

Commissioning

The commissioning: the strategy at a glance

- making a reality of end-to-end offender management across prisons and probation in order to reduce re-offending and protect the public;
- making the best use of resources, by ensuring that the most effective services are delivered at the right time in the right place, from drug treatment to offender behaviour programmes, from Unpaid Work to victim contact;
- recognising that no single provider can meet the diverse and challenging needs of offenders – ensuring that a whole range of large and small providers make their full contribution, locally, regionally and nationally;
- improving services by giving existing and new providers the opportunity to show how they can deliver best value;
- turning high performing Probation Boards into Trusts, with the flexibility to determine how best to deliver on their re-offending and public protection targets, working in partnership with others, from beginning to end of offenders' sentences.

In recommending the establishment of the National Offender Management Service (NOMS) in December 2003, to be responsible for reducing re-offending, Patrick Carter identified that 'services remain largely detached from one another and the structure of the system encourages concentration on the day-to-day operation of the services. A more strategic approach to the end-to-end management of offenders across their sentence is needed'.

He went on to say that 'the benefits of competition could be further extended... the introduction of competition has provided a strong incentive for improvements in public sector prisons but currently there is minimal contestability in the front-line provision of probation services'.

(Managing Offenders, Reducing Crime, Patrick Carter, December 2003)

So NOMS has invested heavily in putting end-to-end offender management in place:

- Each offender in the community now has a named offender manager from the relevant probation area, responsible for assessing risk of re-offending and of harm to the public, formulating a sentence plan accordingly, and overseeing its implementation.

- Last November this approach was extended to cover over 10,000 offenders in custody – prolific & priority offenders, and those whose risk of harm is high or very high. Each of these now also has an offender manager in probation, working in collaboration with appropriate prison staff to ensure that the sentence plan covers the time served in both community and custody seamlessly.
- Over the next three years we will complete the rollout of this new approach to cover all offenders in custody, in line with Carter’s vision.

Offender managers need to be able to draw down the interventions (like offending behaviour programmes) and other services (drug treatment; education, training & skills etc.) that their offenders need in order to reduce re-offending. Where it is best value to do so, these services should be delivered by probation and prison staff themselves. But no single provider can meet the diverse and challenging needs of all offenders – there are a whole range of large and small voluntary, charitable, public and private sector organisations who could be making a greater contribution than currently.

So the Government wants Probation Boards to make more use of such organisations, focusing their own efforts on making a real success of end-to-end offender management over the next three years, and increasingly commissioning the services their offender managers need from other providers, in accordance with best value principles. In some cases this means entering into contracts with other bodies for the delivery of such services; in others, it means active engagement in local strategic partnerships with councils, NHS, police and others to secure the housing, healthcare etc. that is needed to reduce re-offending.

This approach to commissioning and partnership is also needed at regional and indeed national levels. So NOMS now has a regional commissioning tier in place, to:

- contract with service providers at regional level where this provides better value for money than purchasing at local level;
- work in partnership with other regional bodies – strategic health authorities, learning & skills councils etc. – in support of the reduced re-offending agenda;
- negotiate and manage service level agreements with Probation Boards and the Prison Service (contracts in the case of private prisons), through which probation and prisons are held to account, increasingly jointly, for the delivery of key targets to reduce re-offending and protect the public.

This is set out in more detail in the NOMS Commissioning Framework, published in January 2007, alongside 10 Regional Commissioning Plans. For 2007/8, regional commissioners have been working with Probation Boards to seek to increase their use of other providers to 10 per cent of turnover.

Examples of the potential for such an approach, regional and local, include:

- The East of England commissioning pathfinder which was established in 2006 to reduce re-offending by increasing the take up of sustainable employment by offenders. Initially the project focuses on Luton, Southend and Bury St Edmunds where key workers will provide individualised support to motivate, mentor and prepare offenders for work. Key workers engage with employers to boost confidence in offering work to offenders. The project runs until 2009 and aims to place 460 additional offenders into employment each year.
- Community Chaplaincy and faith alliance in London. An innovation funding model has been employed by the London Regional Offender Manager to award small capacity building grants to faith community organisations in the capital to support the development of services to offenders. Nineteen projects were funded, and the programme successfully targeted Black majority Christian and Muslim organisations.
- The Connect project, which started in West Mercia, through which the resettlement of short-term sentenced prisoners is supported by volunteer and other mentors. We are supporting bids for ESF funding to spread this locally-originated project nationally.

The Offender Management Bill will enable us to take this approach further:

- We will turn high-performing Probation Boards into Trusts, operating under contract to their regional commissioner, given more flexibility to determine how best to deliver on their reduced re-offending and public protection targets (though continuing with the maintenance of national standards for the management of offenders).
- The Chiefs of these Trusts will no longer be line-managed from the centre, but will report instead to the Trust board (which will include a local councillor). The Trusts will be full partners in their Local Strategic Partnerships, signing up to local area agreements as appropriate.
- We are reviewing the potential for giving Trusts a range of possible freedoms to support local innovation, subject to appropriate regulatory arrangements.
- We will work with them to make a real success of end-to-end offender management across probation and prisons, with a more joined-up approach to securing the interventions and other services offenders need, whether in custody or the community.
- We will expect Trusts to examine rigorously the potential for achieving better value by making more use of other providers (both under contract and in partnership) to help them reduce re-offending and protect the public, and act accordingly, and our contracts with them will take account of those areas where it is more cost-effective to secure services at regional & national level.

- We will continue to intervene directly to tackle under-performance by the remaining Probation Boards, as has already happened to good effect in six areas of the country over the past year. In doing so, we will look particularly closely at the efforts they have made to seek support from other agencies to help them overcome the challenges they are struggling with. Our aim is to provide the right mix of challenge and support to enable all Probation Boards to become Trusts over the next three years, including the possibility of some Trusts taking on work from other Boards if this were to improve service delivery.
- At the end of this period, we may choose to invite other bodies from the voluntary, charitable and private sectors to take on work of Boards which have not been able to achieve Trust status, and/or to compete with Trusts once their contracts have come to an end. In all cases, our approach will be to ensure best value in the use of public money to reduce re-offending and protect the public. However, probation assistance to courts will remain the preserve of the public sector unless Parliament were to lift this requirement at some point in the future.

And we will also make more use of other providers of prisons where this provides best value – whether in building new prisons or improving the performance of existing ones.

Taken together, these policies and reforms will enable us to make a significant difference in our work to protect the public and reduce re-offending.

Moj 2/07

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Produced May 2007

Printed on paper comprising a minimum of 75% post consumer waste

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