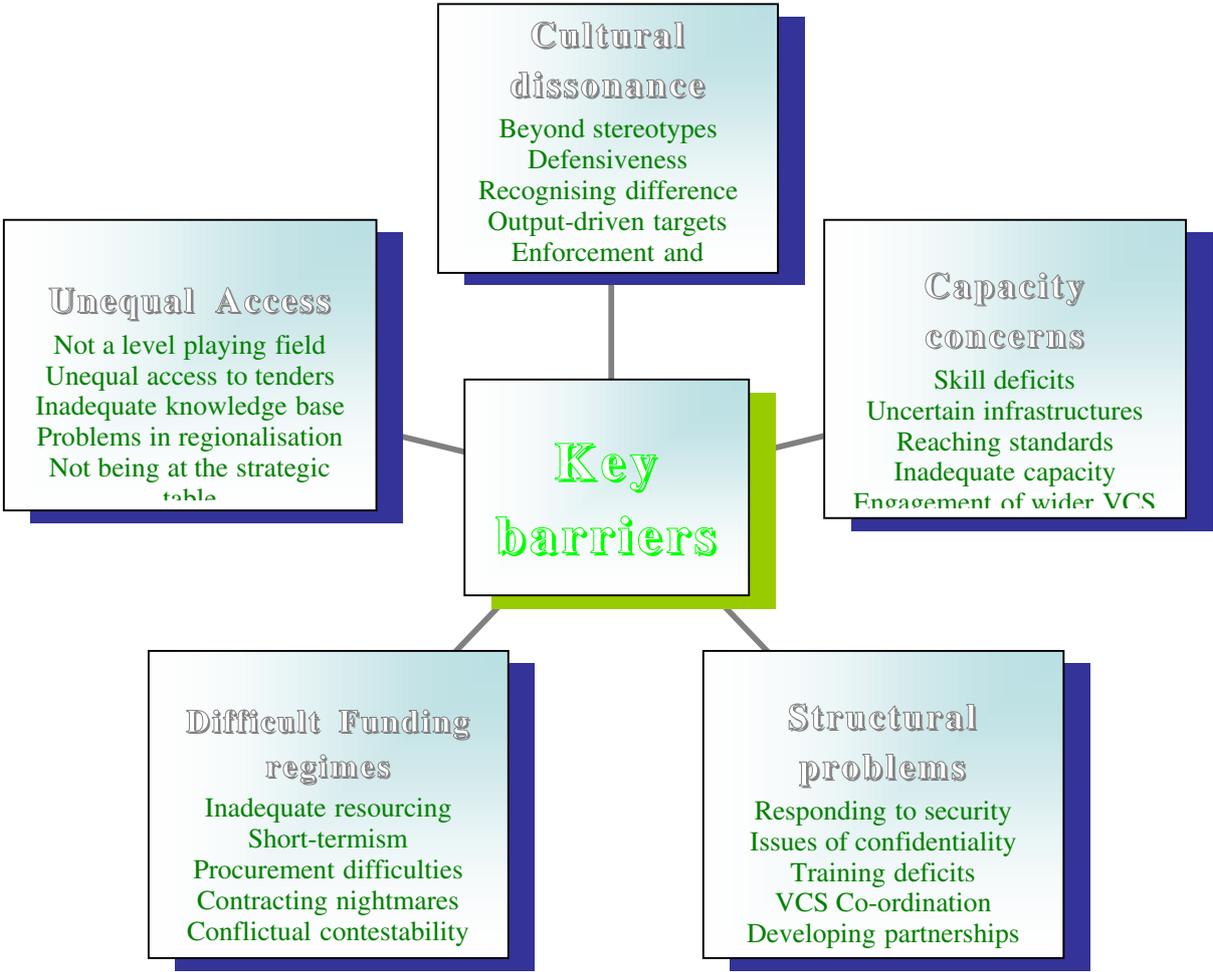
- ✍ There was a general lack of knowledge of correctional services partly influenced by the fact that there were other foci overwhelming the work of the CVS and they were not that motivated towards expansion
- ✍ There little interaction as a co-ordinating agency with the statutory services and particularly the probation service
- ✍ Respondents agreed with the view that there may well be some advantages of using general organisations to normalize offenders stake in society
- ✍ Prisoners as volunteers were used in community organisations but one respondent in particular felt that their worth was not highly valued by the prison, reflected in withdrawing of the prisoners without explanation
- ✍ Some expressed nervousness to participate in work with prisons
- ✍ It was recognized that there were some judgmental attitudes within VCS and wider community about undertaking voluntary work with identified offenders
- ✍ There was some resistance to working with correctional services as it was felt to be an area of work which is less attractive to VCS
- ✍ Potential tensions were identified between the different purposes and values of the VCS particularly in areas associated with the statutory requirements of supervision for offenders. Some expressed general reluctance to become involved and this was partly explained by an assumption within VCS that work with offenders is being done by others
- ✍ For there to be an increased engagement small organisations needed to build up expertise and provide a consistent service over time
- ✍ If correctional services wish to involve the wider CVS this will need to be promoted effectively
- ✍ However given that the CVS has firm commitment to work with disadvantaged groups - working with offenders could readily link to this commitment
- ✍ CVS as an infrastructural organisation has facilities to support small VCS where they are affiliated

# Part Two Overcoming the barriers – towards enhancing practice

## Introduction

The focus on barriers in the study was specifically intended to create an agenda for change and improvement. As has already been documented there was persuasive evidence of good practices in the region. However if an agenda for change is to be developed the barriers to further enhancing the role of the VCS have to be openly explored.

Each key stakeholder will have reflected the barriers from their own perspective but five key themes emerged from the data as defining the key barriers across and within each stakeholder response. These are represented below in the diagram. The rest of the study will explore the main aspects of each barrier and how opportunities have emerged from discussion in the Focus Groups to develop positive solutions. In the final section the report will present key recommendations for enhancing the role of the VCS in correctional services work.

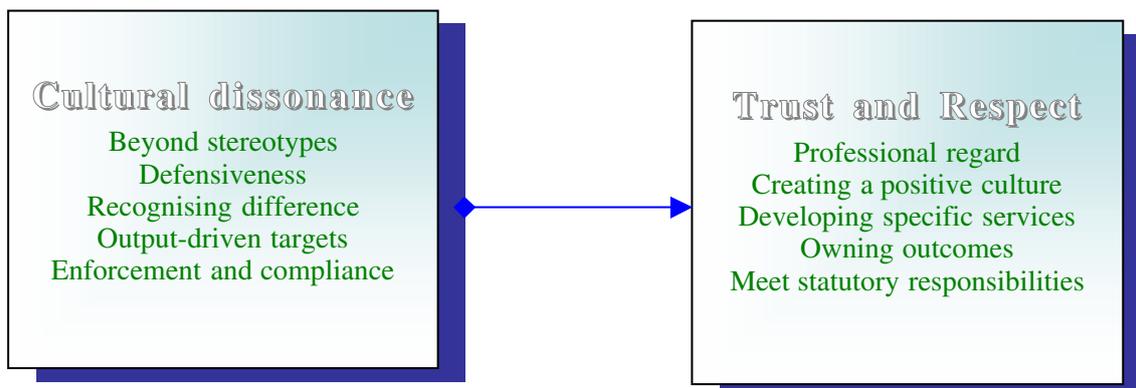


The following diagram places the barriers as opportunities for change. Each barrier creates an opportunity for improving practices and this gives an agenda for action. The key themes are summarised as recommendations.

# BARRIERS OPPORTUNITIES RECOMMENDATIONS



## 1. Cultural barriers



### 1.1 Beyond stereotypes ⇨ professional regard

Although the general context within which the statutory sector respondents discussed relations with the VCS is a positive one there was a recognition that relations were not uniformly good and still were influenced by longer standing stereotypes of each other. In general where individuals within statutory agencies engaged over an extended period of time with the VCS then relations of mutual respect and shared endeavour have developed. However there remained a series of unhelpful stereotypes which inhibited open participation and sharing. These related to:

*'prison and probation require that we do it their way - we have to fit round their requirements - there exists a bullying culture within statutory organisations'*  
**VCS Practitioner, drugs**

- VCS being regarded as 'free'
- Prison staff treating VCS as 'civvies'
- Probation regarding some VCS as 'unprofessional'
- VCS being regarded as 'do-gooders'
- Local reputations harming wider engagement
- Statutory agencies insistence that it is 'done their way'

*'there is resistance from Probation Officers - it is argued they(VCS) create more work, they are unprofessional, and not sufficiently trained'*  
**Strategic Manager, probation**

There is little doubt that such stereotypes are in retreat and this is testimony to the way in which all agencies have begun to appreciate and develop an interdependency which is built on good relations and positive engagement. However it is important not to be complacent about the stability of these relations. There is a need to continue to challenge stereotypes which can undermine the professionalism of all

agencies upon which they impact.

This must be extended to the positive reception into prison of all individuals working on behalf of the VCS including ex-offenders. Some respondents commented that the role of the ex-offender as worker in the prison system is undertaken sometimes with passive opposition

and occasionally active disdain. This mirrors the experience that ex-offenders face in finding employment generally and must be actively discouraged. In turn the VCS need to appreciate and respect the role that the statutory sector has to play in meeting its responsibilities.

*'based too much on personalities – cultural conflicts they (VCS) need to understand our statutory responsibilities'* **Middle manager, probation**

## 1.2 Defensiveness ⇨ creating a positive culture

The challenge of reducing re-offending by 15 % over 5 years (Home Office 2004b) can only be achieved by creating a positive culture which is founded on trust, partnership, interdependency and shared goals. This requires a commitment to be challenged about existing practices and to be open to developing new relationships which serve the needs of offenders. End to end offender management demands cooperation at a high level and this goal was supported in principle by many respondents.

Getting there requires active commitment and a culture which is less defensive and treats each partner as an equal player in the development of facilities. This must work at front line as well as at strategic level. Strategic commitment is evident in the region and this must percolate to all levels in each organisation.

*'need to shift the entrenchment of some staff who see themselves as 'turn-keys' and see interventions from outside as a complement to their role'* **strategic manager, prisons**  
*'any model depends on a commitment to understand each other and the differing needs we face'* **VCS practice**

## 1.3 Recognising difference ⇨ developing specific services

This study has already highlighted the distinctive contribution which the VCS can play under NOMS in the future. However, high quality service delivery to offenders can only be achieved if VCS skills and expertise are harnessed and developed. As the previous section has outlined the VCS occupies a discrete and diverse field which highlights their contribution as added value. The VCS, sitting outside the

*'we have a vast melting pot of experiences – stopping people coming back. We are the caring part of the system'*  
**VCS Coordinator**

statutory services and often with open doors and seemingly less fettered, can respond more readily to service user need and demands. It was pointed out that the VCS often has a better climate of partnership with service user organisations such as those responding to the needs of the BME sector or women

*'faith-based groups should be involved – lot of motivation and drive – but users don't have to buy into the faith'* **Churches**  
**Regional Commission, Strategic Manager**

offenders. The diversity of its provision is focused on four main areas:

- Provision of needs-based services
- Ability to offer advice, assistance, service delivery and support in specialist areas
- Engaging faith-based provision to support the needs of a diverse offender population
- Active promotion of services for BME and other minority groups

That carries with it some clear responsibilities on the VCS itself if it is to be looked upon as a major provider of these services. It must ensure it offers

*'we work with those who have high level distrust of statutory services'*  
**VCS Strategic Manager**

- A professional and accountable service
- A willingness to work with the statutory sector in fulfilling their duty to secure public protection
- An ability to adapt its culture of independence and voluntarism to the culture of statutory requirements whilst maintaining its accessibility to service users

#### 1.4 Output-driven targets ⇨ owning outcomes

There needs to develop a culture where the central concern is actual service delivery and not simply checking the delivery schedule. Appropriately handled, this can mean that the VCS can be more expansive and go into markets which are difficult for the statutory sector, producing innovative and localised impact. This is also linked to quality outcomes. A number of examples were given where an agreed target was met in a literal sense but did not contribute to a positive or meaningful outcome. For instance a Prison Resettlement manager pointed to the way in which accommodation provided to ensure early release often broke down soon after release because it was unsuitable which created more difficulties, often resulting in a return to prison.

*'too much bean-counting'* **Strategic Manager, prisons**

Agency specific targets encourage a culture of thinking about your own provision only and extending services outside the prison gate can be discouraged. If end to end management is to develop a shared approach to target setting which are outcome driven needs to be cultivated.

*'they can't understand target culture so we employ workers and get them working to our model – this ensures we have control'* **Strategic Manager, probation**

#### 1.5 Enforcement and compliance ⇨ meet statutory responsibilities

This proved a difficult issue for VCS organisations to resolve. The Probation Service were clear that contractual relationships on matters such as drug treatment, ETE, certain housing provision meant that the VCS should contribute to the statutory requirements of court orders. This creates tensions for the VCS which many found difficulty in resolving satisfactorily. The traditional view that the VCS is characterised by values of voluntarism and consensual engagement was their starting point for discussion. Many VCS did not want to re-consider this approach though recognising that this could lead them to receiving less work in the future. Other VCS were reluctantly willing to engage with elements of the accounting required and saw it as an inevitable consequence of engaging in community sentences where compliance was a key part of orders. The services under Drug Interventions Programmes (formerly Criminal Justice Intervention Programmes) were intended to be delivered as consensual services alongside the statutory services.

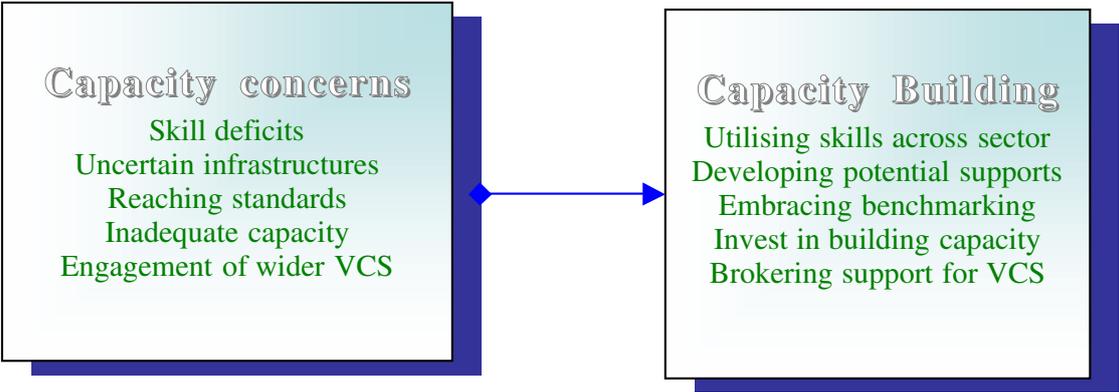
*'new responsibilities can potentially divert services from their original basis'* **VCS Strategic Manager**

*'we want CJIP to be consensual, users cannot get breached for not attending though this may change – use whichever sector can deliver treatment services best'* **CJIP, Manager**

Interventions Programmes (formerly Criminal Justice Intervention Programmes) were intended to be delivered as consensual services alongside the statutory services.

This issue represents one of the most challenging aspects of VCS practice in the next decade. If it is to take on board major responsibilities in provision within the mainstream of community sentencing under the Criminal Justice Act 2003 (for instance Custody Plus or Suspended Sentence Orders or elements of a generic community sentence such as enhanced community punishment orders or conditional cautioning), it must be prepared to resolve this dilemma and be clear in its responsibilities to the statutory sector.

**2. Capacity**



**2.1 Skills deficits ⇨ utilising skills across sector**

The demands of an increasingly complex and differentiated criminal justice system delivering a crime reduction agenda is reflected in the growing variety of skills needed to respond effectively. Whilst the study has already recognised the skill sets of the VCS this issue needs to be addressed on a sector wide basis. Some of the best performing practices in other sectors are those that have started to pool these skills and to develop roles based on competencies rather than traditional professional and organisational boundaries. In particular, integration between VCS and statutory staff can be very effective in promoting teamwork, minimising duplication and providing a more flexible approach to offender management. This is not just about offender interventions per se and organisational systems – it is about removing some of the cultural barriers to change and winning hearts and minds.

There is now more evidence of movement of staff between agencies as well as a more differentiated career structure within each agency. Creating organisations which are fit for purpose will generate demands for more focused skills sets and this is a trend which will develop further. Demands made on VCS organisations to shift their area of practice to suit changing policy e.g. from ETE provision to Basic Skills can make unrealistic burdens upon the capacity of that agency to deliver with an adequately trained workforce. This must be factored into funding arrangements.

*'training only recently became an issue in the last two years when demands on workplace competence increased'* **VCS Strategic manager, adult learning**

**2.2 Uncertain infrastructures ⇨ developing potential supports**

In the work described in Part One on the role of the CVS it was clear that little use is made of their capacity to offer infrastructural support to agencies working in the offender field. Given

this situation it is important that the lack of infrastructural capacity should not become a disincentive for smaller VCS agencies to maintain their engagement with this work particularly given the emphasis on the need for a localised and responsive sector. Respondents focused on their infrastructural needs in discussions and also suggested solutions. The main issues were:

*'need to make much more use of umbrella organisations to encourage capacity building and infrastructural support'* **Strategic Manager, probation**

- support for bidding particularly given tight schedules
- developing the skills, knowledge and resources of VCOs to take advantage of the opportunities
- building the capacity of the sector to support a more sustainable and better quality provision for service users

Respondents suggested that the larger VCS organisations currently working with offenders who have good infrastructural capacity may be able to develop support for smaller organisations. Such an initiative needs pump priming. One major contribution for such infrastructural support has come from the work of Clinks in the region. The prison Secondee and Area VCS Co-ordinator has supported the role of the VCS Co-ordinators in prison to develop confidence in working in the VCS and encourage productive relationships. Clinks also provides support, encouragement and direction to a range of organisations in the region.

**Clinks** was established in 1998 to strengthen and develop the partnerships between voluntary and community-based organisations and the Prison and Probation Service in England and Wales. They have developed a diverse network of agencies that contribute to rehabilitating offenders and building safer and inclusive communities. They have a small team of six staff based in York, Bournemouth and Birmingham. Work includes national policy development as well as regional and local partnership work. CLINKS encourages the development of a supportive information network of voluntary agencies working in this field through their quarterly newsletter 'Get Linked' and supports the development of regional networks of key partner agencies in this field including HM Prisons and Probation Services, Government Offices of the Region and other appropriate regional and area based organisations.

**2.3 Reaching standards ⇨ embracing benchmarking**

If the VCS is to become accepted as a key provider of services then it is vital that the internal organisation can demonstrate that they meet benchmarks for their practice, thus being fit for purpose. Respondents commented that one barrier which inhibited use of parts of the sector was concern about the level of professionalism required to deliver core services, for example in the provision of Basic Skills. The VCS respondents recognised the importance of this though some have difficulty balancing accountability and professionalism with traditions of client responsiveness and grass roots activity. The two values need not be in opposition and it is incumbent on all the stakeholders to seek a positive resolution of this dichotomy. Maintaining total independence as a VCS agency may not be an option if enhanced engagement in work with offenders is to be achieved.

*'right path to have quality standards, we have staff working towards framework'* **VCS practice manager, drugs**

*'concerned about quality control – need to be convinced about quality systems and set quality criteria and then monitor – its our responsibility to do that'* **Strategic Manager, probation**

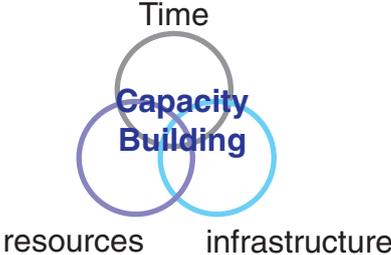
A further aspect of fitness for purpose discussed by respondents was the importance of developing an evidence base to demonstrate the effectiveness of the services delivered. This means ensuring that evaluation is integral to service delivery and is costed into any tendering process.

*'How much do we know about the outcomes of VCS engagement with the Prison and Probation Services - there appears to be a lack of an evidence base.'*  
**VCS Strategic Manager**

**2.4 Inadequate capacity ⇨ invest in building capacity**

The study identified the capacity building needs of the sector which were the skills, knowledge, structures and resources necessary to enhance their involvement in work in the sector.

*'need to pay for their expertise – let them focus on their job. Its time and money and in some cases organisation the VCS lack'*  
**VCS Coordinator**



Respondents identified the need to remove barriers to involvement and produce investment funding to maximise the contribution that they can make.

There is a complex interplay between time, resources and infrastructure. The sector currently makes demands which stretch the capacity of the VCS to respond adequately, and all aspects of this second tier support need attention.

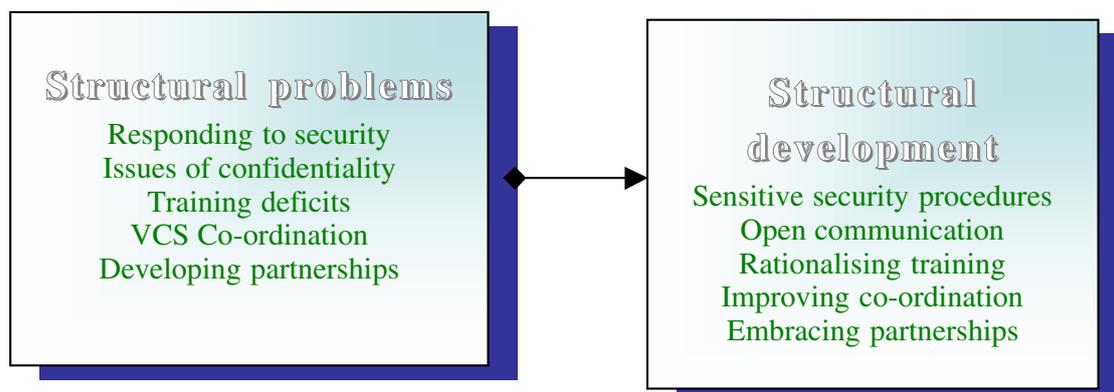
**2.5 Engagement of wider VCS ⇨ brokering support for VCS**

Guided by the work of the Active Communities Unit and the investment potential in Futurebuilders and ChangeUp there is a range of generic support available to the whole VCS sector to secure loans and investments to aid the enhancement of their work. There was little evidence in this study that the part of the sector not currently engaged with correctional services work saw themselves changing priorities to work in this field except where the correctional services looked to invest in new areas of expertise relevant to that part of the sector.

*'interesting tightrope between wanting services for offenders and wanting offenders to disappear into services for general public'*  
**Strategic Manager, probation**

If communities are to be engaged in developing new services for offenders then the statutory agencies of prison and probation need to act as brokers to support and encourage those developments. The role of the Probation Boards could be considerably enhanced to galvanise local activity.

### 3 Structures



#### 3.1 Responding to security 4sensitive security procedures

*'prison's main concern is security. Prison staff have a security focus. Not concerned about rehabilitation goals – need to make them part of a team'* **VCS Coordinator**

The prison respondents rightly stressed the importance of security procedures. The employment of an increasing number of civilian workers in prison and indeed in the probation service makes the achievement of security protocols necessary. However during this

study respondents from both the statutory and VCS stakeholders expressed concerns that security issues were often used as a mechanism for interrupting the work of the VCS and this could fall unequally on certain groups accessing the prison environment. This was experienced in the following ways:

*'because the VCS is such a disparate group it makes general provision for them very difficult to achieve - some allowed keys others not for instance'* **Strategic manager, prisons**

- individual prisoners would be moved without informing the services they had been accessing
- security was perceived as a way of exerting control on VCS staff
- the employment of ex-offenders was dealt with on an individual basis with no regional protocols
- the attitude of front-line staff in the prison was, in part, a reflection of an information gap about the purpose of work being undertaken by the VCS

There is an urgent need to communicate better with front line staff about the role and purpose of the VCS in prison so that liaison can work smoothly and positively. Where security training is needed this should be handled sensitively and the purpose of this work clearly explained. Security should not be used as a tool to prevent or disrupt the work of those engaged to work directly with prisoners.

#### 3.2 Issues of confidentiality ⇨ open communication

A central feature of good partnership and joined up practice are communication protocols which ensure that each participating organisation has access to the relevant information when they need it and, for instance, to reduce the impact on the service user of 'death by assess-

ment'. Respondents were concerned that their access to that information was patchy at best and was denied in some cases. The different IT infrastructures in the statutory agencies also reduced the potential for good protocols to develop. This has been recognised in

*'communication across prisons, even within prisons is poor – difficulty in creating a positive ethos'* **VCS Strategic Manager, housing**

*'info sharing protocols only limited effectiveness – still needs much improvement'* **middle Manager, probation**

government as a chronic problem yet the evidence of this study is that it remains unresolved. The development of a common assessment tool in OASys has to be utilised for the benefit of all working with the service user. In addition there are responsibilities on

the VCS to ensure that information is passed to the statutory sector when issues of public protection and risk management are needed. The Reducing Re-Offending National Action Plan sets out what the agenda should be:

*'All of the areas identified in the Action Plan require cross-government and inter-agency working. Without established processes through which those agencies can communicate with each other, action will not achieve a full impact.. Regions, which have already developed their strategies, have managed to achieve information sharing through the use of regional protocols. Where there are privacy and data protection issues, these have generally been addressed through the use of offenders giving their informed consent'. (Home Office, 2004b)*

### 3.3 Training deficits ⇨ rationalising training

There was much discussion in the study concerning secondment of staff and their professional development. The secondment of staff between sectors within the public, private and voluntary sectors (and vice-versa) has the potential to allow for a skills' crossover between the partners. This will help to improve and modernise the practices of the correctional services. Such secondments can also be used, for example, in providing support to local voluntary and community groups, perhaps in lieu of other options such as grant funding. For staff themselves, secondments can also provide a number of benefits which assist career development and enable them to gain experience of policy implementation.

*'there is a lack of recognition of the requirements of staff development and training'* **VCS Strategic manager, adult learning**

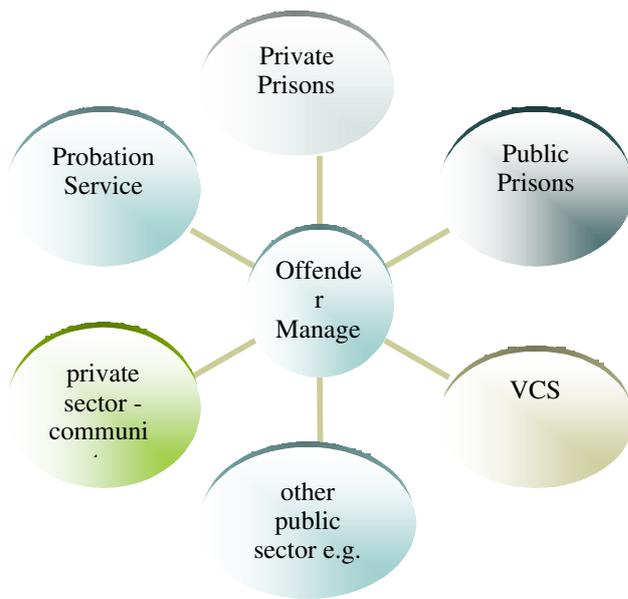
Those on the frontline can bring their experience to bear on policy formation.

Respondents commented on the need for an overhaul of staff development and training systems as an essential contribution to joined up practice on the ground. Increasingly staff are moving between sectors and for this to be productive as a career choice then professional development needs to be built up sequentially and in a way which enables an individual to

*'staff development has to be brought up-to date – we need development which fits us for the job we do'* **VCS middle manager, drugs**

gain the relevant training at the time they need it. It is important to look at the possibilities of creating a framework for professional development across the correctional services. This can lead to a sharing of skills and will enable the development of staff to equip them for the complexity of role of the Offender

Managers dealing with the most dangerous and intractable offenders. Experience across a range of fields as suggested in the diagram, where individuals might experience career progression across those services, would assist that process.



**An outline Model for Criminal Justice Framework for Professional Development would include:**

- ✓ modular construction with core modules applicable across the cjs
- ✓ access at a number of different academic and professional levels to accommodate all adult learners and to give progression
- ✓ access courses, Undergraduate Certificate, Foundation Degree, Honour's Degree and post Graduate Awards
- ✓ an integrated model of learning and competence
- ✓ specialisms, where appropriate
- ✓ advanced practice at higher levels
- ✓ first line and middle management skills

### 3.4 VCS co-ordination ➔ improving co-ordination

The designated role of VCS Co-ordinator in prisons emerged from Prison Service Order 4190. This study has confirmed the importance of this role and the excellent work that staff in these posts are undertaking. Interviews were undertaken with a range of VCS Co-ordinators and a group meeting led to further discussion on their role. The production of Directories by each Co-ordinator in the region was helpful in getting an understanding of the range of organisations working with particular prisons and this has contributed positively to the data analysis. The enthusiasm of this staff group was evident in the interviews. It is certainly crucial, given the restrictive hours allocated to this role and the lack of incentive to develop it, to have people in post who have the commitment to make the role work. A number of issues have emerged from this analysis:

- The role is inadequately resourced
- The role is undertaken by staff from prison officer grades, seconded probation officers and also VCS secondee
- The role of Head of Resettlement and VCS Co-ordinator is sometimes combined which confuses lines of responsibility
- The Clinks Secondee plays a vital role as Area VCS Co-ordinator in supporting the designated staff
- The Directories, whilst helpful, are static documents which only give a snapshot of VCS involvement
- A one size fit all approach is applied to each prison which takes no account of size, type and specialisms within different parts of the prison estate
- A similar role does not exist in probation

The working hours allocated to these posts is uncertain and caused the VCS Co-ordinators much concern. Most commented on how much more time they actually spent on this element of their work than

*'its not enough. I get 10 % done. Meet my deadlines and little else, It really needs to be a full time role just to look at funding streams.'* **VCS Coordinator**

they could afford, given their other responsibilities. Where they also had resettlement responsibilities this was dovetailed more neatly into their job. It was noted by the Area Prison Manager that there are a number of similar roles and allocating time to each one was a difficult exercise in juggling a finite budget. However interviews conducted with the Heads of Learning and Skills (HOLS) tended to demonstrate the value of a role with its remit central to the task. There seems little doubt that the role is unequally spread about the prison estate but there was a discussion about creating a Cluster job role where one individual could undertake the work across a number of prisons and this was welcomed as a possible future option.

The study revealed that this role was being undertaken by staff from three different agencies - prison, probation and the VCS itself. There was no clear cut view about where the role belonged though it was speculated that grade of staff and access to the prison hierarchy to influence policy development would ensure that notice was taken of the issues raised wherever the post was formally based.

There was no equivalent role in the probation service. Partnership managers had an overall responsibility for contracts with the VCS and contributed to SLAs being developed. However the potential conflict between contract allocation and support and development of the VCS may make the developmental aspects of a VCS Co-ordinator role sit uneasily with the Partnerships Manager. Clearly the probation service working in communities requires its front line case management staff to have local knowledge of VCS. However there is every reason to look at how co-ordination and development of the VCS can be better organised and the VCS role developed through considering similar arrangements to that which operate in prison.

*'the job is about getting services together – putting the money where the work is being done and bringing in skills prison don't have'*  
**VCS Coordinator**

### 3.5 Developing partnerships ⇨ embracing partnerships

The study focused centrally on the important issue of working in partnership. Despite being central to the concept and practice of joined up justice, partnership was still viewed by

*'benefits of partnering depend on volume – larger the contract the better'*  
**VCS Strategic Manager, housing**

*'much more time consuming to work with other agencies'*  
**Strategic Manager, probation**

some respondents with reluctance and anxiety. There were a number of features concerning this reluctance which related to size of contracts, problems of sharing work, statutory versus voluntary engagement and the length of time involved.

However there were many respondents who were interested in developing notions of partnership which sought to bring each stakeholder to the table together to plan innovative and creative solutions to end to end offender management. Examples of partnership arrangements were discussed and will be briefly considered here. They include

- developing a federal or consortium approach
- gaining regional ownership
- requiring partnership
- regulating partnership
- auditing partnership through inspection
- mixed economy partnerships

### 3.5.1 Developing a consortium or federal approach

A model of partnership was discussed with respondents using an existing example operating in North Wales, the DAWN Project. (See Box for brief description of the model.) This model reveals agencies in complementary rather than conflictual and competitive relationships with each other. It encourages the development of services which are more likely to be comprehensive and inter-linked for the service users. It has a single assessment point and referral in and between the various agencies according to need and risk. It promotes an ethos of cooperation and mutual engagement and many of the workers have built an identity around DAWN itself rather than their originating agency. It has a physical location in Colwyn Bay but the concept is key as the idea of coordination extends to the very rural areas of the county.

The principle of consortium working was welcomed by respondents although there were some from both probation and the VCS who questioned the willingness and capacity of agencies to work together in this way. Some of the responses were:

Despite these responses many saw the potential in the right procurement

**DAWN**

*The DAWN project, which is ESF Funded via Objective 1 funding, is an umbrella organisation that brings agencies together across North Wales to develop centres of excellence across the region, supported by satellite venues that are able to exploit existing partnership facilities. It unites agencies who have a shared vision to tackle social exclusion by providing an accessible, rapid and seamless service that bridges the gap from treatment to mainstream further education, training and employment for hard to reach and often excluded client groups. Within 24 hours of referral the client is seen by a DAWN assessor to discuss and identify their needs. The assessor will fully explain the range of services that are available to the client and refer them on to their identified agencies to receive further support and guidance. **The DAWN Partnership** currently comprises the following five agencies: **CAIS Ltd; NACRO; The Duke of Edinburgh Award; The Prince's Trust and SOVA.** These agencies work alongside the statutory agencies of the police service, probation service, health commissioners, health & social service drug and alcohol teams, and Group 4 representing the prison sector to deliver DAWN's services. These include: help with wider social problems; help to move towards qualifications and employability; assistance in dealing with addiction; tackle offending behaviour; providing advice and information; provide social support/mentoring; social skills, confidence building and self esteem; counselling, mentoring & group work; positive life-style changes.*

*(Senior P et al 2004)*

*'we have tried to get a partnership forum together in the probation area, could not get them to work together -difficult to share'*  
**Strategic Manager, Probation**

climate to pursue such a vision of partnership. The partnership focus of much ESF funding rounds was encouraging that notion of partnership to develop. Interestingly the DAWN Evaluation reveals a strong commitment from the Probation Service to making it a success and

this may be a key lesson. Consortium approaches to partnership do not just happen. There has to be a climate of trust, a willingness to engage and a commitment from the statutory services to support and deliver. If those factors are present the potential of a one-stop-shop for focused areas of practice such as employment assistance or housing support can certainly be realised.

*'huge advantages for statutory agencies – everybody owns it or nobody owns it – need clarity of role'* **Strategic Manager, probation**

### 3.5.2 Gaining regional ownership

The study identified that the regional agenda would impact upon the provision and indeed the nature of partnerships. Since some of the field work was completed the map of NOMS has altered and the probation areas are still to be retained. The 'thinking regional' agenda is thus quite complex. The role of the Regional Offender Manager (ROM) will be crucial in setting the agenda for the way in which organisations will work together. It creates opportunities for provision across the region which sets challenges as well as tensions for all the key stakeholders:

- increasing co-operation amongst probation areas
- the awarding of more regional contracts across the area prison service
- the encouragement to partnership amongst the VCS with all possible stakeholders including the private sector
- issues for small locally based VCS organisations who may not have or wish to have regional reach

It is when one considers the impact of regionalisation and this is contrasted to the locally based agencies which characterise many VCS agencies that concerns could arise about the continued viability of these organisations. This must be a key agenda for the new ROM if partnerships are to flourish. They must be able to encourage separate probation areas

*'local agencies provide continuity of service e.g. alcohol or drugs. It feels as if regionalisation could reduce local accountability'*  
**Strategic Manager, probation**

*'smaller agencies may get pushed out. Not clear on long term aim'*  
**Middle manager, probation drugs**

and their Boards, VCS organisations, prisons and the private sector to work together if end to end offender management is to be achieved. Sub-regional partnerships could be created through the Probation Boards and local prisons for instance.

### 3.5.3 Requiring partnership

It was suggested that partnership working should be made a requirement when contract bidding took place as it is in ESF funding bids. This ensures that partners are in place and that arrangements between partners are positive, equal and fair, and avoids the criticism of current partnerships alluded to above. Another model of partnership would be to recreate a quota such as the 7% requirement on probation services.

There was a mixed reception to these ideas. Whilst some welcomed the notion that a required action will happen and this will produce productive endeavours, others felt it would create a false and difficult rationale for partnerships. The quota system used in partnership was not readily supported by any of the stakeholders.

*'avoid tokenistic partnerships – requirements need to be a positive endeavour'*  
**VCS Strategic Manager, resettlement**

### 3.5.4. Regulatory mechanisms during audit

The experience of organisations such as local councils is that regulatory requirements which determine an assessment of quality and excellence would include broad criteria where failure

to meet such criteria would result in a lower designation of performance. The rather narrow approach of targets discussed above and by respondents during this study point to the need to have more outcome-based criteria for judging performance. It was suggested that a regulatory requirement to demonstrate work with the VCS or in partnership would ensure that the engagement of the sector was positively planned into the business planning process. This had some support amongst the respondents.

**3.5.5. Inspectorial approach to partnership as an aspect of good practice**

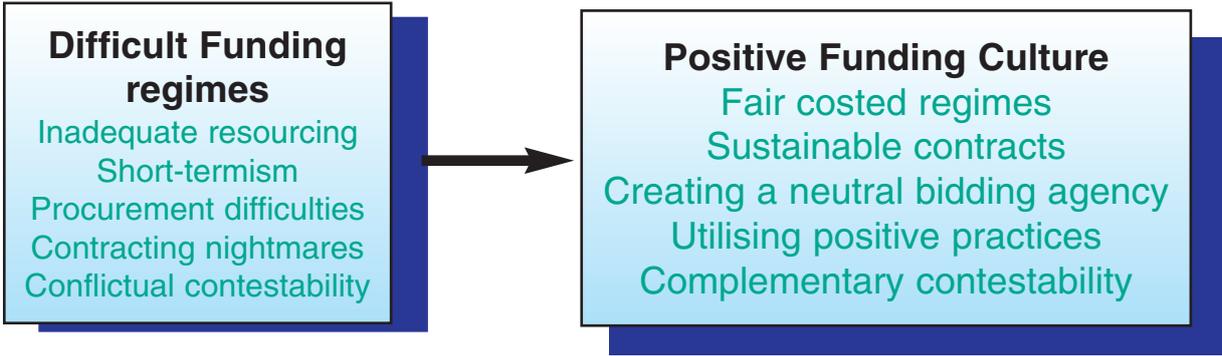
A similar approach could be taken retrospectively during inspections where the overall quality of particular provisions might be considered not merely in its own terms but in relation to its ability to show how purposefully it had worked with the VCS. Again respondents showed interest in this idea.

**3.5.6 Mixed economy partnering**

The combinations within which partnership can be fostered are endless. Although there was reluctance amongst the different stakeholders to consider partnerships, particular combinations were deemed either more or less attractive. For instance there were very few examples of the probation service and the prison service working in partnership either on their own or with the VCS. This idea was supported in principle as being an essential feature of end to end offender management but was little used.

*‘inherent problem in private sector involvement but the private sector runs some good provision so would not rule it out’*  
**VCS Strategic Manager, resettlement**

## 4 Funding, procurement and contracting



### 4.1 Inadequate resourcing → fair costed regimes

The question of robust resources for work undertaken was of high priority for respondents particularly those from the VCS. The discussion seemed to revolve around concerns about unrealistic demands and inadequate recognition of key costs. Funding sources seemed unwilling to extent to development costs, to funding staff development, for supporting the infrastructure and funding for an exit strategy. This situation had in some circumstances worsened during this year when probation services cutbacks had forced them to refuse cost of living increases and in the case of one contract cancel it completely. This lack of recognition of ‘full cost recovery’ was

*‘create a Year Zero for funding purposes to allow development time to be properly undertaken’ VCS Strategic Manager, CVS*

*‘statutory sector think we are trying to screw them. They accept our need to be involved but feel we are trying to rip them off – deep cultural divide at times’ VCS Strategic Manager, resettlement*

blighting relationships between the probation service and the VCS and forcing them to re-evaluate their priorities and seek other funds.

### 4.2 Short-termism → sustainable contracts

A key concern in the study has been the proliferation of short-term contracts which is regretted by all stakeholders. This situation discourages proper

*‘in an ideal world choice brings better value but Home Office and NPS track record of commissioning is woeful, too much short-termism’ Strategic Manager, probation*

*‘time-limited finding – 3 years at most – leads to job insecurity and the dominance of the contract culture’ VCS Coordinator*

planning cycles, leaves VCS organisations vulnerable to loss of work and the need to recycle staff amongst competing organisations, and it can ensure that a lot of time is spent merely in securing work rather than developing good practice. Both probation service and

prison service respondents recognised that short-term contracts were unhelpful but felt they were forced into this situation through the funding regimes of their own agency. There seems a marked discrepancy between

*‘does statutory agency hire on one year contracts? 3 year agreements minimum would allow the planning of quality services, attract staff and build in quality safeguards’ VCS Strategic Manager, CVS*

this consensus view about the problem and the ability to find positive and helpful solutions. Indeed the Government's own response to a key recommendation on long-term funding from the Cross Cutting Review recognises how problematic this is and proposes solutions. (HM Treasury 2003).

#### **4.3 Procurement difficulties ⇨ creating a neutral bidding agency**

Procurement processes can be difficult to handle. Governed by complex 'treasury rules' and pressurised to deliver quickly it is difficult to create an environment where procurement is seen as a positive and supportive process. Certainly a large number of respondents from the VCS were unhappy about the processes to which they had to submit. Many of these issues are highlighted in the diagram reproduced overleaf which suggests simple mechanisms which could improve the process and create a level playing field for participants. Government has responded to criticism of its procurement procedures more generally and VCS organisations are referred to those documents for additional advice. (ACU 2004b and HM Treasury 2003) as well as the forthcoming COMPACT advice on funding and procurement. The issues highlighted in the study concern

- Expertise of the procurers and the procurees
- Demystifying Treasury Rules and the restrictions of EU Procurement
- Working within pooled budgets – problem or solution?
- Capacity to enhance partnerships
- Maintaining a level playing field
- Impact of regionalisation on procurement processes
- Developing alternative approaches to procurement

One suggestion which was discussed in detail during the study was whether the procurement process could achieve resolution of the issues raised above by creating a neutral mechanism for the bidding process. This notion of a 'neutral bidding agency' was seen as attractive on a number of counts:

- Procurement expertise is unevenly spread around purchasing organisations and this can lead, unintentionally, to problems in the process
- The process is perceived to be and often operates on an adversarial model, discouraging partnering and where best value is subsumed under cost cutting
- The process advantages those with dedicated bid writers, strong and flexible infrastructures, those who have existing contracts and thus staffing capacity
- The process disadvantages smaller organisations with no capacity to respond quickly in a fast moving environment
- A range of procurement bases across a region produces duplication of contracts and a distinct lack of coordination and business planning

A neutral bidding body would have the following characteristics:

- ✓ It would concentrate expertise both in the procurement process itself and in releasing purchasers to concentrate on contracting post-award of contract
- ✓ It would be independent of the purchasers
- ✓ It would have an inquisitorial approach to investigate bids – this would put the onus on

- the bidding agency itself to gather information and assess bids
- ✓ It would allow smaller agencies to bid with some sense of a level playing field
- ✓ Within procurement guidelines, encouragement to partnering could take place which would achieve an ancillary goal of supporting joined up practices
- ✓ It would support the appointment of **Partnership Development Workers** – working on both sides of the fence – brokering the language barriers – supporting the bidding process but independent of the organisations tendering
- ✓ It would be cost neutral if agencies currently undertaking procurement merely re-channel the existing funds into setting up a single agency to undertake this task

#### 4.4 Contracting nightmares ⇨ utilising positive practices

Contracting issues also were foremost in the minds of respondents. The purchasers – prison and probation – shared concerns about the way in which some of the providers met their contractual obligations and there were examples of where remedial action was taken to improve contract compliance and occasionally termination of contract resulted. From the perspective of the VCS contracts were often seen as unfair, creating pressures on all the stages of the contracting process particularly where changes were unforeseen and acted upon by the purchasers with little notice. Some of the feelings about contracting are reported below. Most of the solutions are suggested in the diagram overleaf.

*'the lateness of changes in contracts without proper consultation is severely compromising for us'*  
**Strategic Manager, VCS - ETE**

*'why can't sub-contracting be further developed? VCS spends too much time beating each other over the head – need to get together to work forward'*  
**Strategic Manager, prison area office**

#### 4.5 Conflictual Contestability ⇨ complimentary contestability

The study revealed a lack of understanding and distinct nervousness around the concept of contestability. Relevant here is the theme of partnership discussed in the previous section. Concerns were expressed that the way in which contestability might be conducted would be a disincentive to partnership. Partnership working and the mechanisms within which it can thrive take time to foster and some of those mechanisms have been discussed above. Partnership also raises a key issue of Value for Money. Initial set up costs for partnership are often greater than they would be for single agency bidding. However the costs of preparation and developing working protocols must be set against the reduced costs in the provision which develops. If partnerships can produce visible savings in the coordination of end to end offender management then contestability structures should seek to be more complementary than conflictual. The study came across an example of good practice in partnership working through the South Yorkshire Offender Partnership: Skills Network. Its

The SOVA team responsible for the South Yorkshire Offender Partnership (SYOP) Skills Network works well with a range of voluntary organisations. It has comprehensive and robust procedures for selecting, developing and managing subcontracted voluntary organisations, including:

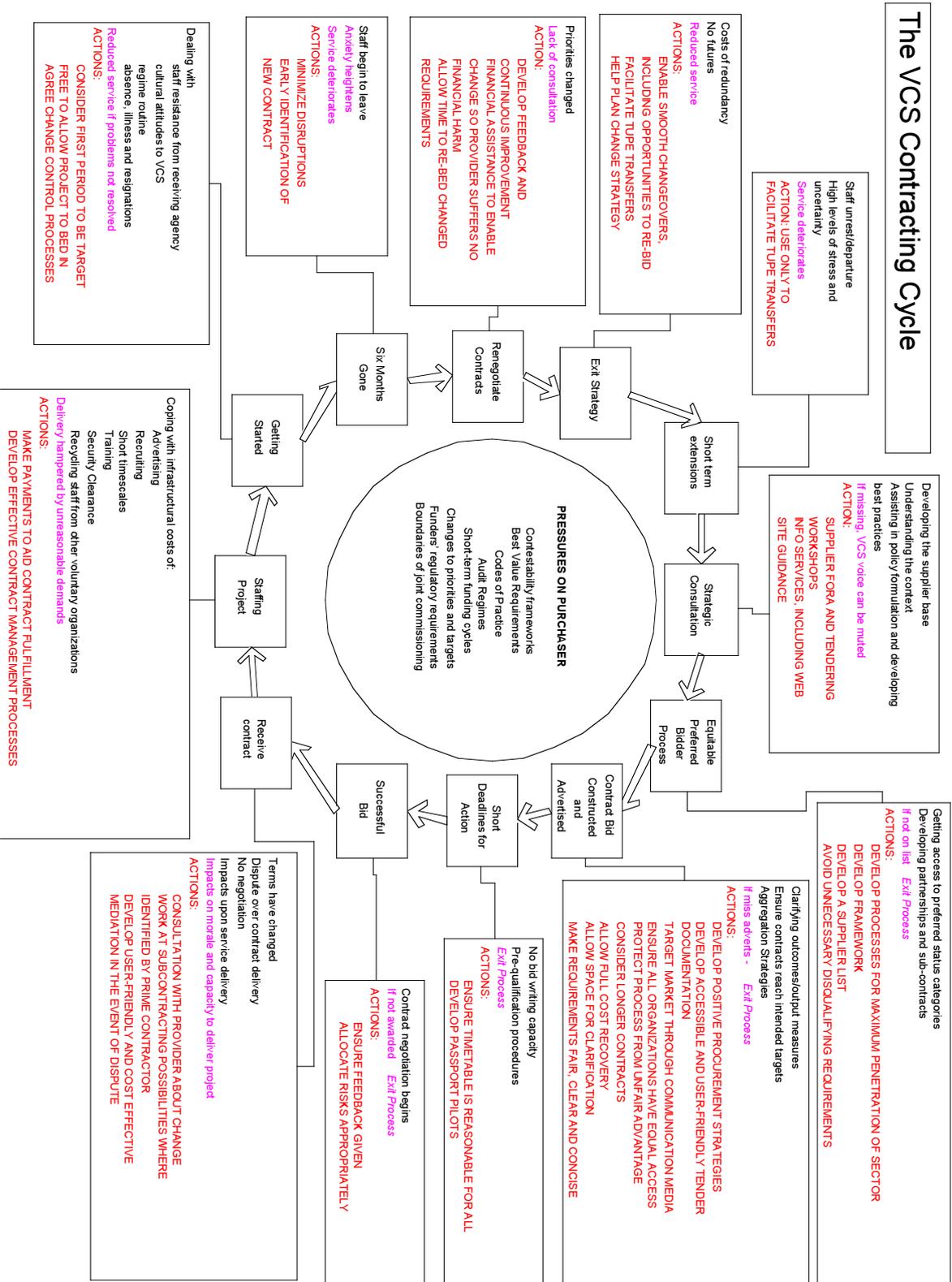
1. the use of consultative groups to identify the need for new projects
2. an approval process for voluntary organisations
3. a tendering process
4. a funding agreement and contract
5. network support, development and performance reviews

board, chaired by a senior manager from the probation service, has a huge range of VCS groups represented on it. When it sought to let a contract for which some of the membership would wish to apply it set up Sub-Contract Panels which contained membership not engaged in bidding and this would change for each sub-contract. This has enabled a partnership approach to prosper. The model of sub-contracting has been praised as an example of good practice and appears on the Adult Learning Inspectorate website as part of the Excalibur Learning Network (<http://www.ali.gov.uk/goodpracticedb/> )

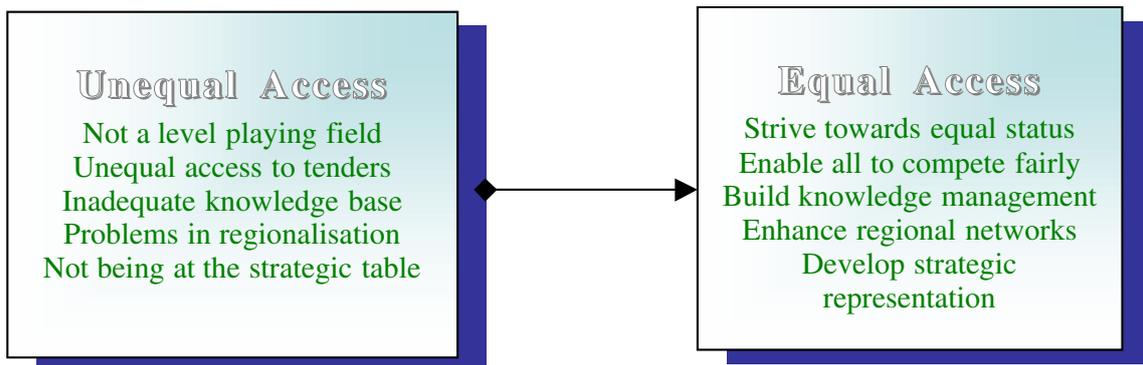
#### **4.6 Developing the contracting cycle**

The diagram overleaf has been prepared to encapsulate the many ways in which the process of procurement, contracting, funding streams and delivering contracts can be improved by attention to some of the detailed problems identified by respondents as part of this study. It offers a working guide for good practice in contracting.

# The VCS Contracting Cycle



## 5. Equal access



### 5.1 Not a level playing field - strive towards equal status

The VCS as a whole occupies a weak position in providing public services in comparison to the statutory sector. The responsibilities of the statutory sector combined with the guarantee of funding at least relative to the VCS gives it powerful control of decision making. Given the requirements upon them to meet targets it is not surprising that respondents felt that they had to have a degree of control over procuring and contracting services. However the view from the VCS was one of frustration at best and hostility at worst. Many gave examples of how the procedures and protocols they were required to meet were frequently unfair and created endless problems in delivery. Most did not dispute the need for regulation and were as keen as the statutory sector to be seen as professional and competent in delivering their services. But put simply they did not believe that this

*'I know its not a level playing field but don't know how we achieve that or whether my colleagues want this'*  
**Strategic Manager, prison**

*feels an unequal relationship...quite restrictive, need more independence and be equal partners at the table'*  
**VCS practice manager, drugs**

was a level playing field and considered they were very much the junior partner in the arrangements.

### 5.2 Unequal access to tenders ⇨ enable all to compete fairly

One particular aspect which concerned VCS respondents was the way in which bidding processes did not create equal access for potential bidders. Not only were larger VCS organisations likely to be able to understand and work systems more easily but often the

*'Preferred bidding approach should not be a mechanism for exclusion and unfair protocol'*  
**VCS middle manager, housing**

*'need to avoid preferred tender being just a technical and financial robust test rather than a quality measure'*  
**VCS Strategic Manager**

bureaucracy conspired against some of the smaller organisations being able to reach referred bidder status at all. Within the region mistakes have been made and the general atmosphere was one in which chance played too high a part. Examples of unintended

consequences of poor processes were:

- Invites to become a preferred bidder going to the wrong organisations
- Invitation to apply for preferred bidder status not being communicated widely enough to secure everyone has the chance to apply
- Contracts being let to VCS organisations outside the region when local organisations were not known and not invited

#### **A Bidders Portal**

During one of the Focus Groups a Strategic manager from the prison sector suggested that the development of a website would help create more equal access. This could have

- an information base
- an arena where organisations could log their interests in being considered for tenders
- information about forthcoming bids
- shared expertise
- a section to increase awareness and expertise in tendering arrangements
- an approved list to be drawn upon by purchasers and commissioners of services.

This idea was well supported in the group discussions and could be a visible adjunct to a knowledge management system see below.

### **5.3 Inadequate knowledge base → build knowledge management**

During the course of data collection we have recognised that it will only produce a snapshot which, by its nature, will be out of date almost immediately. This appears to have been the stumbling block previously to collating data on this area. The issue of sharing such information is greater than this one-off exercise and there is a clearly identified requirement for ongoing systems and processes to support this kind of information collection and management.

*'how do you cherry pick if you don't know what is out there'* **Focus Group feedback**

Currently, there does not exist any standard or robust process within prison and probation for capturing information on relationships with VCS. Where this is done, it is on an ad hoc basis and often in response to a directive from the centre - there is no process for the regular collection and systematic management of this information. The data collected is stored in Word documents, on CDs or disseminated in printed hard copies. The limitations of this form of information collection are numerous, for example:

- it is often impossible to know if the information is accurate and up to date, particularly as many of the sources are undated
- the information collected cannot be easily evaluated as it is not classified or stored in a consistent way
- it is hard for users of the data to know who to contact to inform of inaccuracies or amendments to the data
- the information is static and can only be updated periodically
- its format means that there can be no confidence that the current version is always being accessed by staff.

It is beyond the scope of this project to propose detailed solutions to address these issues.

However, we have indicated below some of the activities which would need to be undertaken to enable more systematic capture, dissemination and management of this information. These include:

- a detailed evaluation of existing processes
- information capture process redesign
- assignment of responsibilities for quality control and maintenance of information
- establishment of legal and ethical framework
- the use of technology to create, for example, a VCS extranet
- the establishment of a classification system to enable searching and retrieval of information
- the creation of organisational cultures which support knowledge capture and exchange

It is clear that effective working within and outside organisational boundaries requires such an information base, for example to identify who works with what agency and what the contractual nature of that relationship is. We should not, however, ignore the issues of tacit knowledge management wherein we seek to leverage the deep personal knowledge embedded in the people within organisations and to facilitate existing networks and create new relationships to assist interaction between ROMS and the VCS. This issue of working effectively in and through partnerships has been addressed in an earlier section and will involve considering the issues around organisational culture, enabling technologies, collaborative working, innovation, learning organisations, and developing communities of practice. This report commends the development of a knowledge management system to enable decisions to be made which are fair, equitable and will achieve integrated working practices. This should be produced on a regional basis with connections to a national database as the work develops.

*‘there is an education process of what VCS is and what it is there for – misconceptions abound because of lack of real knowledge’* **VCS Strategic Manager, resettlement**

**5.4 Problems in regionalisation ➔ enhance regional networks**

*‘Does a regional organisation provide a service in smaller geographical areas’* **Middle manager probation**

Regionalisation of service provision has many economies of scale. However the context which has been described from this study is one which emphasises the role of the VCS as local, community-based and customer-focused. The relationship between regionalisation and local delivery thus

needs careful handling if all organisations in the VCS have a part to play under the new arrangements. If regionalisation were to lead to a diminution in the use of the smaller local agencies this could lead to their disappearance from the area altogether. This concerns some of the VCS respondents we interviewed. Having stated this, the under representation of the VCS for BME groups has been noted already and the regionalisation process could make this even

*‘no VCS tradition of regional organisation, very few fit into a regional structure’* **VCS Strategic Manager**

more difficult to resolve.

*‘benefits from scale issue – let area contracts’* **Strategic Manager, probation**

## 5.5 Not being at the strategic table ⇨ develop strategic representation

This final section has focused on the issue of equality of access. It has not been concerned to give a privileged position to the VCS but to enable it to play an enhanced role, as government intends, and it needs to be able to compete on level terms. Many suggestions have been made to improve processes and make it more of a level playing field. At root though respondents from the VCS feel that they remain as outsiders to the policy world except when they have lobbying access via the various penal lobby groups. If the VCS is to achieve a genuine opportunity to influence the mechanisms discussed in this report and to influence locally, regionally and nationally the future shape of offender management and interventions under NOMS then their request to 'be at the strategic table' needs to be urgently addressed.

*'proper forums need creating – put business on a strategic basis'* **Strategic Manager, prison area office**

*being at strategic table – happy to have them there – will bring others to the table'* **Strategic Manager, probation**

It is not clear from the study that the statutory sector want the VCS to exert more influence. There is some uncertainty about the mechanisms for achieving representation at the Strategic table but also some hostility to the notion as well. It does not have to operate as a threat to the statutory services. The examples of good practice and positive working relationships we

have found in the region suggest a good basis for extending that to meaningful policy debate. The following mechanisms have been suggested:

*'lack of inclusion in strategic planning, not recognised at that level'* **Focus Group feedback**

- ✓ encourage representation on key Boards e.g. Probation Boards, commissioning bodies, regional forums, ROMS Reference Groups
- ✓ National Consultation mechanisms
- ✓ Greater use of organisations such as Clinks across the sector
- ✓ Use of Partnership Development Workers
- ✓ A role for a neutral bidding agency

## Part Three Conclusions and recommendations

The preceding chapters, drawing on the findings of the study, have set out, within five broad and overlapping themes, the barriers to the enhancement of the VCS under NOMs and the opportunities which are presented to overcome those barriers. The intended outcome is to create a dynamic and engaged VCS as one of the key providers of services for offenders in the Yorkshire and Humberside region.

This region already has significant engagement with the VCS in its service provision both in the prison and in the community. The VCS is an integral partner to the Regional Resettlement Strategy and the breadth of agency involvement was represented in the methodology of this study and in the willingness of local VCS agencies and the statutory services to provide information and views. Clearly the barriers identified need to be turned into opportunities. To support and give direction to this process the following **8 key recommendations** are made which will enable solutions to be developed for existing and additional services in the next decade. Each key recommendation is followed by more detailed sub-recommendations to provide a clear sense of purpose to the forthcoming programme of work.

This is potentially an exciting time for the VCS which is seen by government as a key provider across the range of public service areas. In NOMS the VCS is seen as one of the cornerstones in the development of a mixed economy of provision. If the opportunities are grasped and the recommendations followed then this will lead to an engaged, enhanced and active VCS in work with offenders both in custody and in the community throughout the region. All providers, the statutory public sector of prisons and probation, the private sector and the VCS have work to do to ensure that this challenge becomes a reality. The ideas presented, though developed in the context of the Yorkshire and Humberside region, may apply nationally when analysed and set against the individual arrangements of each region.

### Key Recommendation 1

- **The Regional Offender Manager, as a matter of early priority, should put in place a knowledge management system to provide co-ordinated, region-wide data and information retrieval services to assist the planning and commissioning of services from the VCS.**

This will be achieved by:

- *developing a knowledge management system to enable decisions to be made which are fair, equitable and which will achieve integrated working practices*
- *developing a regional perspective on organisations it wishes to commission*
- *improving dissemination of good practice, expanding the evidence base and supporting informed decision-making*
- *maintaining a database of innovation and good practice across the region and sharing positive findings which reduce re-offending*
- *developing a thorough knowledge bank for use between all partners, prison and probation service, VCS and the private sector to support data sharing and information exchange across the region*

## Key Recommendation 2

- **The region must have accountability and audit structures which enable the demands of target-setting, security, enforcement, confidentiality and benchmarking to be clearly articulated and understood by both the statutory and voluntary sectors.**

This will be achieved by:

### Target-setting

- *setting targets linked across offender management rather than agency specific and tracked for positive outcomes not just the achievement of outputs*
- *target-setting by commissioners with the VCS which needs to be carefully negotiated, fair and appropriate*

### Security

- *developing positive procedures, within the demands of security, to enable access to work in the community for ex-offenders as workers in the VCS*
- *the Area Prison Service addressing security protocols for the work of VCS in prisons, including access arrangements for ex-offenders entering the prisons, to ensure they do not discriminate against civilian staff*
- *the VCS ensuring that staff entering secure environments understand the demands of security*

### Enforcement

- *ensuring, where the VCS has a role in enforcement in community sentences that it is a clear part of Service Level Agreements with VCS organisations*
- *the VCS actively considering its willingness to be accountable for delivery of its services in circumstances where a court order demands enforcement of on attendance or other requirement at their facility*

### Benchmarking

- *the VCS organisations striving for fitness of purpose in delivering services and meeting appropriate benchmarks of professional practice*

### Confidentiality

- *developing protocols to ensure staff working on behalf of the correctional services has timely access to confidential material*
- *the VCS working actively with the statutory sector to understand the needs of the latter on the passing of confidential information when there are issues of public protection*

## Key Recommendation 3

- **Effective networking takes time and each agency must ensure mutual respect is enhanced and good positive working practices between the agencies are assured**

This will be achieved by:

- *the ROM taking a lead in supporting a culture of mutual respect and shared endeavour between all stakeholders within a mixed economy of provision*
- *developing culturally sensitive services for BME groups by encouraging good relations with community-based organisations*
- *developing focused provision for particular groups utilising the facilities of community-based organisations*
- *ensuring that where the VCS are welcomed into probation and prison service premises that they are treated with respect and given appropriate accommodation for their work*
- *the VCS recognising that legislative and statutory demands are placed upon statutory services and this will govern how they respond to the VCS*
- *the wider voluntary sector, through Councils for Voluntary Service and similar organisations, having a responsibility to ensure that positive attitudes towards the offender population exists amongst its member organisations*
- *conducting regular communication of the work of the VCS in individual prisons and probation areas to front line staff to develop mutual understanding*

#### **Key Recommendation 4**

- **Enhancing quality service provision can be achieved by creating more opportunities for job movement between all the relevant agencies. This process will help generate an enhanced skill mix in the sector. This will best be supported through the rationalisation of professional development and training processes.**

This will be achieved by

- *clarity in contracting services about benchmarks for professional practice in the relevant area and provision of training support to bring staff to the level required*
- *NOMS, in conjunction with Skills for Justice, investigating the potential for coordinating professional development across the correctional services*
- *investigating the potential for the secondment of staff between the public, private and voluntary sectors to allow for a skills' crossover between partners*
- *developing more robust guidelines on the skills required by staff to undertake work with in particular contracts*
- *the VCS ensuring its staff develop expertise which will meet quality standards*

#### **Key Recommendation 5**

- **All agencies, the prison and probation service, and the private sector should seek opportunities, where relevant, to develop effective partnerships with the VCS and this should be supported by the active consideration of mechanisms designed to enhance partnership working**

This will be achieved by:

- *the wider VCS organisations positively supporting and campaigning actively to help sustain the activities of the VCS who work with offenders*
- *larger VCS organisations with well developed infrastructural capacity being encouraged to see themselves as a conduit for support of the smaller VCS agencies through partnering and sub-contracting such services*
- *developing and marketing strategies for promoting partnership through regional consultation processes*
- *ROMS considering the potential to develop contracts which encourage consortia arrangements in their delivery to sustain end to end offender management which could include:*
  - *requirements in individual tenders to be in partnership*
  - *regulatory measures on all agencies to demonstrate their engagement in partnership*
  - *inspectorial measures to audit the use of partnership in service delivery*
- *actively looking for partnership arrangements across all agency boundaries to include public-private, private-VCS and public-VCS partnerships.*

## **Key Recommendation 6**

- **Procurement and contracting processes must be conducted to support best value outcomes and this requires careful attention to the way in which the procedures are developed and the way the process is conducted including assuring fair access for VCS**

This will be achieved by

- *considering financial support to larger VCS organisations to enable them to offer infra structural support to the smaller VCS*
- *ensuring fair and reasonable processes for contract negotiation and contract compliance are maintained by the commissioner of services in their dealings with the VCS*
- *not subjecting contracts with VCS organisation to change (where the conditions are set and appropriate targets have been agreed) within the lifespan of the contract unless care fully negotiated and development funding made available*
- *considering within the commissioning of new contracts 'full cost recovery' for VCS organ isations which should be included in the business planning of the commissioners*
- *working through the much commended document The Good Practice Guidance on Procurement of Services from the VCS 'think smart...think voluntary sector' and applying its precepts as the basis of sound policies in this area*
- *drawing on the Compact Guidance on grants and contracts*
- *acting on the solutions offered in the VCS Contracting Cycle in this study*

## **Key Recommendation 7**

**Consideration should be given to the setting up of a neutral bidding agency at a regional level for the VCS who can develop the specialist skills to ensure the process**

**of procuring contracts is fair and open so that all VCS agencies, both large and small, can compete on equal terms**

This will be achieved by

- *developing a process which is less adversarial and more inquisitorial in approach*
- *ensuring a process which actively engages all VCS agencies and, through supportive procedures, ensuring each VCS agency can be fairly considered in tendering for potential service delivery*
- *the bidding agency employing Partnership Development Workers who could broker partnerships on both sides of the fence*

## **Key Recommendation 8**

**Mechanisms must be developed to ensure that the VCS has equal access to the 'strategic table' on the development of services in the region**

This can be achieved by:

- *NOMS taking a lead in developing mechanisms for strategic representation of the VCS at a national level*
- *the Regional Offender Manager taking a lead in developing mechanisms for strategic representation of the VCS at a regional level through the Reducing Re-offending National Action Plan and the place of VCS in regional structures driving the plan*
- *galvanising the role of local Probation Boards in enhancing the profile of NPS in local communities and commissioning the VCS to deliver services to offenders in the community*
- *the VCS taking responsibility to ensure that their voice is heard and structures are put in place to enable equal access to policy developments*
- *seeking ways and developing mechanisms to ensure that the VCS can take part in strategic development of services within prisons and within probation areas*
- *the wider VCS supporting the needs of the VCS who work with offenders and campaigning actively for them in strategic VCS forums*

## Annex 1 Background to the study and methodology

### 1.1 Background

As part of the 2002 Spending Review, the Government set the following target: *'To increase voluntary and community sector activity including increasing community participation by 5% by 2006'*. This is the Home Office PSA 8. Three areas of activity have been undertaken to develop a more strategic approach to working with the voluntary and community sector:

- The Prison Service has a strategy for working with the voluntary and community sector, which has been issued as a Prison Service Order (4190) to all establishments. This has put in place a structure for co-ordination of voluntary sector involvement with every Prison Service area and each establishment has a nominated voluntary sector co-ordinator. There are more than 900 organisations working in Prison Service establishments nationwide undertaking a wide range of activities.
- The National Probation Service is in the process of producing a strategy for its work with the VCS and funding for existing activity is over £40m. However in order to achieve the increase in involvement required, new ways of working with the sector and development of a greater understanding from their perspective of how they believe they can most usefully engage with corrections at different levels must happen.
- The creation of a single co-ordinating unit for the prison and probation service which is located in NOMS and funding for the two main voluntary groups (the Alliance for Reducing Offending, which works closely with probation, and CLINKS which has built relationships between the Prison Service and the voluntary and community sector) to help them bring their expertise and networks together in a new structure to facilitate coherent and effective partnerships across the Correctional Services.

### 1.2 Scope of the study

This report, using the Yorkshire and Humber region as a case study, linked to the creation of the new National Offender Management Service (NOMS) and the restructuring of the Prison and Probation Services will focus on the management of offenders throughout their sentence, driven by information on what works to reduce offending. It will seek to provide recommendations to support effectiveness and value for money through the greater use of competition from private and voluntary sector providers. Specifically the scope of the study is:

**the development of a report scoping the potential for greater voluntary and community sector involvement in correctional services using the Yorkshire and Humber region as a case study. Key elements of the report will include:**

- A mapping of existing sector involvement, relationships and good practice in correctional services (including direct delivery of services, but also involvement in policy, planning and advocacy).
- An account of VCS experiences of involvement, and perceived barriers to further involvement;
- An account of Prison Service and National Probation Service experiences of involvement,

- and perceived barriers to further involvement;
- Analysis of potential areas for increased involvement of the sector to meet Government objectives in this areas;
- Analysis of need for capacity building (both public and voluntary and community sector) ;
- Specific proposals and recommendations to move this agenda forward, including VCS involvement in this process.

This was commissioned as an independent piece of work to provide the clearest picture of what is currently being done. The work has been produced by the Research Centre for Community Justice at Sheffield Hallam University under the leadership of its Director, Professor Paul Senior. His team drew on expertise in knowledge management, the voluntary sector, and the prison and probation service.

The key elements of the work undertaken are:

- desk research and documentary analysis
- semi-structured interviews
- telephone interviews
- focus groups
- data collection and analysis
- attendance at meetings and feedback from initial work

The timeline for this work has been reproduced in Figure A below.

May – August	August – October	November to December
<b>Gathering Information</b>	<b>Mapping and Analysis</b>	<b>Dissemination</b>
<input type="checkbox"/> Desk research	<input type="checkbox"/> Data analysis	<input type="checkbox"/> Complete Analysis
<input type="checkbox"/> Telephone interviews	<input type="checkbox"/> Mapping	<input type="checkbox"/> Assess mapping
<input type="checkbox"/> Semi-structured interviews	<input type="checkbox"/> Strategic Focus Group	<input type="checkbox"/> Prepare Final Report
<input type="checkbox"/> Focus Groups	<input type="checkbox"/> Reports to Working Group	<input type="checkbox"/> <b>Nov 22nd National Conference</b>
<input type="checkbox"/> Prepare Draft Report	<input type="checkbox"/> Sharing ideas at meetings	<input type="checkbox"/> Dissemination of Report

Figure A: Project Timeline

The project team would like to thank all those who found time in their busy schedules to take part in interviews and Focus Group during the summer months. The richness of the qualitative data produced enabled the Project Team to develop an analysis which gives many useful pointers to future practice in this area.

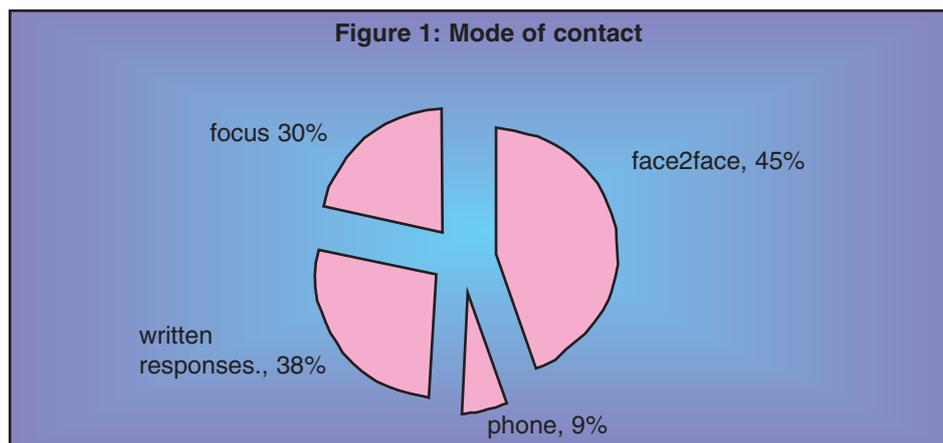
We have sought to fulfil our brief by producing outcomes which:

- Are informed by the broad stakeholder consultation;
- Map existing sector involvement in correctional services in the region as far as the data allows;
- Reflect Government objectives and current policy context;
- Highlight good practice, and key barriers to extending sector involvement for both Government, the statutory sector and the VCS;

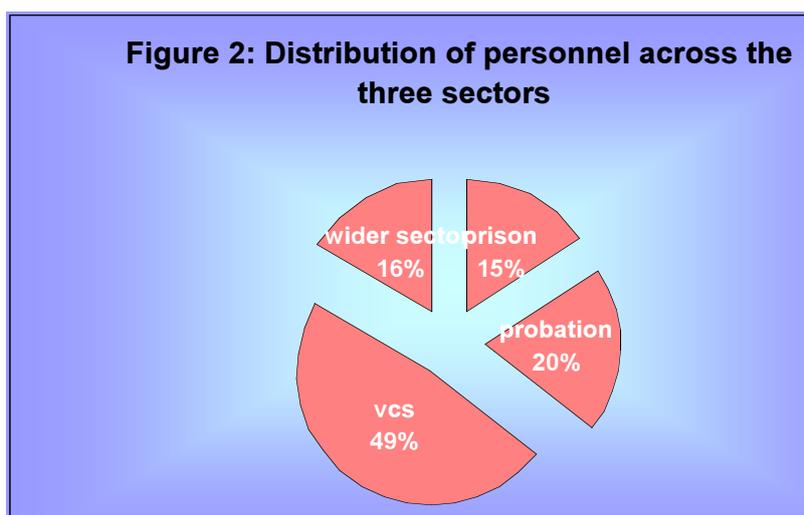
- Suggest clear policy priorities and delivery frameworks to increase sector involvement across correctional services, including addressing capacity building needs;

### 1.3 Methodology

In total 141 people have been involved in one or more activity including 62 live interviews. The breakdown is provided in figure 1 below.

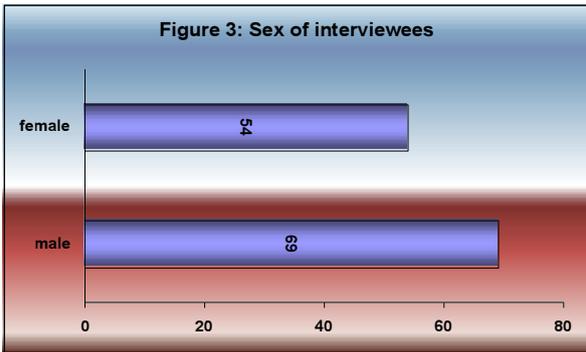
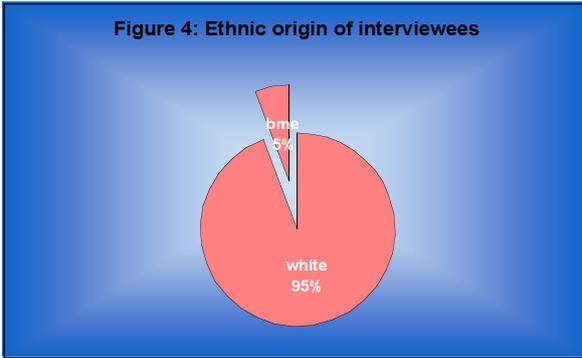


We were able to engage individuals across the range of services and agencies involved in offender management and interventions and Figure 2 shows the breakdown by sector. The 'Wider sector' is mainly VCS agencies whose prime role is not in work with offenders. This includes for example, the Churches Regional Commission, Princes Trust, NACVS, Regional Forum, Shelter.

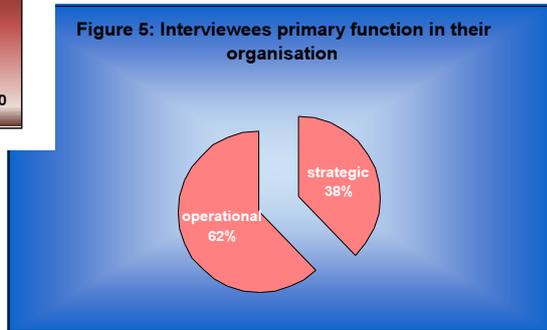


This analysis has been taken from all modes of contact as shown in Figure 1 above and the distribution appears to show a distinctly higher proportion from the VCS. The majority of respondents to the written request for information and to attendance at the Focus Groups were from the VCS sector. However most of the qualitative data emerged from the semi-structured interviews and the statutory

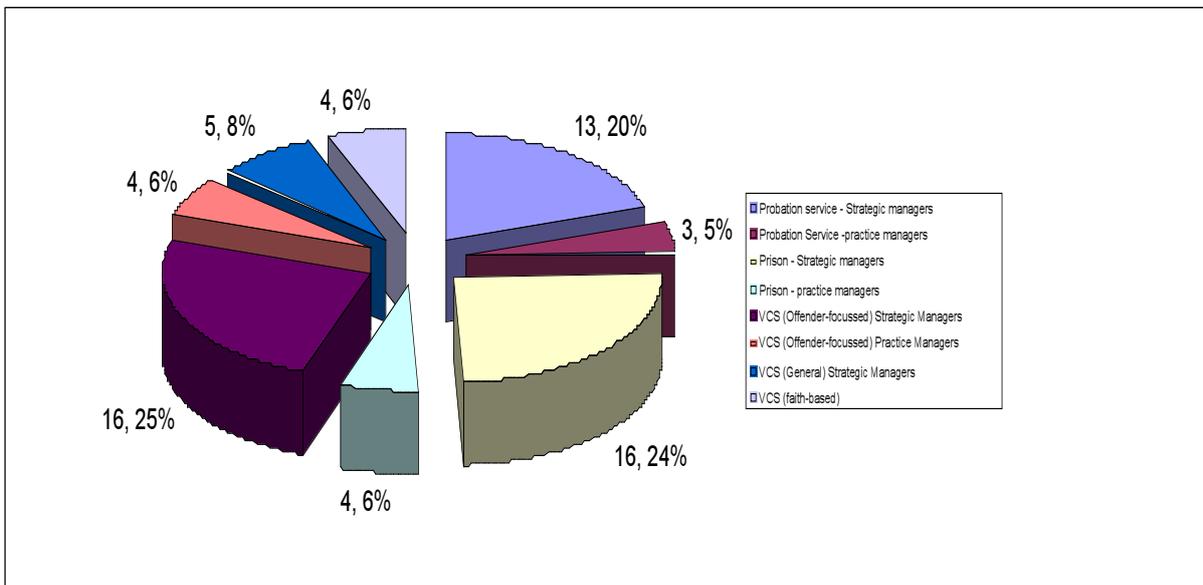
sector, prison and probation, represent about 50 % of the live interviews. Breakdown of interviewees by sex and ethnic origin are provided in Figures 3 and 4 below. The figures for ethnic origin are based on 89 responses.



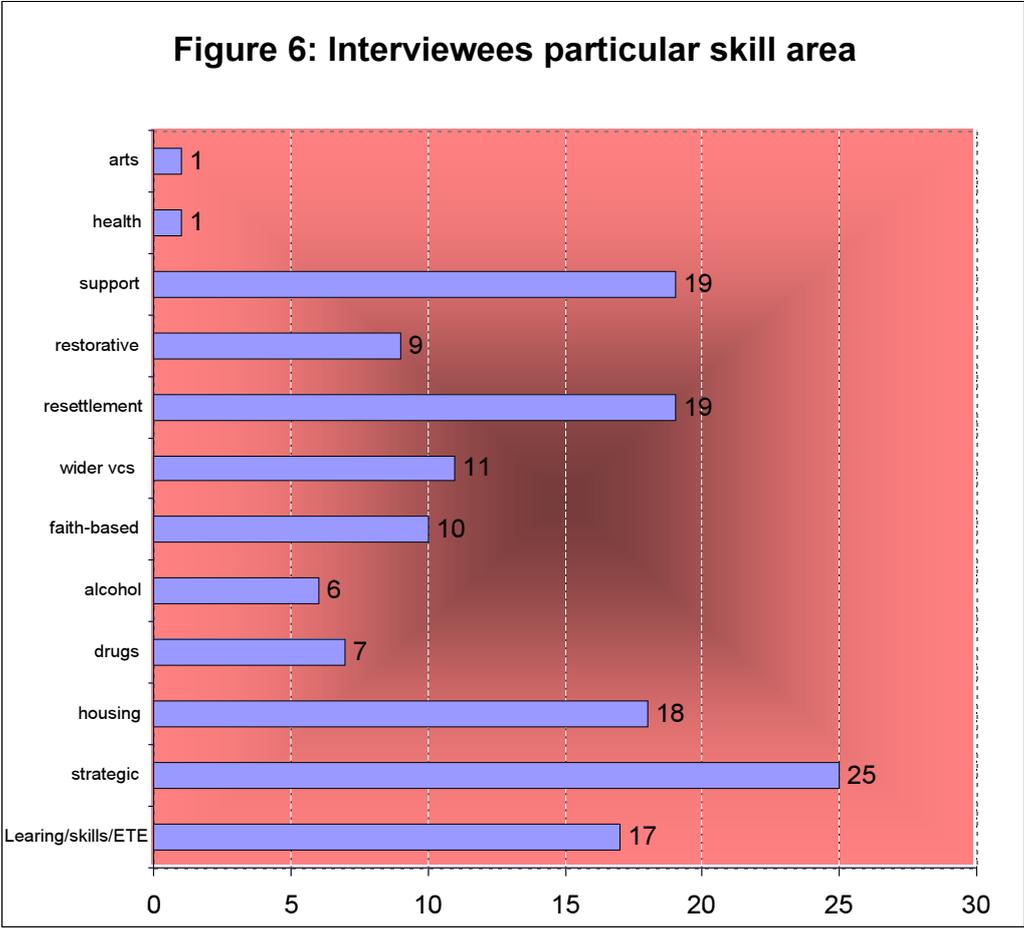
Given the diversity of the sector, it has been difficult to achieve a comprehensive picture of the range of respondents. The sample was purposefully chosen to include both



strategic and operational staff. The overall distribution is presented below in Figure 5 but it should be noted that again this is more a 50:50 split for the live interviews alone. Indeed a breakdown of the people who took part in a semi-structured interview is given in Figure 5B below. Here it should be noted that 75 % of the interviews were with strategic managers including from the VCS (25%), prison (24%) or the probation service (20%)



Again in seeking to gain insight into all the key areas where VCS involvement is most developed it was important to achieve a spread of individuals who have had particular expertise or focus. This distribution is represented in Figure 6 below. Please note that the figure for support includes mentoring and family support work. Some individuals had a generic role in resettlement or policy as well as an area of expertise.



**1.4 Triangulating the methods used**

The methods chosen were designed to elicit both empirical and qualitative data. The structure of the semi-structured interviews is reproduced below in Annex 3. In addition we sent out a Flyer requesting information about the project and this is reproduced in Annex 4. This elicited over 40 responses. Our thanks go to NACVS, Regional Forum, CLINKS, Probation and Prison Services for distributing it across their networks.

The Focus Groups sought to develop the ideas which evolved from the interviews and enabled us to test out emerging propositions.

We conducted a data collection exercise to help with mapping VCS involvement across the region. Data was collected from each probation region, from each of the prisons in the region and the regional offices and from VCS organisations. The data collected has been consolidated, coded to an agreed classification and then analysed to provide breakdowns by category, by regional coverage, by funding arrangements and, where possible, by expenditure.

The agencies we contacted did their best to supply us with the data we requested in the timescales available. Where this was not possible, it was invariably due to the information not being available to them, rather than an unwillingness to supply it. Thus, although the data collection and analysis represents our best efforts to consolidate, clean and classify the data, we have some reservations about its overall accuracy. In fact, our experience of the difficulties in collecting this information matched exactly the problems described in the HM Treasury Publication - The Role of the Voluntary and Community Sector in Service Delivery: A Cross Cutting Review (2002):

*Data problems mean that comprehensive, accurate, consistent and comparable information is not readily available* (HM Treasury, 2002: 13)

and

*Because individual organisations and government departments often record financial information in different ways it has proved difficult to collect comprehensive, consistently based and accurate information about the funding flows to VCOs.* (HM Treasury, 2002: 2.3)

In our approach to these difficulties we have taken our lead from HM Treasury<sup>2</sup> and supplemented this data with information collected from our qualitative research process and case studies to give as complete a picture of VCS involvement as we can. We would also echo the Treasury's response to these problems in our recommendations for the creation of systematic systems and processes for the future.

## 1.5 Data Collection Issues

We have outlined below the main difficulties we encountered during the data collection exercise:

- there is no single authoritative source of the data we were trying to collect
- there is no single classification of services which is used uniformly across either the prison or probation service
- there is no agreed definition of voluntary and community based services
- prison VCS Co-ordinators do not have ready access to financial information or information on funding provision for their VCS activity
- probation areas had participated in a data collection exercise recently which made collection of their information more straightforward. However, there were a number of instances when this data conflicted with other information we had received and resolving these conflicts was not always possible.
- no consolidated information was held at regional level for either prison or probation
- the data provided is a snapshot and, as such, is temporally distorted, i.e. the time periods covered by the data are not consistent between prison and probation or, in some cases, between individual prisons or probation areas

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<sup>2</sup> Because of the lack of hard data and research the impact of social enterprise on service delivery was considered through a number of case studies (HM Treasury 2002: 23)

## Annex 2 – Probation Service Budget spend on VCS agencies

For the probation service, the following table indicates the proportion of budgets spent with the VCS in each category for each probation area. There are separate tables for activity in financial year 2002/3 and 2003/4:

### Proportion of Budget Spent with VCS Agencies by Category 2002/3: Probation Areas

2002/3	Humberside	North Yorkshire	South Yorkshire	West Yorkshire
Advice	3%	11%	10%	1%
Gambling	0%	0%	0%	0%
Drugs/Alcohol	39%	47%	26%	71%
Housing	0%	0%	0%	3%
ETE/Learning and Skills	41%	31%	54%	20%
Restorative Justice	0%	7%	5%	4%
Health/Mental Health	0%	0%	4%	1%
Mentoring/Support	11%	4%	0%	0%
Sex Offenders	5%	0%	0%	0%

Source: Responses from Probation Areas (Aug/Sept 2004); NPD Mapping Exercise, 2003

### Proportion of Budget Spent with VCS Agencies by Category 2003/4: Probation Areas

2003/4	Humberside	North Yorkshire	South Yorkshire	West Yorkshire
Advice	10%	8%	12%	1%
Gambling	0%	0%	0%	0%
Drugs/Alcohol	37%	49%	26%	71%
Housing	0%	0%	0%	3%
ETE/Learning and Skills	38%	35%	53%	19%
Restorative Justice	0%	5%	5%	4%
Health/Mental Health	0%	0%	4%	1%
Mentoring/Support	10%	3%	0%	0%
Sex Offenders	5%	0%	0%	2%

Source: Responses from Probation Areas (Aug/Sept 2004); NPD Mapping Exercise, 2003

## **Annex 3 Interview Schedule for semi-structured interviews**

### **Semi Structured Interview Schedule for VCS Project**

*This is an independent piece of research carried out by Sheffield Hallam to evaluate the barriers to VCS involvement in correctional services and to discover ways of enhancing their involvement.. We'll be asking the same set of questions of different individuals across the region. Are you happy to go ahead?*

1. Name; organisation; job title; length in post; white/BEM
2. Describe the relationship between your post and the VCS/prison/probation/statutory services
3. Roughly what percentage of your work is involved in partnership working with the VCS/prison/probation/statutory services?
4. What are your views about the government desire to develop a range of providers in delivering services/interventions for offenders?
5. What do you think the VCS is trying to achieve in working within the correctional services? Please give illustrative examples.
6. Drawing on your knowledge what do you consider to be the main barriers to enhancing the role of the VCS?
7. How can such barriers be overcome?
8. What issues need to be addressed within correctional services to make the role of VCS more effective?
9. In what ways do you see the enhancement of the role of the VCS as a) desirable and b) feasible goal in the next 2 years?
10. If you have concerns regarding the desirability and/or feasibility of an enhanced role for the VCS please explain why?
11. What would you see as the added value or advantages of greater VCS involvement?
12. What would you see as the disadvantages of greater VCS involvement?
13. Do you have any suggestions as to how their role could be enhanced? Please give any illustrative examples?
14. (Blue sky thinking) If you are unrestricted by costs and existing relationships can you describe what you would consider to be the ideal partnership between the VCS and the correctional services.
15. What actions would be required to make this happen?
16. Do you have any other comments to make?
17. Are there any individuals within your organisation who you think should be invited to the Focus Groups?

## **Annex 4 Flyer sent via email to prison and probation services and VCS organisations**

Home Office National Offender Management Service in conjunction with the Research Centre for Community Justice at Sheffield Hallam University announces a consultancy

### **Expanding the Role of the Voluntary and Community Sector in work with offenders**

#### **Project Description**

This work is one of a range of initiatives designed to explore aspects of the change agenda as the move towards bringing the prison and probation services closer together through a National Offender Management Service progresses. There are potential opportunities for increasing the engagement of the voluntary and community sector and it is likely the work of the sector will expand with forthcoming legislation and the expressed desire of government to engage a range of service providers in meeting the needs of offenders.

This consultancy seeks to determine the sorts of barriers, which would inhibit that greater involvement and find ways of overcoming them to ensure a vibrant and active voluntary and community sector is an integral part of the new arrangements.

#### **Make your views known in confidence**

The Consultancy team want to ensure that its recommendations genuinely reflect the views and aspirations of the prison and probation service and the voluntary and community sector and will be communicating with key stakeholders and groups across the region. However we would be happy to receive any views on future arrangements which you feel would help to achieve the objective of enhancing the role of the VCS. Please send your thoughts to the following questions to the Consultancy team at [p.g.senior@shu.ac.uk](mailto:p.g.senior@shu.ac.uk) or ring 0114 225 2406 to discuss the project with us.

Responses should be received by the mid August. You may simply want to add some comments on the questions below.

Press the reply button and send us your views! They will be treated in confidence but will help ensure we get the widest possible input to this important consultation.

1. *What is the nature of your work with offenders?*
2. *What barriers do you see to expanding the role of the voluntary and community sector in work with offenders?*
3. *In what ways can the prison and/or probation services enhance the role of the voluntary and community sector in provision for offenders?*

4. *If your organisation is a voluntary and community sector organisation do you have any suggestions about ways the prison and probation services could engage with you better and facilitate your involvement in work with offenders?*
5. *Have you any other comments on this issue which you would wish to make?*

Please return your responses to [p.g.senior@shu.ac.uk](mailto:p.g.senior@shu.ac.uk) Thank you for your time.

## **Details about the project**

**Project Manager:** Jo Gordon, Head of Voluntary Sector Unit, NOMS

**Consultancy headed by:** Professor Paul Senior, Sheffield Hallam University

**Aim of the consultancy:** To evaluate at ground level what is currently being achieved by the Prison and Probation Services in working with the Voluntary and Community Sector; and to identify and provide analysis of perceived barriers and make recommendations to improve the engagement of the sector. This work will be undertaken through a Case Study of the Yorkshire and Humberside Region

**Timescale: June-November 2004**

### **Project Activities will include:**

- a desk based analysis and scoping of existing sector involvement to identify barriers and potential
- project visits to explore organisational processes
- interviews with key stakeholders from both the statutory and voluntary sector and key related agencies
- focus groups with key targets to explore the barriers and seek innovative ways of enhancing engagement
- presentation of monthly reports to the Working Group
- the analysis, preparation and writing-up of the draft report in September and a final report and dissemination of findings to a national Conference 'Managing Offenders, Reducing Crime - the role of the Voluntary and Community Sector in the National Offender Management Service', 22nd November 2004, Business Design Centre, London.

## References

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Active Communities Unit	2004 b	<i>Think smart.....think voluntary sector</i>	Home Office
Blunkett D	2003	<i>Active Citizens, Strong Communities – building civil renewal: The Scarman Trust Forum Lecture</i>	<a href="http://www.homeoffice.gov.uk/docs2/activecitizens.pdf">http://www.homeoffice.gov.uk/docs2/activecitizens.pdf</a> downloaded 25.10.04
Carter P	2003	<i>Managing Offenders, Reducing Crime</i>	Home Office
HM Treasury	2002	<i>The role of the voluntary and Community sector in service delivery: A cross cutting review</i>	HM Stationery Office
HM Treasury	2003	<i>Guidance to Funders Improving funding relationships for voluntary and community organisations A Response to Recommendations 19 and 21 of the Cross Cutting Review</i>	HMSO
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Home Office	2004b	<i>Reducing Re-Offending National Action Plan</i>	Home Office
Home Office	2004c	<i>Women's Offending Reduction Programme: Action Plan</i>	Home Office
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NCVO	2004	<i>A Model for the Future</i>	NCVO
NOMS	2004	<i>NOMS Update Issue No 4</i>	Home Office

Senior P	2003	<i>Pathways to Resettlement: Regional Framework for Yorkshire &amp; the Humber</i>	Sheffield Hallam University
Senior P, Buchanan J, Baker S, & Madoc	2004	<i>The DAWN Project Outcome Evaluation 2004</i>	Sheffield Hallam University and NEWI, Wrexham
Y&H Assembly	2004	<i>Advancing Together: –Jones IThe Vision and Strategic Framework for Yorkshire and Humber</i>	

<sup>1</sup> *'For the purpose of this report, the 'voluntary and community sector' has not been tightly defined. It is intended to be wider in scope than "general charities" and the "voluntary sector", inclusive of organisations reflecting the characteristics of social enterprise but narrower in scope than "non-profit", "third" sector or "social economy".'* (HM Treasury 2002)

<sup>2</sup> *Because of the lack of hard data and research the impact of social enterprise on service delivery was considered through a number of case studies* (HM Treasury 2002: 23)



# **Managing Offenders, Reducing Crime**

**The Role of the Voluntary and Community Sector in  
the National Offender Management Service**





## **Ministerial Foreword**

The National Offender Management Service offers a unique opportunity to sustain and expand existing work whilst opening up the prospect of new areas for partnership and engagement with the voluntary and community sector.

I am well aware of the added value that voluntary organisations can offer and the flexibility and innovation they bring. We are committed to the greater use of the not for profit and voluntary sector in the delivery of services to offenders and their families.

I know there is already a wealth of experience to draw on with over 900 voluntary organisations working in prisons and 600 with probation. NOMS recognises that all organisations, including smaller and local groups must be able to play their full part.

NOMS offers opportunities but there will also be challenges. Challenges, for NOMS, in demonstrating its ability to recognise the special needs and strengths of voluntary and community groups; challenges too for the voluntary sector in being confident and able to work with NOMS. All sectors need to take full advantage of this chance to explore new ways of working together and building effective partnerships.

I welcome the publication of this strategy for consultation and I hope that voluntary and community organisations and those working with them will make full use of this opportunity to comment on and contribute to the development of the relationship between NOMS and voluntary and community groups.

A handwritten signature in black ink that reads "Paul Goggins". The signature is written in a cursive, flowing style.

**Paul Goggins**

**Minister for Correctional Services and Reducing Re-offending.**

## Consultation

### Introduction

This strategy was originally developed as part of the Treasury's continuing review of the role of the voluntary and community sector in the delivery of public services as part of the 2004 Spending Review. It was agreed that the following would be seen as priorities:

- Health and social care for older persons
- Migrant integration
- Employment for minority ethnic communities
- Homelessness
- Support for parents and children
- Correctional Services (NOMS)

These are also priority areas for the *futurebuilders* funding programme, Change Up Public Service Delivery Programme and Invest to Save (2005-8).

The introduction of the new National Offender Management Service from June 2004 has opened up a new range of potential opportunities for voluntary sector involvement in the delivery of services to offenders. It also introduces the idea of "contestability" which may result in new areas of work beyond those in which voluntary groups are currently involved and new challenges. It has therefore been decided to launch this paper as a consultation document to be widely circulated to voluntary and community groups and to staff in NOMS, prisons and probation to seek comments on what is suggested and invite alternative ideas.

The consultation period will run from 1 February 2005 until 25 April 2005. A revised strategy incorporating ideas and information from the consultation process will then be presented to Ministers by June 2005 and published later in the Summer.

**Comments can be sent in writing to the NOMS Voluntary Sector Unit or returned by e-mail. For ease, you may prefer to respond using the attached response sheet which lists the questions posed in this consultation document. If you have not received this electronically as a Word document and wish to email us your response, please contact :**

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## 1. Role of the Voluntary and Community Sector in Correctional Services

1.1 Voluntary organisations have had a long and distinguished association with both prisons and probation. In the 19th Century there were Discharged Prisoners Aid Societies helping to meet “the urgent need for aid and aftercare”<sup>1</sup> for prisoners on release. Police Court Missionaries created under the Probation of First Offenders Act 1887 enabled magistrates to refer an offender to a volunteer who would try “by personal influence, with material help, if necessary, to persuade those who had found their way into the dock to lead a sober and steady life in the future”<sup>2</sup>. With the 1907 Probation of Offenders Act, courts were given the power to appoint probation officers. From these early beginnings have grown extensive relationships with a variety of voluntary sector groups, who support and add value to the work of both services.

1.2 Whilst the skills and knowledge brought by the voluntary sector have been essential in complementing the work of both services, this has not always been an easy relationship as is illustrated by this quote from the Prisons and Probation Inspectorates: *“We do not believe that either service makes best use of the resources that are available within the community or in partnership with non-governmental organisations. Community links are a vital part of the national and regional strategy we recommend. The report promotes the proper use of the voluntary sector which at present is too often tolerated rather than welcomed and may operate under fragile financial arrangements which expect much for little return, and which are often the first and easiest victims of budget cuts.”*<sup>3</sup>

1.3 The probation service has a good record of working successfully with the voluntary and community sector to provide resettlement services to offenders in the community, particularly for accommodation through hostels and move on housing. The absence of a national probation structure until 2001 meant however that work with the voluntary and community sector was often fragmented, with no clear consensus about when and how partnerships might be most effectively developed.

1.4 In contrast, the Prison Service has worked since 2000, to put in place measures to address a relationship, which was often ad hoc and poorly managed. Following an extensive process of consultation with prison service staff and voluntary and community groups a strategy was developed and published in December 2001. This was translated into a Prison Service Order, which was adopted in July 2002 and led to the adoption of a structure and systems for creating more effective relationships with voluntary groups working in prisons. This has included mapping voluntary sector provision, and the establishing of voluntary sector co-ordinators in all area offices and every prison. There is still some way to go towards implementing the PSO fully in all prisons, but the framework for achieving this has been set out and there is commitment at all levels of the service to ensuring its delivery.

<sup>1</sup> Gladstone Committee Report 1895

<sup>2</sup> Young and Ashton 1956 p177

<sup>3</sup> Joint Thematic Review, Through the Prison Gates, HMI Prisons/Probation 2001

1.5 This work has been overseen by an independently chaired Advisory Group, drawn from the voluntary sector and prison service, operational managers and policy staff. This group reports regularly to the Director General of the Prison Service and to the Minister for Prisons and Probation.

1.6 In 2003/4 the Prison Service's National Voluntary Sector Co-ordinator was seconded, on a part-time basis, to the Offenders' Learning and Skills Unit to put in place a more strategic direction for the relationship with voluntary groups who contribute to learning and skills in prisons and with offenders in the community. The first stage of this work was concluded with a major conference to celebrate the contribution of the arts to learning and skills in February 2004 and the launch on 25 March 2004 by Ivan Lewis and Paul Goggins of a strategy and a guide to monitoring and evaluation for Heads of Learning and Skills. A £1million devolved grants programme to support the work of voluntary groups involved in learning and skills in prisons was also announced for 2004/5.

1.7 Since the inception of the National Probation Service in April 2001, probation has followed a similar path, looking to develop a national strategic framework to give a focus to the more than 600 partnership arrangements now in place. Due to other pressures on the service not as much was achieved as it would have liked in developing a strategic vision for its work with the voluntary sector. It too has carried out a mapping exercise and initiated consultation on a strategy but this work was overtaken by changes with the National Probation Directorate and to some extent superseded by the creation of NOMS. A Partnership CLAN (Centrally Led Action Network), comprised of voluntary sector organisations and probation policy and operational staff, supported this work.

## **2. How and in what areas do the voluntary and community sector add value to the work of prisons and probation?**

2.1 Voluntary organisations offer skills, knowledge and expertise not available within the Services themselves and can offer advantages in dealing with the multiple disadvantages faced by offenders. These include:

- A client centred approach and an emphasis on user involvement in their service provision
- Increased trust from offenders due to their independence from the public sector
- The use of volunteers which allows services to increase social contact and in prisons and probation provides an important link to local communities
- Continuity for prisoners returning to the community
- A flexible, innovative and non-bureaucratic style – bringing fresh thinking to problem areas and new approaches with the advantage of being less risk averse and able to put ideas into action quickly

2.2 Prisons and probation have benefited from the involvement of the voluntary sector in numerous ways and across the “full market range”, from high-level

interventions with some of the most difficult offenders, such as the Lucy Faithfull therapeutic community for sex offenders in the community, to relatively low level, but vitally important, activities such as befriending.

2.3 There are large numbers of organisations working with the correctional services to deliver services – over 900 different organisations working in prisons delivering over 2000 projects between them and more than 600 projects working with probation in the community. A high proportion of those organisations working in prisons are local (nearly 90%) and they work only with the prison in their area. A similar picture emerges with probation, but the dynamics of providing accommodation, whether as a hostel or community housing, mean that there is a higher proportion of national providers, e.g. Stonham Housing, for these services. In general, however, and particularly for prison based work, the number of national organisations working with the correctional services is small, and even fewer of these have any regional structure.

2.4 Voluntary and community sector partners are already important players in delivering key services such as drug treatment and resettlement to both prisoners and offenders in the community. Access to support in dealing with substance misuse, suitable accommodation and employment are all known to be key in reducing re-offending. In prisons, much of the drug treatment and assessment provision is delivered by the voluntary sector working under contract. In the community, while drug treatment and rehabilitation services are also supplied by voluntary sector organisations, funding may be either through a contract with the probation service or joint commissioning managed by local Drug Action Teams.

2.5 Resettlement services for prisoners, particularly preparation for employment and housing advisory services, are an area that has grown since the introduction of Custody to Work funding in 2002 and specific targets for prisoners gaining access to employment and securing accommodation on release. Resettlement services are largely delivered under contract. The voluntary and community sector is also a primary partner with many probation areas in securing access to, or supporting offenders, in maintaining accommodation or work.

2.6 Recent centrally funded initiatives such as the development of the Probation Service Prospects programme for short sentence prolific drug offenders and the Intensive Control and Change Programme are beginning to show how voluntary, community and statutory agencies can integrate a range of community-based resettlement activities. This allows them to work with some of the most difficult recidivist offenders on release to address drug misuse, accommodation, community support and offending behaviour needs in a community-based environment.

2.7 With the exception of organisations providing services on a contractual basis, and those receiving national grants; voluntary organisations attract the majority of their income from independent funders, other Government Departments and agencies and EU funding. Many organisations receive no direct funding from prisons or probation. These are often groups who come into prisons to offer support to prisoners and their families through activities such as befriending, faith support, language and cultural

support, counselling, group work or providing refreshments or crèche facilities in visits halls. Such activities add to the general decency of prison environments, help meet the needs of a diverse range of prisoners and add value to prison regimes.

2.8 The Samaritans, for example, are crucial in assisting suicide prevention in prisons and, through their training and support of prisoners as Listeners, bring the added benefit of providing an opportunity for positive engagement for prisoner volunteers.

2.9 Most visitor centres attached to prisons are run by voluntary groups who deploy volunteers from the local community, thereby not only offering an important service to prisoners' families, but also creating contact between the prison and its immediate community. "Time for Families" is an initiative in the Prison Service Eastern Area to promote greater awareness and more effective responses to the needs of children of prisoners. This is a unique collaboration between Prison Service, the Ormiston Children and Families Trust and the Lankelly Foundation. See Appendix 1.

2.10 Organisations also add value to learning and skills in prisons and in the community, by contributing to prisoners and offenders gaining accredited qualifications in basic and work skills, but also providing a means to engage learners who have had little contact with formal education. Arts organisations, for instance, offer a variety of routes to engagement through drama, music, dance, writing, story telling and visual media and opportunities for raising self-confidence and self-esteem. Youth workers offer an informal young person centred approach to engagement with young prisoners and juveniles. Parenting classes and family days offer support in maintaining relationships with partners and children and organisations that provide specific services to women prisoners help to meet their specific needs and offer practical and emotional support.

## **2.11 Questions**

- a) Is what is described above a fair description of the extent and nature of current voluntary sector engagement with the Prison and Probation Services?
- b) Are there other areas of engagement that should be included? If so, please say what these are and why they are important?

## **3. How and to what extent should the voluntary and community sector feature in delivery in Correctional Services/NOMS?**

3.1 Voluntary sector involvement in Correctional Services is central to the delivery of added value services and this involvement will need to be maintained. The work, which the prison service has done to establish a voluntary and community sector strategy, and the emerging probation strategic framework for partnership working, will provide the structure for that involvement. The emphasis on delivery in the SR2004

period (2004-6) will be driven by two inter-linked factors, both of which may have implications for the role of the voluntary and community sector:

- The need to meet the demands of the new sentences introduced under the Criminal Justice Act 2003, particularly the introduction of custody plus and the requirement for all prisoners to be supervised on licence following release from custody. This will significantly increase the workload of the probation service which does not at present supervise adult prisoners serving less than 12 months.
- The creation of the new National Offender Management Service and the extension of current provision under an enhanced “mixed economy” work stream, creating a cost effective service through contestability and opening up services to delivery by public, private and voluntary sector organisations.

3.2 Based on the analysis above there are good reasons for the voluntary and community sector to have an increased role in NOMS as more services become contestable. Current voluntary and community sector involvement in training, employment and housing programmes for offenders could be expanded and there may be the potential for a far greater involvement of voluntary and community sector groups in managing areas of community punishment.

3.3 There are indications that there will be an increase in resources under SR2004 (still to be agreed) to support a growth in volume and intensity of community sentences. To meet this an increased number of probation staff will be needed but given the need for recruitment and training it is likely that an increased level of provision will need to be sourced from voluntary/private sector partners.

3.4 The Carter Report says:

*“More effective service delivery can be achieved through greater contestability, using providers of prison and probation from across the public, private and voluntary sectors”<sup>4</sup>*

The then Home Secretary in his response endorsed this:<sup>5</sup>

*“The new National Offender Management Service will also ensure greater value for money by encouraging the greater use of the private and ‘not-for-profit’ sectors in prisons and in the community wherever it can demonstrate its greater cost effectiveness. In the community in particular we want to make much more use of the ‘not-for-profit’ and voluntary sector by involving communities in the supervision of offenders and the reduction of crime”*

<sup>4</sup> Managing Offenders, Reducing Crime, Pat Carter, December 2003 p 34

<sup>5</sup> Reducing Crime, Changing Lives, Home Office, Jan 2004 p10

3.5 The wider variety of roles the voluntary sector can play in delivery of services to offenders will become more clearly defined as NOMS itself develops. At present the development of NOMS is still at an early stage. Key appointments at national and regional level have now been made and a Voluntary Sector Unit is now established. Although this Unit will provide a lead for work with the voluntary sector within NOMS, this will also form an important part of other strands of NOMS such as: developing a mixed economy, offender management, communities and civil renewal, communications and the role of Regional Offender Managers. Links to the Pathfinder areas in the North West, South West and Wales will be needed to ensure that they are engaging effectively with the voluntary and community sector.

3.6 It will be vital to ensure that there are channels for discussion with voluntary and community groups about the development of all areas of NOMS and involvement of groups in those areas, which are likely to have the greatest impact on their work. A stakeholder group, which includes voluntary sector representatives has already been established for the offender management workstream and a similar group is being considered by the mixed economy workstream. There is also a voluntary sector member of the NOMS Board (Clive Martin, Director of Clinks).

3.7 This is not simply a question of NOMS talking to existing providers. It will be essential for NOMS to find ways to 'grow its market' amongst voluntary groups by:

- bringing in new players to work with offenders where demand is likely to be high,
- confronting existing private sector providers of services to participate with and partner voluntary and community sector providers
- getting groups to prepare for the need to enhance and extend services to meet new demands
- finding ways to encourage voluntary groups to work collaboratively to combine expertise and size and to explore the potential for working with public and private sector providers as partners or sub-contractors.

### **3.8 Questions**

- a) Are the steps outlined above the right ones to facilitate voluntary sector involvement?
- b) What further measures are needed?
- c) How can NOMS ensure that it is able to reach a wide range of organisations, including smaller and more local organisations?

## **4. What barriers need to be removed to enable this to happen?**

4.1 The creation of NOMS provides an ideal opportunity to put in place measures to help overcome barriers which are common across the voluntary and community sector, and many of which have arisen from contractual processes in the past. One of

the central thrusts of NOMS will be the gradual opening of services to outside provision. Achieving this will require altering the attitude of some NOMS staff to outside providers (both voluntary and community sector and private), as well as altering NOMS systems to ensure fair competition between the public sector and other providers. If done well, this will remove two important barriers to increased voluntary and community sector provision: negative cultural attitudes and inappropriate procurement procedures. Other barriers for the voluntary and community sector include:

- Learning the lessons of current and developing practice (for example for integrated service delivery within the Prospects programme see Appendix 2)
- Lack of consultation with voluntary groups about the design of programmes
- Difficulties for the voluntary sector in finding out about contractual opportunities
- Not establishing processes that encourage links between voluntary sector organisations themselves or between voluntary organisations and other potential contractors in the public and private sector
- Complex and costly pre-qualification and tendering procedures
- Not acknowledging the need for full-cost recovery
- Lack of sensitivity in payments and outcome measures for different offender needs (some offenders will require greater help, therefore costs will be higher)
- Delays in payment which create cash flow problems for smaller organisations
- Poor management of contracts with inappropriate and disproportionate reporting requirements
- Lack of access to capital for building and infrastructure needs of voluntary and community sector
- Lack of business, financial and contracting skills within voluntary and community sector groups
- The need to gain training and accreditation to provide certain NOMS programmes e.g. offending behaviour programmes.

4.2 The small number of significant national voluntary and community sector players, is not a barrier in itself, but will require designing a process, which takes advantage of their strengths and is also able to include the far larger number of local organisations who contribute to service provision. National Probation Service experience of developing the Prospects programme with voluntary and community sector partners may offer a model against which to evaluate the benefits of a joint planning approach. See Appendix 2.

4.3 NOMS commissioned a study in Yorkshire and Humberside by Sheffield Hallam University. This region was chosen because of the inclusive approach it has taken to voluntary sector involvement in developing its regional resettlement strategy. The study examines the extent and nature of current voluntary sector involvement with correctional services, identifies good practice in working relationships, assesses the potential for extending involvement, identifies barriers and capacity building needs and suggests ways to help to overcome these. Copies of the report have been circulated with this document and are also available from the NOMS Voluntary Sector Unit.

4.4 A major conference and exhibition (500 delegates +) Managing Offenders, Reducing Crime was held on 22 November 2004, to highlight the contribution made by voluntary and community groups to support the delivery of services to prisoners, offenders and their families. This was designed to showcase and celebrate existing good practice but also provided an opportunity to inform staff and voluntary and community groups about the development of NOMS and the future role they might play. Ideas and concerns from the wide range of workshops offered at the Conference have also been used in this paper.

4.5 Many voluntary organisations lack skills in writing tenders and financial and business management. Support will be needed to develop these skills and to get organisations to recognise the need to invest in staff training and organisational infrastructure if they are to be able to take part in NOMS successfully. It will be essential to get organisations to recognise their strengths, the areas where they need development and to acknowledge their limitations. Thinking creatively about the use of monies available through *futurebuilders* to build the capacity of individual organisations and create collaborative working styles (e.g. consortia) will also be essential. An interesting approach to combining the skills of larger and small organisations and to growing capacity has been explored by the Connect Project. (See Appendix 3).

4.6 Funding (£800,000 over two years) has been secured from the Active Communities Directorate's Change Up programme to commission a number of projects to support the development of infrastructural support for the voluntary sector in this area. This will enable links between specialist and generalist infrastructure and put in place training advice and support to build voluntary sector skills for contestability. This will also include projects where large organisations support small organisations and the development of different models of working together and a project to address the needs of under-represented groups, particularly those from the black and minority ethnic sector.

4.7 Few voluntary organisations have subjected their work to independent evaluation and beyond anecdotal evidence there is, at present, little to support claims for effectiveness or impact on reducing re-offending. To move beyond reliance on "hope and good luck", NOMS will need to work with the voluntary sector to identify suitable research methods to assist in recording "distance travelled" by offenders beyond the blunt instrument of whether they commit a further offence within two years. Voluntary organisations will need to be able to demonstrate that what they do is likely to work and then to show that it has been effective. Some voluntary organisations will have to adjust to the need to evaluate their work properly. NOMS may have to find a way of controlling the costs of evaluation particularly for small organisations.

#### **4.8 Questions**

- a) Are the issues identified the most important?
- b) What other areas of concern for voluntary and community organisations does NOMS need to address?

- c) Are there other areas of support that the sector will need?
- d) Do you think the Yorkshire and Humberside study illustrates an approach to working with the voluntary and community sector that also applies to other regions?
- e) Do you agree with the recommendations of the Yorkshire and Humberside study?
- f) Are there ideas from the study that NOMS should adopt?

## **5 What practical measures are to be implemented or further pursued?**

5.1 NOMS is at an early stage of development. The Chief Executive is appointed and his Senior Management Team is in place. A National Offender Manager was appointed in June and Regional Offender Managers have been recruited. Although an outline design for NOMS is in place, there is considerable work to be done over a far longer timeframe to build a fully operational programme for offender management. This will be based on a mixed economy of providers and a broad resourcing spectrum from grant funding, through contract management, which can build on the “social capital” provided through local community groups. Time will be important because there is a need to “grow the voluntary sector market”. Early decisions will be required on the scope for involving the voluntary sector and in particular whether this is to include broadening from the present concentration of effort on resettlement and rehabilitation interventions to include potential to manage offenders and even operate custodial regimes.

Achieving this will include working with existing providers but the range of areas for involvement in NOMS will mean that NOMS will have to bring in other skills and expertise. For this NOMS will look to mainstream organisations, who may not have seen offenders as part of their traditional client group (but who could extend their services to include them) and organisations working in related areas, such as crime prevention. Growing the market may require some investment to help the voluntary and community sector to overcome its limitations in relation to capital and contracting skills. The volume of work within NOMS will build fairly gradually. The initial focus will need to be on meeting the increased demands for supervision and community interventions likely to be generated by the Criminal Justice Act 2003. This will mean looking to prepare voluntary and community groups to begin to play a greater role during 2005/6 so that contracts and other arrangements are in place from 2006/7 and 2007/8. Funding from the monies identified above to build community capacity will be used to support this development and it will be important to plan for additional funding for this area of work within the SR2006 Review.

5.3 NOMS will need to establish routes for involvement and consultation so that voluntary sector groups not only know what is being planned but also can actively contribute to development at all levels. The relatively small number of national organisations of any significant size and even smaller number of regionally structured

national organisations presents a challenge. So too does the absence of organisations working on a regional basis and the need to engage with large numbers of small and local organisations. Voluntary groups who work with specific groups of offenders, black and minority ethnic groups and women for example are at present under-represented and ways of engaging and developing the work of organisations to meet the diversity of needs of offenders will need to be explored.

5.4 NOMS will need to be “voluntary sector friendly” – this may include training for our staff to open them up to the advantages of work with voluntary sector groups and to overcome misconceptions about voluntary sector capacity and the range of work that can be undertaken by voluntary sector organisations and to put in place effective partnership. Appropriate practical steps to be taken include:

- Analysis of voluntary and community sector organisations not currently operating with offenders and individual approaches to potential new players to establish their capability and interest in performing NOMS services
- Review of lessons to be learned from voluntary and community sector contributions to work in related disciplines, e.g. asylum, health and education
- Promotion of private/voluntary sector partnerships through joint events
- Development of new vehicles for including the voluntary and community sector, such as joint ventures
- Full mapping and assessment of the current market and the capabilities of the organisations within it
- Seminars, information meetings and events open to both private and voluntary sector organisations, large and small to highlight forthcoming opportunities and encourage alliances and sub-contracting relationships
- Asking existing prime contractors to explore the scope for greater involvement of the voluntary sector in existing contracts/services
- For new procurements, making it clear that use of the voluntary and community sector in the supply chain would be welcomed – and where it is considered essential to the delivery of the service, asking contractors to demonstrate how they will involve local community organisations in delivering the required outputs.

5.5 The introduction of OASys (Offender Assessment System) across prisons and probation provides a common assessment tool for identifying risk and needs. As this will be IT based there is also potential for sharing information with voluntary sector partners, although protocols will have to be developed. The involvement of voluntary and community sector providers in the NOMS stakeholder group will be fundamental to ensuring that case management systems and applications for interventions are “boundary proofed” for these purposes.

## 5.6 Questions

- a) Is NOMS right in assuming that it needs to expand the range of voluntary sector providers?

- b) Are the approaches suggested for doing this likely to be successful?
- c) Will voluntary and community groups be willing to consider partnerships with public and private sector providers?
- d) What are the current problems experienced by groups in sharing information with prisons and probation?
- e) Will new protocols help to overcome these?

## **6 What does NOMS propose to take this forward?**

6.1 A new Voluntary Sector Unit has been formed within NOMS to lead this process. The Unit will:

- Continue and build on work already established within prisons and probation
- Identify and share good practice between prisons and probation
- Develop a practical and shared vision for working with the voluntary and community sector
- Promote an extension of capacity and capability in proportion to the increased number of offenders to be managed in the community
- Ensure the representation of voluntary sector views in the development of all areas of NOMS
- Explore the use of sources of funding such as *futurebuilders* and infrastructure funding to support this work
- Promote a programme of cultural change and training to ensure NOMS is receptive to working with the voluntary and community sector

6.2 The Unit's work will be guided by an independently chaired Advisory Group, which will draw its membership from national, regional and local voluntary sector and operational managers from both prisons and probation. This body will replace the roles previously played by the Prison Service's Voluntary and Community Sector Advisory Group and the National Probation Directorate's Partnership CLAN.

6.3 Funding has been provided for the newly formed Partnership for Reducing Offending, a network that will combine the strengths of the members of the Alliance for Reducing Offending<sup>6</sup> with those of Clinks<sup>7</sup>. This will establish a body with experience of working with both prisons and probation and a route for disseminating information easily to key organisations in the field, a regular forum for discussion and a means to bring organisations together to discuss specific issues.

<sup>6</sup>The Alliance for Reducing Offending is a network bringing together larger national organisations who work mainly with the National Probation Service

<sup>7</sup>Clinks is a national membership body for organisations working with offenders and their families

6.4 A wider process of consultation will need to be established too. Some early work has already been done to initiate this. A systematic process of regional consultation, linked to the wider consultation being carried out by NOMS, will be put in place and supported by regular dissemination of information through the NOMS website.

6.5 NOMS will need to work with Government Offices of the Region to explore the potential for working with regional and local generalist voluntary sector infrastructure bodies such as Regional Forums, Councils for Voluntary Service, Rural Community Councils and Volunteer Bureaux and regional minority ethnic bodies and to take advantage of links already established through the Crime Reduction Directorates, health, housing, and so on.

6.6 NOMS will explore the potential for developing working relationships with groups working in other parts of the Criminal Justice System e.g. those who have developed expertise in working in crime prevention or with juvenile and young offenders.

6.7 NOMS will put in place measures to ensure processes for contractual arrangements that are appropriate and accessible to voluntary sector groups and allow for the inclusion of groups working at a national, regional and local level. This will include:

- Appropriate procurement procedures
- Ensuring that outcome payments are adjusted to reflect the level of service required to treat different offenders
- Promoting contractual opportunities
- Encouraging links between voluntary sector organisations themselves and voluntary organisations and other potential contractors in the public and private sector
- Avoiding complex and costly pre-qualification and tendering procedures
- Putting in place a process of cultural change and training to create a “voluntary sector friendly culture” amongst staff in NOMS
- Acknowledging the need for full-cost recovery
- Ensuring better management of contracts and appropriate and proportional reporting requirements.
- Prompt payment and systems of payment in advance where necessary
- Avoiding the use of short-term contracts
- Looking at the potential for the use of *futurebuilders* and ACU’s infrastructure funding to overcome capital and skills constraints in the voluntary sector
- Developing a training and accreditation strategy for providers
- Putting in place legislative changes to underpin this work

6.8 It is recognised that a contractual relationship may not be appropriate for the many important organisations that offer practical support to offenders in custody and their families. Ensuring the continuation of work that contributes to decent and humane conditions for prisoners will be essential. Grant funding, relational contracting<sup>8</sup>, joint ventures and commissioning may all need to be considered as other possible routes to voluntary sector engagement.

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<sup>8</sup> Relational contracting is often used where outputs and outcomes are hard to monitor. It involves developing a closer relationship between provider and funder. This can work but requires trust and flexibility from both partners.

6.9 NOMS must acknowledge and involve other partners such as the Big Lottery Fund and the many independent funders, who have been key to developing and sustaining innovative projects and have helped to build much of the added value brought by the voluntary sector to work with offenders in prisons and the community. The Association of Community Foundations Penal Affairs Network, a group bringing together the main independent funders, will be key in helping to ensure that NOMS communicates effectively with funders.

## 6.10 Questions

- a) How can the NOMS Voluntary Sector Unit support and advise the voluntary and community sector?
- b) What information do voluntary and community groups need from NOMS?
- c) Should this be provided through regular events, newsletters and so on?
- d) Would a regular e-mail newsletter be an effective way of reaching most organisations?
- e) Are there specific ways in which NOMS should be seeking to work with independent funders?

## 7. Conclusion

7.1 Voluntary organisations working with offenders in custody and the community can bring considerable expertise and additional capacity to the tasks of supporting offenders and reducing re-offending. There are many organisations with a proven track record of innovative and flexible working that have demonstrated that they are able to deliver high quality services. If the contribution of the voluntary sector is to be harnessed to meet the new agendas emerging for Correctional Services a new strategy and co-ordinated approach is needed to construct partnership frameworks that are meaningful and effective.

7.2 The development of NOMS provides an exciting opportunity to consolidate work already initiated by the Prison and Probation Services towards establishing effective and well managed relationships with voluntary and community organisations and integrating the involvement of the voluntary sector into the design and delivery of the new Service. However, success will require significant investment, flexibility and creativity, new ways of working in procuring and managing performance and outputs with the voluntary and community sector.

7.3 These are first steps, reflecting the evolutionary nature of NOMS, but what is outlined represents an emerging vision and a commitment to embrace and enhance the potential added value offered by the voluntary and community sector.

## Appendix 1

### Time for Families

Time for Families is an initiative of the Eastern Region Families Partnership<sup>9</sup> to promote greater awareness and more effective responses to the needs of the children of prisoners.

The effects on family life when someone is in prison can be enormous. The project aims to get more people to recognise and understand the impact of imprisonment on a family, especially the children. It works with schools, health, social care agencies and voluntary organisations to develop services that better meet the needs of families. The project includes extensive research and consultation with families so that they can influence how services are developed.

The project is working to establish visitor centres in all prisons across the Eastern Area and to put in place children's visits and more child-friendly visit facilities.

Parents in prison are being encouraged to explore ways that they can maintain a positive role in their children's lives and to recognise the impact of their offending behaviour. This will include parenting courses and support work.

The project is producing resource material for families and those who work with them and operates a telephone helpline for families.

Launched in 2002 this is a seven-year programme, which will see the development of community, and prison based services for prisoners and their families. Each partner has agreed to contribute £1 million over the lifetime of the project and it is anticipated that a further £1 million will be raised from other sources.

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<sup>9</sup>A Partnership of the Prison Service, Ormiston Trust and Lankelly Foundation

## Appendix 2

### PROSPECTS

Prospects is a three stage intervention for short-term sentenced prolific drug offenders which is being delivered on a full contractual basis in partnership with the voluntary and community sector in three of the five pilot locations. The other two have been awarded to a private sector company, offering an ideal opportunity to compare and contrast the approach. Analysis of delivery to date suggests that the programme has benefited significantly from working and delivering in partnership. The expertise and experience brought to programme delivery by probation's partners has enabled Prospects to concentrate on local delivery through local community support groups and public sector bodies, establishing links with and being an intrinsic part of strategic drug intervention policies in Local Plans. Part of the formal evaluation is to learn the lessons from the procurement approach as well as pilot the new regimes.

Specific added value for the programme has been reflected at:

#### ***Project Initiation stage:***

- The voluntary and community sector experience of dealing with ex-offenders and operating resettlement premises has enabled probation to validate the Prospects model.
- Their established links within Prospects locations with local community support groups and some of the criminal justice agencies has enabled probation to 'fit into' the local plans for tackling drugs and drug related crime in the areas.

#### ***Project Delivery and Implementation:***

- The voluntary and community sector already have their own supporting structure. They have regime operating guides, processes and procedures tried and tested which only have to be adapted slightly to fit within the operating guidelines for National Probation Service Approved Premises.
- As 'not for profit' organisations the voluntary and community sector have harnessed their experience and expertise to deliver Prospects. On the surface indications are that they are achieving greater value for money than the private sector equivalent. However, ultimately a conclusion on value for money can only be made against speed and effectiveness of delivery, both in project terms and in respect of the effect on re-offending.

## **Appendix 3**

### **Connect : Experiences of Working with the Voluntary Sector**

#### **Introduction**

Connect is a collaborative partnership between the West Midlands Prison and Probation Areas (West Mercia, Warwickshire, West Midlands and Staffordshire).

Connect aims to offer those short sentence prisoners (serving less than 12 months) from the region a seamless transition from sentence, through a period in custody to release and beyond, and an opportunity to deal with their individual barriers to employability. Connect is funded by European Social Fund (ESF) initially until March 2005 with the option to re-bid for a further two years.

#### **Context**

Connect was designed to work “through the gate” providing mentoring support to up to 4000 beneficiaries over two years. Mentoring starts whilst prisoners are in custody and is completed during their time on release in the community. It was decided at the project design stage that it would be better for the project to be developed and delivered by specialist agencies. It was estimated that up to 600 volunteer mentors would need to be recruited during the lifetime of the project.

Following an open procurement process, SOVA and Youth Support Services (YSS) were chosen as the preferred providers. In addition a number of specialist mentoring agencies were selected. The total project value overall is £400,000 over two years.

#### **Responsibilities of the Mentoring Agencies**

The provider agencies are required to meet minimum standards in relation to their mentors in the following areas:

- Recruitment and Selection;
- Training and Preparation;
- Matching and Mentoring Relationship;
- Supervision and Support;
- Monitoring;
- Policies in line with current legislation

#### **Benefits**

Connect’s mentoring provision has only been fully operational since December 2003, but there are already a number of benefits for the voluntary sector, mentors and probation. These include:

- Providing an opportunity for the voluntary sector agencies to strengthen/expand their management and support infrastructure, thereby facilitating further expansion into other criminal justice projects. YSS for example are not only responsible for the provision of mentors to West Mercia and Warwickshire Connect beneficiaries they also are responsible for the mentoring provision of the West Mercia Probation pilot Intensive Control & Change Programme.
- Offering the opportunity for the smaller specialist mentoring agencies that provide a unique service to women, minority ethnic, and faith beneficiaries of the project to gain first-hand experience of detailed contract management, performance and compliance processes. It also provides them with the opportunities and challenges of engaging with prison and probation and offenders. From the projects' point of view it has been good to be able to provide such an experience through facilitating capacity building whilst 'handholding' rather than dropping them in at the deep end.
- Widening the choice of projects' for the mentors, thereby enhancing their experiences and providing motivation, which in return increases retention rates and reduces the recruitment budget for the agencies;
- Establishing links with the private sector employers by encouraging them to promote the concept of mentoring ex-offenders to their staff. The benefits for employers are that it provides them with a means of influencing their staff development and for the project it increases the chances of a beneficiary gaining employment.
- Providing a learning experience for the Board and staff, in working with contractors and also mentors. The procurement process also provided many lessons/learning opportunities.

### **Emerging Lessons**

The engagement with the voluntary sector does offer a number of challenges as well as opportunities:

- Connect was not built in a day, it takes time for the agencies to develop capacity, no matter their size, when you are asking them to venture into unknown territory, whether this is a new location or type of work.
- Engaging with the voluntary sectors requires commissioning projects to fund them adequately; and there is a great need for 'caretaking' during the early stages, even though one is buying in the resources.

### **The Rewards for Connect include:**

- Through outsourcing the immediate gain is access to a whole range of diverse resources which are better placed to meet the needs of the target group;
- The opportunity to work with a sector who are more likely to have greater knowledge of the local community who they are in constant dialogue with, therefore in a position to help re-integrate the ex-offender back into their community;

- The voluntary sector does not attract the same level of 'negativity' as prisons or probation, hence ex-offenders tend to be more motivated to engage with and work with mentors from the community.

### **Mentoring Agencies Progress to Date**

- Since September 2003, YSS have recruited 60 unpaid mentors from across West Mercia and Warwickshire Probation Areas;
- The retention rate for mentors is between 80-85%;
- Of closed cases YSS have found employment for 27% of its beneficiaries with the aid of its mentors;
- SOVA at any one time work with 35 beneficiaries in the community on their release from custody;
- During the last quarter SOVA achieved 1350 contacts with released beneficiaries in the community which represents over 600 hours of mentoring.

### **Research and Evaluation**

- Leeds University are undertaking the evaluation project. Their final report is due in March 2005.

**Managing Offenders, Reducing Crime**  
**The Role of the Voluntary and Community Sector in the National Offender Management Service**

**Consultation response**

<b>Name</b>	
<b>Position</b>	
<b>Organisation</b>	
<b>Address</b>	
<b>Telephone</b>	
<b>Email address</b>	

<b>How and in what areas do the voluntary and community sector add value to the work of prison and probation?</b>	
a) Is what is described a fair description of the extent and nature of current voluntary sector engagement with the Prison and Probation Services?	
b) Are there other areas of engagement that should be included? If so, please say what these are and why they are important?	

**How and to what extent should the voluntary and community sector feature in delivery in Correctional Services/NOMS?**

a) Are the steps outlined the right ones to facilitate voluntary sector involvement?

b) What further measures are needed?

c) How can NOMS ensure that it is able to reach a wide range of organisations, including smaller and more local organisations?

<b>What barriers need to be removed to make this happen?</b>	
a) Are the issues identified the most important?	
b) What other areas of concern for voluntary and community organisations does NOMS need to address?	
c) Are there other areas of support that the sector will need?	
d) Do you think the Yorkshire and Humberside study illustrates an approach to working with the voluntary and community sector that also applies to other regions?	

<p>e) Do you agree with the recommendations of the Yorkshire and Humberside study?</p>	
<p>f) Are there ideas from the study that NOMS should adopt?</p>	

<p><b>What practical measures are to be implemented or further pursued?</b></p>	
<p>a) Is NOMS right in assuming that it needs to expand the range of voluntary sector providers?</p>	
<p>b) Are the approaches suggested for doing this likely to be successful?</p>	
<p>c) Will voluntary and community groups be willing to consider partnerships with public and private sector providers?</p>	

<p>d) What are the current problems experienced by groups in sharing information with prisons and probation?</p>	
<p>e) Will new protocols help to overcome these?</p>	

<p><b>What does NOMS propose to take this forward?</b></p>	
<p>a) How can the NOMS Voluntary Sector Unit support and advise the voluntary and community sector?</p>	
<p>b) What information do voluntary and community groups need from NOMS?</p>	
<p>c) Should this be provided through regular events, newsletters and so on?</p>	

<p>d) Would a regular e-mail newsletter be an effective way of reaching most organisations?</p>	
<p>e) Are there specific ways in which NOMS should be seeking to work with independent funders?</p>	

**Please return this form to:**

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# Sheffield Hallam University

*Enhancing the role of the voluntary and community sector - a case study of the Yorkshire and Humber Region*

SENIOR, Paul, MEADOWS, Linda, FEASEY, Simon and ATKINSON, Janet

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