



# **“Working with the Third Sector to Reduce Re-offending – securing effective partnerships 2008-2011”**

## **Annual Progress Review January 2010**

### **Introduction**

In October 2008 the Ministry of Justice and the National Offender Management Service (NOMS) published the action plan ‘Working with the third sector to reduce re-offending – securing effective partnerships 2008-2011’. The plan sits beneath the Ministry’s Third Sector Strategy published in June 2008 and aims to build on work to reduce barriers to the sector’s role in reducing re-offending, protecting the public, achieving safer communities, and tackling social exclusion. It also seeks to enable and promote effective volunteering and mentoring with and by offenders and ex-offenders.

Progress against objectives and actions is being monitored by the Ministry of Justice/NOMS Reducing Re-offending Third Sector Advisory Group. We said in the plan that progress would also be reported annually to Ministers, the Ministry of Justice Criminal Justice Group Board, partners and stakeholders.

This is the first annual review. It provides:

- a summary of highlights since the publication of the plan just over a year ago;
- an overview of work in progress against the plan’s three key commitments: to improve voice and partnership working; to transform services; and to drive up the quality and diversity of volunteering and mentoring; and
- a report of the Reducing Re-offending Third Sector Advisory Group, setting out the Advisory Group’s view on progress and recommendations for future development. The MoJ and NOMS will work with the Advisory Group to consider these recommendations and make further progress.

# Voice and Partnership Working

**Key commitment** - Increase compliance by the Ministry and NOMS with the Compact on Relations between Government and the Voluntary and Community Sector in relation to funding and procurement, consultation, and partnership working.

## Highlights 2009

- A new **Reducing Re-offending Third Sector Advisory Group**, chaired by Sarah Payne (Chief Executive of YWCA England and Wales) has been set up. The members of the Group were appointed through open competition. The purpose of the Advisory Group is to provide advice to Ministers and senior officials on reducing re-offending from a third sector perspective and to present concerns and opinions about future priorities, issues and policies which might affect the sector. The Group has a key role in advising and overseeing progress on the implementation of 'Working with the Third Sector to Reduce Re-offending 2008-2011'. The Chair will also sit on the NOMS Reducing Re-offending Policy Board.
- The Ministry's **strategic funding to national third sector infrastructure** - Clinks, Action for Prisoners' Families, and the Development Trusts Association - is now in the second year. The funding has enabled these organisations to support and represent their members and a wider group of third sector organisations to government, NOMS, and the range of agencies working with and funding the third sector to reduce re-offending. The funding has supported a number of initiatives to engage third sector organisations in the development of MoJ and NOMS policy and programmes. For example, in June 2009, Clinks hosted a successful consultation event regarding the specification of the Offender Management/Delivering Supervision Requirement (part of NOMS Specification, Benchmarking and Costing Programme). Progress within the grants programme has been overseen and informed by an Infrastructure Grants Programme Reference Group chaired by Linda Kelly, the Chief Executive of the Lloyds TSB Foundation.
- The independent **Arts Alliance** was launched in November 2008. The Anne Peaker Centre is jointly funded by the Ministry of Justice, Arts Council England, and the Indigo Trust to co-ordinate the Alliance. The Arts Alliance aims to provide a strong network and coherent voice for the arts sector working with offenders. It has played an important role following the media reporting of the Comedy School's work at HMP Whitemoor, providing feedback on the development of the Prison Service Instruction on Acceptable Activities and its impact on arts providers. The Alliance has also organised a series of regional events to raise the profile of arts interventions. The Ministry of Justice has also set up a cross-departmental, cross-sector **Arts Forum** to engage with the Arts Alliance. The Forum enables dialogue between the responsible government departments, Arts Council England, and arts providers and funders with the aim of reducing barriers to and promoting the role of the arts in offender management and rehabilitation.

- In November 2009 the Ministry of Justice and the Department of Children Schools and Families published 'Reducing re-offending: supporting families, creating better futures', a framework for improving the local delivery of support for the families of offenders. It sets out how the 'Think Family' approach can make a difference for these children and families at each stage of the criminal justice system, from arrest to the end of sentence and beyond, if the key agencies work together. The framework was developed in partnership with the third sector and highlights the role of the sector in working with these families and in helping to make the case for investing in them as part of a wider agenda to tackle social exclusion.

## Work in progress

- In response to the **Bradley Review on the diversion of offenders with mental health problems or learning disabilities away from prison**, the Government has set up a National Advisory Group of third sector representatives, with a third sector chair. The Chair of the Group will sit on the newly established Health & Criminal Justice Board.
- The Department for Communities and Local Government (CLG) has decided that it will not develop a Charter on funding **faith based organisations**, but has set up a consortium of faith communities to look at religious literacy training to improve the knowledge and skills of public agencies to work with faith communities. CLG also worked with the Office of the Third Sector (OTS) to explore how the revised Compact will cover faith organisations. Faith groups were directly invited to respond to the Compact refresh consultation. The Ministry's Third Sector Team is working with colleagues in CLG and OTS to support and promote this work in relation to faith-based organisations working with offenders and to strengthen the engagement of faith organisations.
- The Ministry has commissioned research into the support needs of the **women's organisations** and projects that deliver services to women offenders and those at risk of offending. This will help us to identify how we can strengthen support for and the engagement and sustainability of the women's sector in reducing re-offending.
- With funding from the Lloyds TSB Foundation and building on previous initiatives, we will run a number of roundtables to identify key achievable actions that will strengthen diverse **BME third sector** voice in reducing re-offending. This will include a look at the role of infrastructure and what needs developing further to strengthen BME sector engagement at all levels. We aim to hold the roundtables in spring 2010 and will work in partnership to deliver these events and the outcomes.
- A review of existing schemes that **broker the relationship** between third sector organisations and prisons and probation is in progress. It has been agreed that NOMS will lead on exploring brokerage at regional and local levels and that the MoJ Third Sector Team will help broker relationships between the 'justice' third sector and other Government Departments.

# Transforming Services

**Key Commitment** - transform services by reviewing and refocusing work and resources on achieving agreed priorities and the outcomes needed; selecting the best providers through competition and creating a fairer playing field, actively reducing barriers to **diverse third sector involvement; strengthening joint commissioning, and the involvement** of all sectors in designing as well as delivering services; using grant funding alongside commissioning where this better delivers outcomes; encouraging social enterprise; working in partnership to strengthen the evidence base and to agree and demonstrate outcomes; strengthening user engagement in service design and review.

## Highlights 2009

- Following the third sector task force on **Probation Best Value** held during the summer of 2008, chaired by David Hanson, the Minister responsible for NOMS and Offender Management, Ministers set an ambition of competing 25% of Unpaid Work and Victim Contact services, and specified that these should be the first services to undergo reviews by April 2010. Probation areas are now required to review their services against a Best Value framework. Directors of Offender Management will consult and challenge the Probation Trust/Area to establish whether best value is being delivered. Probation areas which fail to meet national standards must improve performance or use competition to find alternative providers.
- **NOMS commissioning strategy**, agreed in December 2008, reflects the commitments set out in "Working with the Third Sector to Reduce Re-offending", including the importance of harnessing the potential of the third sector, alongside the public and private sectors, to deliver services for offenders. Commissioning will be devolved away from the NOMS centre, to Directors of Offender Management at regional level and to local prisons and probation. The commissioning strategy is an internal document which informs the published NOMS Agency Corporate and Business Plan.
- **NOMS Specification, Benchmarking and Costing Programme** has been set up to enable commissioners to make informed choices about what services should be delivered to which offenders, minimum quality expectations and outcomes, and what services should cost. The programme will re-specify all services over a period of time. Some specifications have already been approved including the Unpaid Work Specification and the Victims Specification. A Visitors Centre specification is under development. It is anticipated that this will provide a basis for a tendering process during the summer of 2010. Third sector organisations are being consulted in the development of specifications in line with agreed principles. The Reducing Re-offending Third Sector Advisory Group and Clinks will provide advice and a gateway to the sector, and consultation workshops will be held where appropriate.
- To divert women from custody, the **MoJ is investing £15.6 million through the third sector over two years in additional support services for women**

- The Ministry has set up a cross-department/agency working group to promote the role that **social enterprises** can play within criminal, civil and family justice including offender management and reform. The group is tasked with organising a national conference to take place on 4 March 2010 to raise awareness of social enterprise within the criminal justice sector and to signpost providers to learning and development opportunities and tools. The group is also exploring the value of developing a social enterprise strategy for the Ministry of Justice. NOMS obtained funding from the Office of the Third Sector to undertake a programme of 'Action Research' focussed on developing work with the social enterprise sector. A number of pilot projects have been identified and more will follow a mapping and research programme to be carried out by the Social Enterprise Coalition.
- The Ministry of Justice and NOMS have been allocated **Social Enterprise Ambassadors** from the programme supported by OTS and the Social Enterprise Coalition. Martin Kinsella, Chief Executive of P3, and Maria Donoghue-Mills, Group Chief Executive from Novas Scarman Group, are link ambassadors to the Ministry of Justice. Karen Lowthrop, Chief Executive from Hill Holt Wood, and Jean Jarvis, Chief Executive from South Shropshire Furniture Scheme, will be working with NOMS. The Ambassadors will be working with us to help develop our plans and promote the role of social enterprise in the justice system.

## Work in progress

- NOMS is carrying out a review of the **national grants programme**. A Grants Board has been established as a sub-group of the NOMS Reducing Re-offending Policy Board to facilitate a co-ordinated approach to setting the objectives and criteria for the programme and for making funding decisions. The Grants Board will include representatives from the third sector. A Grants Policy will be published early in 2010. In advance of the Policy being agreed a Grant Review Statement has been published setting out the rationale for the review, a summary of key activities undertaken to date, and an indicative timetable of proposed milestones.
- NOMS is working through the Office of Government Commerce with other Government Departments to manage the market developing around commissioning, and in particular how to ensure that the role of both large and small providers from the private and third sectors can be understood and sustained. We are committed to ensuring that the third sector is supported in its engagement with the commissioning process. The **European Social Fund Co-financed programme** recently run by NOMS adopted a ground breaking consultation and competitive dialogue approach to competing services and this resulted in a healthy mix of providers from both private and third sectors. This approach will be developed and extended to further competitions run by NOMS.

- We are currently working with a number of potential bidders from the private and third sectors to develop the **regulatory framework for future NOMS competitions**. The framework will consist of competitive neutrality methods to help level the playing field between bidders, and 'ethical wall' measures to separate the commissioning functions of NOMS from units involved in producing public sector bids. Once agreed the principles and methodology will be published as part of the procurement documentation supporting forthcoming competitions.
- Work is underway by NOMS to develop **guidance for third sector providers on working with offenders who pose a high risk of harm** to be produced by early 2010.
- To support local joint working and commissioning, NOMS provided information to prison, probation, and third sector organisations on where reducing re-offending, third sector and volunteering National Indicators are included by local authorities in their top 35 indicators for **Local Area Agreements**. Clinks and NOMS will produce a document outlining good practice processes for the third sector engaging with local authorities. This work will be informed by the Total Place pilots currently taking place across the country. The Total Place Initiative is funded by Communities and Local Government to look at how public money is spent in a local area and how it can be used more efficiently to improve local services.
- The Ministry commissioned Aston University to develop a **toolkit to help smaller providers to monitor and demonstrate effectiveness**. The draft toolkit includes a tool for monitoring and evaluating 'distance travelled' outcomes for offenders. NOMS is currently considering its preferred approach to measuring distanced travelled outcomes in grants and contracts. Options on next steps - piloting and/or publishing the toolkit - will be presented to the Reducing Re-offending Third Sector Advisory Group in early 2010.
- We are exploring how we can make better use of existing third sector user forums to **engage service users and ex-offenders** in policy making and service design. We are also engaged in and will make use of findings from work being led by Anne McGuire MP, the Cabinet Office Advisor on Third Sector Innovation, to promote the third sector as a vehicle for service users and commissioners to work together to design and deliver more personalised public services. An offender journey mapping exercise was carried out in Tower Hamlets to test the experience of a group of offenders accessing employment and accommodation services in the community. The map will be used by the Social Exclusion Taskforce in their suite of evidence for Public Service Agreement 16 (to increase the proportion of socially excluded adults in settled accommodation and employment, education or training).
- A new **Ministerial Cabinet Committee** will tackle the blockages faced by third sector organisations in securing and delivering specific public service contracts. The Cabinet Committee is being supported by an advisory group of Government and third sector representatives and a new unit in the Office of the Third Sector of seconded staff from across Government. The Ministry is represented on the advisory group and an official from the Ministry's Third Sector Team is seconded to the Unit for one day a week.

- We said that we would determine what mechanisms could be put in place to **promote good third sector schemes** to the range of funders and commissioners. As a first step we are currently scoping existing databases, directories and relevant websites to identify any duplication, gaps and opportunities.
- We said we would explore **mapping key funding streams** supporting work with offenders. We concluded that it is not feasible to sustain a map of the necessary detail at national level and that any mapping should be carried out and updated at regional level or below. We will explore this further with partners.

## Volunteering and Mentoring

**Key commitment** - Drive up the quality of volunteering and mentoring, and the number and diversity of volunteers, including offenders and ex-offenders as volunteers and mentors in prisons and the community

### Key highlights 2009

#### *Through National Infrastructure Programme funding to Clinks*

- A **Volunteering and Mentoring Network** has been set up to promote collaboration between delivery organisations and volunteering infrastructure, encourage diversity and identify good practice, collate evidence, and promote all aspects of volunteering and mentoring to reduce re-offending. The steering group, chaired by Volunteering England, is currently advising on the production of guidance for organisations involving volunteers and mentors in work with offenders and ex-offenders. Representatives from the Volunteering and Mentoring Network met Baroness Neuberger and informed her review of volunteering across the Criminal Justice System.
- Since March 2009 a **Volunteering and Mentoring e-bulletin** for organisations working with offenders has been sent out from Clinks on a monthly basis to a distribution list of over 2500 organisations from all sectors.
- Clinks **training and resource packs** have been further developed. The 'Volunteering in Prison' training pack has been updated and available since September 2008. The 'Volunteering with Offenders in the Community' training pack has also been updated and includes material on community safety and victim contact and support. It has been available since January 2009.

#### *Work developed following Baroness Neuberger's review of volunteering across the CJS*

- **Baroness Neuberger's Review of Volunteering across the CJS and the Government's response** were published on 3<sup>rd</sup> March 2009. The Office for Criminal Justice Reform and the Ministry of Justice Third Sector Team are leading on taking forward commitments to drive up the quality and diversity of

- Claire Ward, Parliamentary Under Secretary of State, has been appointed **Ministerial Volunteering Champion**.

## **Work in progress**

### ***Through funding to Clinks***

- Clinks have commissioned Volunteering England, the Mentoring and Befriending Foundation (MBF), and the Charities Evaluation Service to produce **good practice guides** on volunteering with and by offenders, to be launched in January 2010.
- Discussions are taking place with the Prince's Trust and MBF about the best way to develop an **online map of mentoring services** that can be offered to offenders upon release.

### ***Work to deliver the Government's response to the Neuberger review***

- We are **surveying policy areas across the CJS to assess the extent of volunteering** and understand more about the way it is organised, commissioned, managed, monitored and valued. This work will support the production of **guidance on increasing diversity; improving quality and consistency of volunteering across the system; and improving reward and recognition**; as well as **guidance for commissioners** on the implications of volunteering in the commissioning process and good practice.
- We are capturing good practice through the CJS volunteering network and survey in order to establish a **good practice bank** and case studies to enhance the diversity of volunteers.
- We are identifying and defining the role of **volunteering champions** in the criminal justice Departments and agencies.
- Other priorities in the first phase action plan are **promoting opportunities for volunteer training and accreditation** and working with HR and Communications departments across the CJS to **promote staff volunteering**.
- NOMS are working with Clinks and other partners to develop **policy, practice and guidance on recruiting offenders and ex offenders as mentors and volunteers**. Discussion is taking place on the new **Independent Safeguarding Authority** and how the Vetting and Barring Scheme might impact on volunteering by offenders and ex-offenders. Working with the ISA and third sector partners, NOMS is in the process of establishing a cross-sector working group to inform the development of accessible information and guidance.

- We are working in partnership to take forward proposals agreed by the Ministerial Committee on Life Chances (Sub-Committee on Social Exclusion) on further developing **mentoring and 1-2-1 support for offenders** by increasing the evidence base, improving consistency and good practice across the wide range of provision, and making this support part of the package of Offender Management over time, including through partnership approaches to reduce re-offending.

# REPORT OF THE REDUCING REOFFENDING THIRD SECTOR ADVISORY GROUP

## The strategic context

The Reducing Reoffending Third Sector Advisory Group was established in mid 2009 with the following Terms of Reference:

- to provide advice to Ministers and senior officials on reducing re-offending from a third sector perspective and to present concerns and opinions about future priorities, issues and policies which might affect the sector
- to provide a third sector view to support delivery of the Government's Public Service Agreements relevant to reducing re-offending
- to advise and oversee progress on the implementation of 'Working with the Third Sector to Reduce Re-offending 2008-2011'
- to inform strategic and operational policy to support delivery
- to be an informed voice of a diverse third sector.

The Group welcomes the wide range of initiatives to promote and enhance the role of the voluntary and community sector described in the Annual Progress Review on the action plan "Working with the third sector to reduce reoffending – securing effective partnerships 2008-2011". The success of these initiatives will ultimately be judged on the basis of how far they:

- increase the extent of front line delivery of services to offenders and their families by third sector organisations, including small and local organisations, BME organisations and faith groups
- increase the involvement of voluntary and community organisations in the design and development of services for offenders and their families
- ensure effective partnerships between the statutory, private and voluntary sectors which draw on and make the best use of the complementary strengths of each.

The Ministry of Justice and the NOMS Agency are charged with delivering and supporting delivery on a number of Public Sector Agreements (PSAs). In the last couple of years there have also been several key publications which have recommended and begun to implement radical changes to policy and practice at the heart of criminal justice system – women offenders, community sentencing, youth crime, people with mental health problems and learning difficulties, the role of health in supporting justice, to name but a few. We believe the third sector's reach and skills make it particularly well placed to respond to the challenges identified. Indeed its contribution is vital if the recommendations and objectives set are to be met. We list the following acknowledged strengths of the sector to illustrate the benefits to be gained if given the opportunity:

- innovative approaches within financially limiting restraints

- acutely aware of local needs and current provision
- highly adaptable to fill niche roles and mainstream service provision
- realism and appreciation for the nuances of the system
- wealth of experience of working in partnership with all sectors
- strong connections to service users
- diversity of backgrounds, ethnicity and gender
- genuine commitment and dedication to improvement
- strong public and user engagement, and with it public confidence
- value for money.

We welcome the developing Justice Transformation agenda, in particular the emphasis on preventative and diversionary work early in the process of an individual's contact with the criminal justice system. We also welcome the emerging 'total place' thinking in the context of NOMS' work. The voluntary and community sector will be key to the successful formulation of policy based on these principles and, eventually, to implementation. The Group looks forward to continuing involvement as this work develops and to helping to enable broader voluntary and community sector engagement.

### **The particular challenges of the current environment for the third sector**

At present the proportion of NOMS/prison/probation work which consists of grants, contracts and partnerships involving third sector organisations remains small. In relation to the probation service the proportion of front line services currently amounts to less than five per cent of probation budgets. As far as we are aware, no figures have been collected for the proportion of prison budgets devoted to voluntary sector contracts and partnerships, but the proportion is likely to be smaller still and shrinking, with Charitable Trusts and Foundations increasingly being asked to cover the full costs of voluntary sector work in prisons, a situation that is unsustainable.

The Government has announced that it intends to pursue a "best value" approach to the commissioning of criminal justice services. Under such an approach opportunities for additional engagement with the third sector are likely to develop slowly. For example, if a best value review concludes that best value in a particular area of work is not being delivered by the probation service, the result is likely to be an action plan with targets to improve this and external commissioning is not likely to result until this plan has run its course. There will only be an earlier opportunity for greater voluntary sector involvement if either:

- (i) central government decides that a specified minimum amount of provision will be market tested (as has happened with the decision to market test a minimum of 25 per cent of unpaid work provision); or
- (ii) a Director of Offender Management decides, following a best value review, that the market will be tested immediately instead of first undertaking an internal improvement plan.

## **Enabling the third sector to fulfil its potential to support the Ministry of Justice and NOMS to deliver significant reductions in reoffending**

### **The use of evidence to inform practice and investment**

The Group believes that those working in the third sector have an experience of working with individuals, families and communities which gives us a particular insight into what works effectively in reducing reoffending, especially with regard to those involved in anti-social, relatively low level but persistent offending and those who contribute to the revolving door nature of the criminal justice system. This is in addition to the specialist expertise of certain third sector organisations in providing accommodation, support and supervision for high risk offenders.

We fully recognise the public protection responsibilities of those involved in administering and delivering criminal justice services but we would argue that insufficient attention and thought is being directed at those less serious but frequent offenders whose chaotic and socially disengaged lives contribute significantly to reoffending rates at a huge cost to the public purse and wider economy. The Group believes that our insight, informed by work in our sector but also by a catalogue of academic research, provides us with a perspective that can add value to the reducing reoffending debate which needs to be more widely acknowledged, heard and considered.

The Group is keen to encourage a wider discussion concerning the evidence base informing effective practice. The current agenda appears to be still strongly influenced by the “what works” philosophy developed in the 1980s and 1990s which resulted in a strong focus being applied to accredited programmes with the delivery emphasis being placed on the intervention itself: effective practice was presented as largely about the content and this consequently resulted in less focus being applied to the way in which the intervention was delivered.

While the Group supports the application of tried and tested programmes designed to respond to identified risk factors, we feel that there has been an over-emphasis on this approach with too little attention being applied to other critical success factors such as the quality of the professional relationship and the environment – including the amount of practical help provided in such areas as accommodation, education, employment, mentoring, family support and community engagement – in which the support and whole spectrum of ‘interventions’ are delivered. (See Alison Liebling’s work on the quality of the regime in determining better outcomes<sup>1</sup>).

This situation has been further “institutionalised” by an interpretation of “offender management” being applied by probation areas and within prison establishments. While we are strongly in favour of a system which allows for end-to-end oversight of an offender’s progress through the system, we are concerned that a definition and application of offender management has developed which works against the evidence base concerning the importance of the relationship. The offender manager as broker does not necessarily allow for the development of meaningful professional relationships. A system has developed which results in some of the most chaotic offenders being passed around a number of case workers (although many do not have a case worker at all). As a consequence the potential to fail to comply with

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<sup>1</sup> Liebling, A (2004) Prisons and their Moral Performance. Oxford: OUP

community orders and prison licences is established unintentionally at the outset. Mike Hough's 2008 paper "*Reducing Reoffending: getting off the treadmill*"<sup>2</sup> provides an important critique of the so-called prevailing evidence base but importantly how offender management, in its current manifestation, works against achieving successful outcomes.

The Group is very keen to see a greater focus on evidence which provides for a more rounded approach and which points not only to the content of interventions but to how and where offenders are worked with. We also believe that more attention has to be focused on providing offenders with practical resettlement help. This is likely to be achieved in part through co-commissioning and we would like to see, by the end of the coming year, more developed thinking about how co-commissioning can become a normal part of NOMS' business.

### **The development of commissioning and competition**

The Group feels strongly that NOMS' policy should recognise that we are starting from a position in which voluntary and community sector providers are disadvantaged by the lack of a level playing field in relation to other providers. The reasons for this include the existence of hidden subsidies for central costs and bid costs in public sector bids and the voluntary sector's lack of significant amounts of working capital in comparison with the private sector. It will only be possible to remedy the disadvantages which the voluntary sector faces in the process if the market is managed to compensate for these obstacles. This means aiming to commission a significant amount of work from voluntary sector partners to establish a strong base from which the sector can compete on more equal terms with other providers in the future.

Specifically we would like to see the following:

- early priority should be given to the development of specifications and the carrying out of best value review of types of work in which the voluntary sector has particular expertise
- a policy decision should be made that in relation to all such reviews at least 25 per cent of provision should be market tested to enable the independent sector to demonstrate that it can add value to the way services are currently provided
- Directors of Offender Management should be ready to regard market testing as an early option wherever best value is conspicuously not being provided and NOMS should ensure that this policy is followed in every region.

In addition we would like to see the following developments over the next year:

- there should be systematic involvement of voluntary organisations at the service development stage before services are commissioned. We believe that this can be done in ways which do not give individual organisations an unfair advantage in the subsequent bidding process
- when services for offenders and their families are commissioned, bidders should be required to show that they have experience of the practical front line

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<sup>2</sup> Hough, M (2008) *Reducing Reoffending: getting off the treadmill*.

delivery of services to these groups and a record of success in such delivery, or alternatively to show that they will sub-contract with other organisations who have such experience

- in commissioning services for offenders and their families, bidders should be required to show that they will engage with and draw on the expertise of voluntary and community organisations. The value of community engagement through partnering with the third sector should be appropriately weighted in marking schemes for the evaluation of tenders
- further rigorous steps should be taken to ensure that pre-qualifying and tendering processes are proportionate to the size of the contract
- bidders from all sectors should be required to demonstrate the full costs of their bids to mitigate the problem of unfair advantage as a result of “hidden subsidies”
- NOMS should obtain and regularly publish figures showing the proportion of front line services for offenders and their families which the prison and probation services deliver in partnership with the voluntary and community sector
- the commissioning of services from voluntary organisations should not be restricted to front line service delivery. NOMS should also invite tenders for consultancy contracts which will enable organisations to submit bids to assist NOMS to achieve its strategic aims – for example to reduce the unnecessary use of custody by a combination of national policy advice and local consultancy work with Probation Trusts and their partner agencies.

Particular attention needs to be given to ensuring that BME organisations can become more centrally involved in delivering services in partnership with NOMS, prisons and Probation Trusts. This should include:

- addressing capacity and resources issues for the BME voluntary sector
- ensuring the involvement of BME voluntary organisations in the design of service delivery
- nominating champions for the BME voluntary sector in government departments and agencies
- ensuring that BME organisations are not over-monitored in relation to other providers
- ensuring that training for commissioners includes diversity training in cultural competence and addresses stereotyped views of the BME sector.

We look forward to working with the Ministry of Justice and NOMS to ensure that these policy objectives are translated into practice in order to maximise the unique potential contribution of the third sector to reducing reoffending. We also look forward to an early review of the third sector action plan so that it reflects more fully the aspirations of the Group and identifies how the recommendations made in this paper might be taken forward.

## **RRTSAG Members**

Sarah Payne, Chief Executive, YWCA England & Wales – Chair

Farida Anderson MBE, Chief Executive, Partners of Prisoners and Families Support Group

Paul Cavadino, former Chief Executive, NACRO

Deborah Cowley, Director, Action for Prisoners Families

Sean Duggan, Programme Director, Sainsbury Centre for Mental Health

Gill Henson, former Chief Executive, SOVA

Clare Jones, Joint Chief Executive, Calderdale Women's Centre

Martin Kinsella, Chief Executive, P3

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Robert Morrall, Director, Cementaprise

Simon Pellew OBE, Chief Executive, Time for Families

Cathy Stancer, Programme Director, Lankelly Chase Foundation

John Trainor, Executive Director, London Action Trust

Chris Wright, National Director of Operations and New Business, Catch 22

Steve Wylor, Director, Development Trust Association