

The Voluntary and Community Sector and NOMS

Clive Martin anticipates the complexity of the roles voluntary and community organisations may play within the new National Offender Management Service.

These are interesting times that we live in. Politics, and the people and groups that bring it alive, have a knack of producing unexpected outcomes and surprising us all.

When starting out on a new political initiative like the introduction of the National Offender Management Service (NOMS), it is impossible to know where the road may lead, what principles will triumph, how the people that a system seeks to serve will respond and what successes will be celebrated (or losses mourned) five or six years from now.

There have been many initiatives over the past years – all of which have sought to have the same effect (i.e. reduce re-offending) but none have sought to be as far reaching as this current one. We have had the aspirations of the *Woolf Report*, the creation of the National Probation Service and the less trumpeted but important other developments such as pre-release courses, personal officer schemes, sentence planning, cognitive behaviour programmes and the focus on literacy and numeracy courses. All of these initiatives, even if only partially or half-heartedly introduced, as well as the rapid rise in the prison population, form part of the patchwork of change that have pushed these national statutory organisations of the Prison and Probation Services to the place they are today. And this is perhaps the point at which this particular event, the creation of the National Offender Management Service, is so markedly different.

There are two major strands to NOMS. The first is the effort to further integrate the work of the prison and probation services more effectively. This is not a merger as such but the introduction of 'end-to-end sentence management' that will further support the notion of seamless sentences and require a much more integrated process (and practice) during an offender's sentence.

The second strand, namely contestability, at face value represents the bold and unprincipled pragmatism that history may prove to be a particular hallmark of our time. Its intention is to open up service provision to the independent sector where it can prove best value. The prison service has been subject to contestability for some time and the public prison service has had some success in 'winning back' prisons that had been operated by the private sector. It is also the case that the VCS (Voluntary and Community Sector) has been contracted to deliver services to offenders for the past 20 years in both a prison and probation context. In fact partnership expenditure by the National Probation Service has averaged between £18 and £19 million for the past three years and Clinks' own database provides evidence of an array of VCS agencies that provide services to prisoners.

To date however, this work with the VCS has been ad hoc and piecemeal. The significance of NOMS for the VCS lies in

the explicit encouragement to work in much closer partnership with prison and probation and to contribute to planning and funding of services.

A radical proposal?

So is the introduction of NOMS a dramatic and radical proposal that flings open the closed doors of state dominance in this area of Government provision, and makes way for a flood of those transforming shafts of light from the private and voluntary sectors where they have previously only crept in under the door of privatisation? Is it a chance for the independent sector to prove their worth by coming up with new ideas to solve old problems? And, at the same time, re-invigorate a state system struggling to meet the ferocious demands of growing numbers, diminishing resources and public impatience. Or is it perhaps something far more staid? The expansion of a consistent Government philosophy that seeks to reduce provision by the state, direct state funding towards non-state owned delivery mechanisms and support the trend for a variety of social enterprises, including the voluntary sector, to live alongside private companies? And if that results in a reduction in re-offending then all the better.

These are interesting questions and the motivation of Government will always help our understanding of the big picture. But we may never really know the answer to that question and there is probably not a single answer. Meanwhile, what is clear is that the role envisaged for the Voluntary Sector is of fundamental importance. This has led to an air of excitement about the opportunities that could lie ahead as well as some apprehension that NOMS could herald the start of a new, and unknown, era for the voluntary sector working in this field. The future is simply impossible to call. We are unsure of the exact shape of NOMS let alone what the consequences may be!

However, the offender related voluntary sector is part of a bigger community of voluntary organisations – and it may be worth reminding ourselves for just a moment about what is happening in the wider environment rather than just in our particular neck of the woods. It could provide us with interesting insights into the future.

Nationally, since the 1990s the voluntary and community sector has experienced substantial growth and most of this has been the result of large government contracts being awarded to the Voluntary Sector for service delivery. The sector has not rapidly expanded as a result of public donation for good work. Figures from '*Voluntary Sector Strategic Analysis 2004/05*' (NCVO Publications) show that 'General Charities' form the core of the sector and the numbers of these have risen from 98,000 in 1991 to 153,000 in 2001/02. Even taking into account de-registration this is an average monthly increase of

approximately 450 organisations per month over the last 10 years. Expenditure, in the same period, has nearly doubled from £11.3 billion to almost £21 billion.

But these impressive statistics do disguise other very significant national trends. Perhaps most important to note is that large charities are enjoying the lion's share of this Government sponsored growth. This is not surprising given the nature of the work involved. Medium and small charities are facing difficulties. The same report shows that out of the 153,000 charities registered in 2002, a much smaller number of 2,400 (less than 2%) are responsible for the majority (over 66%) of the income.

This should perhaps encourage us to pause for thought. The vast majority, well over 90%, of offender related charities are small and medium sized organisations working in a particular geographical location or with a particular group of people. This is the exact category of organisation that is already struggling to survive. And there may be little in the broad outline design of NOMS that offers comfort to these groups.

In fact, things for small and medium-sized organisations may get worse before they get better. Firstly, there are strong arguments that make mergers and collaboration more likely. The need to ensure competitiveness via economies of scale and to cut duplication and waste will encourage organisations to think about mergers. The size of the contracts on offer, particularly when combined with European funding strands, will also serve as important drivers for growth. Within NOMS this may be reinforced by the regional structure. Many agencies will seek to reflect this 'regionality' in the way they organise themselves and their services – and the only feasible way of achieving this will be either via merger or expansion.

Does this matter? Will it mean poorer services for offenders and their families or will it enable the sector to better share

are much better equipped to deal with this. Good collaborative approaches can ensure a comprehensive delivery via a single tender led by an organisation that is better skilled at bidding for such work and with the infrastructure to support the subsequent administration. This could be good news and a win/win for everyone!

Additionally, there is now significant evidence that the VCS is being drawn into policy and operational consultations in much more structured and positive way. However, for both sectors this represents a significant cultural shift in the way business has been done in the past and the potential benefits may take some time to be felt. Nonetheless, it does offer the VCS the chance to advocate for improved service provision in a constructive and inclusive way.

One way that the Prison Service responded to privatisation was to develop in-house bids for prisons that were up for tender. These were all essentially single provider bids. It may be that the time is ripe to think a bit more laterally than this and use this opportunity to strengthen true partnership work. While partnership bids can cause complications with accountability, these are solvable. It could be feasible in the NOMS context that the prison and probation services, and the VCS itself, seek to develop partnerships with each other rather than focus on competing with each other. To focus on partnership provision, rather than competitive provision, will produce benefits. For example could not the Prison and Probation Services, in partnership with a voluntary agency, bid to run services such as a bail hostel or supervised employment scheme? Potentially a joint bid could be much stronger than any single provider. A partnership service, using the respective expertise of each organisation, could result in a better quality provision than just one of these organisations could hope for. This partially happens with some European funded projects but it is not the norm and

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good practice, improve services and reduce costs? Well, we may not know that for a few years to come. But we do know about the risk factors. We know that small local organisations have the potential to be more flexible and work with people in a way that is best suited to their needs. We know that big organisations, voluntary or statutory, often need to focus on processes and internal organisation and that makes a responsive and client led service more challenging. We also know that some large well-run nationals are able to ensure that local offices reflect the community that they work in but this, sadly is not always the case. There is also the danger inherent in a contract culture with an over-reliance on detailed processes and outputs rather than focussing on quality outcomes. There can be a tendency for contracting funders to 'tie down' providers in a way that stifles creativity and attempts to recreate mirror versions of large state bureaucracies, thus blurring the distinction between statutory and voluntary organisations.

But it's not all bad news! There will be other issues that the sector could turn to its advantage if handled correctly. For example, the bidding and procurement process that small organisations find so burdensome and costly. Large organisations

frequently it is a sub-contracting relationship rather than a partnership. Partnerships will support the development of specialist services by organisations already expert in delivery to offenders and provide end to end offender management in a more holistic way than can be hoped for by a straightforward competitive 'winner takes all' scenario.

The VCS has always thrived in new situations where fast thinking and action has been of fundamental importance. If it can achieve that in this new environment, and stay focused in its own partnership with service users, then this could be an exciting period.

Clive Martin is director of Clinks.