



Reducing Reoffending Third Sector Advisory Group special interest group on Covid-19 – Community Rehabilitation Company contract management

Via video call

Wednesday 8th July 2020

Attendees:

- Tina Parker, PACT (RR3 member)
- Nicky Park, St Giles (RR3 member)
- Helen Dyson, Nacro (RR3 member)
- Anne Fox, Clinks (Chair)
- Will Downs, Clinks (notes)
- Christina Hall, Lincolnshire Action Trust (co-opted)
- Christina Line, Nelson Trust (co-opted)
- Gill Arukpe, Social Interest Group/Penrose (co-opted)
- Karen Horner, Tomorrow Women Wirral (co-opted)
- Matthew Randle, Catch 22 (co-opted)
- Samantha Cowie, St Mungo's (co-opted)
- Summer Alston-Smith, Advance (co-opted)
- Tracy Marsden, Lancashire Women (co-opted)
- Anna Trudgian, Openroad (co-opted)
- Matt Douglas, HMPPS

Introduction

Anne Fox explained that the meeting had been organised by the Reducing Reoffending Third Sector Advisory Group (RR3), a formal advisory group to the Ministry of Justice (MoJ) and HM Prisons and Probation Service (HMPPS). The RR3 has set up a Special Interest Group (SIG) on Covid-19 to monitor the impacts of the pandemic on charities and service users.

The meeting was convened to better understand issues relating to Community Rehabilitation Company (CRC) contracts and contract management in the context of Covid-19. The meeting was designed for organisations who are currently part of a CRC contract supply chain. Opportunities to attend were extended to RR3 SIG members and promoted to the wider sector through Clinks' communications channels. Questions from attendees were tabled in advance and passed onto officials to ensure they could gather relevant information prior to the meeting. Some questions were addressed in Matt Douglas' introductory remarks and so weren't put to the meeting directly for discussion.

Attendees introduced themselves. The voluntary organisations at the meeting delivered a wide range of services under contract by CRCs, including through the gate, family support, mentoring, supervision, women's specialist services, accommodation work, unpaid work, substance use and delivery of RARs. Members of the group worked for organisations operating in Wales and across different regions of England. Collectively, organisations held contracts with at least 16 of the 21 CRCs.¹

Opening remarks from HM Prisons and Probation Service (HMPPS)

Since March, the government's approach to CRCs has been based around a series of Exceptional Delivery Models (EDMs) that have defined the service and what is expected to be delivered by the CRC Suppliers at each stage of lockdown.

HMPPS are now moving into the recovery phase and focussing on returning services. The department has taken all the key services provided by the National Probation Service (NPS) and CRCs and is working with suppliers and public sector providers to develop plans for the recovery of these services over the next few months. For example, unpaid work, education, training and employment (ETE) and other forms of group work are being gradually reinstated, following risk assessments of group work. HMPPS is looking at how technology could be used to offer a remote service to support recovery and contribute to reducing the backlogs that are accruing for certain services and interventions. However, HMPPS must also build in flexibility, recognising that local lockdowns may be implemented and that aspects of the service may need to be scaled back again.

The impact of Covid-19 has required HMPPS to put in place temporary changes in the delivery of services within the criminal justice system, whilst ensuring a necessary continuation of service delivery and enacting Cabinet Office guidance set out within Public Procurement Notice PPN02/20, to help support suppliers at risk, so they are better able to cope with the current crises and to resume normal service delivery and fulfil their contractual obligations when the outbreak is over. Application of Cabinet Office guidelines includes continuity in payment obligations to current supply chain arrangements.

The HMPPS Probation Reform Programme provides important context to the recovery approach being applied by HMPPS and CRC contract management. HMPPS need to ensure that, as pre Covid-19 services are returned, the transition to the Unified Model service from June 2021 is factored into planning. The recovery strategies will need to be responsive to the sequencing of the wider recovery from Covid-19 over the coming months.

HMPPS have put in place systems to manage recovery of probation:

- Ian Barrow is Director of Recovery and chair of the National Recovery Board
- There are 12 regional recovery boards, each chaired by the Regional Probation Directors, who lead on the implementation of recovery at a local level
- A number of recovery work streams have been set up to enable a dive into the detail of operational, policy and commercial challenges across different areas of service delivery.

¹ Merseyside CRC, Cumbria & Lancashire CRC, West Yorkshire CRC, South Yorkshire CRC, Humberside, Lincolnshire & North Yorkshire CRC, Staffordshire & West Midlands CRC, Derbyshire, Leicestershire, Nottinghamshire & Rutland CRC, Norfolk and Suffolk CRC, Bedfordshire, Northamptonshire, Cambridgeshire & Hertfordshire CRC, Essex CRC, Kent, Sussex & Surrey CRC, London CRC , Thames Valley CRC, Bristol, Gloucestershire, Somerset & Wiltshire CRC, Dorset, Devon & Cornwall CRC, Wales CRC

Discussion

Voluntary sector engagement

Anne Fox said Clinks had picked up a recurring issue from the voluntary sector of inconsistent and variable information - the flow of information tending to be dependent on the quality of an organisation's existing relationship with the CRC they are working with. A voluntary sector attendee asked what HMPPS considered the role of the voluntary sector in its recovery planning to be.

HMPPS said the recovery planning is still in the early stages. The role of the voluntary sector in the structures and approaches is still to be decided. HMPPS want to see messaging from the contract management team being passed down through CRCs into supply chains. Where services are material to the supply chain they should be involved in discussions. CRCs must be considerate of the pace at which their supply chain are able to step up and deliver their services.

A voluntary sector attendee stated that if there have been changes in volumes for Q1, they have not filtered through supply chains to their organisation. HMPPS said they have not adjusted volumes. The measures they have put in place, in line with Cabinet Office guidance, were instead intended to ensure CRCs are not financially disadvantaged as a result of volume changes that occur due to Covid-19. The protection given to CRCs was intended to allow CRCs and their supply chain to operate through the period directly impacted by Covid-19.

A voluntary sector attendee asked how HMPPS can ensure CRCs don't act as a gatekeeper of information. HMPPS said they rely on CRCs as the primary contract holder. HMPPS have a mechanism for testing how well CRCs adhere to principals of market stewardship. Officials are curious and do want to know how relationships between CRCs and supply chains are working, and how well information is filtering through. He suggested a good way to raise such issues is through Clinks. Anne Fox said Clinks were happy to raise concerns on behalf of supply chain organisations.

A voluntary sector attendee asked whether the voluntary sector would be part of HMPPS probation reform work streams. HMPPS are still working through the scoping of many of the work streams and there hasn't been detailed thinking about who sits in those groups and how the voluntary sector is represented.

Action: Matt Douglas to consider voluntary sector involvement in recovery workstreams and to update RR3 Chair Anne Fox on membership and structures of different workstreams.

A voluntary sector attendee said their organisation enjoyed good information flow from CRCs. However, issues have occurred when organisations suggest new or different ways of working. Their experience was that CRCs are not willing to engage with suggestions from supply chain organisations about how a service may be delivered differently, when such suggestions fall outside direct contractual relationships. They noted CRCs sometimes attribute this on a lack of flexibility on the rules imposed on them by MoJ and HMPPS. The attendee welcomed Clinks' offer to collate frustrations felt by supply chain organisations and suggested this information helps inform the new model so that these issues can be avoided in the future. Anne Fox said Clinks are also pushing for greater strategic involvement of the voluntary sector in the new models to help prevent similar issues occurring.

Do you envisage that the current TTG contract end dates of June 2021 will be pushed back further due to the impact of Covid-19?

Matt Douglas said all CRC contracts are set to end on 25th June 2021. Everyone should be working on the assumption that CRC contracts will now come to an end by that date.

A voluntary sector attendee said it is crucial that voluntary organisations are given good notice of any contracts that are extended, in order to be able to retain their staff. Their organisation had serious concern that staff will leave in if there is any uncertainty over the future of those services.

Action: HMPPS to transparently and directly update supply chain organisations if they are either considering or committing to delaying the implementation of new services/ extending existing contracts.

Certain prisons have benefitted from in-cell technology and phones, which have hugely benefitted TTG staff in providing a high level of service delivery during the Covid-19 regime disruptions. Are there any immediate plans to extend the coverage of such infrastructure?

Matt Douglas identified one of the positive aspects of Covid-19 was that HMPPS have developed the use of technology as a solution to certain issues, such as remote working. He said he would get a fuller response to the question from colleagues.

Action: Matt Douglas to seek fuller response from HMPPS on the question of whether HMPPS plan to extend the coverage of in-cell technology.

Are there any plans for innovation funding to be made available to design new solutions about how to deliver TTG services differently during these challenging times?

Matt Douglas said he is not aware of innovation funds that are being made available. He said that while services aren't being delivered in normal ways, all providers should be looking to innovate and find new ways to deliver services in the current context. If organisations have ideas about innovation or doing things differently, they should have those conversations directly with CRCs.

Anne Fox asked whether HMPPS had a clear position on the use of video technology for client support. One of the ways in which voluntary organisations have remodelled their services is through the use of free tech, for example WhatsApp and Zoom, but information on what is permissible is inconsistent.

Matt Douglas said that Covid-19 has provided opportunities for HMPPS to explore creative ways through which technology might be used to deliver services. It has opened the door to HMPPS enabling services to be delivered differently. However, some of this is complex and needs to take into account serious issues around information security and the health and wellbeing of staff working remotely. There are also issues over unequal access to technology amongst service users. HMPPS are in principle inclined towards using technology more in working with individuals, but they had to proceed with caution. Some challenges will take time to resolve. He encouraged organisations to talk to CRCs directly about ideas for using technology in service delivery.

A voluntary sector attendee said that even some relatively low-tech solutions, such as emailing people in prison, would be welcomed. As it stands, their organisation has not been able to access Email a Prisoner to support through the gate work, as they were told it would be too resource intensive.

A voluntary sector attendee also said the digital divide was an important consideration when looking at how technology can be used in the future. Greater use of technology is to be welcomed, but a survey of the women they work with found that 53% had no access to a smart phone or laptop. CRCs

are only able to provide women with phones with basic functionality to call or text, but without Internet access.

Matt Douglas said it was at the instruction of HMPPS that CRCs provide only text and talk phones, as a mechanism to maintain contact with services.

To what extent are managers in prisons involved in recovery planning?

A voluntary sector attendee said that communication between prisons and CRCs has been flawed. Some organisations working both in prisons and the community have felt caught between competing demands of CRCs and prisons.

Matt Douglas said the through the gate recovery work stream is being led by Fiona Radford. Fiona is engaging with prisons and making sure there is alignment between the recovery work stream and activity and what prisons are doing. Regional recovery boards, chaired by regional probation directors, will have a keen interest in how through the gate services are stepped up and how this is aligned in contract package areas. Matt Douglas said he would speak to Fiona Radford about how prisons will be fed into her work.

Action: Matt Douglas to speak to Fiona Radford about how prisons are being engaged in their recovery work to ensure join up. Following this, Matt Douglas to send an update to Anne Fox for circulation to the wider RR3 group.

What is the recovery plan for specialist services which are not delivered within CRC/NPS sites?

Matt Douglas said CRCs will be developing their recovery plans over the next few weeks, establishing the timeliness and parameters for recovery. They will need to have conversations with suppliers about how that will be operationalised.

A voluntary sector attendee asked if the process for voluntary sector providers in the community would be similar to those in prisons - i.e. providers of services would be expected to create their own EDMs to fit within the structural EDMs set by HMPPS?

Matt Douglas said conversations between CRCs and supply chains around recovery needed to take place imminently and must take into account approaches to risk assessment, resource assessment and the ability of supply chain organisations to stand up services again and at what pace. This will all have to align with the broader strategy of CRCs as they implement their own recovery plans.

Will there be additional funding for recovery post Covid-19 for clients who have been impacted and require additional support from current services? For example, NHSE are putting more money into mental health services, recognising the fact that a lack of contact with clients might create significant unmet need.

Matt Douglas said it was important the government don't double fund and that if there are other departments funding these gaps they don't want to duplicate that funding. Certain service users have been particularly disadvantaged and HMPPS are working to assess user need, including through gap analysis. Matt Douglas is unaware of any discreet funding specifically set aside for that.

Matt Douglas said that as we come out of the current situation, we will have accrued, over four to six months, a backlog of cases of people who haven't been able to access services or interventions adequately. Accrued backlogs create a resource challenge on the system - how do we manage those backlogs and prioritise where resources are best targeted and understanding the implications and impact of remote contact over period of time?

Can HMPPS speed up processes for clearance of staff working in prison?

A voluntary sector attendee said their organisation had a large number of black front line staff working in prisons and in the community. Given a number of reasons, including the disproportionate impact of Covid-19 on BAME people, and concerns for family members, some wanted the right to shield and the organisation has tried to accommodate this. This has been easier to accommodate in the community than in prisons, where the greatest block the organisation has faced is the speed at which clearance in prisons can be secured to backfill anybody who may need to shield. If HMPPS could find a method to get clearance to work in prisons processed faster, this would enable organisations to back fill roles in prisons.

Matt Douglas said this is long standing challenge and not something HMPPS are able to solve quickly - though it is important it keeps being raised. HMPPS do not underestimate the impact it has on services.

What arrangements are HMPPS putting in place to protect the payment of suppliers for Q2?

Matt Douglas said that the financial treatment of suppliers during Q1 was undertaken in line with the published Cabinet Office procurement notice 02/20 which provided guidance for how government departments should manage contracted providers during the immediate Covid-19 impact period. The follow up procurement notice 04/20 was not published until end of June. HMPPS have been working hard to transpose that guidance into their approach to contracts for Q2. Matt Douglas said he can update the group on the progress of this through Clinks.

Action: Matt Douglas to provide update to Anne Fox for circulation to members of the RR3 on the management of public sector contracts in Q2 2020.

ENDS