

Early doors

The voluntary sector's role in
Transforming Rehabilitation

August 2015

A partnership between

CLiNKs **NCVO** **TSRC** 
Informing civil society

Introduction

Clinks have partnered with the National Council for Voluntary Organisations (NCVO) and Third Sector Research Centre (TSRC) to track the voluntary sector's involvement in and experience of recent changes to probation and prison services under Transforming Rehabilitation.

This report compiles the findings of a preliminary survey of voluntary sector organisations working in criminal justice during May 2015. The survey had three main aims: firstly to engage with a broad cross-section of the voluntary sector working alongside the Transforming Rehabilitation reforms; secondly to gauge the impact of these reforms on the voluntary sector and their service users; finally, to inform the future surveys being undertaken by Clinks, NCVO and TSRC.

On awarding the Transforming Rehabilitation contracts the Ministry of Justice announced that "75% of the 300 subcontractors named in the successful bids are voluntary sector or mutual organisations, putting them at the forefront of offender rehabilitation."⁵ On face value this was a positive affirmation of the voluntary sector's role in probation, but many questions remained: how big a role would these organisations play in delivery, what services would they provide and how would they be funded?

The large scale reforms brought about by Transforming Rehabilitation have led to significant change in the leadership and ownership of probation services:

- Former Probation Trusts have been split into two new entities, Community Rehabilitation Companies (CRCs)¹ and the National Probation Service (NPS)²; separating out the offender management of those who pose a high risk of harm to the public (managed by the NPS), and those that pose a low-medium risk of harm (managed by the CRC).
- When the Offender Rehabilitation Act came into force on 1 February 2015, supervision was extended to approximately 45,000 additional offenders a year who are released from short prison sentences of less than 12 months. It



has introduced a new range of 'rehabilitation activity requirements' that are at the disposal of the courts, and are to be implemented by CRCs and the NPS. The Act also put into law a requirement that the Secretary of State for Justice comply with the public sector Equality Duty under the Equality Act 2010 to ensure that supervision and rehabilitation services meet the specific needs of women offenders.³

- A re-organisation of the prison estate introduced 'resettlement prisons', where people will be transferred to an establishment near to their home address for (at least) the last three months of their sentence. There they will be provided with rehabilitation and 'through the gate' resettlement services provided by CRCs and the NPS.⁴

This initial survey has highlighted the early impact of Transforming Rehabilitation on the voluntary sector, and it is clear from the results that the reforms are still at a very early stage of implementation. The changes that occur as the Transforming Rehabilitation reforms develop will be explored in more depth in subsequent surveys (in Summer 2015 and Spring 2016).

We would like to thank all the organisations that participated in this survey, for giving their time and sharing their experiences.



Five key findings

The results of the survey are analysed in this report, covering who responded, self-reported levels of involvement with new probation providers, where the voluntary sector is receiving funding from, and to what extent Transforming Rehabilitation has impacted on their current funding to deliver services. As a result we have been able to identify five key findings from this survey that will inform our future work in this area.

1. There is very little clarity about what services the voluntary sector will be delivering, or how they will be resourced to do it.
2. The pace of change has been slower than many in the voluntary sector anticipated, leaving organisations in a state of limbo, waiting to see how or if they will be involved in service delivery, making strategic planning and staff retention difficult.
3. A small number of larger voluntary sector organisations report having been able to secure contracts with CRCs to deliver services.
4. The level of NPS engagement with the voluntary sector is largely unknown and needs to be investigated further.
5. The voluntary sector is reporting a sense of confusion amongst funders and commissioners around what CRCs and the NPS will resource. They report that some independent charitable funders and local commissioners are questioning whether they should fund certain interventions

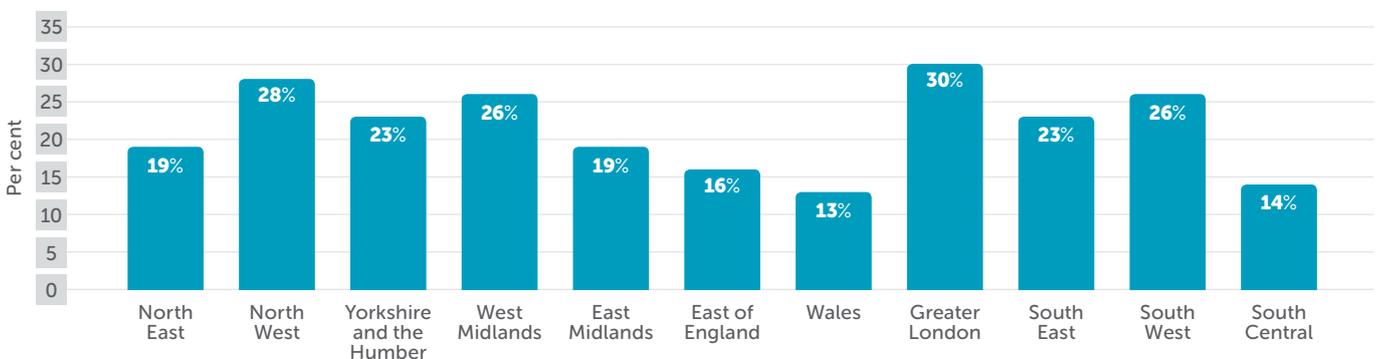
on the basis that these should be funded by CRCs and/or the NPS, and in some instances they appear to be cutting funding for offender rehabilitation and resettlement services.

It is clear to Clinks, NCVO and TSRC that these are issues that require close attention over the next year, and beyond, if we are to assess how the voluntary sector has been affected by the changes brought about by Transforming Rehabilitation. This will assist in developing a greater understanding as to how services are being changed in both CRCs and the NPS. It will highlight to what extent the voluntary sector is playing an important role in genuinely transforming the way we rehabilitate and resettle people in the Criminal Justice System, and the impact that might be having on service users.

Survey response rate

The survey was open from Tuesday 5 May to Monday 1 June 2015. In total 156 questionnaires were completed. All the respondents were from voluntary sector organisations working with people in the Criminal Justice System. There was a reasonably even spread of organisations across England and Wales that answered the survey questions (see Graph 1).

Graph 1 / Where do you deliver services? (Tick all that apply)

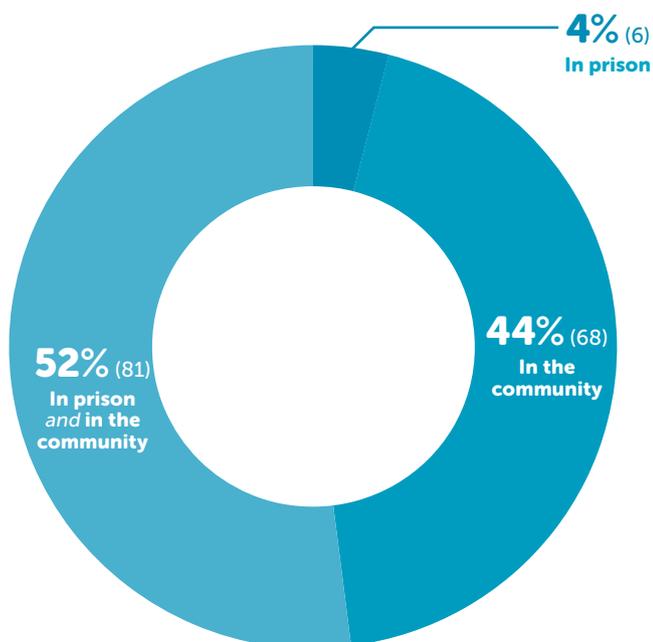


Of the organisations that responded, the majority described themselves as working both in the community and in prison (52%), making them important to the delivery of through the gate services. A further 44% described themselves as working solely in the community, and only 4% told us that their services are mainly delivered in prison (see Graph 2). This highlights the fact that the majority of voluntary sector organisations are community based and provide in-reach, or through the gate services. In terms of local resettlement this is important, providing people released from custody with continued access to services once they return to their local areas.

The voluntary sector's involvement with CRCs

We asked the voluntary sector to assess whether they 'expected to deliver services with (or alongside) Community Rehabilitation Companies?'. 54% stated that they did expect to deliver services, 37%

Graph 2 / Which of the following best describes where you work?

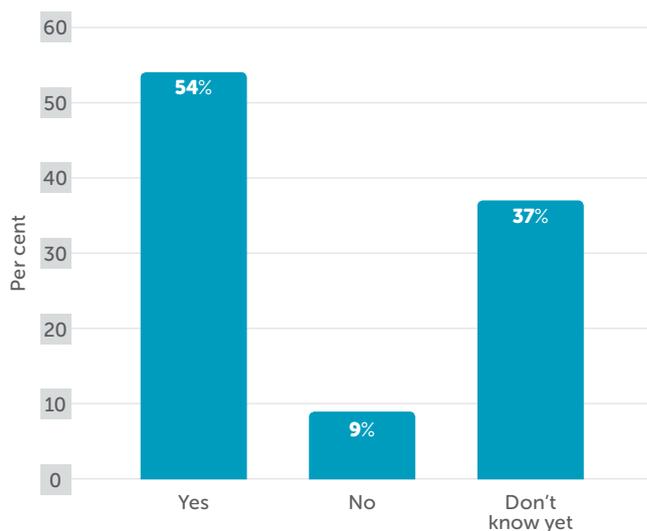


that they did not know, and 9% that they did not expect to (see Graph 3). These results point to a degree of uncertainty, with a significant minority stating that they are unsure as to whether they will be working with or alongside the new CRCs. However, just over half were more confident that they would be working alongside CRCs.

Overall this suggests that the voluntary sector organisations surveyed are actively attempting to engage with the Transforming Rehabilitation agenda, and are looking to be involved in the delivery of rehabilitation and resettlement services. Although, many are unsure as to whether this will happen in the weeks, months, or years ahead.

A number of respondents used the open comment section to highlight that they worked alongside the NPS, and as a result subsequent surveys will ask specific questions about the NPS' engagement with the voluntary sector.

Graph 3 / Do you expect to deliver services with (or alongside) Community Rehabilitation Companies (CRCs)?



Who is funding voluntary sector services?

For those organisations who answered that they do expect to be delivering services with or alongside CRCs, we queried how they expect those services to be funded. This allowed us to see whether voluntary sector organisations expect to be contracted directly through CRCs as a tier 2 (larger provider) or tier 3 (smaller provider), grant funded by CRCs, or whether they expected to be funded by other government bodies, or charitable trusts and foundations (see Graph 4).

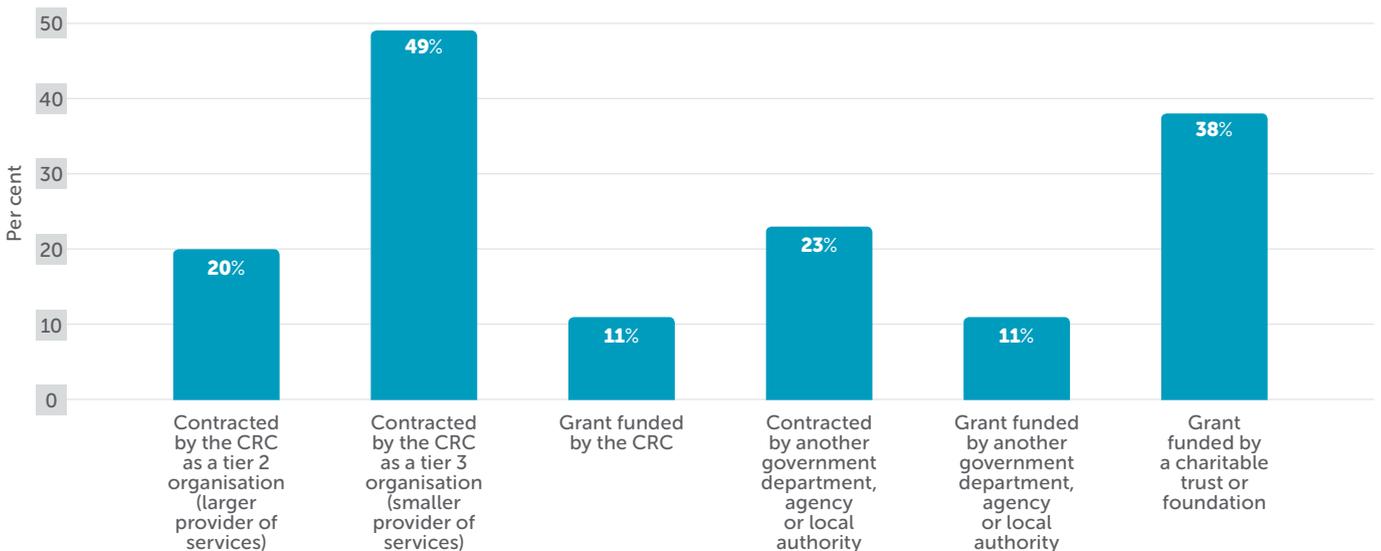
Almost half of the organisations (49%) expected to be contracted as a smaller provider of services (tier 3), with 20% stating that they expected to be contracted as a larger provider (tier 2). Only three organisations expected to hold both a tier 2 and a tier 3 contract with the CRC. Far fewer expected to be grant funded by either the CRC or other government departments (11.2% respectively), suggesting that this form of funding is not being commonly utilised by the statutory sector.

There appear to be substantial numbers of organisations that expect their involvement in

Transforming Rehabilitation (with or alongside CRCs) to be funded through other sources. A significant proportion (34%) expect that their services will be funded in part, or solely, by other government bodies and just over 38% thought that their funding was likely to come from charitable trusts and foundations. This opens up a wider question of the extent to which offender management and support, or voluntary sector involvement in it, is supported by other sources of funding. Ultimately this may be a question of whether the Criminal Justice System as a whole requires this funding to function, or whether the voluntary sector needs subsidising to assist its participation.

The open responses to the above question support the conclusion that things are still at an early and tentative stage for many organisations. For example, there is uncertainty about how the new opportunities will be shaped or designed, what form the funding will take, and how long it might be guaranteed for. There is also a sense that the sector is quite vulnerable, in that it is unsure whether current funding opportunities will continue.

Graph 4 / How do you expect to be funded to deliver the work?



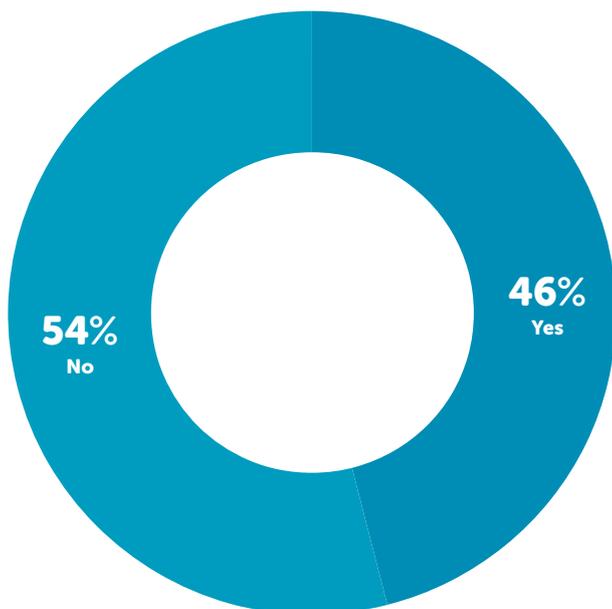
The impact on funding

We asked the voluntary sector whether or not their funding had been affected by the changes brought about by Transforming Rehabilitation. The answers were fairly evenly split with 46% of respondents saying yes and 54% answering no (see Graph 5). Given this fairly even spread, it is interesting to look in more detail at the open-ended responses.

“Transforming Rehabilitation... has left the work we were funded to do in a state of limbo. [Our contract has] been extended for six months, with no guarantees of how we go forward.”

Only seven organisations that answered ‘no’ chose to provide further information clarifying their answer. Those who answered in this way on the whole, while acknowledging that their organisation had not yet experienced a change in its funding, were clearly aware of the changes underway and generally they convey a sense of apprehension.

Graph 5 / Has your funding (contractual or grant funding) been affected by Transforming Rehabilitation?



“We have done much work over the past two years to become part of the ... supply chain. We work with local delivery partners and our plan and understanding was we would be working and delivering this year. The extent of delays in mobilisation to tier 3 partners were not anticipated and this is now having a serious impact on our planning, budget/finances and managing our partners.”

It appears many are in the position of watching, waiting and negotiating. These organisations reported a state of limbo, unclear whether they would be funded to provide services. Others were concerned that although funding had initially been continued, it was only confirmed for a further three months, with no guarantee of future funding. As such many organisations were finding it difficult to plan budgets, assess necessary staffing levels, and retain skilled staff in a climate of uncertain funding.

“Core funding for our Female Offender services expired at the end of March 2015 ... some of this has been extended by three months but we have not got any assurance of continuity thereafter.”

Of the 65 respondents who answered ‘yes’, and provided further comment, a minority (less than 10%) stated that their funding situation had been improved. They pointed to new contracts with CRCs and newly negotiated grants provided by the NPS, showing an increase in income as a result of the recent reforms.

“Contractual funding for offender focused services has increased under Transforming Rehabilitation.”

In the majority of the answers we can clearly see a considerable sense of uncertainty, with some interim funding measures being used, as well as a number of organisations expecting cuts to existing services pending re-negotiation.

For others a reduction to existing funding was changing the nature of delivery, both in terms of how many people they could support, as well as the way in which they could be supported. A number of respondents were clear that they are having to cut services or take the decision to utilise their charitable reserves to subsidise delivery. For some this raised questions about the quality of services they could deliver to offenders.

“We see the contracts from CRCs as being very restrictive, if we were to take on said contract we would be forced to change our service to fit the contract, something which we firmly believe will have a lesser impact on offenders in the long run.”

Some organisations are experiencing the decommissioning of certain services, or the cessation of funding streams that were previously available for rehabilitation and resettlement services. These largely appear to be locally based organisations delivering smaller scale services.

“Our grant for mentoring which was originally from the Probation Trust ended in March this year and we have no further contract to deliver mentoring at present.”

There is a perception that grant funding from traditional sources (trusts and foundations, local authorities, and other statutory agencies) has been reduced. Organisations speculated that this is in response to expectations about what services newly founded CRCs and the NPS would resource (either internally delivered or procured from other providers). In particular there was a widespread perception that independent charitable trusts and foundations were becoming increasingly cautious about funding rehabilitation and resettlement services, principally due to concerns about subsidising public services or companies run for profit.

“Services previously funded by the local authority have been decommissioned as there is an expectation that CRCs will pick them up. This is particularly in the case of housing. In reality this has not happened.”

“We have had grant funding come to an end with the funder assuming that Transforming Rehabilitation contracts would replace this, and/or not being comfortable funding work with charitable donations that could potentially deliver profit to private companies. We have also had prisons reluctant to commission work due to being uncertain whether it would be their or the CRC’s responsibility to do so.”

Finally, some organisations took the opportunity to address other ways in which the recent changes were affecting their work. One organisation was concerned that since the introduction of CRCs their referrals from probation officers had dramatically reduced, stating that “... this may be due to a lack of knowledge about our organisation.” Whilst other organisations were concerned that the time spent engaging with CRCs “to help them understand the sector and negotiate down prices” has stretched limited fundraising resources with the result that they “have been unable to allocate enough time to applying for other sources of funding.”

These are important reflections about the ‘new landscape’ that will need to be tracked as CRCs and the NPS continue with their changes to local probation services, and will form the basis for questions in subsequent surveys.

Conclusion

This initial survey was undertaken with three main aims: firstly to engage with a broad cross-section of the voluntary sector working alongside the Transforming Rehabilitation reforms; secondly to gauge the impact of these reforms on the voluntary sector; and finally, to inform the future surveys being undertaken by Clinks, NCVO and TSRC.

The survey was successful in engaging 156 voluntary sector organisations from across England and Wales, ranging from small community groups to large charities. Future surveys will be distributed to these contacts, as well as other organisations we did not reach this time.

We have started to develop a picture of how the reforms brought about by Transforming Rehabilitation are impacting on the operating environment for local, regional, and national voluntary sector organisations. Clearly it is 'early doors', and uncertainty coupled with a slower than expected pace of change is placing many organisations in a state of limbo, not knowing exactly how it will affect their services. Some organisations have seen a reduction in income and are attempting to adapt service provision, access alternative funding, or potentially close services; while others, albeit a smaller number, have seen an increase in income and an expansion of their services.

The five key findings from this report (shown opposite) will be used by Clinks, NCVO and TSRC to inform two further, more comprehensive surveys of voluntary sector organisations working in or alongside Transforming Rehabilitation.

Notes

1. List of Community Rehabilitation Companies and their owners: <http://www.clinks.org/sites/default/files/table-of-new-owners-of-crcs.pdf>
2. The National Probation Service website: www.gov.uk/government/organisations/national-probation-service
3. Clinks (2015), Briefing on the Offender Rehabilitation Act 2015, www.clinks.org/sites/default/files/basic/files-downloads/briefing_on_the_offender_rehabilitation_act_april_2015.pdf
4. List of resettlement prisons: www.gov.uk/government/publications/resettlement-prisons
5. Ministry of Justice (2014), Charities in front seat of new reoffending drive' www.gov.uk/government/news/charities-in-front-seat-of-new-reoffending-drive



Key findings

1. There is very little clarity about what services the voluntary sector will be delivering, or how they will be resourced to do it.
2. The pace of change has been slower than many in the voluntary sector anticipated, leaving organisations in a state of limbo, waiting to see how or if they will be involved in service delivery, making strategic planning and staff retention difficult.
3. A small number of larger voluntary sector organisations report having been able to secure contracts with CRCs to deliver services.
4. The level of NPS engagement with the voluntary sector is largely unknown and needs to be investigated further.
5. The voluntary sector is reporting a sense of confusion amongst funders and commissioners around what CRCs and the NPS will resource. They report that some independent charitable funders and local commissioners are questioning whether they should fund certain interventions on the basis that these should be funded by CRCs and/or the NPS, and in some instances they appear to be cutting funding for offender rehabilitation and resettlement services.





trackTR, a partnership project of Clinks,
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