



Summary note of the RR3 Special Interest Group on Probation - meeting on the Dynamic Framework

15:00 – 17:00, 21st April 2020, via video call

Attendees

Jess Mullen, Clinks- Chair
Nicky Park, St Giles- RR3 permanent member and co-sponsor of SIG
Helen Dyson, Nacro- RR3 permanent member and co-sponsor of SIG
Peter Atherton, Community Led Initiatives- RR3 permanent member
Dee Anand, Together for Mental Wellbeing- RR3 permanent member
Christopher Stacey, Unlock- RR3 permanent member
Rod Clarke, Prisoner Education Trust- RR3 permanent member
Emma Wells, Community Chaplaincy Association- RR3 permanent member

Lisa Dando, Brighton Women's Centre- RR3 permanent member
Dez Brown, Spark2life- RR3 permanent member
Tina Parker, PACT- RR3 permanent member
Richy Cunningham, Recovery Connections- RR3 permanent member
Martin Blakebrough, Kaleidoscope- RR3 permanent member
Heather Johnson, Langley House Trust- co-opted
Nathan Roberts, Band of Brothers- co-opted
Adam Moll, Penrose- co-opted
James Harding, Shelter- co-opted
John Trolan, Nelson Trust- co-opted
Will Downs, Clinks- notes

Officials

Andreas Bickford, Ministry of Justice
Matthew Sparkes, Ministry of Justice
Susan Leeming, HM Prisons and Probation Service
Chris Taylor, HM Prisons and Probation Service
Gillian Askew, Ministry of Justice
Janet Phillipson, HM Prisons and Probation Service
Steph Smart, HM Prisons and Probation Service

About

The Reducing Reoffending Third Sector Advisory Group (RR3) has established a special interest group (SIG) on probation and the role of the voluntary sector, the co-sponsors of the SIG are Nicky Park and Helen Dyson.

The intention is that this SIG will run over the course of the year, setting up meetings where required to provide advice to relevant officials from Ministry of Justice and HM Prisons and Probation Service (MoJ/HMPPS) on the progress and details of the probation reform programme. Meetings will be attended by relevant permanent members of the RR3 and members co-opted from the wider voluntary sector for their specific expertise.

The first meeting of the SIG took place on 21st April 2020, and focused on the Dynamic Framework. The meeting discussed aspects of the design of the commissioning model and the impacts of Covid-19 on the government's timelines and the voluntary sector capacity to engage in commissioning

processes. This note provides a summary of the conversation, highlighting the priority issues that were discussed and recommendations from the group. A full set of minutes will also be circulated.

Summary note of meeting 21st April 2020

Overview of voluntary sector capacity

- Members of the SIG expressed a variety of positions of their organisations' readiness to engage in a commissioning process at this time:
 - A small organisation that has a part-time business development officer, and that would struggle to build relationships with potential partners necessary to participate in call-off
 - A small organisation that has redeployed central staff to front line services, and is therefore unable to bid write
 - A health provider that has retained its business development team, but is continually reviewing this decision as the situation develops
 - A larger organisation that has furloughed its whole business development team
 - A larger organisation able to participate in a call-off process but concerned about building partnerships
 - A larger organisation were able to participate in a commissioning process, and were therefore more concerned that any delay could lead to government abandoning the programme or bringing services in house.

- Prior to the meeting Clinks also shared information from its recent survey of voluntary organisations in the context of Covid-19. In response to a question of capacity to engage in new commissioning processes or bids, 43% said they were unable to engage, or not sure if they could engage in such processes at this time. There was a certain variance in how organisations understood the question however. Members of the group agreed that Clinks should refine the question in future surveys and share responses with officials.

- **Action: Clinks to refine a question in its survey sent to the voluntary sector every fortnight regarding organisations ability to engage in new commissioning processes and share with RR3 members and the MoJ/HMPPS probation reform team.**

- One attendee highlighted that their organisation was looking at three possible routes for being commissioned: (1) through the Dynamic Framework; (2) as non-accredited structured interventions through the Probation Deliver Partners; and (3) via the co-financed hubs. In addition, family services contracts are due to be commissioned and a number of drug and alcohol contracts are also imminent. Without knowing timelines, volumes and budgets for various opportunities, organisations cannot allocate their resources accordingly.

- **Action: MoJ Commercial and Contract Management Directorate to consider the need to coordinate timelines for various commissioning processes and communicate to these to the voluntary sector including when timelines shift.**

- **Action: MoJ/HMPPS probation reform team to publish estimated volumes and budgets for each contract lot under the Dynamic Framework as soon as possible.**

Qualification process

- Members welcomed assurances that MoJ/ HMPPS have endeavoured to design a simple qualification process. Most agreed that they would be able to participate in a simple qualification process despite current pressure on their capacity.
- Members of the group said MoJ/HMPP should however learn from the design of the education DPS qualification process, which although was simple, was difficult to navigate due to unclear guidance on how prison governors would assess submissions. Aspects of the qualification process that require clear supporting information include:
 - Purpose of the case studies and how they will be assessed e.g. whether they need to demonstrate ability to deliver the specific service being proposed, or broader ability to deliver a similar service
 - Whether small organisations looking to deliver niche services in supply chains need to qualify
 - Whether organisations looking to deliver in partnerships/consortia are expected to provide information of their intention to work in partnership and details of those prospective partnerships.
- **Action: MoJ/HMPPS probation reform team to ensure there is clear accompanying guidance on the qualification processes, including expectations around partnerships/consortia information, expectations of smaller organisations and how submissions will be assessed.**
- **Action: MoJ/HMPPS to provide Members of the RR3 SIG with qualification process and supporting information ahead of launch and receive feedback and advice on this.**

Call-off process

- The group welcomed the officials' commitment to consider delaying call-off until the market was ready to engage. Though members deemed a qualification process manageable under existing pressures, there is a great deal of uncertainty over voluntary organisations' ability to participate in a call-off process. Therefore, if the sector engages in qualification, this must not be used as a barometer for market readiness and call-off must be postponed until the voluntary sector is ready.
- The voluntary sector must have a meaningful say in any decision taken that the market is ready for call-off. 'Market readiness' in this context should not be defined as the ability for some of the sector to engage in call-off, but rather the point at which the sector more broadly in all its diversity is ready to bid, to ensure a fair and open process that secures the best possible services for service users.
- **Action: MoJ/HMPPS probation reform team, Clinks and members of the RR3 SIG to establish process for determining voluntary sector readiness to engage in call-off.**
- The group recognise the pressures on the probation reform timelines that would be created by pushing back call-off. However, the call-off process itself should not be shortened. Four weeks to respond to call-off should be the minimum time period being considered, and will be very tight in the current context, especially for small organisations with part time business development teams; those looking to work in partnership/consortia; and for larger organisations looking to submit multiple bids across different regions (often just to maintain

existing footprint). A four week process would only be possible if specifications and criteria are published as far in advance as possible, to enable organisations to prepare their bids.

- **Action: MoJ/HMPPS probation reform team to share specification and criteria with the voluntary sector as far in advance of launching call-of competition as possible.**

Mobilisation

- While supportive of delaying call-off, members were aware of the challenge this would pose for mobilisation of services. A six month mobilisation period is already tight, and it is probable that pushing back call-off would likely lead to a significantly shorter mobilisation period than this. This also risked affecting the outcome of the call-off process itself, by giving a competitive advantage to large organisations who are likely to have the infrastructure and expertise to mobilise services quickly.
- The group suggested ways in which MoJ/HMPPS could mitigate the impact of shorter mobilisation periods:
 - Establish clear transition planning with existing services to maintain continuity of service
 - Provide additional financial support for organisations forced to engage recruitment agencies to fill vacancies
 - Establish fast-track vetting processes of new staff
 - Reevaluate the current order for phasing call-off, and estimates for the time each lot will need to mobilise.
- **Action: MoJ/HMPPS probation reform team to produce a plan to mitigate the impacts of shorter mobilisation periods - including how to plan for transition, support with recruitment and vetting and prioritise the order of lots for call-off - and invite feedback on the plan from the RR3.**
- It was positive to hear that MoJ/HMPPS are considering contingency plans, should June 2021 become an improbable start date for day-one services, though members understood the complexities and risks of pushing back the start date, most notably the concerns about ensuring a continuity of service delivery considering pressures on Community Rehabilitation Company (CRC) contracts.
- **Action: MoJ/HMPPS probation reform team to share the range of contingency options they are considering in the case that the June 2021 deadline becomes unachievable for day-one services.**