

THOUGHT PIECE

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WHY CULTURAL DIFFERENCES BETWEEN SECTORS MEAN PROBATION WON'T WORK AS A COMMODITY

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The scale of changes pursued by the current government is placing immense pressure on organisations in every sector, where service providers and companies are having to strive to deliver to the same standard with fewer staff and fewer resources. The proposed changes to the delivery of Probation Services in this context are particularly surprising, with preference for an untested and relatively uncoordinated use of voluntary and private sector agencies, rather than allowing the Probation Service to work with short term sentence prisoners. This means private and voluntary sector organisations would be entrusted with risk management duties at a time when investment in training and research has had to be reduced to the minimum. This is particularly problematic given the cultural differences between organisations within the public, private and voluntary sectors which could contribute to poor prioritising and risk recognition.

Research findings highlight that new and unexpected demands placed on an organisation reveal the significance of organisational culture (O'Donnell and Boyle, 2008.) In the case of public services, inherently differing approaches to delivery, whilst potentially lowering cost, can lead to reduced expectations of what will be tolerated as minimum standards. Serco's provision for the NHS in Cornwall is a prime example of achieving reduced costs yet doing so through greatly reduced staffing, leading to the typical time nurses spend with patients being reduced by half (Lawrence, 2012). There is little evidence to suggest that these innovations have led to the same or better outcomes via drastically reduced patient contact. Concerns therefore abound that differences in approach in key areas could mean that current standards on public protection and rehabilitation cannot be achieved through market competition and could weaken the intrinsic strengths they bring to partnership working.

Whilst there is no definite agreement about concepts of organisational culture, certain norms and priorities within organisations appear to guide and influence employees and managers, and ultimately service users, (see for example, McNeill *et al*, cited in Burke & Davies, 2011). The Voluntary and Community Sector (VCS) can be defined by its traditions of community spirit and support, being responsive, and adept at meeting specialist need. The private sector is very diverse, but many successful companies can be said to share characteristics such as flexibility, goal orientation, profit focus, technological innovation, performance enhancement and tried and tested solutions. In the context of partnership working, these differing approaches can complement each other, particularly when helping vulnerable and challenging people. The public sector has taken on increasing aspects of private sector methods in efforts to improve performance, for example through Continuous Improvement agendas to develop streamlined processes. However, this method sharing has not tended to travel in the opposite direction anywhere near as frequently, meaning the private sector's understanding of Probation methods and priorities is unlikely to be strong.

The government's assumption that organisations perform best with a financial incentive undervalues public sector norms and values which have helped contribute to reduced levels of serious harm (HMIP, 2013) as well as innovations such as Integrated Offender Management. Many of these norms and values can persist even when new members enter or change is imposed. The Probation Service is evidence of this, where risk management and public protection have become more clearly overriding principles, but which the Service has responded to by maintaining its social inclusion and holistic approach as one of the key methods to meet these objectives. Perhaps the reason the Probation Service has managed to integrate these risk management priorities with other approaches is the level of specialism and training involved. Kemshall and Hilder (2012) note that the Probation Service, alongside child protection services, is the most specialised at risk assessment, where "Notions around risk have become centrally organising principles." Consequently, public protection priorities have come to influence everything the service does.

The private and voluntary sectors lack this level of familiarity with this type of risk management, which impacts on how they approach associated tasks. A recent assessment on voluntary sector involvement in the criminal justice system found 'interviewees from both sectors identified several issues around how the VCS managed risk' (Wong *et al.*, 2012: ii). The VCS itself has actively highlighted the need for significant training input to resolve this gap (see, for example, The Third Sector Research Centre, 2013:10).

Private industry appears to have differing concerns. The CBI response to the Transforming Rehabilitation consultation, whilst highlighting knowledge gaps that 'it will take the market time to learn what works' (CBI, 2013: 3), also emphasised profitability and freedom of operation are equal to risk management, "Providers recognise...there's a minimum standard that must be met...this shouldn't manifest itself as an obstacle to providers in reducing costs and increasing outcomes" (CBI, 2013: 3). The pressure to maintain low costs could consequently encourage a minimalist approach to training and knowledge building. It would be a considerable shift to begin recognising the wider

community and the government as their equal customer alongside clients and shareholders.

Where risks appear to be increasing, the Community Rehabilitation Company (CRC) would be responsible for referring the case back to the Probation Service to reassess risk. However, the ability to recognise sometimes subtle changes suggesting an escalation in risk itself assumes an expertise in risk assessment. As the CRC would only ever be working with low to medium risk offenders, it would be much more difficult to recognise such changes, particularly where those indicators are subtle, as can often be the case with domestic violence perpetrators, for example. This would become particularly problematic if the pressure for reduced costs results in fewer staff, reduced training, and increased caseloads.

Differences in approach to risk management are further evident from the experience of privatised prisons. A recent study, (Panchamia, 2012) noted that the public prisons are most effective at maintaining safety, order and security, whilst private prisons are better at relationship building. Arguably, this suggests a public sector element is preferable when public safety questions are complicated.

All these pressures could lead to focussing resources on short-term 'easy wins', rather than those with complex needs. Social Finance's update on the Social Impact Bond project in Peterborough for example commented that offenders with problems in Attitudes Thinking and Behaviour would either be given 'basic guidance' or referred to Mental Health Services (Social Finance, 2012:10). This would leave a tremendous gap for those without a diagnosed mental health problem who nonetheless need considerable intervention around anger management, self-control and so forth. For the VCS, in the meantime, the requirement to achieve a particular level of reduced offending which is imperative in this context of PbR could be problematic for those agencies accustomed to working on qualitative rather than quantitative outcomes. Both would need to rapidly develop matching skills and working relationships to meet the same standards as provided by Probation.

There are also concerns that these untested changes could actually weaken service delivery. Voluntary and private sectors primarily work on the basis of the willing participation of the individual, and the prioritising of client need. The Social Impact Bond in Peterborough with St Giles Trust, the only pilot established by the government to date, is a self-selecting project, and consequently likely to be accessed by those who are already motivated, literate and engaging with support. Service users expect client-centred support, with specialist intervention, for example housing, or employment. Feedback from the project highlights that offenders like the non-enforcement approach involved. It is consequently a particular kind of support that has the potential to be part of a holistic approach. If, however, such organisations are awarded CRC status, a significant change in approach would be necessary, focussing as much on risk and compliance as on support and rehabilitation. This could impact on offenders' perceptions of the nature of the support offered, and potentially on their engagement. For the same reasons, employees may feel reluctant to develop this compulsory approach.

Service user perceptions and expectations could be further affected by the reduced visibility of Probation. It is of note that in Holland, where the voluntary sector is heavily involved in supervision processes, only 33% of Probation Officers thought service users regarded their service as part of the criminal justice system, (van Kalmthout & Durnescu, 2010: 4). If such attitudes became commonplace in Britain, this could impact adversely on responsibility taking and victim empathy, with potential disinclination by the offender to discuss offence related issues unless and until the relevant agencies become accustomed to fully addressing internal factors as well as external ones.

It is also important to note that the role of voluntary and private sector agencies abroad almost always involves a close working relationship with the National Probation Service. The Salvation Army in Holland mentioned above has long been established alongside the National Probation Service, mental health agencies and substance misuse services, (van Kalmthout & Durnescu, 2010: 35). A long established culture of a sole voluntary agency, with clear inter-agency working means there is a consistent co-ordinated approach to service delivery. This contrasts with proposals for 21 disparate CRCs across the country.

Overall, there are significant differences in approach and values between public, voluntary and private organisations. The idea of transferring Probation Services to the voluntary and private sectors expects not just a step change, but a rapid re-prioritising which would require a significant cultural shift. Dismantling established and trusted partnership working could jeopardise holistic approaches to supporting offenders. Right now, agencies such as the St Giles Trust are effective because of inter-agency working, with specialist interventions delivered and co-ordinated by the Probation Service, ensuring a long-term, rounded intervention. It is a falsehood to imagine a century's worth of risk management and rehabilitative expertise could be instantaneously handed over to twenty-one different hopefuls without the potential for some serious ramifications.

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