



Ian Poree
Ministry of Justice
102 Petty France
London
SW1H9AJ

18 July 2014

Dear Ian,

As members of our Local Advisory Panel we write to express our ongoing significant concerns regarding the details of the Transforming Rehabilitation (TR) bid in our contract package area of Durham and Cleveland.

We have already highlighted our concerns in relation to the process of TR as a whole and reiterate that - like many others PCCs - we are concerned at:

- the speed of the changes;
- the lack of any kind of pilot prior to the dissolution of the local probation trusts; and
- the loss of what is, in our area, one of the highest performing probation trusts in the country.

We clearly support the need to reduce re-offending figures but feel that the changes made in relation to sentencing options and the inclusion of those serving less than twelve months could have impacted on these figures in their own right and our local probation trust would have been best placed to meet these challenges.

We have raised issues at the Local Advisory Panel when discussing the suggested focus themes for evaluation and the bid evaluation extract document but wanted to express our concerns in writing, relating to the rollout of the process for actually awarding the contract. We have looked in detail at the target operating model and make the following observations:

- it appears that much of the budget for delivering a service to those serving less than 12 months is based on innovation and efficiencies in the current service delivery. We will be interested in seeing details of the reduction in costs over a period of time as at the present time it would appear that there have been significant costs associated with the TR process as well as what appears to be an increase in bureaucratic procedures, particularly around allocation and the potential for transfer between the two services.
- we are aware that our local trust had applied 'lean' principles to all areas of their work, were in the process of developing a very innovative way of working based on evidence based model and were effectively managing a group of up to 1700 lower risk offenders with a staff team of around 20. Perhaps more importantly, the quality of this supervision had not been reduced but rather achieved through excellent work with partners and community groups across the area as well as the development of peer mentoring. We assume that the MoJ will be fully aware of this approach and therefore prepared for the fact that any bid will need to include very detailed information around the actual process of supervision, how the company intends to

apply lean principles and at least match this innovation based on evidence. The Rehabilitation Activity Requirement (RAR) would have given our local service a real opportunity to develop this work, as would the lifting of restrictions on ex-offenders going into prison and therefore being able to further develop the peer mentoring work.

- we are keen to develop the very real opportunities available through the new legislation and note some of the direct links with the PCC office particularly around RJ and Victims provision, again we would expect to see very detailed information as to how the bidders intend to engage with us in this respect.

Whilst reoffending is high in our local area compared with the national average, you will be aware that we have made significant inroads into reducing this for our most prolific offenders. The split in services has already resulted in some changes to process in this area due to the perceived lack of staff in the CRC to manage this specialist work independent of other other cases. However in partnership we are working closely to move this forward and apply our experience of IOM to date. The police and probation trust have been able to utilise the information available from Oasys to target those individuals most likely to reoffend and focus the intervention on the relevant offending pathways. The TOM (3) gives the bidder the opportunity to use alternative assessment processes but we would want to ensure that information of this nature is still accessible.

Payment by results (and focusing on the binary measure of reoffending with a hurdle to pass before the frequency measure can be used) has the potential to impact on the level of provision which will be made available to our most prolific offenders. On this aspect of matters, we would want to see very clear guidance as to how the bidders intend to develop this work as well as a real commitment to invest resources appropriately. Profit making companies could fragment partner relationships which are well developed across this area. Linked with this, we have concerns around the setting of the PBR based on the difference between the maximum annual payment and the fee for service as indicated by the bidders. This could mean different areas having greater amounts of the funding being allocated as PBR which has the potential to impact both positively and negatively on service provision in our local area. We would want to ensure therefore that any projected costs are truly reflective of need and can meet the demands of an area with a high rate of reoffending despite the highly rated performance of the local probation trusts.

Whilst we consider it vital to reduce reoffending rates and recognise the potential opportunities to develop this in TR, we also need to focus on the reduction in violent and more serious crime in this area if we are to protect the public. We are acutely aware that many serious further offences happen from within the 'lower tier' group of offenders and therefore need to ensure that ongoing risk assessment processes are detailed within the bids, with a clear emphasis on the importance of staff training, qualification and supervision processes as well as the appropriate dissemination of serious further offence learning. There need to be very clear and detailed plans as to how appropriate links will be made with the NPS, the ongoing involvement of which in partnership work is vital to ensure a local emphasis on crime reduction.

We note that there is guidance around system governance and that NOMS will have a vital role in commissioning and contract management. Without any piloting of TR this is essential in order to draw instant attention to any failures in provision and indeed to check if the plans have resulted in the intended reduction in reoffending. Clearly, any reduction in PBR funding is a reduction in service provision to offenders in this local area. We are interested as to how NOMS will engage with PCCs in relation to the trends and inconsistencies which they are able to identify as this process moves forward. CRCs are given the task of measuring their own quality assurance of services; we would want to see this given equal priority with adherence to the broad national standards and monitoring of

reoffending rates. The Trust ensured that the voice of the offender and partner agencies was part of this process as well as internal systems to ensure quality of service provided.

It is our understanding that the CRC and NPS will not have access to each other's case management information which is a source of extreme concern to us. The way in which this will be managed needs to be reflected in the bid along with issues relating to the management of the data and information systems. The disaggregation of the service as a result of TR appears to give rise to an information-sharing risk which was not previously part of the operating landscape. On the one hand, it is to be hoped that suitable standards and guidance will be brought to bear in order to ensure that information can be shared between CRC and NPS without risk of legal challenge from data subjects. On the other hand, it seems to us that clear risk management processes and commitments will be required of providers in order to ensure that failures in information sharing do not give rise to risk either in terms of community safety or overall standards of service.

Finally there is a need to ensure that the bid is truly reflective of the diverse nature and geography of the Cleveland and Durham area and identify how the CRC will engage with those living on the outskirts of the area. We know that our Trust often struggled to facilitate group work etc. due to distances needing to be travelled; this needs to be recognised, acknowledged and planned for in the bid. We also feel these impacts on the review of estates; whilst it may be financially beneficial to close local offices the bid needs to cater for people's willingness, means and ability to travel long distances in order to engage with services.

To date the information we have had access to only lends clarity to the minimum expected from the bidders and as a result, much of the language is vague and left to the bidder to extend upon.

As Police & Crime Commissioner's with a direct stake in reducing reoffending, we recognise with frustration that we have no structured part to play in influencing the final decision. We do wish, however, to be informed of an involved as much as possible in the selection process as well as having some direct links with the oversight and management of the new companies. We are interested to know how the LAP will develop now that bids have been submitted and whether we will be given any information in relation to the content of the bids and in particular, insight into the level of innovation that bidders suggest.

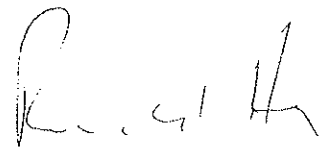
We hope that you will continue to recognise our very real concerns that rather than reducing reoffending, the TR proposals have the potential to increase it and to damage the very close partnership working which has been developed in this area over a long period of time.

We look forward to your reply and would welcome any opportunity to address these matters further.

Yours sincerely,



Barry Coppinger
Police and Crime Commissioner for Cleveland



Ron Hogg
Police and Crime Commissioner for Durham

