



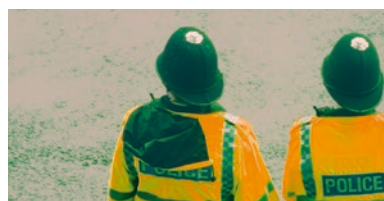
SAFER FUTURE COMMUNITIES

Empowering local voluntary & community partnerships

STRENGTHENING **COMMUNITY SAFETY AND REDUCING CRIME**

Commissioning from Voluntary, Community
and Social Enterprise providers

A guide for police and crime commissioners
and other local commissioners



Executive summary	3
Safer Future Communities project	4
Why and how this guide was produced	5
What is the Voluntary, Community and Social Enterprise Sector?	6
Introduction	8



PART ONE

Why make an effort to involve the VCSE Sector?

• What the VCSE Sector brings to the table	10
• Why engage the VCSE Sector in the whole commissioning cycle?	10
• Working in a new environment	12
• Barriers to engaging the VCSE Sector	15



PART TWO

Securing outcomes through the VCSE Sector

• Mechanisms to achieve maximum benefit from VCSE organisations	19
• Involving VCSEs in all aspects of commissioning	21
• Mechanisms to procure services from the VCSE Sector	23
• Fairness in commissioning VCSE organisations	25
• Safer Future Communities networks – sustaining the impact	32



PART THREE

Other sources of guidance

• National commissioning guidance and resources	34
• Local commissioning guidance and resources	36
• Resources for joined-up commissioning	37
• Research and discussion papers	38
• Government guidance for fairness in commissioning	40

Appendix: Diagrams of the commissioning cycle	41
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End notes	42
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Written by Jackie Lothian and Rachel Hankins on behalf of Clinks.

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SAFER FUTURE COMMUNITIES

Empowering local voluntary & community partnerships

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Executive summary

The purpose of this guide is to persuade commissioners of the benefits of commissioning criminal justice and community safety services from Voluntary, Community and Social Enterprise (VCSE) organisations and to offer guidance, including practical examples, showing how this can be achieved.

The VCSE Sector offers a huge contribution to public services delivery, which is still largely untapped. Its passion, innovation and ability to engage volunteers can offer all police and crime commissioners (PCCs), and other commissioners, an efficient and effective set of partners to support their local priorities.

The valuable contributions made by VCSE organisations to community safety and criminal justice range from locally run Neighbourhood Watch schemes, mentoring projects for offenders to encourage desistance from crime and the many local and national scale substance misuse services run by VCSE organisations of all sizes – to name but a few.

Through the Safer Future Communities project, Clinks has led and supported the VCSE Sector firstly to meet their PCC candidates and influence their manifestos then, since November 2012, has ensured that the Sector engages with elected PCCs and, in most localities, has been consulted on draft police and crime plans through the Safer Future Communities networks.

Many PCCs are ‘feeling their way’ and using 2013 as a transition year, to take stock and find out what is achieved in their localities

in return for funding from a variety of sources – before setting in motion their own (or shared) commissioning processes ready for 2014.

This guide aims to assist PCCs to create relationships locally with the VCSE Sector and to include them as partners in their mission to safeguard community safety and prevent crime by making their procurement processes accessible. It clearly explains that commissioning and procurement are not the only options – PCCs may choose to use grants as a means of funding the VCSE Sector too.



Safer Future Communities

This guide is not only addressed at police and crime commissioners, but will inform Directors of Public Health, Health and Wellbeing Boards and commissioners of criminal justice services. It encourages commissioners to work together across traditional organisational boundaries – which is not only a good use of public sector resources, but should also reduce levels of bureaucracy and the repetition of information that the VCSE Sector is required to spend much of its time, energy and funding on.

The **key messages** in this guide are:

- VCSE organisations can help PCCs and other commissioners to assess needs, identify priorities, design services, deliver services, measure outcomes and review impact; they can support the whole 'commissioning cycle'.
- PCCs and other commissioners need to be aware of certain obstacles to be overcome if they are to successfully harness the contribution of the VCSE Sector.
- There are many ways to tackle the barriers to engaging the VCSE Sector.
- There are legal obligations that require commissioning to achieve best value and produce social value, which must be complied with.
- When to give grants and when to go out to tender and award contracts to the VCSE Sector.
- High quality commissioning takes account of codes of good practice, such as the Compact.
- There is a range of other guidance, advice and resources to support good commissioning – many such documents are briefly reviewed and signposted here.
- Local structures, such as those developed and operated through the Safer Future Communities networks can help develop and sustain good practice, and should be supported.



Safer Future Communities was funded by the Home Office, between Autumn 2011 and March 2013, to support the development of 42 networks of Voluntary, Community and Social Enterprise (VCSE) Sector organisations to engage with and influence police and crime commissioners (PCCs) and the new commissioning landscape in which they would be operating¹. The project supported the VCSE Sector during the run-up to the PCC elections in November 2012, and in the period to the end of March 2013 when the PCCs were formulating their police and crime plans.

Safer Future Communities was led and managed by Clinks in partnership with Council for Welsh Voluntary Youth Services (CWVYS), DrugScope,

Why and how was this guide produced?

National Association for Voluntary and Community Action (NAVCA), National Council for Voluntary Youth Services (NCVYS) and Women's Resource Centre.

Clinks is the national organisation that supports VCSE organisations working with people in contact with the Criminal Justice System in England and Wales. Its aim is to ensure the Sector, and all those with whom it works, are informed and engaged in order to transform the lives of offenders and their communities.

Safer Future Communities worked with 27 national VCSE organisations to produce a Voluntary, Community and Social Enterprise (VCSE) Sector offer² to the police and crime commissioners. The offer outlines the key features that make the Sector an essential partner for the PCCs in the development and delivery of community safety activity. It gives a commitment from the Sector to work with the PCCs, as a partner and a critical friend.

Despite the challenges of setting up local networks in less than a year and with limited funding, the Safer Future Communities project brought together a diverse range of local and national VCSE organisations to offer their experience, knowledge and expertise to police and crime commissioners. Networks were developed in all 42 police force areas networks, raising awareness of the advent of PCCs amongst the VCSE Sector, developing positive relationships between the VCSE Sector, PCCs and other statutory agencies in order to influence community safety priorities.

The 42 newly constituted Safer Future Communities networks will not receive national funding beyond 31 March 2013. Some have secured funding from their PCC, while others intend to continue their work and are exploring how they will resource it.

Home Office funding supported Safer Future Communities in a wide range of activities, which included the creation of a written guide that would help PCCs and other local commissioners deepen their understanding of the benefits of commissioning criminal justice and community safety services from the VCSE Sector, and would offer practical guidance on how this can be achieved.

VCSE organisations have much to offer throughout the whole commissioning process, but the Sector is not always well linked in to multi-agency strategic planning. This guidance aims to ensure that, as PCCs develop their commissioning strategies, the VCSE Sector is used to inform and support the best possible approach to commissioning for outcomes.

In order to understand and gauge the 'market' for this guide, the authors sampled and contacted a number of PCC offices and other stakeholders, including, policy officials within the Ministry of Justice, Directors of Public Health, Probation Trusts, Assistant Chief Constables and Safer Future Communities network leads. The consultation focused on identifying information needs and capturing emerging practice. The authors also downloaded and read all the draft police and crime plans available in February and March 2013.

This guide was then shaped and written not only to address the interests and expressed needs of the consultees, but also to showcase existing examples of good practice in the commissioning of services from the VCSE Sector.

What is the Voluntary, Community and Social Enterprise Sector?



Clinks describes the VCSE Sector in criminal justice as being made up of a diverse range of independent organisations with national and local influence, which provide professional, responsive and effective advice and services that can help to cut crime, keep communities safe and support victims.

This guide uses the phrases 'VCSE Sector' and 'VCSE organisations' as shorthand to refer to the Voluntary, Community and Social Enterprise Sector.

Defining this Sector can be tricky. A number of terms have been in common usage: Voluntary and Community Sector (VCS); Third Sector (TS); Civil Society Organisations (CSOs); Non-Governmental Organisations (NGOs). All of these are defined slightly differently. However, a broad definition offered by the Third Sector Research Centre (TSRC)³ suggests inclusion

of all organisations operating outside the formal state or public sphere that are not trading commercially for profit in the market. This would include registered charities, unregistered, informal community groups, social enterprises, cooperatives and mutuals. Whilst these organisations are exceptionally diverse, they share a broad common theme of being **values driven**.

Whilst there are myriad small community groups that have no paid staff at all and operate only with volunteers, there are many voluntary organisations (voluntary in the sense that they have no statutory duties) that do not use volunteers at all and deliver their services through paid, professional staff. There may be little to distinguish them from public sector providers and it is a mistake to assume that voluntary necessarily means cheaper.

Where economic policy is driven by the need to reduce public expenditure, it is clear that the provision



of services using unpaid volunteers can reduce costs and be seen as a mechanism for creating value. However, 'voluntary' does not equal 'free.'

VCSE organisations are supported by national and local 'infrastructure' organisations, also known as 'umbrella' organisations. These may also be described as 'support and development organisations'. They are generally membership organisations that provide services such as training, information, policy and lobbying work including increasing awareness and understanding of the VCSE, capacity-building and back office functions for their members.

Crucially, VCSE infrastructure organisations are not providers of frontline services. This distinction is vital as it enables them to play a neutral, representative and brokerage role on behalf of their entire membership (as they are not in competition with them) and in developing relationships with

the public sector (as they are not commissioned to deliver frontline services). For example, the local CVS may represent all local VCSE organisations on local partnership boards, such as Community Safety Partnerships or Health and Wellbeing Boards in a way that a service provider, with a narrower perspective, cannot. National infrastructure organisations develop this type of representative role with government at the national level.

With public services increasingly being commissioned from the VCSE Sector, infrastructure organisations are now developing their role as a broker between the provider organisations and commissioners. This includes:

- Joining commissioners in assessing needs
- Holding marketplace events, in which providers are brought together to meet one or more commissioners, so that the commissioners can understand the market and the options for service provision available to them and the VCSE Sector understands the requirements of the tender
- Helping VCSE organisations come together to form consortia and partnerships of appropriate types to bid for contracts requiring multiple interventions or provision at scale across a wide geographical area
- Capacity building VCSE organisations to be ready for commissioning opportunities

Therefore the first port of call for PCCs and local commissioners, when wishing to identify or obtain services from the VCSE Sector, should be the appropriate infrastructure organisation.

Introduction

Recently-elected police & crime commissioners (PCCs) have a remit that goes beyond policing. They have a range of important responsibilities, and key among these is to deliver community safety and reduce crime. As they publish their first police and crime plans and begin to take forward their work, PCCs will be seeking to establish their wider crime prevention role and start working with partners in their areas to bring innovation and efficiencies to the ways in which crime in local communities can be reduced.

Commissioning will be a part of this role, as PCCs assume responsibility for funding streams that go beyond the provision of direct policing. Funding that was previously used by other bodies to provide victims' services, community safety and drug and alcohol services will now be available to PCCs to commission the provision that best meets the needs in their areas. Much of this funding is currently awarded to VCSE organisations which have specialist expertise in engaging the hardest to reach victims and offenders and work in innovative ways to deliver key health and community safety outcomes.

Some PCCs have decided to continue with existing funding arrangements for the year 2013-14, with a view to assessing what is currently delivered against their priorities and making new arrangements in the future where appropriate. Others are already implementing changes, setting up grant funding pots and writing commissioning strategies.

As PCCs and their executive teams begin the process of developing commissioning strategies, this guide aims to:

- Highlight the benefits of involving the Voluntary, Community and Social Enterprise Sector

in all aspects of commissioning to prevent crime and reduce reoffending and explain the added value that VCSE organisations can bring to meeting PCC priorities

- Discuss the barriers faced by VCSE organisations engaging in commissioning and show how to involve them in the whole process of identifying needs, planning and designing services and reviewing impact
- Provide examples of good practice and share information about how to achieve good results from high quality commissioning that includes the VCSE Sector
- Highlight the need to comply with the Public Services (Social Value) Act 2012 and show how engagement with the VCSE Sector can assist with this duty
- Signpost readers to other sources of guidance about commissioning, and research or discussion papers that focus on the VCSE Sector.

This guide is aimed primarily at PCCs but will be of interest to others who could be co-commissioning with PCCs, for example Directors of Public Health and members of local Health and Wellbeing Boards, as well as commissioners in Children and Families Services, Education and a broad range of criminal justice commissioners.

It is not about the commissioning of mainstream policing nor is it intended to act as a generic guide to commissioning. It is focused entirely on harnessing the value of the VCSE Sector. In a time of austerity, with diminishing budgets for the delivery of public services PCCs and other local commissioners would do well to proactively engage with a Sector that offers cost-effective, innovative solutions. This guide shows how this can be achieved.



PART ONE

Why make an effort to involve the VCSE Sector?

- | | |
|--|----|
| • What the VCSE Sector brings to the table | 10 |
| • Why engage the VCSE Sector in the whole commissioning cycle? | 10 |
| • Working in a new environment | 12 |
| • Barriers to engaging the VCSE Sector | 15 |

What the VCSE Sector brings to the table

A substantial proportion of crime and anti-social behaviour is perpetrated by people experiencing multiple, complex problems. These problems arise from a combination of intersecting unmet needs related to:

- Poverty
- Histories of abuse and violence
- Poor physical and mental health
- Alcohol misuse
- Substance misuse
- Heightened suicide risk
- Homelessness or insecure housing
- Low levels of educational attainment
- Unemployment
- Poor access to services
- Reduced life expectancy.

VCSE organisations frequently work holistically with people to meet these needs and overcome the problems they create. They engage people from a welfare perspective, often with no agenda other than to provide help and facilitate improvements in vulnerable people's lives.

The Sector is renowned for its ability to work effectively with diverse, often marginalised groups by, for example, offering gender-specific support to women and girls, or providing faith based services or services to Black, Asian and minority ethnic (BAME) communities.

The Sector is dynamic and offers a specialist skill-set, often using staff and volunteers with direct

experience of the issues and problems faced by the people they seek to help. This ensures that service models are based on a strong understanding of how best to engage people and uses a role-modelling function that can be inspirational for those seeking to make significant changes in order to move away from a life of crime.

As well as distinct skills and knowledge, some VCSE organisations bring extensive professional networks, along with the potential to attract additional funding from non-statutory sources. This offers routes for greater innovation and the potential to deliver enhanced outcomes.

If PCCs and other local commissioners are to succeed in bringing about improvements to local communities and meeting the priorities outlined in their police and crime plans, it is essential that they are able to effectively engage with the VCSE Sector.

Why engage the VCSE Sector in the whole commissioning cycle?

Some PCCs are clearly already committed to providing grant funding for victim services and community safety activity, which enables continuity of service provision for VCSE organisations working at local level. However, as PCCs begin to develop commissioning strategies for the future, it will be important to consider how to harness the wider benefits of the Sector and involve them in the whole commissioning cycle (which is explained on page 18).

Clinks and others have pointed out that offenders and their families often live at the margins of local communities and thus are under-represented or fail to show up in local needs assessments or

strategic commissioning plans. VCSE organisations working in these areas have a critical role to play in providing data on the needs of offenders to inform joint strategic needs assessments (JSNAs) and commissioning strategies.

Being embedded within local communities – and therefore able to provide ‘informal intelligence’ on the unique features of local areas and the challenges within them – means that many VCSE organisations are extremely well placed to assist across the whole of the commissioning process, contributing to a range of strategic work to assess needs, identify priorities and design services, as well as carrying out the traditional role they play in service delivery.

One further matter for PCCs and other public service commissioners to consider is the need to comply with the Public Services (Social Value) Act 2012 which came into force in January 2013. This ambitious new act requires public authorities to take into account social and environmental value when they choose suppliers, rather than focusing solely on cost. This means that in procuring a service, such as waste management or furniture recycling, for example, it would be possible for a VCSE organisation offering specialist work training to homeless people as part of the overall package to provide a better service in terms of delivering social value than a cheaper service from another provider. Commissioners will be expected to be able to put a value on the knowledge, expertise and local connections of smaller, community-based organisations and it is well-worth exploring as soon as possible how best to do this. **Local CVS and/or Safer Future Communities networks may be able to help.**



West Mercia Probation Trust and YSS (a well-established local charity working with offenders to combat social exclusion) have developed a strategic partnership, ‘One Step Beyond’.

The aim of the partnership is to commission services from other local VCSE providers and also help develop the capacity of local organisations to create innovative solutions for working with offenders.

The partnership helps smaller VCSE organisations bid for work, adding a level of credibility that strengthens funding applications. YSS plays a capacity building role through training, engagement and developing sustainable funding streams. It also has responsibility to ensure that the voice of service users is fed back into strategy development.

The partnership is the route through which the VCSE Sector can play a strategic role throughout all aspects of the commissioning cycle.

THE VCSE SECTOR OFFERS A **LOW-RISK, HIGH-IMPACT, COST EFFECTIVE** AND **FLEXIBLE** WAY OF MAKING A DIFFERENCE

What the VCSE Sector can offer PCCs	What the VCSE Sector can deliver to help meet PCC priorities
<p>Services that are:</p> <ul style="list-style-type: none"> • Innovative • Flexible • Person-centred • Values-driven • Value-added • Outcome focused • Based on the 'carrot' of engagement not the 'stick' of enforcement. 	<p>Outcomes that will divert people from crime and reduce reoffending by:</p> <ul style="list-style-type: none"> • Improving mental health • Reducing levels of alcohol and drug dependency • Increasing life-skills • Improving education, training and employment prospects • Increasing motivation to change.

Working in a new environment

PCCs are operating in a rapidly changing landscape. Major reforms in criminal justice policy, an emerging competitive market in the provision of health, social care and criminal justice services and outcomes based financing models all point to the need to 'deliver more for less'. It is critical that PCCs are able to negotiate this new landscape with confidence and to achieve a degree of 'join-up' with other commissioners, be they local, regional or national. This is particularly the case in relation to commissioning to reduce crime through meeting mental health and drug and alcohol needs. It is vital that new arrangements can be shaped and influenced by PCCs and that shared priorities are identified.

Offender rehabilitation

Significant reforms to the ways in which offenders are managed are underway. In the *Transforming Rehabilitation* consultation⁴ the Government announced in early January 2013 its plan to introduce large-scale competition, with major opportunities for the private and

VCSE sectors to compete with the public sector for the supervision and rehabilitation of all but the most serious offenders. There are clear signals that the role of Probation Trusts is set to substantially change and that offender rehabilitation will be subject to Payment by Results (PbR) approaches similar to those used in getting long-term unemployed people back to work through the Work Programme.

This overhaul of probation could see responsibility for the rehabilitation of 265,000 offenders contracted out to the VCSE and private sectors, in a series of deals worth between £5bn and £20bn. Probation Trusts will retain responsibility for assessing risk and providing courts with information to aid sentencing and compliance, and are expected to remain responsible for managing those offenders deemed to be high risk. However, the bulk of offender management will be put out to tender.

The exact details of how PbR in offender rehabilitation will work are yet to be decided. However, there have been clear statements from

the Ministry of Justice about methods based on a simple binary measure of reduced reconvictions (i.e. was the individual convicted of a crime in the period of time following exit from the service, with no = positive result). Providers will be paid a proportion of their fee according to the level of reductions achieved over a given period. This presents a serious challenge to charities since the level of financial risk may be unacceptable to trustees or unmanageable in terms of cash flow. It also does not allow for measurement of incremental changes in reductions of numbers or seriousness of offences committed.

Many have expressed doubts about the efficacy of PbR and some are raising strong concerns. More nuanced criticism suggests that the process of desistance⁵ from crime is exactly that: a process not an event. Desistance theory recognises that change is incremental, dynamic (moving forwards and backwards) and can be difficult to attribute to specific cause and effect.

Nevertheless, the Government has made clear its intention to apply some degree of 'performance related pay' to public sector contracts and PbR in approaches to offender rehabilitation are unlikely to disappear.

This emerging competitive market in offender management and reducing reoffending is highly relevant to the developing commissioning strategies of PCCs and it is essential to consider the implications. Commentators have observed that, like the Work Programme, the offender rehabilitation model will be based on large 'prime contractors' (likely to be private sector corporations) with a supply chain of smaller, local providers who can offer the specialist support and interventions required to achieve

the necessary reductions in re-offending. PCCs and other local commissioners will need to be mindful of new initiatives in offender management in their areas and should explore opportunities for aligning their commissioning strategies with others to achieve synergy and economies of scale. However, if the benefits of the VCSE Sector are to be fully realised, it will be critical to ensure that they are able to participate as members of PBR supply chains in ways that do not present too great a financial risk. **Local CVS and/or Safer Future Communities networks may be able to support and advise with this.**

Health and social care

Major reforms in the ways that health and social care services are commissioned are also being implemented. Many of the provisions of the Health and Social Care Act 2012 came into force in April 2013 and these will have a direct bearing on how services for people in contact with the Criminal Justice System are arranged.

For full details on the new structures, see *Clinks Members' Briefing – Offender Health*⁶ and the Safer Future Communities briefing, *PCCs and New Local Commissioning Arrangements*.⁷

In summary, a Local Health and Wellbeing Board (HWB) is being established in each of England's 152 upper tier Local or Unitary Authority areas, to co-ordinate commissioning across health, public health and social care. Each Health and Wellbeing Board will be comprised of representatives from the Clinical Commissioning Group, plus the Director of Public Health, the Director of Children's Services, local Healthwatch representative, and other key stakeholders at the discretion of the Local Authority. There is no requirement for the Health and Wellbeing Board

to include VCSE representation so, in areas that do not allocate a VCSE place, Healthwatch is likely to become a source of intelligence about needs of marginalised groups that may otherwise be missed, as well as a key point of influence for VCSE organisations and service user groups.

The HWB will be a pivotal structure in the new local commissioning arrangements. It will co-ordinate a Joint Strategic Needs Assessment (JSNA) to identify the health and wellbeing needs of the local population, and produce an annual Joint Health and Wellbeing Strategy (JHWS) to outline how partners will address the needs of the local community through their commissioning of NHS, social care and public health provision. Most local authorities have been operating shadow HWBs and many have already published and consulted on their draft strategies, The King's Fund Health and Wellbeing Boards Directory contains up-to-date information about the state of progress, and the main contacts, in each area.⁸

Tackling drug and alcohol related offending

Key among reforms relevant to PCCs are the new arrangements for the provision of drug and alcohol services. In April 2013, when the National Treatment Agency for Substance Misuse was abolished and its key functions were transferred into Public Health England, most of the current budget for drug and alcohol services was transferred to local Directors of Public Health. They have responsibility for achieving the outcomes set out in the local Joint Health and Wellbeing Strategy. Outcomes will be wide-ranging and will reflect the needs identified in the JSNA. The strategy will consider how services might be reshaped and redesigned, and how health and social care services might be joined up with other services such as housing. Both JSNAs and JHWSs

should aim to reduce health inequalities, and consider the 'needs of the whole community,' including those who experience inequalities and may find it difficult to access services.

According to Drugscope⁹, this has obvious implications for drug and alcohol treatment:



DRUGSCOPE

"By looking at the needs of the whole population and the wider determinants of health – and with their particular focus on health inequalities – the JSNA and JHWS processes provide an opportunity for championing the role of drug and alcohol services in addressing local priorities (for example, troubled families or domestic abuse) and helping to improve the overall wellbeing of the local community."

A proportion of the funds for drug and alcohol services will be available to PCCs and it is critical that they are able to strategically work with key partners in health and other services to ensure effective commissioning to identify and achieve their shared priorities. PCCs should aim to sit on Health and Wellbeing Boards (HWBs) although the number of Boards in some PCC areas may make this difficult. It is very important however that through the JSNA process, PCCs are able to influence the Boards.

Evidence-based commissioning

One final aspect of the changing environment in which PCCs begin their terms of office is the burgeoning interest in evidence-based policing and commissioning. Interested readers are referred to the work of Professor Lawrence Sherman¹⁰ and the Society for Evidence Based

Policing¹¹ whose website introduces the idea thus: “Of all the ideas in policing, one stands out as the most powerful force for change: police practices should be based on scientific evidence about what works best.”

NOMS sets out in its Commissioning Intentions for 2013-14¹² how it defines evidence in the context of commissioning offender services and summarises the wider evidence relating to reoffending and rehabilitative outcomes.



The Cleveland PCC aims to be at the forefront of evidenced-based commissioning by working with Durham and Tess Valley Probation Trust, which has a nationally recognised commitment to only developing services that the research evidence shows are likely to have the greatest impact on reducing reoffending.

Barriers to engaging the VCSE Sector

The VCSE Sector has been rapidly adapting to being commissioned in the last few years, in the same way as Local Authorities, the NHS and many criminal justice bodies have been developing their commissioning skills and becoming accustomed to being facilitators instead of providers of services. However, there remain some barriers for the VCSE Sector to overcome – some of which will only happen with the co-operation of the public sector. PCCs are in a unique position to exercise leadership and influence change in their areas, based on a good understanding of the difficulties experienced by the two sectors.

Many of the barriers are caused by two different sets of wants and needs, as characterised in the table

on page 16. This is a characterisation of the wants and needs of the sectors – based on experiences of both sectors, and verified by the opinions of many officers in the Offices of PCCs, expressed during the consultation for this guide. As the VCSE Sector includes organisations as diverse as national charities with multi-million pound criminal justice contracts and unfunded local Neighbourhood Watch schemes, not all the needs and wants below will apply equally to the whole Sector.

Good communication between the sectors is the first step to overcoming the barriers. Because many PCC areas are not co-terminus with geographical or other administrative boundaries (e.g. County or Unitary Council areas), communication with the VCSE Sector is likely to be a challenge – but the Safer Future Communities networks and/or local infrastructure bodies (eg CVSs) are ideally placed to bring VCSE organisations together across these areas.

One of the resources¹³ highlighted in Part Three (signposting to other commissioning guides) has a useful section on the cultural differences commonly found between the CJS and VCSE Sectors. PCCs may be able to position themselves as a ‘bridge’ between them, translating their different ‘languages’, cultures and values where necessary and bringing them together to work in partnership with each other and the PCC to support community safety and meet the PCC’s local priorities.

This quote from a PCC Office staff member highlights the balancing act PCCs are faced with (along with all public sector bodies) in making ‘process’ efficiencies to save money whilst wishing to engage the resources of the VCSE Sector because of their abilities as well as providing cost-effective services:

What the public sector (including PCCs) wants and needs	What the VCSE Sector wants and needs
One large contract and point of contact to save staff time and thus public money.	Small contracts otherwise medium and smaller VCSE organisations are precluded from bidding.
VCSE organisations to form consortia to provide coverage across a county/PCC area.	Acknowledgement that consortium-building takes skill, time and resources.
One point of contact in the VCSE Sector to make consultation and communication easier and quicker.	A means of communicating many voices through one unified voice e.g. well-resourced Safer Future Communities network leads or Councils for Voluntary Services.
VCSE organisations to engage with the stages of commissioning, contributing to the needs analysis in particular, but also with strategic thinking and strategy formation.	Recognition that most VCSE Sector funding (grants or contracts) is for direct service delivery, so such engagement is over and above what they are paid to do.
VCSE organisations to submit well-written and accurately costed bids.	Grant funding, simpler tendering processes, development of their bid-writing and unit-costing skills.
Evidence that the VCSE Sector's work achieves the outcomes they are funding.	Join up between public sector bodies to reduce the number and complexity of different reporting requirements.
VCSE organisations operating to high standards of safety, risk-awareness and risk-management especially when working with offenders.	Less emphasis on risk and more on equality, human rights, offenders engaging voluntarily with their services not through enforcement.
Safer stronger communities with less crime.	Safer stronger communities with less crime.

**AVON & SOMERSET
PCC'S OFFICE**

"It's partly about needing to keep the costs of procurement low to safeguard public money, but we also need to ensure we've got consistent services across the whole of our PCC area when we commission. However, there is no one voluntary organisation that spans the police force area. One solution could be for them to get together and create a consortium so they can put in a good bid to cover the area with one contract and a guarantee of consistency."

There are many small local groups and organisations which contribute quietly to community safety, but for whom the new requirement to bid for contracts (or even apply to the PCC for grants) is coming as a shock for which they are not prepared. Much of their funding has come historically from Community Safety Partnerships (CSPs), and is often renewed or rolled forward annually with few or no reporting requirements or re-application processes. Some small groups may not have had contact with their local Safer Future Communities network or CVS, as they are not part of the 'mainstream' voluntary sector, so PCC may have to spend more time reaching out to find and engage them.

Many PCCs are using 2013 as a transition year in which to continue CSP funding and review 'what works' before setting in motion plans for commissioning in 2014, so this is an ideal time for them to make contact with VCSE organisations in the community, and open up a dialogue about what kinds of evidence can reasonably be expected and provided.

A PCC officer consulted in February 2013 summed up this transition year:



One final barrier is the difficulty that VCSE organisations of all sizes have in providing evidence of their success in either increasing community safety or preventing crime. Some are very good at collecting data and tracking progress, with many using Police National Computer (PNC) numbers to record reconviction data. However, there is no standard approach to data collection, resulting in wide variations in the types and range of available data.

There is also difficulty in accessing local data showing crime trends which VCSE organisations need access to in order to plan services. The new Ministry of Justice Criminal Justice Data Lab¹⁴ may prove to be a vital tool to help establish uniform approaches to data collection that VCSEs can adopt and will ensure that important intelligence about those at the furthest margins of communities can be captured as part of JSNAs.



PART TWO

Securing outcomes through the VCSE Sector

- Mechanisms to achieve maximum benefit from VCSE organisations 19
- Involving VCSE organisations in all aspects of commissioning 21
- Mechanisms to procure services from the VCSE Sector 23
- Fairness in commissioning the VCSE Sector 25
- Safer Future Communities networks – sustaining the impact 32

Mechanisms to achieve maximum benefit from VCSE organisations

The consultation for this guide revealed a strong desire on the part of many PCCs to ‘capture the passion and commitment of local voluntary organisations’. This entails mapping what the VCSE Sector has to offer and developing an understanding of the community safety landscape in all localities within the PCC area. It also means thinking carefully about how to ensure that approaches to commissioning services take account of the VCSE Sector’s needs and circumstances.

In the section below are some practical mechanisms for securing outcomes through engaging and commissioning the VCSE Sector, along with some examples of good practice.

Focus should be on commissioning for outcomes rather than simply commissioning of services.

Commissioning expertise

One of the first questions that PCCs are starting to address is whether they want to commission services to support their priorities on their own, using their own staff, or work with other local commissioners – e.g. sharing staff resources or contracting out the procurement element to (for example) their County or Unitary Council.

Whilst some are recruiting commissioning professionals to join their teams from backgrounds such as the NHS or Councils, others are keeping a minimal staff – as this example shows:



WILTSHIRE POLICE
AND CRIME PLAN

“Many commissioners across the country are looking to establish significant teams to undertake this commissioning role. My intention is quite the reverse. My desire is to maintain as lean a commissioning office as possible, drawing upon analytical work undertaken by other agencies where it already exists, and working with established groups, such as Wiltshire Community Area Boards and Swindon Localities, to scope and specify the types of services that will really make a difference.”

Because most of the services that can positively affect levels of crime and help individuals to reduce reoffending are outside not just the police service but also the Criminal Justice System,¹⁵ it is vital that PCCs work together with local commissioners in Local Authorities (which now incorporate the Public Health function), local NHS Trusts, Clinical Commissioning Groups and criminal justice bodies. In some areas, there is already a strong history of joined-up commissioning into which the PCC can fit neatly – for example Gloucestershire:



Gloucestershire Adult Joint Commissioning Group

in the summer of 2012, re-commissioned substance misuse services for county. The Group included representatives from the six District/ Borough Councils, the County Council, the Police and Probation. The lead commissioner was the County Council, but all were involved from the needs analysis stage right through to assessment of bids and interviewing of bidders. The Supporting

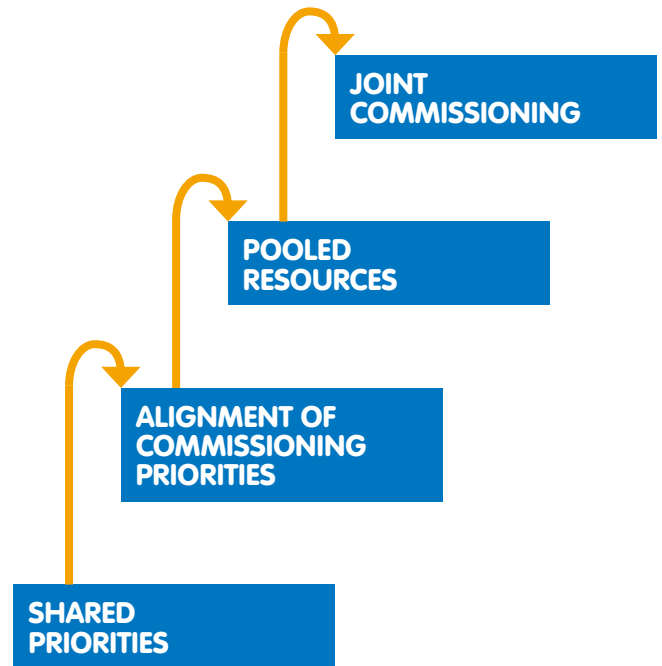
CONTINUES ON PAGE 20

People element of funding (ie housing-related support for substance misusers) was taken out of the Council's separate Supporting People budget and included in this £6m contract. The PCC is now leading the commissioning of the Alcohol Arrest Referral Scheme (an idea that was originally thought up and developed in Gloucestershire by a VCSE organisation).

In contrast, in an area which preferred to remain anonymous, an Assistant Chief Constable was frustrated that the police were not included at any stage of the commissioning of a domestic abuse service from the VCSE Sector – which seemed to have been purely because the police did not have any money to bring to the table, despite having a great deal of knowledge to contribute as a key stakeholder.

In some areas such as London, the Mayor's Office for Policing & Crime (MOPAC) may prefer to hand over the responsibility for commissioning to the Borough Councils, but the principle of joint commissioning can still apply at Borough level with local partners.

In newly configured 'PCC areas', which include a number of geographical and administrative localities or counties, it will inevitably be more difficult and take longer for PCCs to be able to influence better and more joined up commissioning. The diagram (opposite, top) shows the bottom rung on the ladder that rises to the ideal of full-blown joint commissioning, through increasingly joined up stages. The steps may vary locally, as indeed will the willingness of all partners to move in this direction, but the aspiration should remain the same.



What is the commissioning cycle?

There are many definitions of commissioning but, in its simplest form, commissioning means the entire cycle that starts with assessing the needs of people and communities in a local area. This is followed by designing services, and then securing or purchasing them (procurement). Reviewing and evaluating impact is the final element before the whole cycle begins again.



Within this, procurement covers the specific activities that focus on the process of buying services, from the initial advertising through to the final contract arrangements. The different kinds of financial mechanisms to do this are explored on page 20 and beyond. Section Three of this guide provides signposts to a range of resources and guidance on commissioning. The Appendix offers a selection of diagrams which further illustrate the cycle visually, and in differing levels of detail.

What is a commissioning strategy?



Most police and crime plans state that the PCC will be developing a commissioning strategy to meet his or her priorities. In addition to Cheshire’s police and crime plan, the PCC for Cheshire has already published a commissioning strategy, and his office is working on an Outcomes Framework. Each of these documents makes explicit reference to the VCSE Sector. For 2013-14, the PCC intends to allocate through the Community Safety Partnerships the same level of funding plus a 2% uplift to enable him to commission against the Outcomes framework to help deliver the priorities in the Cheshire P&C plan. Impact will be evaluated and will be used to inform the planning of future commissioning.

Involving VCSE organisations in all aspects of commissioning

VCSE organisations can bring valuable intelligence to the needs assessment and planning

stages of commissioning. Local charities and community groups often have access to data that statutory organisations miss and some VCSE organisations are particularly effective in engaging marginalised groups and those considered ‘hard to reach’ in consultation.

One key strength is the ability of VCSE organisations to involve those on the receiving end of statutory and VCSE services (both victims and offenders) in feedback about their experiences. This ensures that commissioners can benefit from accurate assessment of both needs and impact. Another strength is that VCSE organisations often have external funding to work with victims and offenders, and are in fact already contributing to meeting PCC priorities.

It is crucial to capture data from this externally funded work to include in the overall assessment of needs and design of services to ensure there is no duplication of resources, but also to recognise that this external funding may be time-limited and therefore the services may cease in the next year or two.

One local authority in a PCC area directly includes a representative of the VCSE on their Community Safety Commissioning Group. This ensures that there is an opportunity for the VCSE Sector to work strategically alongside colleagues from the public sector in undertaking all aspects of commissioning. The PCC can see the benefits of this approach and would like to see all the Community Safety Partnerships in the area following the model. This is a good example of how PCCs may be able to exercise local leadership to influence positive change.

Some Local Authorities have taken constructive steps to include VCSE organisations in discussions about service design, but others fight shy of doing so because they are concerned this may

be contrary to open and fair competition. Clinks, however, give useful guidance on this matter in their report – Six Principles for Engaging the VCS in Community Justice and Community Safety.¹⁶



CLINKS,
2013

“There is a prevailing misunderstanding that VCS providers should not be involved in service design because of potential conflicts of interest. However, many examples of good partnership and commissioning practice show that this can be managed without jeopardising fair competition.

“Be very clear about the role of VCS representatives and when appropriate boundaries are needed, for example, to maintain an ethical wall between the commissioning and procurement processes.”

Needs assessment, data gathering and service design

In some areas, there are already examples emerging of how specialist VCSE organisations are being engaged in the needs assessment and planning stages of the commissioning cycle. For example, in Lancashire, the Office of the PCC noted that the process of carrying out the JSNA was improved through the involvement of specialist voluntary organisations with a track record of working with victims of domestic abuse.

In another area, it had become clear through interrogation of local data that the picture of alcohol related needs in the area was very different from that based on national data. VCSE organisations were approached to further assess the extent of the problem and provided useful qualitative data to enhance knowledge about

local need. They also engaged in dialogue about the kinds of specialist services that would be effective in reducing alcohol- driven offending.

In Gloucestershire, the Multi-Agency Information Database for Neighbourhoods includes the Community Safety Scanning Tool,¹⁷ which analyses a wide range of community safety related data and information. Some of the subject areas covered include: crime figures, hotspot maps, domestic abuse, substance misuse, offending and road safety. This will be an essential source of information for needs assessment across the PCC area.

Safer Future Communities has also developed an online statistical toolkit¹⁸ which provides data, by police force area, on crime and reoffending, anti-social behaviour, arrests by ethnicity, victims of crime, substance misuse, violence against women and girls, youth crime and hate crime.

Design of services – getting VCSE organisations to talk to communities/users

Commissioners need to create service specifications that accurately reflect needs and deploy solution-focused methods for delivering outcomes. In order to do this, they need to know what the precise problems are in any given area and what kinds of solutions will best work. One of the best ways of capturing this knowledge is through engaging local VCSE organisations. They can draw on existing information or conduct consultations with their service users. This may entail simple steps like carrying out a questionnaire-based survey or interviews with a sample of service users, or it could involve putting together a focus group to develop ideas about what a service should look like and how it could be delivered. VCSE organisations could feed in this information to help draw up the specification.



One VCSE organisation received a grant from NOMS for research on the needs of women offenders. The research entailed extensive consultation with women service users and three years later this had resulted in a new women's service being commissioned (and building acquired), and the organisation was now delivering that service.

Mechanisms to procure services from the VCSE Sector

The procurement stage of the commissioning cycle is the place where an exchange of money for outcomes is introduced. There are two main

options generally in use by the public sector to fund outcomes they want the VCSE Sector to achieve – grants and contracts. PCCs need to be clear when it is best to use one or the other, and set up separate systems for each.

Grants have traditionally been wholly separate from the commissioning process, which has meant that they have not been allocated within a robust cycle of needs analysis, service design and review. In the last decade, grants have become more like contracts – i.e. the offer of money in return for an agreed service or set of outcomes. However, grants should be seen as a different kind of funding than contracts. The table below illustrates some considerations about when it is most appropriate to use each:

Grants	Contracts
The work to be done is short-term, a pilot or to test new ideas. Or it is to be pump-priming of a new initiative with one-off funding.	The work to be funded is ongoing service delivery and should be funded on a more secure (e.g. three year) basis to provide continuity for the recipients.
The provider is free to meet the needs in any way they see fit, based on experience.	There is sufficient information about the 'need' to create a full specification for a service to be carried out.
The work in question is small scale and doesn't meet the priorities of other bodies than the PCC.	The service or outcomes are better commissioned by several bodies.
The work can only be done by one or two niche providers (eg working with Chinese women offenders).	The work could reasonably be competed for by a number of competent providers.
There is a reason to support smaller community-based projects where these have been shown to support PCC priorities.	There is a reason to want a larger provider (or consortium) to span the PCC area with one consistent service.
Monitoring and evaluation requirements are minimal.	Complex monitoring, reporting and in-depth evaluation to show 'what works' are required.
A quick and simple 'few strings attached' process is regarded as sufficient for small amounts of money (eg up to £5,000).	The amount of money on the table requires mitigation of risk to the commissioner through a legally binding contract.

As well as working on putting more complex commissioning processes into place for larger scale services and outcomes, many PCCs have launched, or are committed to offering, easily accessible grants funds – as shown in the two examples below:

eg

South Yorkshire Police and Crime Commissioner

launched, February 2013, the first round of funding for his 2013 Commissioner Grant Scheme. The scheme provides funds for community projects that tackle policing priorities. Non-profit voluntary and community organisations can apply for a grant from £10,000 up to £50,000 to help towards their projects. This was followed with a subsequent round in April and another scheduled for the Autumn supporting small projects awarding up to £10,000.

eg

Bedfordshire PCC's Community Safety

Fund is open to a very wide range of applicants – public sector, voluntary sector and community groups can apply for amounts over £10,000. Projects must contribute to one or more of the priority areas as set out in the Commissioner's Police and Crime Plan, namely:

- **Protecting the public** – cutting crime and anti social behaviour to reduce harm and improve quality of life
- **Partnership working** – working together to provide quality services and develop confident communities who trust and value their police
- **Preventing crime** – tackling the underlying causes of crime to reduce the number of victims and break the cycle of reoffending.

However, PCCs do not have to administer grants funds themselves – working with, or even handing over the responsibility to, the local Community Foundation are also options, as is being done in Wiltshire:

eg

The Office of Wiltshire Police and Crime Commissioner, working with the **Community Foundation for Wiltshire and Swindon**,

established a fund to help local groups address crime and anti-social behaviour, and improve personal and community security. The funds arise from the proceeds of the disposal of unclaimed property. The Fund is particularly keen to support projects which seek to bring communities together to tackle local issues, improving trust and understanding, and welcomes projects which offer a new or innovative approach. Grants are for up to £3,000.

A good grant-giving process will have an easy-to-use application form which can be filled in on paper or on a computer (online applications are more expensive to set up – large funders, such as the Big Lottery Fund, use them). There will be a set of guidance notes to explain what is expected in response to each question. The PCC's priorities (or joint funders' priorities) will be clearly set out, with the explanation that all applications must show how they fit the priorities. The opening and closing dates for the funding round(s) will be widely promoted.

Common questions asked in grant application forms include:

- What the organisation does (as opposed to its mission statement)
- Whether it is a registered charity, social enterprise, community interest company

or other constituted group (and has a bank account to accept the grant)

- What is the project to be funded
- How will it be carried out, where, when and who with (partners)
- Who will benefit from it
- What difference (outcomes) will it make to individuals and the community
- How the project meets one or more of the PCC's local priorities
- How much is requested and how it will be spent (expenditure breakdown)
- Any other funding to match it, if the project costs more than the amount requested
- How it will be monitored and evaluated
- What will happen when the funding comes to an end (exit strategy).

Good practice in grant-making is to offer specific feedback on each unsuccessful application as opposed to generic feedback such as "there were too many applications for the money available".

A letter or email offering grants to successful applicants should include an agreement for the recipient to sign, the terms of the grant and details of the likely monitoring/reporting schedule.

A 10 STEP TENDER PROCESS FOR AWARDING CONTRACTS

Where a more business-like relationship is required, with more emphasis on longer term and/or consistent service delivery across a county or wider geographical area, then a legally-binding contract should be put in place with the provider that proves

itself to offer the best (not necessarily cheapest) service through a competitive tendering process.

If a PCC wishes to set up his/her own processes for tendering, rather than using those of partners such as Councils or the NHS, then the following steps should be followed as a minimum (and only when the 'procurement' phase of the commissioning cycle is reached):

1. Draw up a *service* specification, based on the needs analysis and service design stages, spelling out the quality of the service and all the expectations on the provider.
OR
Draw up an *outcomes* specification (based on the same stages) but invites bidders to respond with their planned methods for achieving those outcomes.
2. State the amount of money on offer, and invite bidders to state how much service (number of 'service users' or other quantities relevant to the specification) they will provide.
OR
State the amount of service users, outputs, outcomes or other quantities expected, and invite the bidder to state their best price for this quantum.
3. Consider whether to use a 'pre-qualification questionnaire' (PQQ) to establish the organisational robustness of bidders – so those which don't 'qualify' to the expected standards are weeded out and do not have to complete the full tender.
OR
Use the 'combined' process where the kinds of questions asked in a PQQ are included in the full Invitation to Tender (ITT) documentation.
4. Advertise the opportunity to bid for this contract as widely as possible using online contract portals and/or local Council websites. Set a deadline for return of bids.

5. Using a transparent evaluation framework which sets out the criteria for excellent, acceptable and poor answers, award scores to each response – bearing in mind bidders can request feedback on the reasons for their scores.
6. Invite bidders to give a presentation, or attend a 'clarification' meeting to discuss some of their responses.
7. Offer the contract to the bid which, in the mind of the commissioners, offers the 'most economically advantageous' service and scored the highest out of all the bids.
8. Agree the start date and any payment up front for set-up costs.
9. Agree monitoring and evaluation measures.
10. Sign the contract with the successful bidder (or lead body of a consortium).

Tender documentation should be kept as simple as is commensurate with the size of the contract. It should be 'consortium-friendly' – i.e. make it clear that consortia can bid, and whether the questions should be answered only by the lead body or (in the case of PQQ questions) by every consortium member.

See Part Three of this guide for links to other sources of information about effective procurement methods. A useful diagram outlining the procurement process can be found on page 39 of the *Good Commissioning Guide: a guide for Gloucestershire*.

A short note about EU procurement rules

Any contract for services with a total value of more than £173,934 is subject to The Public Contracts Regulations 2006 and the commissioner is required to advertise the contract opportunity

in the Official Journal of the European Union (OJEU). The threshold values are reviewed every two years, with the latest review completed in 01 January 2012. The total also applies to an aggregated sum offered in one contract over a number of years – e.g. a contract for £60,000 per year for three years would exceed this threshold.

In addition, services are classified as either Part A or Part B, with Part A Services being subject to the full EU Procurement regulations including advertising in OJEU. Part B Services (including Health and Social, Educational and 'other') do not have to be advertised in OJEU but they must adhere the principles of the EU procurement regulations of non discrimination, equal treatment and fairness. Most Councils and NHS commissioners interpret the latter to mean advertising tender opportunities on the internet using contract portals, in order to ensure transparency and open competition within the UK. Part B services are more likely to be of interest to the VCSE Sector.

It is advisable for PCCs and other commissioners to openly advertise opportunities to bid for contracts. Grants pots are more likely to be accessed by local VCSE organisations, so communication widely to the Sector within the PCC area, for instance through Safer Future Communities networks or CVS websites and newsletters, will ensure fairness and equal opportunity to apply by even the smallest VCSE groups.

Applying Payment by Results in practice

Payment by Results (PbR) has been touched on in Part One. It can be viewed simply as a means of including an element of performance-related pay linked directly to the delivery of outcomes. During consultation, an example was highlighted of a form of PBR suited to smaller-

scale contracts. This model provides a baseline payment, with a proportion of additional funds payable on enhanced levels of performance. For example, in the case of substance misuse this could mean a baseline payment for recovery with additional payments for clear pathways to improved wellbeing. So, for each service user who achieves abstinence, there will be a minimum payment – with additional sums payable for those who also embark on life-enhancing activities such as education and training or voluntary work. There is a need for commissioners to think creatively about how best to incentivise small, local organisations to achieve additional success whilst still offering sufficient funding to enable them to deliver the basic outcomes required.

There are, of course, a whole host of issues to address in terms of how (and what) results are measured along with the challenging question of how to attribute the precise impact of different factors in bringing about change. It may be a necessary part of commissioning activity to explore how best to develop the market and grow the potential for providers to contribute. For more about this, see IPPR North report, *Taken For Granted? The Needs Of Small Voluntary And Community Organisations In A Big Society Era*, referenced in **Part Three**.

Review of ‘what works’ at end of the cycle to inform the next iteration

Ensuring that the VCSE Sector is represented and engaged throughout the entire commissioning process means thinking about their role in monitoring and evaluating services. When service specifications are developed, commissioners should consult with potential VCSE providers about what data can be collected and how this data should be captured and analysed to

provide evidence of impact. There must be an understanding by all parties about the importance of measurement – also of what to measure and how change will be demonstrated.

Research methodologies can be simple or highly complex. However, the more complex the methodology, the more expensive the process of evaluation. The use of quantitative data is usually regarded as the most robust form of evidence and, in order to evaluate the costs and benefits of a service it is necessary to draw on numerical data. It is also fundamental to be able to illustrate what proportion of service users demonstrated positive change in order to show the impact of a service or intervention. In essence, service providers must be able to understand and monitor:

- Inputs – the resources needed to provide the service (funding, staff time, expertise)
- Needs – what problems are being addressed and how severe are they?
- Outputs – what has been delivered (e.g. referral to drug treatment, housing application made)
- Outcomes – what impact has this had on someone’s life.

Needs and outcomes should be measured in the same way, i.e. need = numbers of people experiencing homelessness, outcome = numbers of people who secure suitable accommodation.

The use of qualitative data such as case studies can be useful to illustrate the powerful impact of an approach or service on individuals.

Demonstrating that changes are a result of what was delivered is challenging and expensive. It requires:

- Independent, time-limited assessment of impact

- Good monitoring data (inputs, needs, outputs, outcomes) + ‘process’ information + additional outcome data + analysis) and takes time
- The ‘counter-factual’ (what would have happened if you had done nothing or something else).

All of the above should be discussed at the planning and design stage so that monitoring requirements are embedded into the procurement process. It is worth considering an approach which allows for *formative evaluation* (conducted in early stages of an initiative to allow for development of suitable approaches) and *process evaluation* (that assesses implementation and allows for ‘tweaking’ to improve performance) as well as *summative evaluation* (to assess what outcomes are delivered).

Developing the market

During the consultation for this guide, there was a frequently expressed desire to ‘keep things local’. There is a belief that small, local providers have a strong understanding of local needs and the potential to offer services that specifically meet these needs. However, there is also a recognition that not all organisations are in a position to enter into competitive, commercial processes.

The use of bidding consortia was commonly cited as a mechanism through which the VCSE Sector could enhance its ability to participate in competitions to deliver services. However, there is not always an appreciation of the full resource implications of such developments.

Michael O’Toole, the Crown Representative for the VCSE Sector advocates that more could be done at the pre-engagement stage, to assist VCSE organisations to collaborate ahead of potential programmes:



“I think that’s the kind of smart stuff that commissioners can do, where investment now can pay big dividends in the future in terms of efficiency and effectiveness of the supply side.”

Developing the market may also involve investing in VCSE Sector capacity, preferably in conjunction with other funders/commissioners in the PCC’s locality. This could include offering capacity building support to enable smaller organisations to meet due diligence checks and measure costs and outcomes effectively. Or it could entail providing training and support, or even funding for the development of consortia.

Micro-finance, such as the use of seed-corn grants could be a way of promoting development for a diverse range of smaller VCSE organisations, with expertise in niche areas, enabling them to apply for funding once ideas were tested. These kinds of initiatives enable VCSE agencies to address very specific offender, victim and community needs, which might not otherwise be met through more traditional commissioning processes.

Commissioners across the public sector are encouraged to work together to provide funds for capacity building. This will mean addressing the challenge of effectively funding CVSs and other local infrastructure support bodies to ensure that CJ organisations get the support they need. Most Safer Future Communities networks have been led by CVSs or other local infrastructure organisations and have operated as a single point of contact for PCCs – they can advise on local organisations with the remit to build capacity in the VCSE Sector, and they can bring together consortia or preferred provider

networks. However, Safer Future Communities networks will require funding to continue their work and, as their role does not necessarily meet other funders' priorities, it may require PCCs to influence the coming together of local funders to form joined-up strategies that address and fund the networks and/or capacity building in the VCSE Sector.

The Cleveland PCC is working closely on such a strategy with the Durham and Tees Valley Probation

Trust, which has created a preferred provider network (PPN) model to allow the smaller local providers, likely to suffer most from reduced funding, to operate within the Criminal Justice System providing they can demonstrate effectiveness. The aim is "unashamedly about engaging and maintaining local providers to deliver local services". The use of consortia, where appropriate, will also allow smaller local organisations to bid collaboratively for commissions which may previously have been beyond their reach.



Using a preferred provider network

Prior to the appointment of the PCC, Durham and Tees Valley Probation Trust were working closely with the Cleveland Police Authority and the local VCSE Sector to develop a preferred provider network (PPN) to enable all types of VCSE organisations to engage in service provision. This approach is likely to be continued by the PCC and there is an aim to get other local commissioners to sign up to using the same system.

The model advertises opportunities via a web portal but information sent to all local providers through existing networks/structures. There is a basic pre-qualification questionnaire (PQQ) which takes account of other quality marks and enables those organisations who have already demonstrated that they meet quality standards to be included on the PPN. For VCSE organisations that don't quite meet the required standards there is an offer of capacity-building support to help them to achieve this, for example, they could be given assistance to develop better outcomes monitoring. Once organisations are registered on the PPN, they will be able to access training and support, including seminars for sharing good practice.

Once registered on the PPN the commissioning opportunities will be via a 3-tier system:

- Innovation and Development offering grants up to £25K (Only open to those on the PPN and targeted towards small organisations)
- Service Level Agreement based service provision and only open to those on PPN. (If what they are providing is seen as capable of being scaled-up there could be the opportunity for capacity building support)
- Larger contracts (above EU procurement limits) and open to all.

[Contact DTV Probation Trust for more information¹⁹](#)

Developing commissioning skills

The new Cabinet Office Commissioning Academy²⁰ brings commissioners from different parts of the public sector together to learn from the example of the most successful commissioning organisations. It will develop a group of professionals who are progressive in their outlook on how the public sector uses the resources available. It advocates an integrated approach to better understanding citizens and communities and using this insight to work more effectively in order to secure better outcomes and allocate resources. This approach also acknowledges the whole-system and interdependencies between citizens, communities, organisations and services.

The academy is being supported by the Cabinet Office, the Local Government Association, the Department for Communities and Local Government, the Ministry of Justice, the National Offender Management Service, the Department for Education, the Department of Health, the Department for Work and Pensions, and the Home Office.

It aims to bring together commissioners from a variety of organisations, sectors and services areas, including:

- Central government (for example, the Work Programme)
- Local government
- Justice sector bodies (such as the police and crime commissioners' offices)
- Health bodies
- 'Place-based' groups (where local authorities, health bodies and others are working together in one area).

Representatives from several PCC offices have already participated in the early pilot phase, and it is intended that many more PCCs or their commissioning officers will benefit from it too.

Fairness in commissioning VCSE organisations

In recognition of the need to promote fairness in the ways that statutory and voluntary organisations work together there are a number of resources to consider.

The Compact

Originally developed in 1998, *The Compact*²¹ is the agreement between the government and the VCSE Sector which outlines a way of working that improves their relationship for mutual advantage. It is accompanied by an *Accountability and Transparency Guide*,²² which outlines steps to take at national and local level, including dispute resolution, internal complaints procedures and ombudsmen functions.

It should be used as a tool to improve partnership working through the promotion of fair funding processes and good consultation. This includes effective commissioning processes, with funding allocated on a full cost recovery basis, for three or more years, with proportionate monitoring, a fair balance of risk and three months' notice and reasons given when funding ends.

Local Compacts

97% of local authorities in England have signed up to a local Compact, which sets out agreed principles for a relationship which reflects local circumstances and goals.

Examples of good practice in local compacts can be found on the *Good Practice Map*,²³ with clickable links, on Compact Voice's website.

More information and resources to help PCCs get the best from the Compact can be found on Compact Voice's website.²⁴

Some PCCs are considering developing their own Compacts with their local VCSE Sector – particularly where the area spans that of several Councils which already have Compacts in place and it would take a disproportionate amount of time and effort to engage them to revise it to include the PCC. Others are signing up to existing local Compacts where administrative/geographical boundaries make this feasible.

Best Value

In September 2011, the Department for Communities and Local Government published *Best Value Statutory Guidance*.²⁵ This sets out expectations for councils considering changing funding to local voluntary and community groups and small businesses.

In his foreword to the publication, Eric Pickles, The Minister for Communities and Local Government, says: “The Duty of Best Value is important because it makes clear that councils should consider overall value – including social value – when considering service provision. So it plays to the long-term strengths of voluntary and community groups and small businesses.

“In terms of the reductions package to local authorities, they are a reflection of the circumstances we inherited when we came to power. And the reductions package does not mean that councils cannot support the voluntary and community sector and small businesses. There are some councils who are actively working to protect these organisations and working with them to deliver cost-effective, innovative public services.”

The guidance goes on to set out expectations of the way authorities should work with voluntary and community groups and small businesses when facing difficult funding decisions and aims to promote local authority leadership in providing a level playing field for all. It contains

a set of standards and principles to apply in reaching decisions about funding for VCSE organisations to ensure that disproportionate reductions are not passed on to the Sector.

The Merlin Standard

The Merlin Standard²⁶ has been designed by the Department for Work & Pensions (DWP) with providers and representative bodies to help evolve successful, high performing supply chains, and champion positive behaviours and relationships in the delivery of services. The development of the standard responds directly to concerns raised by providers, especially those not operating as prime contractors, in ensuring appropriate fairness within supply chains.

In the proposals set out in *Transforming Rehabilitation* it is clear that procurement of offender management and services to reduce reoffending will be modelled on arrangements in the Work Programme. Prime providers are likely to be large organisations using supply chains which include smaller organisations as sub-contractors.

If PCCs and other local commissioners seek to align commissioning activity with offender management/reducing reoffending commissioning it will be important to be aware of the issues inherent in supply chains. The Merlin Standard assessment and accreditation process is used to set and promote a standard of excellence in supply chain management.

Safer Future Communities Networks – sustaining the impact

Between Autumn 2011 and March 2013 Safer Future Communities worked to prepare, empower and modernise the VCSE Sector at a local

level to engage with their PCCs, and the wider commissioning environment. The project provided support and advice to establish strong, vibrant and coherent local VCSE networks in each of the 42 police force areas. These networks have:

- Built or further developed positive relationships with key local community safety stakeholders, and sometimes promoted more effective working between the VCSE Sector, Community Safety Partnerships, PCCs and other statutory agencies that impact upon community safety.
- Made progress towards the development of strong, well profiled, confident and sustainable networks which have wider VCSE Sector legitimacy, though most of the more robust networks have been built on pre-existing networks, rather than the new ones.
- Influenced community safety priorities and the VCSE Sector's role in delivery being reflected in the PCC manifestos and in the debates before the election, including advocating on behalf of excluded groups. These influences are starting to be reflected in the PCCs' police and crime plans.
- Mostly managed to engage local VCSE criminal justice and community safety organisations, often linking them for the first time with local VCSE infrastructure organisations and the wider VCSE Sector.

The networks are very diverse, and vary in strength and development – reflecting whether the networks:

- Already existed prior to the Safer Future Communities project and had pre-existing engagement with key local stakeholders
- The different levels of network leadership and commitment
- Structural factors such as whether the police area was coterminous with other agency boundaries, and involved only a few local

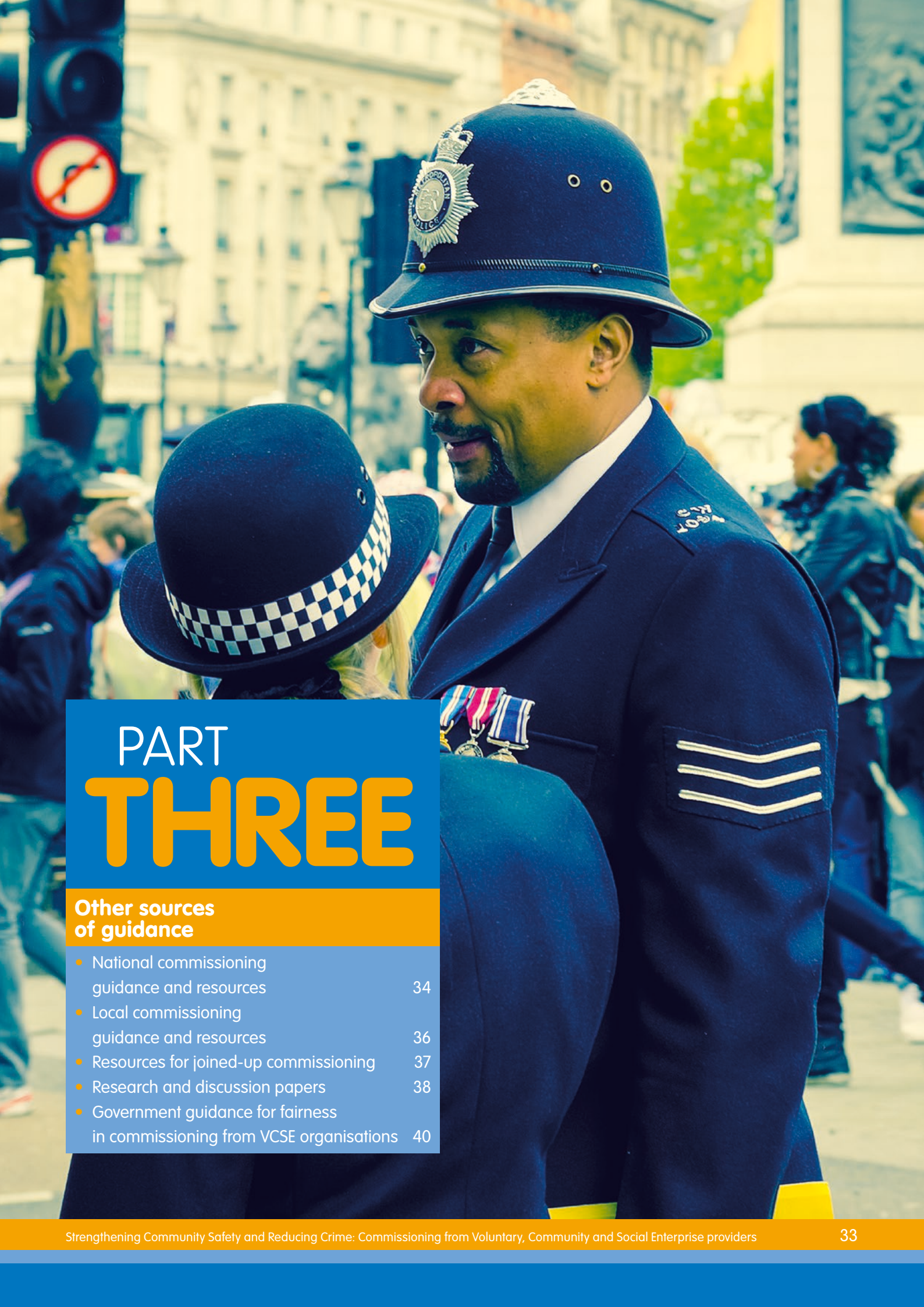
authorities that already co-operated

- The levels of support available to the network
- Whether VCSE infrastructure agencies had existing structures that helped them work together.

Following the PCC elections, key factors influencing the network's development and their opportunities to engage with their local PCCs have been the PCC's own:

- Approaches to offenders, and crime and its prevention
- Knowledge about, and experience and valuing of the VCSE Sector
- Approach to commissioning, procurement and grant aid
- Perspectives on VCSE Sector engagement roles whether as strategic partners from the earliest possible stages of planning in developing the commissioning frameworks, or as delivery agents.

The national project funding came to an end on 31 March 2013. A number of local Safer Future Communities networks have secured ongoing funding from their PCCs. The others are keen to sustain and further develop the work but without ongoing support will struggle to commit the resources necessary to ensuring that the VCSE Sector working in this field is supported to be able to provide their knowledge and experience to PCCs.



PART THREE

Other sources of guidance

- National commissioning guidance and resources 34
- Local commissioning guidance and resources 36
- Resources for joined-up commissioning 37
- Research and discussion papers 38
- Government guidance for fairness in commissioning from VCSE organisations 40

Other sources of guidance

Below are some signposts to other resources that will assist commissioners in thinking and learning about how best to develop approaches that capture the contribution of the VCSE Sector.

NATIONAL COMMISSIONING GUIDANCE AND RESOURCES		
Resource	Summary	Access
Commissioning Academy The Cabinet Office	<p>The Commissioning Academy is a development programme for senior commissioners from all parts of the public sector. It is 'virtual', meaning there is no fixed location and the programme is run at venues across the UK. The programme consists of master classes, workshops, guest speakers, site visits and peer challenge. The programme has been tested by two pilot cohorts and national roll-out will begin in April 2013.</p> <p>The aim of the Academy is to provide a 'hearts and minds' development programme bringing together commissioning colleagues from across government and building a growing network of forward thinking commissioners who are able to design and deliver quality public services in the backdrop of reducing resources and increasing demand.</p>	Find out more and apply for places here: www.gov.uk/the-commissioning-academy-information#overview
Commissioning Guidance Association of Police Authority Chief Executive (APACE) (May 2012)	<p>This is a series of linked guidance notes. The first provides a simple introduction covering the basics of commissioning. The others each focus on a specific aspect of commissioning – No. 2 on assessing need, No. 3, on police and crime plans. No. 4 (still in draft) on delivering outcomes. A fifth guide is expected. There is mention of the VCSE Sector with respect to awarding grants and of the social enterprise sector as a key means of ensuring social value in line with the requirements of the Public Services (Social Value) Act.</p>	www.academyforjusticecommissioning.org.uk/document.php?id=156
Good Commissioning (Public services) NCVO	<p>This is a web-based resource that provides a brief set of checklists drawn from other resources which are referenced. It focuses on developing commissioning skills and developing the market to include VCS.</p>	www.ncvo-vol.org.uk/commissioning/commissioner_checklist#Developing_supplier_base

Resource	Summary	Access
<i>Successful Commissioning Guide: How to secure value for money through better financial relationships with third sector organisations</i> National Audit Office (NAO)	<p>This is a web-based toolkit that focuses specifically on the VCSE Sector. It provides practical guidance for achieving better value through harnessing the contribution of the VCSE Sector in the whole commissioning cycle. It includes:</p> <ul style="list-style-type: none"> • Involving VCS in needs assessment • Using grants and procurement • Signposting to information on evaluation and monitoring • Case studies. <p>It is not focused on Criminal Justice System/ community safety (CJS/CS) but can be applied to achieving CJ/CS outcomes.</p>	www.nao.org.uk/sectors/third_sector/successful_commissioning/successful_commissioning/introduction.aspx
<i>World Class Commissioning Competencies</i> NHS (December 2007)	<p>This publication forms part of a programme to improve health commissioning. It sets out the key knowledge, skills, behaviours and characteristics that underpin effective commissioning. It focuses on leadership to achieve excellence in commissioning and provides advice on how this can be achieved. Each section contains checklists grouped under the headings of Skills; Processes & Knowledge Requirements; and Example Outputs. There is a section that focuses on working with community partners.</p>	icn.csip.org.uk/_library/WCC_competences.pdf
<i>The Handy Guide to Tendering and Procurement, Second Edition</i> Project Development and Support Ltd, Tendering for Care (2012)	<p>This is a short 'handy guide to the principles which underpin the tendering and procurement aspects of commissioning. It provides simplified reference to legislation, regulations and guidance on the rules governing competition. Contains a useful 'do's and don'ts' checklist.</p>	www.tenderingforcare.com/uploads/document/doc/58116/TfC-H-Guide-r12.pdf

LOCAL COMMISSIONING GUIDANCE AND RESOURCES

Resource	Summary	Access
<i>Harnessing voluntary and community sector resources to help reduce reoffending in Gloucestershire – a framework for commissioning</i> Clinks & GAVCA (March 2011)	Written in early 2011, this is specific to criminal justice and provides guidance on how the resources of the VCS can be harnessed to help reduce reoffending. It focuses on developing improved and joined-up commissioning between the Integrated Offender Management (IOM) partners in Gloucestershire. It demonstrates how involving VCSE organisations adds value.	www.clinks.org/sites/default/files/Harnessing%20VCS%20resources%20-%20a%20commissioning%20framework.pdf
<i>The Good Commissioning Guide</i> VCS Assembly (2009)	Specific to health and specific to Gloucestershire, this is an accessible entry-level guide to commissioning. It draws on research into best practice nationally in involving the VCSE Sector in commissioning. Includes examples of good practice and signposts to other information/resources.	www.gloshub.org.uk/attachments/article/71/The%20Good%20Commissioning%20Guide.pdf
<i>Good Practice Guide: Commissioning, Contract Management, Grant funding and Procurement</i> Suffolk County Council (2012)	Designed to help implement the County Council's sustainable communities strategy this guide sets out its best practice approach to commissioning services from the VCSE Sector. It outlines the principles of best practice for the commissioning process, including grant funding, procurement and the management of contracts. The Guide also aligns with and supports the principles of the Compact and the Public Services (Social Value) Act 2012.	www.suffolk.gov.uk/assets/suffolk.gov.uk/Business/Supplying%20Us/2012-11-14Good%20Practice%20Guide%20v2%20%205.pdf
<i>Third Sector Guide for Public Sector Commissioning in Norfolk</i> Claire Collen & Jo Clapham, Voluntary Norfolk (July 2008)	This guide is intended to assist public sector partners by raising awareness of the VCSE Sector and highlighting how VCSE organisations can help achieve sustainable outcomes and value for money. It provides examples of how to engage the Sector in service planning, delivery and evaluation and suggests a mechanism for evidencing good practice. It provides checklist questions and a template for addressing the questions.	www.asauk.org.uk/fileLibrary/pdf/Third_sector_guide_Norfolk.pdf

Resource	Summary	Access
<i>Commission Accomplished: Commissioning Third Sector Services in Merthyr Tydfil and Rhondda Cynon Taf</i> Commission Accomplished	This is a web site designed to support the implementation of a local public sector code of practice for effectively engaging the VCSE Sector in commissioning. It was developed for Merthyr Tydfil and Rhondda Cynon Taf and is not specific to criminal justice or community safety, but contains much that is universally applicable. It provides checklists of actions under each of the elements of the commissioning cycle for both commissioners and providers, and offers a wealth of detailed explanatory information via clickable links embedded throughout the site. There is also a PDF version of the Code of Practice, which amounts to a commissioning framework.	www.commissionaccomplished.co.uk

RESOURCES FOR JOINED-UP COMMISSIONING

Resource	Summary	Access
<i>Six principles for engaging the VCS in community justice and community safety</i> Clinks (March 2013)	This guide is designed to provide partners from all sectors (including PCCs) with easily accessible information on key aspects of the CJS. It provides six overarching principles to support statutory engagement with the VCSE Sector, and a rationale as to why each principle would be adopted, practical examples of where they have been applied well, and tips on how to implement them.	www.clinks.org/dij-resources
<i>Police and crime commissioners and the changing health policy agenda</i> Safer Future Communities (February 2013)	This briefing paper gives an overview of the new arrangements for funding and commissioning of community safety and health services. It outlines the new structures and explains how funding will change. It flags up how policing, crime, health and the VCSE Sector interconnect and highlights the need for PCCs, HWBs and CCGs to work closely together to identify priorities and commission appropriate services such as drug and alcohol advice, mental health support, homelessness support and support for people with multiple or complex needs.	www.clinks.org/dij-resources

Resource	Summary	Access
Health and wellbeing boards and criminal justice system agencies: building effective engagement NHS Confederation (November 2012)	<p>Developed by a multi-agency working group, this guide is aimed at all health and wellbeing board members and criminal justice agencies.</p> <p>It provides practical information and learning on building effective engagement between health and wellbeing boards and local Criminal Justice System agencies. It sets out key reasons why every health and wellbeing board should take account of the health and care needs of people in contact with the CJS.</p>	www.nhsconfed.org/Publications/Documents/criminal-justice-system-agencies.pdf

RESEARCH AND DISCUSSION PAPERS

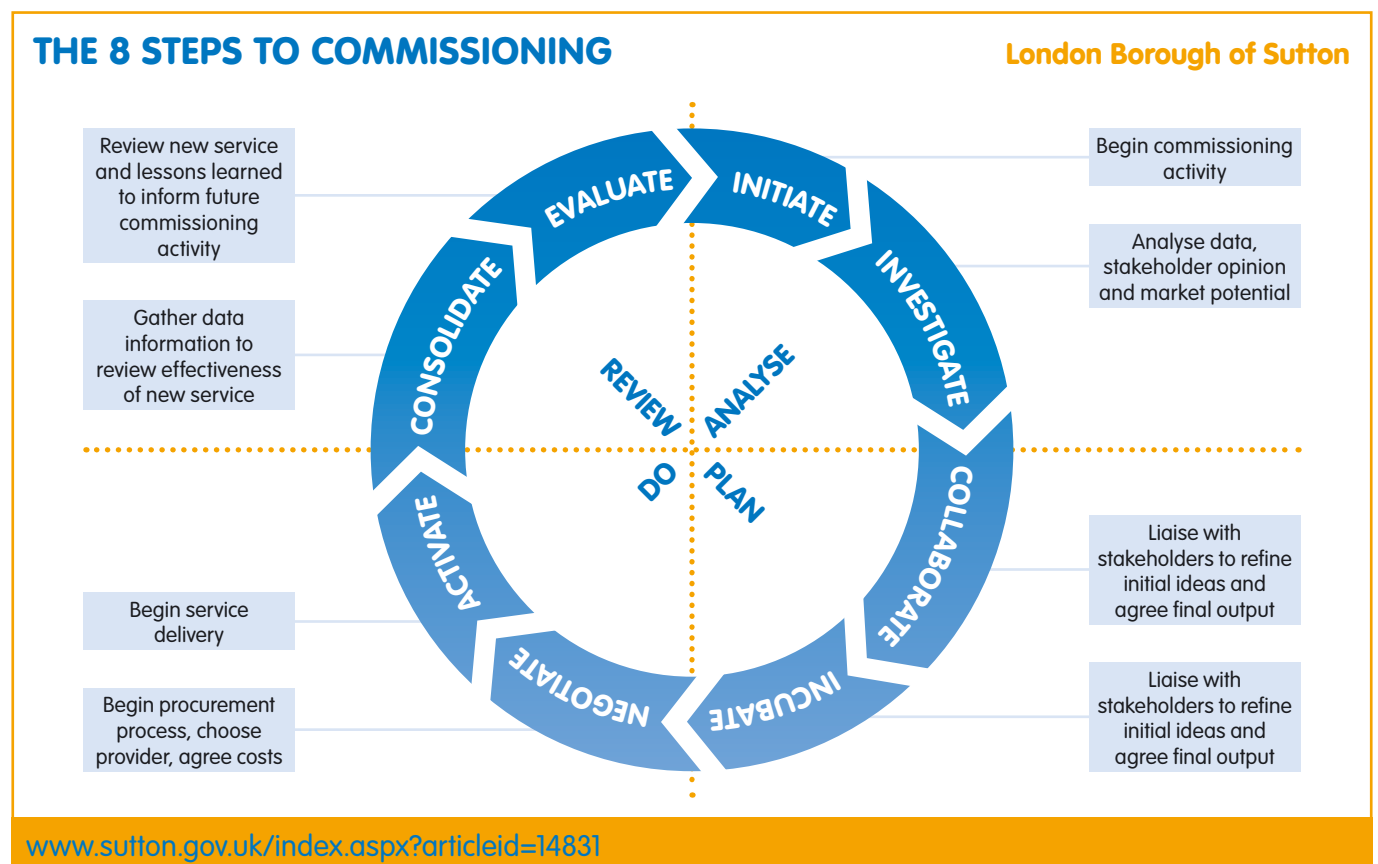
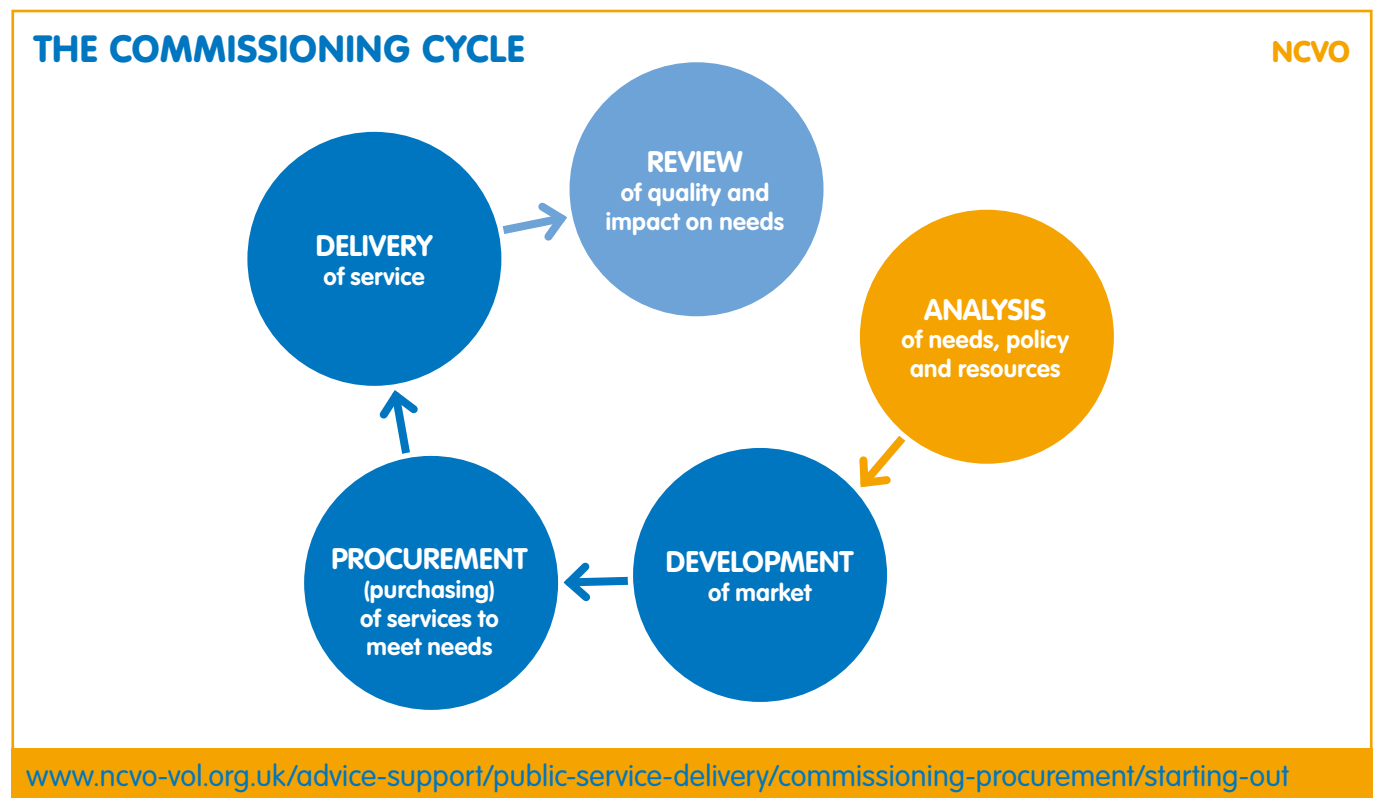
Resource	Summary	Access
The role of the third sector in work with offenders: the perceptions of criminal justice and third sector stakeholders TSRC (April 2010)	<p>This paper examines the views of national criminal justice and VCSE Sector stakeholders on the strategic position of the Sector and its role in the resettlement of offenders. Published in April 2010 it does not fully address current commissioning policy but contains useful findings about how increasing emphasis on competition may put a strain on future inter-sector partnerships. It also flags up the risks of probation expertise being lost should increasing the role of the VCSE Sector lead to statutory providers being divested of their social welfare role. This is particularly relevant to current proposals outlined in <i>Transforming Rehabilitation</i>. The implications of the findings are discussed and areas of further research are highlighted in relation to both the prison and probation services.</p>	<p>Working paper: www.tsrc.ac.uk/LinkClick.aspx?fileticket=jpl0uVVN90w%3d&tabid=670</p> <p>Briefing paper: www.tsrc.ac.uk/LinkClick.aspx?fileticket=mRjXd8zj52M%3d&tabid=670</p>
A Better Return: Setting the foundations for intelligent commissioning to achieve value for money National Programme for Third Sector Commissioning, nef (January 2009)	<p>The National Programme for Third Sector Commissioning commissioned nef (the new economics foundation) to research and report on how best the VCSE Sector could evidence its wider impact on public services and their delivery. The aim was to start and build an evidence base about the benefit of the third sector to commissioners. The report contains case studies and explores concepts such as social return on investment (SROI) and co-production. It concentrates on using outcomes based commissioning with value for money at the core for public service delivery.</p>	www.neweconomics.org/publications/entry/a-better-return

Resource	Summary	Access
<i>Joining the Dots Social impact measurement, commissioning from the third sector and supporting social enterprise development</i> TSRC (May 2010)	<p>This is a report of the findings from a multi-agency project working to explore three key areas:</p> <ul style="list-style-type: none"> • Strengthening local procurement and tendering processes • Measuring the social and economic impact of local services • Supporting local social enterprise development. <p>The report consists of four short summary papers, each describing work undertaken within each of the three project strands and the main findings. It sets out models for strategic frameworks that could be used in developing procurement methods that include social enterprises.</p>	www.tsrc.ac.uk/LinkClick.aspx?fileticket=1knJKrBSEUc%3D&tabid=622
<i>Eight Principles of Good Commissioning National Programme for Third Sector Commissioning</i> I&DeA	<p>The National Programme for Third Sector Commissioning was part of the Cabinet Office's work under the last Labour Government to improve VCSE engagement in public service delivery. This is a short paper that defines the vision for the programme and sets out eight principles of good commissioning for achieving better outcomes and greater value for money.</p>	www.idea.gov.uk/idk/aio/6617745
<i>Taken For Granted? The Needs of Small Voluntary and Community Organisations in a Big Society Era</i> IPPR (January 2013)	<p>This report provides insight into how small, local VCSE organisations can make an important contribution in deprived communities and makes a case for preservation of these organisations by means of intelligent commissioning and financing. It argues that the current policy debate focuses too heavily on twin narratives of the VCSE Sector delivering public services on the one hand and volunteerism on the other. It points out that there is a swathe of small civil society organisations that do not fit into either camp and suggests there is a need to foster their contribution. Contains practical recommendations.</p>	www.ippr.org/publication/55/10085/taken-for-granted-the-needs-of-small-voluntary-and-community-organisations-in-a-big-society-era
<i>Views on the Drug Interventions Programme from the Mayor's Office for Policing and Crime</i> MOPAC (October 2012)	<p>This short paper provides some insight into how emerging themes linked to the Drugs Interventions Programme (DIP) monies (40% allocated to MOPAC for 2012/13) and the non-ring-fenced Community Safety funds offer both the threat of disinvestment and an opportunity to refresh the organisation and funding of local approaches to tackling substance-misusing offenders.</p>	www.gov.uk/government/uploads/system/uploads/attachment_data/file/118056/mopac-dip-views.pdf

Resource	Summary	Access
<i>And Justice for All?</i> GMCVO (January 2013)	This paper considers the proposals in the government consultation document <i>Transforming Rehabilitation</i> and explores the implications for voluntary sector organisations and the communities they serve. It also looks at how these reforms will impact upon the emerging public service delivery structures in Greater Manchester, particularly with regard to the Whole Place Community Budget programme.	www.gmcvo.org.uk/and-justice-all

GOVERNMENT GUIDANCE FOR FAIRNESS IN COMMISSIONING FROM VCSE		
Resource	Summary	Access
<i>The Compact: The Coalition Government and civil society organisations working effectively in partnership for the benefit of communities and citizens in England</i> HM Government (December 2010)	<p>This is a renewed version of the Compact, aimed at improving partnerships between the Government and the VCSE Sector. It is described as: “an agreement between the Coalition Government, and their associated Non-Departmental Public Bodies, Arms Length Bodies and Executive Agencies, and civil society organisations (CSOs*) in England. The agreement aims to ensure that the Government and CSOs work effectively in partnership to achieve common goals and outcomes for the benefit of communities and citizens in England.”</p> <p>The document sets out high-level commitments and undertakings for both government and CSOs to ensure aims are delivered.</p> <p>* CSO is the term introduced by the Coalition Government to describe VCSE organisations</p>	www.gov.uk/government/uploads/system/uploads/attachment_data/file/61169/The_20Compact.pdf
<i>The Compact Accountability and Transparency Guide</i> HM Government	This document explains what increased measures the Coalition Government is introducing to strengthen the implementation of the Compact. It also explains what to do and whom to contact when things go wrong from informal discussions with departments to formal complaints to the Parliamentary Ombudsman. The purpose of this guide is to increase the transparency around how the Compact is being implemented.	www.compactvoice.org.uk/sites/default/files/the_compact_accountability_guide_with_page_numbers.pdf
Compact Voice	Compact Voice represents the VCSE Sector on the Compact, and offers free resources, training, advocacy and tailored help. Their website contains much useful information in developing and implementing the Compact principles at local level.	www.compactvoice.org.uk

Appendix: Diagrams of the commissioning cycle



End notes

1. Networks were established in each police force area of England and Wales, including London
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19. DTV Probation Trust: www.dtvprobation.org.uk/contact-us
20. www.gov.uk/the-commissioning-academy-information
21. HM Government, *The Compact*: www.gov.uk/government/uploads/system/uploads/attachment_data/file/61169/The_20Compact.pdf
22. HM Government, *Accountability and Transparency Guide*: www.compactvoice.org.uk/sites/default/files/the_compact_accountability_guide_with_page_numbers.pdf
23. Compact Voice, *Good Practice Map*: www.compactvoice.org.uk/resources
24. www.compactvoice.org.uk
25. Department for Communities and Local Government, *Best Value Statutory Guidance*: www.gov.uk/government/uploads/system/uploads/attachment_data/file/5945/1976926.pdf
26. The Merlin Standard: www.merlinstandard.co.uk/about-merlin.php

SAFER FUTURE COMMUNITIES

Empowering local voluntary & community partnerships

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The Safer Future Communities project ended in March 2013. For all enquiries about this publication and the work of the project, contact Clinks:

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