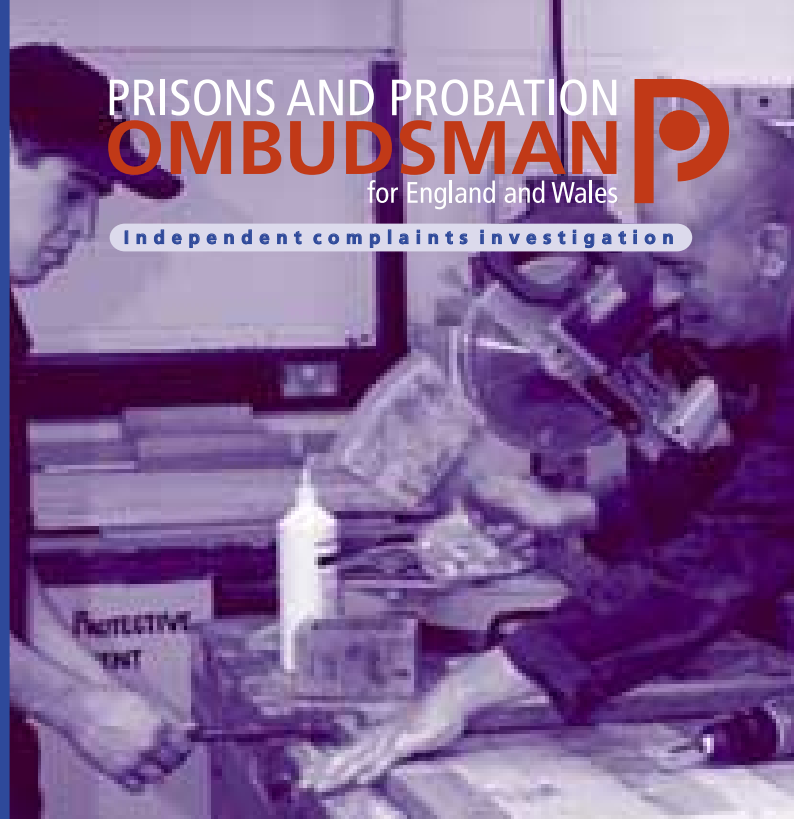




Independent investigation
of complaints for a just
and humane penal system



PRISONS AND PROBATION
OMBUDSMAN
for England and Wales

Independent complaints investigation

Business Strategy 2001-2004

Business Plan 2001-2002

Objective . Open . Effective

contents

INTRODUCTION	2	Aim 2 - to deliver independent and effective services	10
MANAGEMENT SUMMARY	3	Objective 4 - Independence	10
REVIEW	4	Objective 5 - Alliances	10
External context	4	Objective 6 - Service delivery	10
Ombudsmen services	4	Objective 7 - Specific initiatives	10
Government	4	Aim 3 - to ensure effective and efficient management of resources	11
Prison Service	4	Objective 8 - Management	11
National Probation Service	5	Objective 9 - Change programme	11
Internal review	5	Objective 10 - Planning	11
Organisational development	5	ANNEX 1	12
Status	5	Annual Business Plan 2001/02	12
Resources	5	Aim 1 - to ensure that the services of the Prisons and Probation Ombudsman are available to all who need them	12
Competencies and culture	6	Specific objectives, targets, related objectives and performance indicators	12
Stakeholders	6	Aim 2 - to deliver independent and effective services	14
THEMES	7	Specific objectives, targets, related objectives and projects	14
Independent investigation of complaints for a just and humane penal system	7	Aim 3 - to ensure the effective and efficient management of resources	18
Accessibility	7	Specific objectives, targets, related objectives and projects	18
Independence	7	Projects starting in 2001/02 - Links to Objectives	19
Effectiveness	7		
MISSION AND VALUES	8		
Mission statement	8		
Statement of values	8		
AIMS AND OBJECTIVES	9		
Aim 1 - to ensure that the services of the Prisons and Probation Ombudsman are available to all who need them	9		
Objective 1 - Scope	9		
Objective 2 - Access	9		
Objective 3 - Stakeholders	9		

introduction



This is the first strategy which I have published as the Prisons and Probation Ombudsman for England and Wales.

In the past, as Prisons Ombudsman, my predecessor and I relied on the Annual Report both to record past performance and to indicate plans for the coming year. The Annual Report still plays a vital role in our accountability to Parliament and the public. But now that my office

is growing in size and scope, it is desirable to take a longer perspective and to set out in a more structured way what my plans are for the years ahead.

The document is a guide not a straitjacket. My office is already

experiencing a huge increase in the volume of new cases. We

are necessarily demand-led, and the future rate of increase is very difficult to forecast. However, the strategy and the additional resources made available, will help me to manage these uncertainties. I believe the core objectives are the right ones, and the targets realistic, but it would be foolish to pretend that continued growth in caseload on the scale seen over recent months might not delay or alter some of my plans.

Nevertheless, I am confident that publication of this strategy marks a significant step forward for my office. Coinciding with the extension of remit to the National Probation Service, it clarifies our mission - **independent investigation of complaints for a just and humane penal system** - and our core goals: **accessibility, independence and effectiveness**. It is also a challenge for me and all my colleagues to live up to its ambitions.

This strategy will be my guide over the next three years. It will help me and my colleagues to sustain a clear sense of purpose and direction and to focus on the priorities that I have set. It is also a means by which Ministers, the Prison Service, the National Probation Service and all other stakeholders can hold my office to account.

A handwritten signature in black ink that reads "Stephen Shaw".

Stephen Shaw
Prisons and Probation Ombudsman
for England and Wales

accessibility

independence

effectiveness

management summary

The role of Ombudsmen is now well established in many parts of the private and public sectors. The office of the Prisons and Probation Ombudsman for England and Wales is a respected member of this growing community. It was at least partly in recognition of the success of the office in investigating prisoners' complaints that the role was extended to include the National Probation Service.

Both the Prison Service and National Probation Service are undertaking modernisation programmes that will involve major changes in organisational character and service delivery. This will bring new ways of working. The stresses and strains that inevitably accompany change will give rise to new, different and, probably, increased demands upon my office. I am committed to responding to these in ways that bring benefits to all our stakeholders: both prisoners, probationers and the Prison and Probation Services themselves.

We are embarking on a new phase of development that will build on our core competencies in assessment and investigation to develop a wider range of skills and interventions. Additional resources have been made available to ensure the realisation of these goals. Strengthened planning and management processes will be developed to ensure that the resources are deployed to good effect.

This strategy takes account of my office's history and development to date and draws upon my revised terms of reference to set the themes that will guide the office over the next three years.

The overarching theme that drives the strategy is:

■ Independent investigation of complaints for a just and humane penal system

The office's mission statement not only incorporates the responsibilities arising from the extension of remit to probation. It captures the essential features of the kind of service we want to deliver.

Our principal means of delivery are encompassed in three main aims:

accessibility

- through high awareness and easy access to my office

independence

- as assurance that my colleagues and I are impartial and fair

effectiveness

- in our methods and outcomes

This strategy is designed to realise our mission and it rests on the three aims, each supported by a number of key objectives that we intend to deliver over the three years of this strategy.

The first annual business plan prioritises these key objectives into specific objectives with targets for when they will be achieved and associated performance indicators. Attached to the business plan is a list of projects that will be commenced in 2001/2002.

review

External Context

Ombudsmen services

The office of the Prisons Ombudsman (now the Prisons and Probation Ombudsman) was set up following a recommendation in the Woolf Report into the riot and disorder that erupted in Strangeways prison and elsewhere in 1990. These were extreme circumstances, and Lord Woolf judged that they arose out of a lack of justice in prison administration. But the decision emerging out of them to establish an independent body to adjudicate on prisoners' unresolved complaints was a response in tune with similar developments in other fields.

In common with much of Europe, and in both the public and private sectors, Ombudsmen of different kinds have enjoyed an extraordinary growth in number and influence in this country since the first Parliamentary Commissioner for Administration (the Parliamentary Ombudsman) was appointed in 1967. Public and Government alike have maintained a favourable view of the role and value of Ombudsmen, and this shows every sign of growing stronger still.

Part of the explanation for this growth and success of Ombudsmen services is the increasing interest and support for ideas of alternative dispute resolution (ADR) and restorative justice. With their emphasis on 'no blame' enquiry and problem resolution, these approaches have been seen to be an attractive alternative to the adversarial win/lose tradition of the courts. In addition to providing individual remedies, Ombudsmen have also contributed systemic improvements to the management of organisations through wider recommendations.

Government

The office of Prisons and Probation Ombudsman is currently part of the Criminal Policy Group of the Home Office. This means that we share and contribute to the Home Office's purpose, goals and aims as set out in its business plan. In particular, Aim 4: to deliver effective custodial and community sentences to reduce re-offending and protect the public. I would also like to think we contribute to Aim 3: effective delivery of justice.

I have strongly identified my office in the government's modernisation agenda and this strategy is part of our contribution. There are a number of wider government initiatives to which my office also makes a contribution. They include measures like the Freedom of Information Act, Human Rights Act and Data Protection Act and the steps towards e-government.

Prison Service

Two issues are of particular importance regarding the Prison Service. First, the projections of the future size of the prison population suggest a continuing rise in the number of prisoners. If this is particularly concentrated in those groups from whom I receive most complaints - long and medium term adult male prisoners - then there is likely to be a significant impact on my office.

Second, the existing internal Request/Complaints system may well be replaced by a simpler and quicker complaints system. Such arrangements have already been piloted. The consequences for my office are uncertain but they are likely to include a significant rise in the volume of complaints meeting my eligibility criteria.

National Probation Service

The creation of the National Probation Service (NPS) in April 2001 represented the most important reform in the history of probation in nearly a century.

The appointment of an Ombudsman to investigate complaints from those on licence or supervision is part of the modernisation of probation and I am eager to work with the new Service and contribute towards its development and success. Although my colleagues and I have much to learn about its ways, it is likely that the NPS will also need to adjust to the impact of independent scrutiny of its decisions.

The NPS is introducing a standard national complaints framework. This will help to create consistency in complaints handling between areas. The volume of complaints received by probation has historically been low. I cannot be sure how this will change in future, but my expectation is that numbers of complaints will rise as the Service's new working methods take effect and probationers learn about their new rights.

Internal Review

Organisational development

The early days of the Prisons Ombudsman's office were characterised by the development, testing and bedding-in of policy, practices and procedures. Quite rapid growth in the volume of cases in the first two years levelled out and then remained steady until recently.

In 2000-2001, the number of eligible cases increased by over 50 per cent. Current trends suggest continuing substantial growth for the year ahead. Very regrettably, this has created a backlog of cases. The extension of remit to the

National Probation Service and changes to the management of complaints in prisons imply further growth.

In these circumstances, the office of the Prisons and Probation Ombudsman must change. Not only must we increase our caseworking capacity through recruitment of new staff, we also need to plan and manage the delivery of services in different ways.

Status

The Government's commitment to placing the office of Prisons and Probation Ombudsman on a statutory footing is welcome recognition of the principle of independence and a necessary safeguard of impartiality.

Parliamentary time has not yet been found to enact the necessary legislation, but legislation remains our goal and its attainment will form one of our strategic objectives.

Resources

Growth in workload, extension of remit and efforts to improve accessibility to under-represented groups require a significant increase in our resource base. I am fortunate in having secured a very substantial increase in annual budget for 2001-2002. Among other things, this will provide for the following resourcing improvements:

- doubling of staff numbers
- implementation of a new case management IT system
- long term provision of adequate accommodation
- development of a research and information capability
- expansion in our communications capacity.

review

Competencies and culture

The core competencies of my colleagues are based on skills in casework assessment and investigation. This is underpinned by knowledge of the policies and procedures of the Prison Service, and an ethos of impartiality and moral integrity. Jailcraft is added by secondments of staff from the Prison Service. I plan similar secondments from the National Probation Service.

The existing skill and knowledge base will need to be supplemented by additional training and development of new skills supporting innovative ways of working. Examples include mediation, face to face interviewing, and joint working with other agencies.

A larger office with different working methods must also develop its management skills to ensure that change is well planned, clearly focussed, consistently applied and capable of meeting performance targets. This will require the development of functional strategies for Human Resources, Information Management, Research and Policy, Communications and Operational Procedures.

Stakeholders

Those who are stakeholders in the work of the Prisons and Probation Ombudsman are many and diverse. They comprise Ministers, Parliament, prisoners, offenders under supervision or on licence, the Prison Service, the National Probation Service, solicitors, pressure groups, the media and others.

Each of these groups has a different perspective on what my office does. I must take proper account of this. One step forward will be the publication of a procedural handbook and a code of conduct so that all our activities are widely known, transparent and accountable.

themes

The Review section of this strategy has set out some of the background to the development of the Prisons and Probation Ombudsman's office and its current position. It has also indicated the areas where developments are necessary. This section identifies the themes that lie behind the mission, statement of values, and aims and objectives that make up the remainder of this document.

Independent investigation of complaints for a just and humane penal system

My office's investigation of complaints is both an end in itself and a means to contribute towards a penal system that is just and humane.

My colleagues and I try to accomplish this in two ways. First, by demonstrating the right of individuals to a fair and independent consideration of decisions that affect them. Secondly, by making recommendations that help the Prison Service and National Probation Service improve their procedures and so reduce the underlying causes of complaint.

Accessibility

Improving access to the office of Prisons and Probation Ombudsman is a major challenge. This is not simply a matter of publicity, although that is important. Access must be available to all regardless of their particular circumstances. I must find a range of access channels that are easy to understand, readily available and user friendly.

Independence

The importance of conspicuous independence goes without saying. Symbolically, it provides assurance to complainants that my office is impartial and fair. But formal independence is valueless without a spirit of independent inquiry in our conduct and decision making. My office can help to ensure this through openness and accountability in everything we do.

Effectiveness

My office receives complaints from a wide range of individuals in different circumstances. Our range of responses must be equally wide. Ultimately, the best measures of our effectiveness are what we deliver - thorough investigations, well-judged recommendations, implementation of individual and systemic improvements and complainant satisfaction.

The achievement of these outcomes depends, above all, on the integrity and skills of my colleagues and the way that resources and processes are managed. I am fortunate in having high calibre staff, a new management team and a solid resource base. My responsibility now is to ensure that the service we deliver is effective.

mission and values

The overriding mission of the Prisons and Probation Ombudsman for England and Wales is to guarantee independent investigation of complaints for a just and humane penal system. To achieve this mission, I must ensure a service that is accessible, independent and effective.

This approach is underpinned by the values that motivate and inform my office's work. These values are central to my aims and objectives.

Mission statement

To provide prisoners and those under community supervision with an accessible, independent and effective means to resolve their complaints and to contribute to a just and humane penal system.

Statement of values

1. **To be accessible** to all who are entitled to make use of the office of Prisons and Probation Ombudsman and actively to seek removal of any impediment to it.
2. **To be independent** and to demonstrate the highest standards of impartiality, objectivity, thoroughness, fairness and accuracy in the investigation, consideration and resolution of complaints.
3. **To be fair** in the treatment of all complainants without regard to criminal history, race, ethnicity, gender, disability, sexual orientation, age, religion, or any other irrelevant consideration.
4. **To be effective** by ensuring that complaints are dealt with as quickly as possible and that recommendations are well founded, capable of being implemented and are followed through.
5. **To be constructive** in helping the Prison Service and National Probation Service improve their handling of complaints, to eliminate the underlying causes of them and to bring about a just and humane penal system.
6. **To be empowering** by creating and maintaining a working environment in which staff are respected, engage in continuous learning, obtain job satisfaction and have equal opportunities for personal and career development.
7. **To be accountable** to stakeholders for the fulfilment of our mission statement, our values and our aims and objectives.
8. **To be efficient** in the management of resources and deliver value for money.

aims and objectives

The aims set out here are closely related to the mission and represent what I expect to achieve over the next three years.

Each of the objectives will be articulated in more detail in the annual business plans.

1

Aim 1 - to ensure that the services of the Prisons and Probation Ombudsman are available to all who need them.

Objective 1 - Scope

- 1a** To implement the changes required by the extension of remit to the National Probation Service within the prescribed timetable.
- 1b** To examine the case for the inclusion in remit of deaths in custody, clinical judgements, complaints brought by third parties, juveniles in secure training centres and secure local authority care, those in Immigration Detention Centres, visitors and others affected by decisions of the Prison Service and beneficiaries of the National Probation Service, and to put recommendations to the Secretary of State.
- 1c** To undertake a review of the Terms of Reference to ensure that they remain relevant and up to date.

Objective 2 - Access

- 2a** To communicate the role and function of the Prisons and Probation Ombudsman so that all who are entitled to use the service know how to obtain access to it.
- 2b** To raise awareness among young offenders, women prisoners and others in the penal system who are currently under-represented in their use of the service provided by the Prisons and Probation Ombudsman.
- 2c** To develop a wide and flexible range of access routes for those who wish to make use of the Ombudsman's service.

Objective 3 - Stakeholders

- 3a** To ensure that stakeholders are kept informed about the work of the office and appropriately consulted about developments that concern them.

aims and objectives

2

Aim 2 - to deliver independent and effective services

Objective 4 - Independence

- 4a** To submit to the Secretary of State organisational options for the office, including placing the Prisons and Probation Ombudsman on a statutory footing.
- 4b** To publish for the information of stakeholders a procedural handbook and code of conduct.

Objective 5 - Alliances

- 5a** To support and contribute to the development of Ombudsman's services in other spheres and to encourage sharing of best practice.
- 5b** To collaborate with other agencies with which we share common goals, including joint initiatives and peer review where appropriate.

Objective 6 - Service delivery

- 6a** To match resources, methods and output to demand for services and to ensure that the accumulated backlog of cases is eliminated.
- 6b** To develop an innovative range of settlement methods that are relevant to the diversity of individuals in different circumstances who wish to make use of the Ombudsman's service.
- 6c** To devise a comprehensive performance and quality framework and to publish service levels achieved against targets.
- 6d** To develop a method of identifying themes from the analysis of complaints and using these to collate recommendations for systemic improvement.

Objective 7 - Specific initiatives

- 7a** To undertake research to inform service delivery and to bring matters of interest and concern to the attention of others.
- 7b** To provide advice and support to organisations with whom we have knowledge and expertise to share.

3

Aim 3 - to ensure effective and efficient management of resources

Objective 8 - Management

- 8a** To redesign the management and organisation structure to meet the needs of the office.
- 8b** To draw up functional strategies for operations, communications, HR and information management.

Objective 9 - Change programme

- 9a** To initiate projects designed to deliver the changes required to deliver the business strategy and to manage them as parts of an integrated programme.

Objective 10 - Planning

- 10a** To prepare and publish annual business plans to prioritise, monitor and ensure delivery of the strategy.

annex 1

Annual Business Plan 2001/02

This is the first business plan of the three year strategy. Its purpose is to lay sound foundations for the future as well as setting priorities and

specific targets for the year ahead. It follows the structure of the Aims and Objectives set out above but as a working document it includes more detail, targets for completion and performance indicators.

Aim 1 - to ensure that the services of the Prisons and Probation Ombudsman are available to all who need them.

Objective number

Objective description

1a (Scope)

To implement the changes required by the extension of remit to the National Probation Service within the prescribed timetable.

1b (Scope)

To examine the case for the inclusion in remit of deaths in custody, etc.

1c (Scope)

To undertake a review of the Terms of Reference to ensure that they remain relevant and up to date.

Specific objectives, targets, related objectives and performance indicators

Specific objective	Target date	Related objective	Performance indicator	Project
i) To provide advice and assistance to Correctional Policy Unit, the National Probation Directorate and probation boards so that they can meet their target of inaugurating the extension of remit to probation.	1 Sept 2001	8b	Agreement on the TOR and Directions	Probation
ii) To have in place an implementation plan for the provision of services to probation.	1 Sept 2001	2a, 9a	Approval of SRO	
iii) To devise a pilot procedure for the handling of probation complaints.	1 Oct 2001	9a		
v) To appoint seconded staff and train them to be capable of handling probation complaints.	1 Dec 2001	9a		
iv) To complete the programme of probation service familiarisation for Ombudsman's staff.	1 Aug 2001		Staff recruited and trained	Probation
vi) To complete the delivery of the implementation plan. Expected late summer 2002.				
To undertake a study of each of these possible extensions and produce a document for consultation. Expected 2002/3.				
Review agreed with Criminal Policy Unit for 2002/3.				

Aim 1 - to ensure that the services of the Prisons and Probation Ombudsman are available to all who need them.

Aim 2 - to deliver independent and effective services
Specific objectives, targets, related objectives and projects

Objective number	Objective description
2a (Access)	To communicate effectively the role and function of the Prisons and Probation Ombudsman so that all who are entitled to use the service know of it and how to obtain access to it.
2b (Access)	To raise awareness among young prisoners, women prisoners and others in the penal system who are currently under-represented.
2c (Access)	To develop a wide and flexible range of access routes for those who wish to make use of the Ombudsman's service.
3a (Stakeholders)	To ensure that stakeholders are kept informed about the work of the office and appropriately consulted about developments that concern them.
4a (Independence)	To submit to the Secretary of State organisational options for the office, including placing the Prisons and Probation Ombudsman on a statutory footing.
4b (Independence)	To publish for the information of stakeholders a procedural handbook and code of conduct.
5a (Alliances)	To support and contribute to the development of Ombudsman's services in other spheres and to encourage sharing of best practice.

Specific objectives, targets, related objectives and performance indicators

Specific objective	Target date	Related objective	Performance indicator	Project
i) To prepare a communication strategy covering all aspects of the Ombudsman's work.	1 May 2001	8b	Availability of strategy document	
ii) To prepare a communications implementation plan.	1 Aug 2001	1a	Availability of strategy document	
iii) To procure communication designs and communications materials for probation and prisons.	1 Sept 2001		Appointment of suppliers	
iv) To establish and maintain planned communications with all stakeholders.	31 Mar 2002		Procedural documentation	
To investigate why young prisoners have low awareness and to produce proposals to increase it. Expected 2002/03.		2c, 5b		
i) To pilot a telephone Helpline. ii) To prepare an access strategy. Expected 2002/3. iii) To pilot a scheme to improve access by a selected group. Expected 2002/3.	31 Mar 2002	2a, 2b	Availability of Helpline and evaluation report	
i) To create and maintain a register of stakeholders containing information and procedures for ensuring their communication needs are met.	31 Mar 2002	2a	Satisfaction survey	
To undertake a study of each of the options and produce a document for consideration. Expected 2002/3.		1b, 1c		
Expected 2002/3.				
Prisons and Probation Ombudsman to play stronger role in British and Irish Ombudsmen's Association.	1 July 2001		Prisons and Probation Ombudsman joined BIOA Executive Committee	

Aim 2 - cont.

Objective number	Objective description
5b (Alliances)	To collaborate with other agencies with which we share common goals, including joint initiatives and peer review where appropriate.
6a (Service Delivery)	To match resources and output to demand for services and to ensure that the accumulated backlog of cases is eliminated.
6b (Service Delivery)	To develop an innovative range of settlement methods that are relevant to the diversity of individuals in different circumstances.
6c (Service Delivery)	To devise a comprehensive performance framework and to publish service levels achieved against targets.
6d (Service Delivery)	To develop a method of identifying themes from the analysis of complaints and using these to collate recommendations for systemic improvement.
7a (Specific Initiatives)	To undertake research to inform service delivery and to bring matters of interest and concern to the attention of others.
7b (Specific Initiatives)	To provide advice and support to organisations.

Specific objectives, targets, related objectives and performance indicators

Specific objective	Target date	Related objective	Performance indicator	Project
i) To initiate a joint project with the Youth Justice Board.	1 Oct 2001	2b	Project Board approval	
ii) To identify other agencies with whom we share interests and open a dialogue with them.	31 Mar 2002	3a		
i) To increase permanent staff numbers.	1 Dec 2001		Staff in post	
ii) To consider the scope for employment of sessional staff and produce proposals.	31 Mar 2002		HR Strategy	
iii) To increase average output per investigator to not less than 80 cases per year.	31 Mar 2002		Management reports	
iv) To complete 70% of eligible cases within 12 weeks.	31 Mar 2002		Management reports	
v) To eliminate the backlog. Expected 2002/3.				
i) To identify suitable methods and produce proposals for their implementation.	31 Mar 2002	2c, 6b, 6c	Documented procedures	Operations
To identify a suitable model and produce a framework.	31 Mar 2002	6a	Availability of framework	Operations
To identify the sources of information and a method for their analysis. Expected 2002/3.		9a		Case Management
i) To appoint a Policy and Research Officer.	1 Dec 2001	8b, 9a	Policy and Research Officer in post	
ii) To identify a portfolio of research projects. Expected 2002/3.				
i) To identify ways and means to offer best practice advice on complaints handling to the National Probation Service.	31 Mar 2002	3a, 6c	Project Documentation	Probation
ii) To identify the needs, resources required and produce proposals. Expected 2002/3.				

Aim 3 - to ensure the effective and efficient management of resources

Objective number	Objective description
8a	To redesign the management and organisation structure to meet the needs of the office.
8b. (Management)	To draw up functional strategies aligned with business strategy.
9a. (Change Programme)	To initiate projects designed to deliver the changes required to deliver the business strategy and to manage them as parts of an integrated programme.
10a (Planning)	To prepare and publish annual business plans intended to prioritise, monitor and ensure delivery of the strategy.

Specific objectives, targets, related objectives and performance indicators

Specific objective	Target date	Related objective	Performance indicator	Project
i) To identify suitable models and produce proposals.	1 Sept 2001	8a, 9a	Availability of report	
ii) To undertake shared training by the senior management team.	1 Dec 2001		Attendance at training	
iii) To implement a redesigned management structure.	31 Mar 2002			
i) To prepare a communications strategy.	1 July 2001	1a	Availability of document	
ii) To produce an HR strategy.	31 Mar 2002	6a	Availability of document	
iii) To produce an information strategy.	31 Mar 2002	9a	Availability of document	Case Management
i) To initiate a probation extension project.	1 Aug 2001	1a	Project Board approval	Probation
ii) To initiate a case management IT project.	1 Sept 2001	6a	Project Board approval	Case Management
iii) To initiate a project to secure permanent accommodation.	1 Oct 2001		Project Board approval	Accommodation
iv) To initiate an operations project.	1 Oct 2001	6a, 6b	Project Board approval	Operations
v) To establish a programme management structure to co-ordinate projects.	1 Dec 2001		Structure in place	
i) To publish the 2001/02 annual plan.	1 Sept 2001		Publication date	
ii) To review plan.	28 Feb 2002			
iii) To publish 2002/03 plan.	31 Mar 2002		Publication date	

Projects starting in 2001/02 - Links to Objectives

Probation Project

Objective 1a

Operations Project

Objective 6a, Objective 6c

Case Management IT Project

Objective 9a

Accommodation Project

Objective 9a

Prisons and Probation Ombudsman
Ashley House, 2 Monck Street
London SW1P 2BQ