



Community Justice Scotland

Ceartas Coimhearsnachd Alba

Community Justice Strategic Commissioning Framework

Summary of roundtable contributions

November 2018

Community Justice Strategic Commissioning Framework Roundtable inputs – summary

1. Introduction

Community Justice Scotland is leading on a Strategic Commissioning Framework (SCF) for the sector. This Framework will outline a process for collaborative planning and delivery of community justice in Scotland, to support the achievement of the best possible outcomes and best use of available resource.

2. Roundtable profile

To gather the sector's views on strategic commissioning design and delivery in community justice, a number of roundtables were held in early September 2018. All statutory partners were invited, as was a wide range of non-statutory, third, independent and private organisations.

Two roundtables were held with chairs of community justice partnerships (CJPs), three with statutory, non-statutory and third sector partners, plus a larger workshop with community justice coordinators and a dedicated event with CJVSF members. Attendee numbers ranged from 5-18.

One CJP coordinator hosted an additional third sector workshop locally, and using the same discussion topics as roundtables. Comments were fed back to Community Justice Scotland and have been included here.

2.1 Participant profile

A total of 78 people from 59 organisations took part in roundtable events.

- Nine CJ chairs attended, mostly from the greater West of Scotland area (other co-ordinators attended in place of their Chairs).
- Twenty-four community justice coordinators inputted; two by 1-1 telephone discussions.
- Twenty-seven local authorities were represented.
- Non-statutory partners included British Association of Social Workers, the Care Inspectorate, and the Risk Management Authority.
- Twenty-four organisations from the Third Sector took part, including CJVSF members, representatives of the Third Sector Interface (TSI), faith and black and minority ethnic (BME) organisations and large and small providers.
- The CJVSF submitted a position paper on Strategic Commissioning and a separate consultation input on the Framework (both available [here](#)).
- Where organisational views were given, they are included in this paper. All attending organisations are listed fully in Appendix 1

2.2 Structure of paper

Roundtable sessions followed a similar set of discussion topics, although some groups focussed more on particular questions than others. Responses are reported here and organised by professional/partner group, starting with input from Chairs' sessions, then coordinators, statutory third sector and wider partners. Group discussion across statutory, non-statutory and third sector participants is also included.

3. Vision and values for strategic commissioning in community justice

Partners were asked to outline their vision for strategic commissioning in community justice, and what they felt were the key underpinning values.

3.1 Chairs' vision

Chairs highlighted a desire for strategic commissioning to bring about a step change in current practice, where there was a strengthened alignment of outcomes and partner agendas (achieving 'the golden thread') from the national to local, as well as strong national-local leadership, within community justice and individual statutory partners.

The vision was one in which need is profiled holistically from the national to local, focusses on medium-long term action on prevention and early intervention, and with associated, alignment of resource across justice sector partners, including the third sector.

Strategic alignment and associated governance and reporting arrangements of CJPs to other planning partnerships were also desired, with clear, local responsibility, and 'upward' reporting lines to Integrated Joint Boards (IJBs), Health and Social Care Partnerships (HSCPs), Community Planning Partnerships (CPPs) and in some cases, Alcohol and Drug Partnerships (ADPs). This was felt to enable a strengthened strategic locus for the community justice agenda, as well as practical efficiencies, where there was commonality in purpose and/or population.

A culture of local, collective responsibility and buy-in was also highlighted as an important factor in success, including for combined resourcing planning and alignment across partners. To achieve this, the development of collaborative, trusting partner relationships, adopting a person and family-centred, evidence-based approaches to improving outcomes, were highlighted as key. There was a desire that clear expectations of these points are stated within the Strategic Commissioning Framework.

One area highlighted a risk at national level that, across community justice partnerships, areas that were smaller (or had smaller populations), could be eclipsed by larger areas, with a desire that all areas and their associated differences in need be considered equitably.

Chairs highlighted the following structural constraints to achieving this vision:

1. National resource allocations to the justice sector, requiring adjustment to enable implementation of policy priorities of increased upstream and preventative action
2. Limitations in the accountability, status and locus of community justice partnerships (and partners), including their inability to hold or allocate funds.

3.2 Coordinators' vision

Coordinators felt that a community-based, ground-up approach to strategic commissioning was best, where it was partnership owned with strategic and operational buy-in locally. Clear links and status within different strategic fora such as IJBs and CPPs were also desired. Important values were being evidence-based;

person-centredness (across victims, people who have offended, and their families); equality and equity; strengths-based approaches and needs-led working, informed by people with lived experience; focussing on early intervention and prevention and on improving outcomes for people and families.

Partnership ownership of the community justice agenda was highlighted as crucial in securing a whole systems approach to achieving the best possible outcomes and associated alignment of resourcing. A shared purpose and understanding of intended outcomes was also desired, with a stronger connection of local to national outcomes to support that. The adoption of longer term planning cycles, increased support for preventative and trauma-informed working were also desired, with some highlighting the challenges of securing partner trust that short term actions would yield longer term benefits.

Also highlighted as part of the vision for strategic commissioning in community justice was having a meaningful confidence and trust in the agenda among sentencers, Courts and Tribunals services, wider partner agencies, the media, and the public.

Development of cross-partner data sharing was highlighted by some as an important area for development, to enable strengthened planning and delivery in line with need.

Coordinators from rural areas highlighted strengths and weaknesses of the new CJ model in their area – a strengthened partnership structure with good working relationships and put simply, knowing one another. One area reported that the small number of people within community justice meant that strategic development of collaborative working was displaced by services' day to day demands. More generally, there was a desire for reduced variation in availability and accessibility of services in rural areas, possibly through alternative models of provision. In delivery of Community Payback Orders, it was also highlighted that closeness of community could act as a positive or negative influencer where people in community organisations had a long standing knowledge of the person and/or their family involved.

A number of challenges to achieving the vision were highlighted:

1. Significant financial pressures on services are constraining partner discussions about budgets and as a result, alignment of resourcing.
2. Challenging and securing change, with its inherent deprioritisation, was recognised as particularly difficult within the existing financial climate.
3. Annual funding and reporting cycles and challenges in measurement of outcomes were affecting the ability to plan on a medium-longer term basis.
4. A lack of clarity and trust among some partners about the community justice agenda, their contribution to achieving the best possible outcomes, or in some cases, attendance at community justice partnerships.
5. A mainly operational staff membership of CJP partners, with a desire for membership allowing strategic discussion and decision making.
6. A need to strengthen the confidence, trust and collaboration of sentencers with community justice.

7. Difficulty in measuring the impact of preventative action, and/or securing the support of partners to resource efforts in that area.
8. Variation in clarity of expectations of impact for some interventions, for example, a risk of perceived failure, if adopting trauma informed practice did not result in reduced reoffending.

3.3 Statutory partners' vision

A range of statutory partners attended roundtables, and some submitted organisational positions on their vision and core values for strategic commissioning. Where these were provided, they are included here.

Health presented a vision where 'we keep people well and where Community Justice partners work to identify at the earliest stage what has led to an offence and act to help people to recover and not need to offend again', with the following five values:

- i. Eliminating delays and variations
- ii. Person-centredness
- iii. Partnership
- iv. Prevention
- v. Forward planning.

The Scottish Prison Service indicated a vision of continued development of partnership working, working towards common purpose and outcomes, and co-producing programmes in a strengths-based way. Four values were indicated as underpinning this:

- i. Strategic working – taking a needs-led, long-term view and working within a context of aligned outcomes, policy and priorities, with SPS inputs consistent with their Corporate Plan;
- ii. Evidence-based working – using strategic needs assessment at both national and local levels, being data-informed and learning from knowledge exchange, service user feedback and self-evaluation;
- iii. Partnership working – contributing to CJ partnerships (including building on existing strengths), resource mapping and throughcare support;
- iv. Involving people in the design, delivery and commissioning of services – including people in and leaving prison, their families, victims, and prison staff.

3.4 Third Sector vision

The CJVSF submitted two papers to Community Justice Scotland in relation to this work incorporating roundtable discussions, wider member views and work of a Commissioning Working Group. Both are available on their [website](#). Their vision for strategic commissioning was one that:

- i. Encouraged systemic and holistic approaches
- ii. Promotes embedding of person-centred approaches, and a focus on outcomes
- iii. Promotes best value and quality
- iv. Supports provider participation and collaborative working
- v. Clarifies roles
- vi. Promotes embedding of continuous learning
- vii. Promotes diversity in the market
- viii. Promotes the use of appropriate timescales.

The Third Sector Interface representative shared a vision around service commissioning that involved 'a process that is fair and transparent, allowing for smaller organisations as well as those that are more recognisable across Scotland to provide services, with easy to follow guidance that is clear and understandable'.

Underpinning values included:

- i. Recognising that achieving good value for money did not always require use of a large provider
- ii. A clear understanding of need, and identification of any gaps
- iii. Evidence-based working and confidence that services/interventions were effective
- iv. Flexibility of contracting that allowed local providers and provision of services

Supporting Offenders with Learning Disabilities (SOLD) outlined a vision where people who use services are involved in deciding what services are needed, with the following underpinning values:

- i. Preventative, lifelong and consistent low-intensity support to maintain a preventative approach and avoid costly and damaging relapses, to stabilise lives, support better informed decision-making, and breaking out of offending behaviour.
- i. A person-centred approach to service accessibility, including ensuring good communication and understanding, particularly within services focussed on rehabilitation post-liberation.
- ii. Sheriffs' authorisation to demand support packages to comply with sentences – enabling adjustments to overcome disability-related challenges so that people had a fair and equal opportunity to achieve compliance (support to understand letters and other communications, and attend appointments).
- iii. A recognition of risk of offending as a 'critical need' with associated entitlement to ongoing, lower intensity social care support.

A local workshop with third sector organisations identified an overall vision of "working together", including:

- i. Partnership working and strengthened relationships between organisations.
- ii. Joined up service provision and working for people (shared care), talking about referral paths.
- iii. Creating communities for people to change and opportunities for people to recover together.
- iv. Identifying gaps in services.

In group discussion, third sector and non-statutory partners outlined the following vision and values for strategic commissioning:

- i. Genuine partnership working - common purpose across partners, planning partnerships and national strategies
- ii. Knowledge exchange - supporting innovation and continuous improvement, e.g. through self-assessment framework
- iii. Aligned funding cycles (for providers)
- iv. A value base of transparency, collaboration, fairness, engagement, commitment to equalities, strengths-based working, and flexibility
- v. Person-centred and co-produced with users
- vi. Adaptable, dynamic, more efficient, non-stigmatising

- vii. Adding value, simple, usable, sustainability
- viii. Adopting best procurement practice and supporting improved practice on the same; focussing on best value, quality and outcomes and enabling increased awareness of opportunities; fostering a whole system, mixed economy of providers.

4. Translating the strategic commissioning cycle into practice

Partners were asked for their views on how the ideal implementation of strategic commissioning would look in practice, taking each stage in turn (analyse, plan, deliver and review). Each partner groups' views is presented in turn.

4.1 Chairs

Guiding principles for the commissioning cycle were sought by some to support the goal of partnership working, developing the community justice agenda collectively and achieving decision-making for the greater good.

One contributor wanted to see commissioning model based around understanding need and the development of different models to meet it. There was a suggestion that aggregating social work data on demand would be helpful basis for onward identification of gaps. Understanding people's challenges in accessing services was also raised as an important part of needs assessment.

Access to funding was highlighted as a challenge by some, when it was held by organisations/teams not named as CJP statutory partners.

The third sector was recognised as an important partner and asset and critical in achieving early intervention, however the range in size of partners highlighted a variability in power across the sector as well as practical challenges around engagement and strengthening of relationships.

A national structure or mechanism bringing together local chairs and national partners was felt to be an important gap that, if resolved, could enable strategic discussion and direction of community justice, as well as sharing of effective practice.

At local level, strengthened interfaces, reporting and accountability links with IJBs, CPPs, ADPs and Children and Families were also felt to be important for successful strategic commissioning, in supporting alignment of planning and resourcing decisions. For example, one area had embedded their CJOIP content within the Local Outcome Improvement Plan and reported good strategic alignment at local level, partly supported by the local CJ Chair being the Community Planning Manager.

It was recognised that national partners attending CJP were sometimes constrained in their ability to contribute, for a variety of factors. To resolve this, members suggested that there could be a clearer way for national partners to plan and communicate priorities collaboratively, with better communication to local areas and informed by local areas. This would allow local community justice priorities to be better aligned.

4.2 Coordinators' views

Coordinators were keen that tasks / work in 'analyse' happened in partnership to ensure that needs assessments stayed up to date, and that the scope of resource mapping included available services as well as the justice journey within the CJP area. This collaborative approach was hoped to allow a more informed gap analysis and associated realignment of resource. Understanding need from a qualitative as well as quantitative point of view was also important, as was gaining insight from people not in services.

In 'analyse', data sharing and who could best gather it was highlighted as an issue locally.

In 'plan' a commitment to flexibility, transparency and needs led working were felt to be critical, as were good communication, supporting partners' clarity of offer, and upstream working. Planning was highlighted as needing people with sufficient authority to identify available resource and reach agreement about achieving best value. Pathway approaches were felt to be helpful way of planning. One area had worked to understand partner budget cycles and deadlines to enable advance planning and timing of requests for financial support within deadlines.

Short term funding and reporting cycles were also raised as an issue. Some areas preferred a three-year planning cycle to support a longer term view, while recognising that this would be a new way of working for some partners. There was a recognition that a balance between operational and strategic attendance was needed, with most of the practical change happening within services but a need for more senior level buy-in, decision making and support.

One area highlighted the importance of early intervention and prevention in planning, and the importance of a maturity to relationships across partners, in the absence of clear statutory duties. Others echoed this, and the importance of winning hearts and minds to secure discretionary effort in partnership working without statutory duties. Openness and transparency were also felt to be important, with clarity about where outcomes were discussed and agreed nationally.

A national knowledge brokering function was felt by some to be useful in reducing potential duplication of the evidence base.

Sharing resource and cross-partner working were also highlighted as important, particularly when considering priorities that did not sit neatly within one single partner. Adverse Childhood Experiences (ACEs) were one example, with some suggesting that gap analyses involve a multi-agency team rather than each area / partner individually employing someone to do the work.

Coordinators also expressed the view that effective planning, when requiring deprioritisation or stopping of certain activities, should involve a realignment rather than loss of staffing, to avoid emerging needs being unable to be met.

The need for flexibility in delivery was highlighted by some coordinators, allowing a reallocation of funding or change to service design, to respond to different needs.

Relaxing eligibility criteria for services was another way of improving flexibility and access to services for those needing them. Rurality was also acknowledged as a factor impacting on service accessibility.

In Review, evaluation of effectiveness was discussed as a continuous process requiring a range of evidence sources and data types to measure outcomes. Peer learning and review of services within partnerships – by partners’ attending each other’s’ services to feedback views - was suggested by one area.

Working with people using services was an important aspect, to check effectiveness of the service and to feedback on how service have listened, learned and improved. Involving people in designing the services they would be using was also felt by one coordinator to help achieve better buy-in to engaging with it. Engaging with victims to get their feedback about services was acknowledged to be difficult, because of a risk of retraumatising. The need for services to have the courage to learn from mistakes was also highlighted.

Case study examples of strategic commissioning in practice were felt to be helpful within the Framework.

Some coordinators felt that it would be important that information on Strategic Commissioning was not filtered through the co-ordinators. As operational rather than strategic staff, some did not feel it their responsibility to be the contact for explanations and updates: all partners need to take active part in the work.

4.3 Statutory, non-statutory, third sector and wider partner views

Health highlighted the challenge of achieving equal voice across partners, particularly when some were from larger organisations than others. In delivery, there was a desire to eliminate variation in services or a tendency to purchase the available (rather than best) service – instead shaping the market to achieve desired provision. The ADP model was felt to offer some transferrable learning, and the national role of Community Justice Scotland in sharing good practice was highlighted.

SPS outlined a desire for inclusion of user voice, with a cross-system commitment to gather and share data to enable needs-led assessment and planning, reflecting the legal duty to cooperate. Within CJP’s, adopting a principle of the lowest viable level of seniority to attend was recommended, enabling local decision making, e.g. respecting the role of Governors as Responsible Officer. Positive relationships were highlighted as critical to success, including within contract management processes where shared accountability was also desired.

BASW outlined a desire that strategic commissioning avoided the overshadowing of smaller providers by larger ones, or the imposition of procurement-led working.

SSSC desired a needs analysis that took a rounded view of need and drew on data and lived experienced / qualitative learning as well as the statistics in forecasting and reviewing need. System flow was also highlighted as an important ‘lens’ in assessment.

The Care Inspectorate highlighted a number of points important in Delivery:

- i. Confidence to try innovative approaches
- ii. Demonstrating the difference made as a result of the service/intervention
- iii. Enabling better link up between national and local partners
- iv. Supporting transitions in pathways
- v. With procured services, managing market supply and demand such that duplication of services was decreased while maintaining user choice, any excess resource was reallocated towards unmet need, and reducing any unhelpful provider competition.

The TSI representative highlighted the need to recognise the range of starting points of partners in service commissioning processes, and that both relationship maturity and procurement capacity were key to success. There was a recognition that flexibility in delivery was important, as was purchaser 'control' if there was poor delivery in contract. In relation to strategic commissioning in CJP's, the owners of success, and decision making around decommissioning were also queried.

Sacro highlighted the importance of good funder-provider relationships, ensuring good communication, trust, transparency, consistent flexibility, partnered collaboration and clear parameters.

Youth Community Support Agency (YCSA) agreed that trust and relationships between funder and provider were important but should not be the defining factor of choice of supplier. Applying the commissioning cycle to enable early input from providers would supply advance buy-in from the sector and avoid an overly rigid service specification.

Barnardo's highlighted their role – and that of the third sector more generally- in brokering the service user voice.

Third sector funding generally was highlighted as being siloed and there was a desire among some for a national oversight or mechanism to ensure holistic needs-led allocation to providers.

Rossie Young People's Trust highlighted the importance of taking a rights-based approach to strategic commissioning, and securing user input across the process (including in any procured services' commissioning by designing the service specification and taking part in the selection of providers).

4.4 Group discussion - Statutory, non-statutory, third sector and wider partners
In group discussion, highlighted the importance of a strong needs assessment that triangulated lived experience and statistical data, with a desire that the Framework stipulate minimum standards to engage, and building on existing good practice developed for joint strategic needs assessments. Continuous updates were necessary to enable the identification and filling of gaps in service provision at local and national levels.

There was a recognition that services beyond those directly involved in justice should be included in needs assessment and onward planning. Involvement of

Department of Work and Pensions (DWP) and Housing in the planning process were key examples.

Ongoing evaluation in planning and delivery, including a feedback loop with users, was important to sense check that decision making reflected what was desired. Some were keen for stronger connection between the planning process and users of services, possibly via social work or other statutory agencies. Avoiding service user consultation fatigue was also highlighted as an important part of the planning, monitoring and evaluation. To support evaluation of outcomes, a clear statement of data requirements was highlighted as important.

A healthy attitude to risk across partners was also desired by some.

Others were keen to see a change in culture nationally and locally, with much greater value given to populations in community justice.

The need to give enough time to analysis and planning stages was highlighted, to enable onward market shaping to happen (where services were being purchased), as well as consideration of the right approaches to procure them. More joined up working of delivery and procurement colleagues, to avoid a 'fall-back' of competitive tendering or a procurement process reflective of existing expertise, was also highlighted as important.

In Review, partners highlighted a need to focus on outcomes at the start of strategic planning processes, with a longer term cycle to better measure impact and lessen focus on inputs and outputs. Improved information sharing across partners was highlighted as an important enabler in impact reporting.

5. Defining 'effectiveness' in practice – leadership, accountability, production and management

Partners were asked to outline their views on what effective delivery would look like in practice, and what needed to be in place to achieve it.

5.1 Chairs' views

Discussion about effectiveness covered the following:

- i. Longer national funding cycles and increased funding to community partners in the justice system. This would enable the flexibility to make faster, needs-led funding allocation locally, as well as more effective resource planning in the medium term.
- ii. Knowing what is effective and undertaking small tests of change to implement it.
- iii. Having both the ability and commitment to keep doing what works.
- iv. A more joined up policy landscape within Scottish Government to support increased effectiveness.
- v. A less siloed approach to funding of services within community justice partnerships.

5.2 Co-ordinators' views

A consistency in vision, buy-in and commitment to resourcing need in the best way possible, realising that 'community justice is all our business', was highlighted as

critical to successful accountability, leadership, production and management. Some felt that leadership would be strengthened by appointing accountable leads in each partnership, and with the role involving both a development and delivery remit.

Overcoming the challenges of recruiting and replacing partners attending CJPs was also identified as important.

One area felt that procurement of services could act as a vehicle to effectiveness, especially where it benefitted partners. One example was needs-led approach to commissioning that crossed structures, such as justice and ADPs. Another was the delivery nationally of some single projects (such as evidence review to support national priorities) to create economies of scale.

It was also noted that some partners are able to commission services using Section 27 funding, without recourse to CJPs.

Involvement with the third sector was noted as varying across different areas, with several smaller areas reporting stronger relationships (partly because the number of partners was smaller).

5.3 Statutory, non-statutory, third sector and wider partner views

In group discussion, partners also highlighted the importance that each partner was clear about their role in community justice partnerships, and highlighted the potential use of CJOIPs as a tool to bring partners together, with collective responsibility.

A Chief Social Work Officer highlighted the importance of increasing employment opportunities for people with lived experience, by strengthening links across the system and aligning to employment journeys.

6. Capacity and capability needs

Capability needs were expressed in understanding and using data in planning and decision making.

Consultation and engagement with service users about their needs was raised as a capacity and resourcing issue, with staff training being requested by some.

Involving people in decision making about service planning, design and delivery was also raised as challenging, including how to achieve a representative or unbiased sample of views.

Appendix A - Organisations attending roundtables

Statutory Partners

Health Boards (Representative Director Public Health)

Local Authorities

Aberdeen City

Aberdeenshire Council

Angus Council

Argyll & Bute

Clackmannanshire

Comhairle nan Eilean Siar

Community Justice Ayrshire (North Ayrshire, South Ayrshire and East Ayrshire)

Dumfries and Galloway

Dundee City

East Renfrewshire

Edinburgh City

Fife

Glasgow City

Highland

Inverclyde

Midlothian

Moray

Orkney

Perth & Kinross

Renfrewshire

Scottish Borders

Shetland

South Lanarkshire

West Dunbartonshire

West Lothian

COSLA

Scottish Courts and Tribunals Service

Skills Development Scotland

Scottish Ministers (Crown Office and Procurator Fiscal Service; Scottish Prison Service)

Non-statutory, third sector and wider partners

(a) CJVSF roundtable attendees (member paper also submitted)

Aberlour

Access to Industry

Action for Children

Active Communities

Apex Scotland

Circle

Families Outside

Includem

Phoenix Futures Scotland

Sacro
Scottish Families Affected by Alcohol and Drugs
Theatre Nemo
Turning Point Scotland
Wise Group
Venture Trust
Ypeople

(b) Non-statutory, third sector and wider attendees

Barnardo's
British Association of Social Workers
Care Inspectorate
Includem
Joint Faiths Board on Community Justice
Risk Management Authority
Rossie Young People's Trust
Sacro
Scottish Social Services Council
Scottish Government
Supporting Offenders with Learning Disabilities Project (ARC Scotland)
Strive
Third Sector Interface (Highland, representing TSIs across Scotland)
Third Sector Interface Clackmannanshire
Turning Point Scotland
Youth Community Support Agency



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