

# THE VOLUNTARY SECTOR IN CRIMINAL JUSTICE: A Study of Adaptation and Resilience.

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## Summary of early findings

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# Overview

This report presents early findings based on interview data from a qualitative study of responses by the voluntary sector to the growth of mixed markets in criminal justice services. The research was conducted between April 2015 and March 2017 in locations across England and Wales. It was funded by the Leverhulme Trust (grant reference RPG-2014-419) and facilitated through partnership with Clinks. The analyses and conclusions of the report are the authors' alone and should not be taken to represent the views of Clinks.

The main aims of the research were to examine adaptive strategies being employed by voluntary sector organisations working in criminal justice in response to a rapidly changing economic and policy environment. A key objective was to explore the 'resilience' of voluntary organisations in the face of change, a characteristic which has been strongly associated with the sector in previous academic literature. Participants in the fieldwork were mainly drawn from individuals with executive or strategic responsibilities whose decisions impacted on the adaptive efforts that evolved in relation to newly emerging conditions and information<sup>(1)</sup>.

# Acknowledgements

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## Introduction

# Adaptation and resilience in the voluntary sector

How has the voluntary sector responded and adapted to the growth of mixed markets in criminal justice services? Has it gained or lost from involvement? This report addresses those questions through detailed research into the experiences of voluntary sector organisations (VSOs) which have been funded to provide offender rehabilitation and resettlement and related criminal justice services in England and Wales.

Although the voluntary sector has a longstanding humanitarian tradition of supporting people who have been affected by the criminal justice system, that part of the sector working, or aiming to work, with offenders is faced with a rapidly changing external environment and is itself undergoing a process of reinvention and re-engineering. Since the 1990s, reforms to the courts, probation, prisons and community-based sanctions have been moving towards a mixed market approach wherein commercial and voluntary sector organisations are increasingly contracted to augment, or replace, state services. The clear political message from successive governments has been that public service providers from the voluntary sector will have to work within more competitive, accountable and 'professional' frameworks, in many cases including formal collaborative arrangements with public and private sector agencies. As a result, VSOs have been refocusing aspects of their missions, funding models, programmes, organisational procedures and workforces to these requirements.

Some of these trends have generated much soul searching, most commonly to the effect that the voluntary sector faces deeply polarising dilemmas between 'adapting or perishing' to the new environment<sup>(2)</sup> or risks compromising its distinctive social mission. Equally, voices within and outside the sector have warned that state or corporate patronage is eroding its autonomous standing, exposing it to unacceptable reputational risk and decreasing public understanding.<sup>(3)</sup> Such risks are said to be especially acute if the services delivered are associated with profiting from punishment.<sup>(4)</sup>

Against the pessimistic story of decline is a counter-narrative which champions the staying power of a sector that is accustomed to adapting to unpredictable trends while retaining its distinctive sense of mission, social focus and ethos. This case was famously made in 2013 by Lester Salamon in *The Resilient Sector: The future of non-profit America*, which concluded that the voluntary sector had ridden waves of seismic change 'brilliantly and resiliently' although at the cost of moving 'far from the sweet spot that has historically earned the sector public trust'.

We have approached this adaptability as an asset rather than a problem, in that as a concept it allows an appreciative examination of the gains and achievements, as well as a sense of lost ground, reported by the voluntary sector in criminal justice. Although the bigger paradigm shifts in recent years have underlined a growing identity crisis in the voluntary sector at large, they have also presented opportunities for renewal and reassertion of core identify and values.

This project set out to empirically test these claims against evidence that was systematically gathered from the field. We did this by researching how decision makers in the voluntary sector, criminal justice, policy making and charitable funding, for example, were shaping as well as being influenced by, interlocking 'force fields of change' as Lester Salamon described them.<sup>(5)</sup> For the sake of clarity, we have framed the many changes which have impacted on the voluntary sector and criminal justice fields into the following analytical themes, each of which corresponds with a chapter.

In **Chapter 1** we examine how senior staff and commissioners interpreted and responded to the changing rules of the market in criminal justice service delivery.

**Chapter 2** explores what voluntary sector managers and staff understood by, and felt about, efforts to 'professionalise' VSOs, including demands to coordinate their expertise and practices in line with the operational and corporate priorities of statutory and commercial partners.

In **Chapter 3** we look at 'penal drift', that is, the extent to which employees and managers were altering their values and practices (or not) to fit with risk-based and criminogenic frameworks.

**Chapter 4** examines the enablers and constraints on the sector in utilising its 'voice', both collectively, and on behalf of service users.

**Chapter 5** looks at the extent to which the voluntary sector personnel view the relationship between values and ethos and their relationship between values and ethos and their place in organisational roles and missions.

**Chapter 6** examines the potential for competitive or expansionist behaviour to disrupt existing collaborative networks and uproot links with localities and communities.

**Chapter 7** offers some examples of resilience as identified by research participants.

## Methodology

The research took place in England & Wales between April 2015 and March 2017. To answer the research questions we needed to employ a mixed method approach as the most appropriate means of capturing complex social and public policy issues.

We systematically reviewed academic, policy and evaluative research relevant to the voluntary sector in criminal justice resettlement.

Statistical data were gathered from an electronically administered survey of CEOs or other senior managers (57 responses). A subset of questions salient to this project was also included in Clinks' TrackTR surveys covering the years 2015 and 2016, to broaden our sweep and to track significant movements over the research period.

However, the bulk of data for the project was collected through a series of individual and group interviews. These were composed of three groups: (1) a total of 141 senior voluntary sector managers, directors, trustees, and members of grant-making trusts; (2) a total of 31 service commissioners, politicians, civil servants, executive level staff in Community Rehabilitation Companies, National Probation Service, the judiciary, prison service and Police and Crime Commissioners; and (3) a total of 33 staff and volunteers working in the direct delivery of services. Altogether, we interviewed 205 individuals from 110 organisations.

Additionally, 10 organisations took part as in-depth studies, allowing us access to their documentation, to attend and observe board meetings, training programmes, service user forums and operations. Interviews were conducted with trustees, board members, senior managers, staff and volunteers. We have anonymised all individuals and organisations who took part in the research.

## Terminology

The usage of certain words in both criminal justice and the voluntary sector may have become standard in policy and administration. However, in the course of the research it became clear that some terms were

contentious and are not regarded as neutral descriptors. Accordingly, we have tried to be consistent in using certain terms, while being sensitive to the context in which they are used. The voluntary sector goes by a number of names, including the third sector, not-for-profit or the community and voluntary sector. We have used the term 'voluntary sector' as the most commonly understood reference to the sector as a whole. The sector is also diversified and comprises charities, social enterprises, or community interest companies, for example. We refer generically to voluntary sector organisations – or VSOs – unless specifically referring to a particular type of agency. Reference to the people with whom VSOs work as 'offenders' is increasingly being questioned because of its labelling and exclusionary connotations. We generally use the term 'service user' or 'beneficiary' and avoid 'offender', unless the term appears in an agency's remit or is taken from a direct statement

We have tried to keep acronyms and abbreviations to a minimum, but for brevity use the standard abbreviations of VSO for 'voluntary sector organisation' and CEO for Chief Executive Officer. We use ETE to denote organisations which focus on education, training and employment.

## Chapter 1:

# Has the voluntary sector become market orientated?

Voluntary sector funding is a dynamic and complex field in which CEOs and senior managers are expert at anticipating and managing shifts in the funding landscape. However, the period of research corresponded with exceptionally turbulent times, as public finances retrenched severely and service provision was increasingly marketised, setting challenges far beyond the norm. The majority of senior managers reported that these drivers prompted them to become more 'market savvy' and entrepreneurial. They discussed how they assessed threats and opportunities, scoped their environment for new sources of funding or partnership, and engaged with the priorities and demands of competitive culture.

### 1. How did organisations adapt to financial uncertainty?

Most contracted service providers developed alternative income generation strategies in a very fluid and unpredictable environment. Some organisations recognised that they had become very exposed to one or a few big contracts. Typically, several organisations mentioned the phasing out of the Supporting People funding streams administered by local authorities from 2014, and discussed their steps to wean themselves off that source:

*'Our approach was to reduce our dependence on Supporting People income. In 2007, probably two thirds of our funding came through Supporting People. We've reduced that down [with] new business coming from different funding sources and different funding streams now'*  
(CEO, Housing Provider).

CEOs reported that they preferred to manage these transitions, although that was not often possible given that the flux in the market meant that they

also had to be open to available opportunities. One long-established housing provider discussed their plan for creating added value to their income streams by growing from their 'core' business of offender housing into bespoke services for new groups, including women offenders, domestic violence perpetrators and veterans.

*'We were a little bit of a one trick pony in the sense that we always worked with [adult men] offenders and all we did at that time was accommodation ... And now we've moved into delivering domestic violence perpetrator programmes, it's more than floating support, it's community based services. So that's been really good'*  
(CEO, Housing Provider).

Other organisations were challenged by larger policy decisions. One example was a large employment training (ETE) project for released prisoners with an impressive record of grant capture under the joint NOMS/European Social Fund (ESF) programme for employability training. The charity had been funded under both the first and second rounds of the programme. A promised third round of funding was scheduled for 2014 but government delayed implementation until 2016. The charity had to suspend its workshop projects and fund its other activities from their reserves:

*'When our programme came to its natural end, it was not replaced by any other statutory provision in the area. So the question must be asked, 'where then are those offenders going to receive their ETE provision?' So our concern as an organisation is, 'where are these offenders going?'*  
(Director, ETE).

There was also uncertainty deriving from deep cuts

in grant funding from local authorities. During the course of research, many local authority funders reportedly warned providers to expect heavy cuts, but there was a lack of clarity as to how heavily or lightly these would fall. Although adept at managing funding cycles, the gaps between contracts became more and more difficult to bridge without subsidising them from their internal funds.

*'[H]ad we been a smaller organisation, we would have had to close before today, in terms of the funding coming in would have run out and we wouldn't have been in the position where we could subsidise from reserves and donate management time'*  
(Project Manager, Supported Housing).

Others remarked that keeping up with constant tendering rounds often drained attention and resources away from programme development:

*'We're having to think more competitively. You get less time to think about innovation'*  
(CEO, Infrastructure).

## 2. Community Rehabilitation Companies

Unsurprisingly in the prevailing climate, CEOs took great interest in the prospect of the 21 Community Rehabilitation Companies (CRCs) coming into operation as hubs for supply chains and focal points for co-ordinating resettlement activities. Under the Transforming Rehabilitation (TR) policy, responsibility for providing probation and resettlement services were split between the National Probation Service, which remained a state service, and the CRCs, which were mainly consortia of commercial and voluntary sector prime or lead companies undertaking outsourced offender resettlement. Prior to the award of contracts in 2015, the prospective prime bidders had been prolifically recruiting local voluntary sector organisations, fuelling suspicions that 'the third sector is always going to be used as some form of bid candy' (Director, Prime). Approximately a fifth of participating organisations had been approached by a prime bidder with a view to becoming subcontractors, and a smaller number had been in negotiations with more than one prime contractor. Many acknowledged that their dealings with several

primes had been motivated by caution and 'hedging their bets':

*'Since privatisation [of Probation], I've been too nervous about what's happening with the CRCs, so we decided to take community payback under our wings and form formal partnerships with each of the CRCs'*  
(Project Manager, ETE).

Some providers were subcontracted to the CRCs when their original contract with the Probation Trusts were transferred to the new owners. A significant proportion of organisations spoke about lengthy waits to hear whether the CRCs would continue to use their services, prompting some projects to 'borrow' from their parent group to tide them over pending a renewal of contracts:

*'[A]t the moment, we are borrowing money from our [parent] department to run the programme'*  
(Project Manager, ETE).

CRC primes had been awarded their contracts partly on the basis of 'very clear contractual provisions' for bringing voluntary sector providers into supply chains, according to policy makers. Official audits report that levels of subcontracting overall have fallen far short of initial projections. According to HM Prison and Probation Service (HMPPS, formerly NOMs), levels of subcontracting vary widely, with a few CRCs achieving levels of subcontracting and grant funding, but with the majority falling far short of their own contractual thresholds. This vexed and ongoing issue cannot be fully explained in this report, especially given the problems with the payment model which CRCs have reportedly experienced. But it is worth noting that some owners believe that the difficult and unpopular decisions about where scarce resources would go were effectively handed to the CRCs by NOMS. There was a view that the political rhetoric about TR had inflated expectations in the sector:

*'The myth really of [government] saying, "well, rather than give you this funding, we're going to put it into outsourced providers, who will be required to subcontract some of that work", inevitably*

*means that that work will go to a smaller number of organisations than this other pot of money would have. And it also means that these organisations will only get work that is directly aligned to the core contract that's been commissioned'* (CRC Owner).

To conclude, one trustee summarised a growing scepticism that the bigger commercial interests viewed TR as a port in a storm:

*'My concern at the time was that they would come and play in these markets, and then when their other markets that they were more used to and more experienced and comfortable with, took off again, they'd happily just to leave this side of things, because it was never their real interest anyway'* (Trustee, Housing Consortium).

### 3. Becoming bigger players

Some voluntary organisations in criminal justice have been able to grow rapidly and expand their footprint to a national scale. This section explores the two most commented upon examples of expansion, which were largely driven by economies of scale and commissioners' preferences for large-scale contracts. These were firstly, mergers between medium-sized VSOs or social enterprises, and secondly, commercial partnerships with private sector interests.

Mergers allowed participants to acquire capabilities, assets, specialist expertise and competitive advantage. Some had merged in order to avoid closure, while others affiliated with a larger group of like-minded organisations to pool 'back office' functions and achieve greater economy of scale. Still others had more ambitious strategies:

*'We did three mergers in a year. We actively sought out mergers to move us into new geography and new markets ... And they took us into the southern market ..because unless you're in London, you can't break into the London market'* (CRC Tier 2).

The quote above is taken from an organisation that had rapidly expanded from a base in one region and in core housing support to becoming a major social enterprise with national reach. It had 'almost gone to the wall' shortly after the economic downturn. By 2016, the parent group grew to a registered charity at its core with a trust arm. It had diversified into youth, education and mental health and was running over 50 separate projects nationwide. On the other side of the equation, another VSO sought out a merger because its survival had become precarious as a consequence of taking on contract commitment which had led to significant losses:

*'It was very, very clear that we were not going to be able to withstand that loss. So, the board started looking for merger partners and openly going out to do that'* (Director, ETE).

A few smaller or medium sized VSOs partnered with large private sector companies because that option gave them room to innovate and develop services that they were unable to do while in multiple, short term and smaller-scale contracting rounds. One senior manager reflected that the private sector offered them:

*'... potential reach for the contracts that arguably some of the big national and global organisations might go for. They actually said, "we're that confident we can do this, we'll put up £2 million". As an organisation, we certainly couldn't do anything like that, but we wanted the opportunity to be able to get in and work alongside one of the bigger partners'* (CRC Tier 1).

However, such activities have provoked concerns that competitive opportunism was driving culture change in the sector, in the process jeopardising public trust by seeming to blur distinctions between charities and businesses. These critiques were echoed across a range of opinion, including some potential contractors:

*'my relationships with those organisations as a prison governor would be much more*

*akin to working with G4S as a partner'*  
(Director, Prison Services).

From another vantage point, it was argued that mastering how the market worked created greater public good because those organisations that have grown in size or added offender services to their portfolio of projects were able to benefit far more people than smaller or single service VSOs.

Taking this analysis further through the interview data, we found that for many heads of charities, embracing commercial methods did not mean that they had jettisoned altruistic and public-spirited values. Indeed, many argued that they had been able to successfully adapt their core goals to the new climate. This view tended to be articulated by heads of some charities and social businesses which had ambitiously expanded into new localities or took contracts for offender resettlement on the basis that they created new income streams. This group also claimed that decisions to break into new markets as 'newcomers' to criminal justice were not based on 'empire-building' or 'predatory' motivations:

*'We acquired a ... charity. We did that because we saw an organisation delivering work that aligned with our*

*ethics, our values, our ethos, we liked that organisation and we could see that it was having difficulties ... And [charity] runs alongside us as a wholly owned subsidiary of [us] but are allowed to continue the work that they're doing'*  
(CRC Tier 1).

Contract markets created incentives for providers to adopt commercial growth strategies in order to 'keep the doors open' first and foremost, while also paying keen attention to developments in the market. Whilst some organisations were criticised for predatory and opportunistic behaviour, those involved in mergers or acquisitions argued that expansion was not only necessary for reaching greater levels of need, but brought investment for innovation, helped struggling projects survive, and injected necessary business realism into the sector. These claims sounded hollow in some quarters. On closer examination, however, we found that most managers believed that commercial-minded and altruistic behaviour could work in tandem, and did not necessarily fall into neat moral or ideological opposites. As the academic Julian le Grand put it: 'the altruist who believes in competition may be right'.<sup>(6)</sup>

## Key Findings

- Although practiced at operating within an environment of uncertainty, a perfect storm of economic and policy change contributed to exceptional turbulence and unpredictability for the voluntary sector.
- Their adaptive strategies included: diversifying their core services in offender resettlement into growth areas such as youth offenders, those with mental ill-health or military veterans. Others expanded into new localities or regions. A substantial proportion went into partnership or mergers with bigger voluntary sector organisations while a minority collaborated with the private sector.
- Voluntary sector boards and managers became more entrepreneurial, but new markets did not make up for the shortfall in local authority and grant funding for smaller to medium-sized organisations.
- The market presents both opportunities and risks but these are not evenly experienced across the sector.
- Recent changes, including the advent of CRCs, have created market 'winners' and 'losers'.
- Partnerships, especially with the private sector, created role ambiguity but VSOs also asserted their core voluntary sector goals and values.

## Chapter 2:

# Professionalisation

An example of the demanding environment is the growing 'professionalisation' of the voluntary sector. Professionalisation has particular relevance for service providers who must demonstrate their commercial capabilities and competences for working within tight performance cultures. Almost all of our interviewees agreed that in order to win such contracts, bidders had to convince commissioners of the professional nature of their organisation. Professionalisation was broadly understood in one (or both) of two ways.

The most common response to questions about professionalisation was to refer to aspects of *organisational efficiency*: for example, to underline the importance of robust financial accounting systems, accurate record-keeping, effective staff management, and so on. Numerous senior managers emphasised that VSOs should be (and usually are) as well managed and 'business-like' as equivalent public or private sector organisations, and equally 'lean' and 'efficient' in their use of available resources. A smaller number understood the term to mean the development of '*professional skills and practice methods*', underpinned by theory and a body of evidence-based knowledge, and implemented by staff with appropriate levels of training and qualifications.

In the following sections, we outline and discuss our findings on how and to what extent both forms of 'professionalisation' manifested themselves, as well as summarising interviewees' views on the topic.

### 1. Organisational efficiency

During the 2000s, as the idea of significantly expanding the role of voluntary sector in criminal justice service delivery took hold, the UK government introduced a series of initiatives aimed at assisting VSOs to compete for contracts on a 'level playing field' with private or public sector organisations. Capacity building grants and training courses were provided under schemes such as 'Futurebuilders' and 'Changeup', aimed at increasing VSOs' financial stability, enhancing management skills, improving accounting and HR systems, helping trustees to make a more effective contribution, and so on. Our findings suggest that many have heeded the messages

behind these initiatives and fully embrace the need to demonstrate to commissioners that they are 'professionally' run outfits. Most of the CEOs and other senior managers we interviewed said that they had significantly enhanced their business systems in recent years, for example by employing more specialist office staff in areas such as finance, HR and IT. They had also invested in management training and improving quality standards:

*'I would say we've become more professional as an organisation. That's not to say that previously people weren't professionally qualified. But we've achieved the PQASSO quality standard, we've achieved the Investors in People bronze award ... There's been more of a focus on the development of the managers. We had an ILM (Institute of Leadership and Management) programme. We brought that in-house to make sure the managers were trained up and the senior managers as well'*

(Senior Manager, Addiction Services).

Senior managers generally concurred with commissioners' demands to demonstrate organisational efficiency, agreeing that VSOs should be 'business-like' and that they had a duty to make effective use of public funds. On the other hand, some of the demands arising from the need to 'deliver to contract' created unnecessary bureaucratic activity. Specifically, the frequent monitoring and outcome data that contractors or primes required were not only regarded as time-consuming and expensive to collect, but much of the data were felt to be hollow and misleading in reflecting the reality of their work and its impact:

*'...we're working as a subcontractor... the day to day operations are affected because we're regularly inspected... We spend too much time on keeping records and sharing records with the bigger organisation.'*

(CEO, Housing and Support).

Frontline staff were particularly vocal on this issue, stating that their organisation had become more 'bureaucratic' and that growing 'paperwork' and IT recording obligations – often with different commissioners demanding quite different kinds of data from different projects - were reducing time for face to face work with service users. Such pressures were especially unwelcome among unpaid volunteers who had not expected to spend their time on this kind of work.

Another concern arising from the drive for more 'efficiency' was that ever-increasing caseloads and volume processing were eroding opportunities for building rapport and responding to service users. In some cases, staff reported that they came under pressure to curb the 'inefficient' use of time with service users:

*'Because of the way commissioning has evolved over recent years, I think there are incredible constraints really. Probably the best example I could give of that is that when I set up complex needs resettlement at the young offenders' prison, I was given a totally open remit. I was told, [you have] "small caseloads, complex needs, so do whatever you need to do to make this work". I didn't have to work with more than 12 people at any one time. I could see people every day. I could spend six months getting to know someone. That doesn't happen anymore'*  
(Manager, Offender Service).

Perhaps most importantly, there was widespread agreement that while the current emphasis on more 'professional' administrative systems had their benefits, in the longer term there was a threat of widespread 'corporatisation'. This manifested in more competitive behaviour, hierarchical management systems and the priorities given over to efficiencies and generating surpluses. Examples were given of increasingly influential national VSOs which appeared to be run as quasi-businesses and managed by well-connected executives with backgrounds in commerce or public administration rather than people with a voluntary sector background and ethos. A specific concern was the repeated process whereby, when such 'helicopter charities' won contracts previously held by smaller local charities, some of the latter's staff were

transferred into the new organisation and expected to work in ways which failed to make use of the skills and knowledge they had acquired in the third sector:

*'The Commissioners are allowing them to parachute in. So, for example, [social business] never had a presence in the drug and alcohol field, or very small. But then they won the whole contract for (city). And so, whilst they keep the same staff through TUPE, their main driver for the first year is to get those staff inducted into their business way. Now some of those things may be very, very good, but if you're not careful, you lose the local knowledge, or the local knowledge is not attended to'*  
(Manager, Housing Charity).

## 2. Professional knowledge, skills and practice

In discussions with interviewees about 'professionalisation', we also found some evidence of a shift in ideas about the kinds of work that frontline staff should undertake with service users. Many voluntary sector staff still see their role primarily as akin to that of a 'trusted friend', but in delivering services on behalf of criminal justice agencies they are increasingly expected to provide the kinds of interventions associated with 'professional' agencies such as probation or social services. This aspect of professionalism involves claims of expert knowledge and the articulation of some kind of theoretically informed model of change – in short, a rationale, where possible backed up by empirical evidence, for how and why a particular kind of intervention or practice will help change people's thinking or behaviour. VSOs must demonstrate more clearly how staff interventions might contribute to reducing 'offending behaviour'. A prime example is that of Her Majesty's Prison and Probation Service (HMPPS), for whom the likelihood of achieving concrete outcomes (primarily, the reduction of re-offending) is a critical consideration when awarding contracts.

The gradual shift towards more planned and structured interventions, including rehabilitative programmes, also encouraged an emphasis on 'maintaining professional distance' and 'challenging' people rather than primarily focusing on their

needs. Similarly, greater reliance on formal assessment tools facilitated a shift away from person-centred approaches. The wider use of assessment and diagnostic methods has left many staff feeling that their experience and judgement have given way to depersonalised volume processing and devalued their relationship and trust building skills. For example, the 'Business Development Officer' of a medium-sized charity stated:

*'It's a case of, it's not enough to be having a chat, is it? It's not enough to be just saying, "well, how are things going with you?" It is about putting in place an action plan. And I think a lot of staff resent it because they feel, "I know what I'm doing". It's a difficult skill to be in a room with one person, in terms of how do we challenge people or how do we break down those walls of denial?'*

(Senior Manager, Addiction Service)

Another element of 'professionalisation' arose with the introduction of regular weekly office appointments at the service's premises while cutting back on 'drop in' meetings on request or outreach work in the community. This was unwelcome to most of the frontline staff we interviewed. They – and indeed many senior managers – also regretted that contracted work with offenders was usually expected to end when their period of statutory supervision (and hence their funding) ended. Where possible, efforts were made to devise informal ways to offer ongoing support (often paid for by the VSO) for the more needy cases for as long as they could:

*'We can work with some individuals once their supervision's ended but it tends to be in a very time limited way. NOMS aren't really overly enthusiastic when we say we want to do that. My view is we should be able to continue to offer a service for as long as it's required but the contract says otherwise'*

(Senior Manager, Homelessness).

The tensions between the 'pastorally-facing' and 'professional' ways of working were reflected in discussions about staff recruitment. Senior staff

were asked whether they preferred to recruit candidates with professional qualifications and/or experience, or less well qualified candidates with strong 'people skills'. The majority of managers said that they would be more likely to appoint the latter, but only on the condition that they undertook in-service training and had the potential to acquire the appropriate skills, knowledge and qualifications. Similar comments were made that candidates' values had to reflect those of the organisation first and foremost, but they would be expected to take part in training and gain further qualifications after appointment.

The notion of 'workforce development' was deemed to be indispensable when bidding for state funding. For example, the 'Business Development Officer' of a medium-sized charity stated:

*'The whole idea of the workforce development strategy is to really look at where we can gain competitive advantage over other organisations. The way that the environment is taking us is that everybody has to compete, everybody has to be efficient. In one way you're becoming more and more like any other organisation in any other sector when it comes down to writing bids and tenders and how to evidence specialism'*

(Tier 1 Resettlement).

Finally and ironically, in an apparent paradox, despite their frequently stated aim of creating a more 'professional' workforce, VSO managers also reported complaints of demoralisation on the part of staff who felt that they were being deskilled. Typically, this tended to arise where organisations undertook contract work with a strong emphasis on volume or where their usual bespoke programme (for example one-to-one work with service users over a period of months) had to be trimmed down for delivery over shorter periods. This was a familiar theme with organisations working for CRCs where the terms of the contract obliged them to deliver truncated versions of their original programmes. This was not only of concern because it potentially led to a less successful intervention, but led to problems with staff who felt demoralised by losing the expert aspects of their work.

*'And a lot of our staff who have been involved in the previous models have said it feels like a watered down version almost, you know, it's lighter touch, lighter involvement than what we've been used to before. That does create some challenges. This passionate staff group that we've developed and trained, you know, all of a sudden they're faced with a model that doesn't quite go as far as it used to'* (Director, CRC Tier 1).



## Key Findings

- Increasing 'professionalisation' of the sector was manifested in a greater focus on organisational efficiency and business systems and the appointment of more senior managers and trustees with business backgrounds.
- There was general support for the aim of creating 'leaner' and more 'business-like' VSOs, but also concerns that 'bureaucratic' targets, procedures and recording systems took staff away from close engagement with service users.
- Emphasis on 'efficiency' was also leading to increased caseloads, larger group work models and a greater emphasis on turnover, which could compromise the intangible, but indispensable, relational aspects of voluntary sector work which are vital to supporting desistance.<sup>(7)</sup>
- There were concerns that in the longer term, the sector could become 'corporatised' to the detriment of diversity in the sector.
- 'Professionalisation' also manifested in the growing trend towards service delivery by more formally trained and qualified staff. This potentially excludes staff (and volunteers) who are 'good with people' but less comfortable with more structured and theory-driven ways of working. However, many CEOs said that in appointing staff they still looked first for people motivated by values and with empathy for others, arguing that necessary qualifications and skills can be acquired through training on the job.
- Ironically, some organisations with highly trained staff who were delivering routinised and 'watered down' interventions mandated by commissioners, felt *deskilled* by this work: in short, there are conflicts in balancing the demands for 'expert' professionalism with those for 'technocratic' professionalism.

## Chapter 3:

# Penal drift

While many of the issues discussed in this report are pertinent to VSOs of all kinds, the phenomenon of ‘penal drift’ is relevant principally to those which work with offenders. By penal drift we mean a gradual shift in language, culture and practice away from a focus on the welfare or well-being of service users towards the priorities and goals of the criminal justice system.

Concerns have been raised about the direct or indirect involvement of VSOs in enforcement activities or the delivery of punishment. This issue was highlighted in 2009 in strong public criticism by Andrew Neilson (The Howard League) of NACRO’s decision to bid in partnership with a private company to manage a private prison:

*‘If charities are equal partners in decisions of prison boards, they could be implicated in decisions on restraints, segregation or suicide. This could have a reputational risk for the whole sector. The Daily Mail would have a field day.’<sup>(8)</sup>*

Offenders on statutory orders are often compelled to undertake specific kinds of rehabilitative work as part of their sentence, and VSOs contracted to deliver such services are expected to report to their offender manager any failure to attend or comply – an action that can result in breach proceedings and in some cases return to prison. This was an issue on which interviewees were divided. VSO staff are used to working with service users on a consensual basis, and some felt that that compulsory attendance under the threat of ‘breach’ was detrimental to the establishment of the close trusting relationships that they considered essential to successful work with service users:

*‘The other issue is that this isn’t a service that people engage with because they want to, they engage with it because they have to. And that will always be a massive barrier to service user integration within this particular service’*  
(Service Manager, Justice Services).

By contrast, some senior managers took the view that in taking on contracts to deliver aspects of court sentences they had a duty to act, albeit indirectly, as an agent of the criminal justice system. Some of these rationales might be regarded as ‘techniques of neutralisation’<sup>(9)</sup>, that is, ways that individuals (or organisations) divert causality to external forces in order to neutralise thorny problems and reconcile them with their preferred courses of action. Most pointed to the detailed procedures that were in place for informing service users about what was expected of them and obtaining their written consent to report or breach for non-compliance. It was argued that, provided the position was discussed openly with them and made absolutely clear, most would accept it without any damage to their trust in the organisation or staff.

A minority of organisations chose not to accept ‘responsible agency’ status. For example, one CEO who had initially had doubts about this aspect of the work had sought clarification from a CRC about subcontractors’ obligations as a ‘responsible agent’. She had been told (and was happy to repeat) that sub-contractors were not responsible because being returned to custody was ultimately the offender’s personal responsibility:

*‘The Prime doesn’t breach an individual: she breaches herself’*  
(CEO, Women’s Service).

The majority view on breach seemed to be that the obligation to report non-compliance, although unwelcome, was not a serious obstacle to engagement with service users. However, this obscures a more complex set of positions both between contractors and service providers, and management and frontline staff within the same organisation.

Similar comments were made about policies of passing on information revealed by service users to staff about criminal activity or potential risky behaviour. For example:

*‘For us, that is about being very clear with the offender what we will do with*

*information that they tell us. So the first intervention we have with somebody, we contract with them and we say, "if you tell us anything that we feel your offender manager needs to know, we will tell them, we don't make any apology for that; and if you can't work with us because of that, that's your choice, but that's the starting point for us"*  
(CEO, Resettlement).

There was some awareness among staff and volunteers that aspects of their relationships with service users were being reframed in criminogenic terms, notably reflected in the increased use of the language of 'risk':

*'And if I hear that word 'risk' some days, I think, "oh, I don't want to hear it again, everything's risk-risk-risk-risk-risk". We can do this because it comes under risk, we can do that because it comes under risk. No, he's not going to be given a choice because he's a risk and he's going to be told he's going to be on basic if he doesn't do this. And that is so alien to everything that I've ever known previously'*  
(Middle Manager, Resettlement).

Similarly, concerns were expressed that VSOs working on contracts from the Ministry of Justice or other criminal justice agencies were judged by commissioners only on the achievement of outcomes related to offending (most often, reductions in one-year proven re-offending rates), with little attention being paid to other improvements in service users' lives. This focus on narrow outcomes has been magnified by the insistence on comparing the re-offending rates of their offender client population with those of a randomly generated matched sample, available from the Justice Data Lab. VSOs whose effectiveness has been 'proved' in this way have a strong advantage in competitive tenders for criminal justice contracts.

Overall, the general message from our interviews seems to be that while there is some potential for 'penal drift' to become normalised, this is not believed to present an immediate problem and that potential harm might be managed without

major difficulty. We were surprised at the apparent level of normalcy in most VSOs about questions of monitoring, sanctioning and responsabilising service users - issues which raised widespread concerns within the sector only a decade ago. However, the real worry is for the medium to long term future, when the cumulative effect of these gradual changes are likely to have a significant effect on the culture, language, attitudes, priorities and working practices prevalent in the sector, and consequently on service users' perceptions of, and willingness to engage with, VSOs. This is reflected in the following comment from a middle manager:

*'Inevitably if you get linked with authority in the sense that, "you mustn't do this or I'll report it", or even worse, you actually get to almost do the breaching yourself. You're not in the CRC but some voluntary agencies are becoming more like probation, actually, and ultimately they could be given power over people. And that ultimately could undermine the basis of voluntary work, which is, it is voluntary, it's open, it's trusting and all the great things about the voluntary sector'*  
(Middle Manager, Addictions Service).

## Key Findings

- Some VSO managers, and a larger proportion of frontline staff, had qualms about acting as agents of the criminal justice system (e.g. through reporting offenders' non-compliance to probation staff). However, many respondents felt that such issues could be neutralised without threatening their good relations with service users.
- More serious and more widely shared concerns were expressed about a probable medium to long term shift away from the customary and well-established focus on service users' well-being into ways of thinking, speaking and acting that increasingly reflect criminal justice aims and priorities.
- There seems to be a widespread acceptance of roles and procedures relating to the monitoring and sanctioning of service users. However, there are also some concerns that normalising these practices may lead to future role ambiguity, with consequences for future public perception and understanding of the VSO contribution to criminal and social justice.

## Chapter 4: Voice

Voluntary sector organisations are vehicles through which some of the most marginalised and disadvantaged can have their voices heard. This is often referred to as beneficiary or ‘user voice’. VSOs also have a campaigning voice where they seek to bring public and political attention to the effects of marginalisation and disadvantage, and advocate changes that may be needed as a result. Of course, these two types of voice are not discrete, but are overlapping and interdependent in many ways.

### 1. User Voice

One measure of the value of user voice is the degree to which organisations are structured around the ideas and inputs of beneficiaries. These principles lie at the centre of an organisation’s ethos of empowerment. Most VSOs to whom we spoke claimed to place beneficiaries at the centre of organisational strategy and activity, although in practice those arrangements differed in individual organisations.

Several VSOs devised creative methods to include user voice in surveys and stakeholder forums, which yielded feedback for improving their services as well as supporting their evidence base to validate best practice.

*‘We’ve got Visitor’s Voice groups now to ensure that we’d got that ongoing focus group opportunity to discuss new services, current provision. A very important element of that was the peer support for family members supporting each other’*

(CEO, Justice Services and Family Support).

Although these techniques also served internal quality assurance and contract purposes, they were underpinned by a commitment to building an ethos of consent and participation. Several staff asserted that integrating ideas from service users had raised the quality of their work and relationships with them:

*‘We’ve got better relationships with the offenders than what we used to have. I think that is because [our organisation has] come a long way since 25 years ago where, you know, we’re more proactively working with them. And I think they know that and they appreciate that. Where maybe going back 20 years or some time ago, we [were] housing them and holding them, and not a great deal of work going on, whereas now, there is’*  
(Senior Manager, Housing Provider)

Despite these kinds of consultation, relatively few organisations had created formal governance roles for service users, for example as trustees or board members. Some reported that they were unsure about recruitment in this area in the wake of rules under The Charities Act (2011), which disqualifies people with certain criminal convictions from acting as charitable trustees. However, a number had engaged service users in governance structures in a less formal capacity:

*‘We don’t have any on our board, unless...we do, but they’re not there because they’re offenders [laugh]. We don’t have a special place. Our council, the shadow council, monitors the work of our board and also feeds into our board... I’m recruiting a new chair and they’ve interviewed the new chair. They have a high involvement and high say. So, you can do it without actually having somebody officially named as the offender on the board’*  
(CEO, Justice Services).

### 1.1 In their own voice: user-led organisations

VSOs that were founded and run by people with direct experience of the criminal justice system challenge some assumptions about who should

speak 'on behalf of' offenders. User-led VSOs come out of traditions of self-help but they also borrow from social activist approaches, such as the disability rights movement, which assert that the people most qualified to shape services and agendas are those directly impacted by the criminal justice system. Their authority to speak out derives from having expertise by experience. Nevertheless, many also grapple with the problem of tokenism and of the difficulties of navigating the 'mainstream' structures of policy, funding and governance.

*'User involvement gives the space for people to articulate their concerns about the system and bring together a power base from which to drive change. There's not a history of asking, let alone listening to what the offender population with convictions require'*

(Manager, User-led Organisation).

## 2. Organisational Voice

Organisational voice is primarily achieved through advocacy and campaigning, although it can also involve activities such as networking, and participation in representative bodies and policy forums.

Although advocacy has long been thought of as one of the defining roles of the voluntary sector, this activity was the subject of a troubling backlash during the period of research. That was exemplified by the *Transparency of Lobbying, Non-party Campaigning and Trade Union Administration Act* (2014). Enacted to tackle corruption, the Act draws charitable campaigning into its orbit on the same basis as corporate lobbying. Additionally, measures such as the 'anti-lobbying clause', proposed by the government in 2016, which prohibited VSOs from using 'taxpayer funds' to engage in public advocacy or advertising, seemed to be aimed at disciplining the sector as much as protecting the use of public funds. While the anti-lobbying clause was 'paused' by government in response to opposition led by the voluntary sector, it reflected an intention by the State to exert control over dissenting voices in civil society.

The practice of inserting confidentiality- or non-disclosure conditions into service contracts has been routine in local authority or health contracting, but is now more common in criminal justice service

commissioning. This sensitive area was raised unprompted by interviewees as an example of the quandaries which they balanced when making contract agreements. One CEO reflected on his response when offered a contract with some restrictions on disclosure:

*'I guess on one level, the fact that we're in contract negotiations, the whole process has to be wrapped up in a lot of confidentiality, it means that we're not free to speak out in a more campaigning way ... We can't go out in the public and say that at the moment because, you know, [they are] the paymasters and we're negotiating a long term deal with them'* (CEO, Addiction Services).

These misgivings were not entirely shared, however. Other CEOs believed that the perception of risk posed by some of these clauses was greater than the reality:

*'It depends how you read the clause. I wouldn't publicly be able to say, "I think the TR programme is absolutely useless, it's never going to work". But I can say "the TR programme could do better if it changed how it worked and did it this way". So, I haven't any fear of that clause, and we will speak'* (CEO, Justice Services)

By contrast, other boards turned down contracts, arguing that the sector was complying unnecessarily with self-censorship:

*'And that was the other reason really that we wouldn't take this contract because there is effectively a gagging order in the ISPA [Industry Standard Partnership Agreement] that says if you sign the contract, you can't say that it's not good. And that's not good! How can you advocate for the women and their rights and their needs, if you can't speak your mind... it's a complete threat to an independent charity'* (CEO, Women's Sector).

*'There's absolute power in the third sector, but the third sector's not brave enough to exercise it. And that's a disappointment to me'*

(Director, Tier 2).

Despite these concerns, most VSOs continue to advocate and represent, albeit being more selective, even circumspect, about their choice of forums and audiences. Many service providers believed that the best way to advocate was by participating in justice partnerships and by being visible in governmental and statutory networks. However, smaller organisations reported that while there was a 'lot of lip service' about their expertise, little had changed over the years with regard to the relative lack of formal influence that the voluntary sector was able to exercise. This created a strong perception that the outcomes frequently did not warrant the time and resources they were being asked to commit:

*'We're asked to go on more strategic boards because they see that we've got specialisms in place with regard to women. So we're on the MARAC (Multi Agency Risk Assessment Conference), we're on the Community Safety Panels, we're on the Domestic Abuse Committee (CEO, Women's Sector).*

*'They invite you to these forums and these kind of things to say your piece, but I think half the time the decisions were made beforehand anyway and it's just a tick box exercise, to be honest with you'* (CEO, Justice Services).

A sizeable proportion of organisations reported in our survey that they did not campaign at all, or had stopped campaigning, because of a lack of resources or staff capacity. Instead, they channeled their voice into infrastructure organisations.

*'We tend not to get involved in advocacy at all. Because when it comes to an organisation, like advocacy for us, we're heavily involved in Clinks'* (CEO, Arts).

*'The National Housing Federation, as our trade body, has been a great ally to us in the sense of being able to campaign nationally and not represent one organisation, it represents several. So, we've been able to feed into that but without, shall we say, causing too many ripples'* (CEO, Housing Association).

## Key Findings

- Service user/beneficiary voice was embedded in the practices of some organisations, although direct representation tended to thin out at senior board level.
- User-led VSOs bring expertise through experience to the voluntary sector, policy and civil society, but they also struggle with obstacles which prevent them from fully participating in these spheres.
- Many in the voluntary sector are concerned about practices such as 'gagging clauses', contractual restrictions and other 'fundamental challenges' to the representative voice of the sector (Civil Exchange, 2016).
- Some believe that VSOs comply unnecessarily with restrictions, although it is also recognised that managers may be making decisions in the context of an imbalance of power between those issuing contracts and service providers.
- The voluntary sector is grappling with a quandary: if the sector doesn't speak up for itself, how can it speak up for others?

## Chapter 5:

# Organisational Values and Ethos

*'Because, you know, voluntary sector organisations will either lose their values and people focus, and just become businesses or subcontractors to private companies, or you'll be in the church hall dishing out the soup. Because we want to make a difference. I don't know, that's me being cynical'*  
(CEO, Homelessness)

In recent years much has been written about what makes the voluntary sector special. Smerdon locates its unique contribution in the ability to 'think, experiment, to uphold values and to challenge'<sup>(10)</sup> For others influence of the sector should rest on 'the values it is taken to exemplify', according to Deakin and Kershaw'.<sup>(11)</sup>

For many interviewees, their sense of ethos and values were rooted in principles of equity and social inclusion:

*'We're non-judgemental. So it's very much about inclusiveness and equality. ... it's about marginalised people that would otherwise be left without support'*  
(Frontline, Resettlement and Support).

Inclusiveness and equity needed to be embedded in the core structures and mission of the organisation:

*'The drive and the heart of this organisation is about creating fairness and equality. Don't allow people to be marginalised .... that's always a fundamental part of the project'*  
(CEO, Resettlement and Support).

*'It really is a lot about the ethos that you embed from the beginning.'*  
(Director, ETE)

However, some frontline staff felt that, in the course of keeping up with sometimes rapid

and extensive change, their organisation had become detached from their missions and values. Indeed, some of these comments revealed conflicting views between management and frontline workers:

*'... at a recent away day with the managers, none of the [senior] managers could actually remember what the [organisation's] principles were - this is in front of the director as well'*  
(Middle Manager, Housing Support).

*'The frontline workers are interested in the clients and work for the clients ... but the central management is more like a business than a third sector organisation. Top management do not treat their staff well, are not interested in their clients, they're only interested in the money'*  
(Staff, Housing Provider).

*'.. they [some VSOs] forget the mission statement and become too fixated on the income generation'*  
(Service Director, Addiction Services).

*'When you become massive... you lose focus on ... ethos'*  
(Director, ETE).

Some senior managers, too, admitted that, while ethos, values and 'mission' remained intrinsic to the activities of their organisation, they had felt compelled on occasion to compromise them in order to ease a financial crisis – for example, by competing for contracts which they felt ambivalent about. One argued explicitly that this was a worthwhile price to pay for the freedom it gave them to undertake other, more valuable work:

*'They are big contracts they can provide a good, steady income stream which allows us and enables us to survive and to do the more innovative work and support some*

*other activities in the organisation that might not be that well-funded'*  
(Operational Manager, Justice Services).

Overall, then, our findings suggest that the erosion of organisational values was seen by our respondents as a real concern. The test for many organisations was the extent to which adapting, sometimes under strain, prompts them to consider which of their core values and approaches are more salient.



## Key Findings

- Managers and staff of VSOs almost unanimously emphasised the critical importance of their organisation's ethos and values, often couched in terms of social justice, equality or human rights.
- Recent changes to the climate in which VSOs operate have put these values under pressure.
- Our findings suggest that the erosion of the 'core' values was seen by respondents as a serious concern.
- Frontline staff were more likely to relate the adoption of market oriented or businesslike practices to a decline in values and mission. This view was sometimes symptomatic of declining morale.
- Managers tended to take a more pragmatic view that prioritising long-term financial viability was the essential bottom line for any VSO.
- For many VSOs, adapting to current challenges, sometimes under strain, prompted them to review which of their core values and approaches were the most important.

# Chapter 6:

## Networks and Partnerships

### 1. Networks and Trust

The nature of the voluntary sector is such that it is hardwired into formal or informal partnerships which include other charities and social enterprises, local or national government, and commercial bodies. These networks permit VSOs to participate in referral networks, connect them with criminal justice agencies, facilitate collaboration, share resources and offer the chance to exercise their civil and community profiles:

*'You get a better service by linking in work... we sometimes invite other agencies to our team meetings ... We've done things like reciprocal training for free'*  
(Staff, Offender Support).

*'It's probably beyond one small organisation's capacity to deliver a completely holistic service, you know'*  
(CEO, Housing and Support).

Such networks are based, at least in part, on circuits of trust and reciprocity. Tonkiss and Passey also observed that VSOs enter into 'dual relationships of trust', both horizontally, i.e. between peer organisations or those in their immediate sphere of influence, and vertically, with more powerful funders, larger charities or central government, for example.<sup>(12)</sup> However, numerous interviewees commented that decisions taken at higher commissioning or policy levels adversely impacted on their relationships within their 'horizontal' networks, sometimes leading to mutual wariness or a sense of exploitation. For example:

*'Partners suddenly become competitors... the relationships with other VSOs have got worse. They're more competitive and less ready to work together unless they are formal partners... some VSOs want all the money and so they protect information and use any information you share...'*

*some of these more predatory voluntary agencies are real threats.'*  
(CEO, Offender Support)

*'I think it's becoming more competitive. On the surface, it can look like it's more collaborative. My experience of consortiums has not been good really. I saw some very small voluntary sector organisations spending copious amounts of hours running focus groups, taking part, they got nothing out of it, absolutely nothing. And that's upsetting and I think, you know, you've used them really to get the grassroots perspective on things and then chewed them up and spat them out'*  
(CEO, Women's Service).

It was also pointed out that requirements to share data and information for the purpose of 'offender management' created ethical dilemmas which were more pronounced if the recipient was a for-profit company:

*'I don't think we should be sharing very much personal information or data about our clients with the bigger company'*  
(CEO, Housing).

The overall picture painted by our interviews was one in which routine informal agreements between 'neighbours' decreased because of concerns about the possible advantages this might give one party over another. This was illustrated by an organisation which had shared its premises with another, smaller VSO for some years, but had not renewed that arrangement as local competition for scarcer contracts intensified:

*'I think it is more cut throat, you know. It's dog eat dog out there... And [names a local charity] came in here and asked to use some of our premises. And we're*

*sitting on the fence on this'*  
(Director, ETE).

## 2. Localism and Connectivity

The effectiveness of VSOs has traditionally been enhanced not only through their relationships with other voluntary, public and private sector agencies, but also by being 'embedded' within local communities. Many VSOs emerged initially in the form of grassroots groups in local communities, and the majority retained a local base and strong community 'roots' with close links to neighbourhood groups of all kinds. The value of this embeddedness was emphasised by many interviewees:

*'The reason the third sector's good at engaging with offenders is because we provide a local, human interface to those people that is not driven by an office in France or an office in London or wherever. It's driven by local people wanting to do local good'*  
(CEO, Youth Services).

Indeed, the CEO of one large organisation which acted as a prime in supply chains stated that they were happy to subcontract work to small local organisations on the grounds that the latter would do it more effectively owing to their strong local links:

*'In some cases we've bid for it and decanted it all through the supply chain, deliver none of it and actually take no management fee either. Because of procurement rules, some smaller organisations can't bid when contracts are grouped together. So we've scooped them up and said, "we'll bid and decant the work to you, but you must manage the contract and satisfy us that you're managing it"'*  
(CEO, Resettlement).

Several VSOs which have grown substantially in size stressed that they continued to make efforts to maintain their local links, claiming that this was possible even when delivering contracts covering

wide geographical areas. However, the general view was that despite such efforts, local links were inevitably being eroded:

*'The work is getting larger scale and more regional so that the local networks are getting left out, and that's a pity'*  
(CEO, Victims Service).

Finally, one of the most common worries expressed by small or medium sized VSOs concerned their displacement and uprooting from their original environment and 'culture' (a process which anthropologists refer to as deracination) by the encroachment of 'predatory' organisations from elsewhere winning service delivery contracts in areas previously served by local charities:

*'We've had experience of losing contracts to people who have come in with no knowledge of the area - both of geographic area and the actual service you're working - and then they have messed it up, this has happened even with things we have developed'*  
(CEO, Medium VSO, Offender Support)

One final observation brings home a human cost of the retreating boundaries of interpersonal networks among our interviewees. Almost every director and CEO, unprompted by their interviewer, reflected on growing professional isolation arising from diminishing contact with their counterparts in other organisations who had previously acted as an informal peer network.



## Key Findings

- Most VSOs have a network of local links and partnerships with other VSOs and public and private sector agencies, which are highly valuable for the sector and clients alike.
- These networks rely on trust relations which are in conflict with a perceived rise in competitiveness and in 'predatory' behaviour by some VSOs and private companies.
- The majority of VSOs remain embedded within local communities, but despite efforts to maintain strong neighbourhood links, they are being eroded by the trend towards larger single contracts covering wide geographical areas.
- Some larger organisations recognise and utilise the value and reach of small, locally embedded VSOs.
- Individual managers and directors feel increasingly 'cut off' from valuable circuits of information and peer support. This indicates a loss of solidarity at the level of organisational leadership.

## Chapter 7:

# A note on Resilience

In *The Resilient Sector*, Lester Salamon summarised his concept of resilience as the ability of the sector to balance the tensions between its 'survival imperative' and its 'distinctiveness imperative'. Resilience materialises, he said, where VSOs find ways of 'meeting competition while retaining their social mission', sustaining their 'advocacy role while forging partnerships with businesses or state bodies, and 'combining new ventures while engaging communities'.

The bulk of this report has mapped some of the adaptations to changes that have pressed on the voluntary sector (reflecting equally profound movements in state and markets which impact on the sector) up to and during the course of our research. However, one of our aims was to probe beneath prevailing 'narratives of decline'<sup>(13)</sup> to ascertain whether some of the characteristics by which the sector has laid claim to its specialness had remained, in the views of those who worked in or with it. Equally, we were not satisfied with conventional explanations, such as that offered by Salamon, that the voluntary sector invariably regains its footing, albeit emerging from instability in altered form. Rather, this claim raises further questions relating to what has survived, what may have been lost, and the extent to which resilience may have been bought at a cost. Certainly, the experiences and views of those who contributed to this research reveal that although many organisations embraced opportunities or surmounted serious challenges, few emerged unchanged.

In the following sections, we encapsulate responses from our interviewees to the simple question: Has the idea of 'resilience' any application to the voluntary sector? The simple objective here was to find out what characteristics, orientations and qualities interviewees might still identify as 'core conditions' of the voluntary sector's role. We do not propose at this stage to present a comprehensive model of resilience, but to hold up a mirror to some of the ways in which respondents make sense of their work and sustain themselves in a field which has faced extraordinary change.

There are, of course, competing theories of

resilience. The first might be described as a 'survivalist' narrative which defines resilience on the basis of a system's capacity to recover from shock arising from systemic change. This definition has been most commonly employed in political and policy discourse especially in the context of austerity and the impact of the economic recession. In this scenario, 'resilience' measures those features which survive the losses or damage arising from deep change, after mitigation and adaptation. The Young Foundation offers an alternative approach to resilience which is based on an appreciative understanding of the sector as bearing assets and strengths which are integral to a healthy civil society and to the welfare mix.<sup>(14)</sup> Resilience, therefore, has at least two dimensions

- (i) the ability to survive change and shocks, or what they call a 'survivalist' approach, and;
- (ii) the ability to transform and prepare for future sustainability.

Applied to the interview data, two basic dispositions emerged, which we call 'resilience as survival' and 'constructive resilience' respectively. We view these as dispositions rather than fixed organisational characteristics, as most organisations combined elements of both, albeit to different degrees.

### 1. Resilience as survival

Some VSOs adopt a form of resilience which is strongly about coping with an adverse situation. In this context, VSOs might be said to have been in a 'survivalist' mode when they prioritised contract requirements over aspects of their mission values or methods. These VSOs tended to see other organisations in the sector as market competitors rather than as associates with whom they could network. While they continued to provide a good service for clients they became less willing to act as a voice for their client group. In some VSOs where we found this type of resilience, strategic decision-makers still claimed to act with the organisation's core ethos and client interests at heart, but deeper analysis of their interviews often revealed that the strong financial drive prevailed over other aspects.

Each decision made by such VSOs may be viewed as entirely rational and might be the best for that

organisation at that time. Taken in isolation, each decision did not lead to visible organisational shifts. However, over time, they may create a cumulative shift away from an organisation's foundational mission, beneficiaries or ethos while gravitating towards the commercial or statutory sectors. Indeed, it may be said that VSOs which have embraced criminal justice and competitive commercial principles are those which have most successfully adapted to the mixed market in criminal justice services.

## 2. Constructive resilience

'Constructive resilience' can be found when an organisation manages to protect its financial standing and its ability to continue its work, while still retaining a central and dominant concern for its staff, volunteers and clients, holding firm to its core values, and maintaining collaborative links with local communities and with other agencies. Those VSOs which displayed constructive resilience tended to place values and ethos foremost in their decision-making. This, of course, may require readiness to take major financial risks in the short term, and even to risk the survival of the organisation, but this is considered to be preferable to compromising core values. Constructive resilience involves a recognition that all of these 'soft' assets need to be safeguarded as fiercely as an organisation's financial standing. In our final example this was demonstrated by a director who was faced with the prospect of closing the project or taking a contract which included terms that were detrimental to her clients, staff and stakeholders. She explained:

*'I said we may as well sell used cars. It is so soul destroying. We were about to close and I'd told the trustees, "I want to close the centre rather than do this, are you with me?" They were with me. I was so pleased that they were with me'*  
(CEO, Women's Centre).

This VSO defined its worth in terms which were closer to the Young Foundation's 'holistic' model in determining its 'worth' by reference to their staff, beneficiaries and communities as assets. They opined that advocacy, an independent and critical voice, networking and relationship building are among the core conditions of being part of the voluntary sector. Equally, placing these aspects

to the fore did not prevent them from entering into bold and entrepreneurial ventures. This VSO entirely redesigned its programme around a strengths based model closely aligned to its core mission. That VSO is now thriving.

# Implications and Conclusions

Questions about adaptation to the impacts of economic and social changes are at the forefront of inquiry and research in relation to the voluntary sector. Yet ongoing debates and interventions have contributed surprisingly little to understanding the experiences, practices and decision-making that shape adaptive and resilient action. For instance, when Lester Salamon (2013) remarked that the voluntary sector has ‘moved decisively towards the market’ from the 1990s, he could have added that so had much of the rest of society. Public and civil institutions, the statutory sector, government, and even business, have experienced a climate in which commercial and managerialist imperatives appear to have gained ascendance, requiring fundamental changes to the way they operate. Therefore, this report has focused on a central concern: If voluntary sector organisations in England and Wales have also shifted towards new normative goals, it is necessary to ask in which directions they recalibrated their priorities?

We found many environmental and ‘field-shaping’ changes that are driving patterns of institutionalisation and even creating new kinds of organisation in the voluntary sector. VSOs are increasingly measured in relation to the ‘success’ with which they adapt to the growing influence of markets, to new forms of scrutiny in the guise of public accountability for taxpayer’s money, to compliance with regulatory and managerialist controls, and towards managing relationships with more critical governments and funders.

At the same time, this does not mean that other impulses of the sector ceased to operate. Although a wider paradigm shift (which we sought to capture in our thematic chapters) has underlined a growing identity crisis in civil society at large, it has also presented opportunities for renewal and reassertion of the sector’s identity and values. In pursuing this inquiry, we found much evidence of what people in specific organisations valued and how those aspects, which were both economic and non-economic, were affected in the course of meeting challenges. We conclude with a few, somewhat speculative, points in the hope that they contribute to future deliberation:

The voluntary sector is meeting profound change dynamically. VSOs responded to systemic changes in complex and varied ways, and therefore there is a need to move beyond simple binary options between ‘adapting’ to the status quo or ‘perishing’. Systemic changes have brought about both losses and gains, often at the same time, with losses and gains being unevenly distributed across the sector. Not every change was viewed as a loss, although some changes were harder to avoid or brought about greater impact than others.

Some aspects of what people believe are important can be given an economic value (e.g. income, infrastructure) but other aspects which are difficult to value economically (e.g. identity, relationships, ethos) are also highly significant. What people valued changed over time as new understandings of risk, adaptive options and their likely impacts for organisations and their beneficiaries unfolded.

Despite adaptive action in some areas, e.g. moving towards new service markets or funding sources or undertaking restrictive contracts or ‘coercive’ interventions, for example, a highly valued set of ethics and norms were also maintained. Equally, people responded to ‘intolerable threats’ when they perceived those norms to be seriously undermined. VSOs tend to move across a spectrum representing the prominence of values and ethics at one end and economic fit (where growth and efficiency take precedent) at the other. The alignment between these goals changed over time and to different degrees in individual VSOs. These goals are not mutually exclusive but seem to be contingent on their operational context, i.e. whether VSOs are in a stable environment or undergoing a period of significant change.

Although meeting unprecedented changes, the data also show that many in the sector act according to principles, approaches and philosophies that they deem to be indispensable to the notion of doing good the voluntary sector way. Further research could make a valuable contribution to identifying the core conditions of the voluntary sector contribution to criminal (and social) justice and civil society.

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