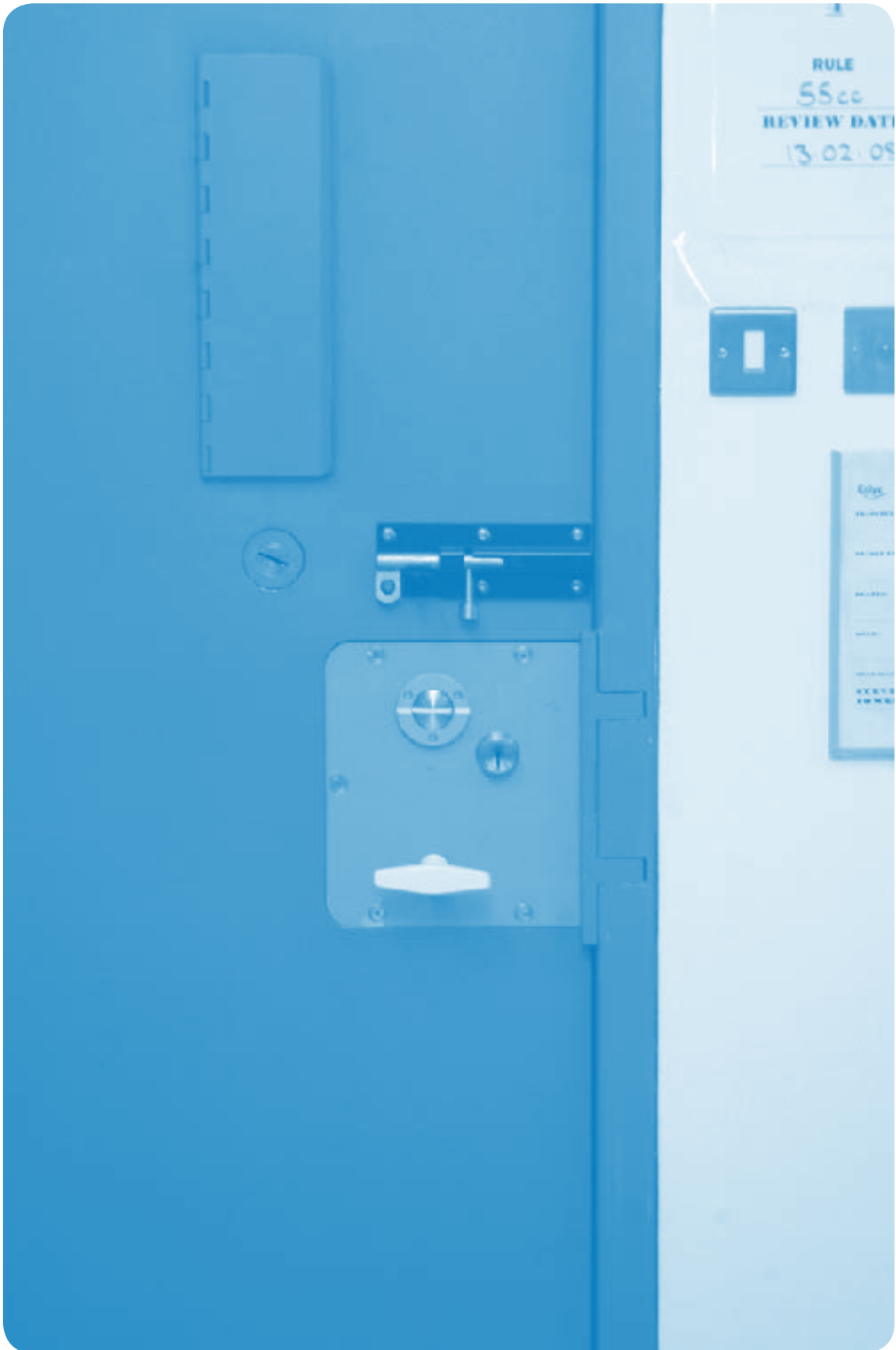




## Business Plan 2010-11

Prisons and Probation Ombudsman  
for England and Wales



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# Foreword by the Ombudsman



I am pleased to present the PPO's business plan for 2010-11. It includes ambitious proposals that will continue to move the office forward.


As most readers of this document will know, I will not be here to oversee the plan in action. I am stepping down as Ombudsman in early May. I am sorry to be leaving the PPO at this time but am confident that, as a result of this plan and the work my colleagues have done in developing the office in recent times, we will be in the best possible shape when my successor takes over the reins. At the same time, the plan is sufficiently flexible that a new Ombudsman will readily be able to put their own stamp on the organisation and its future direction.

At a time of financial constraint, it goes without saying that there is an expectation on us, in common with all other public sector organisations, to do more for less money. This plan reflects that reality. Our first priority when resources are constrained is to maintain our core services at an acceptable level. This is particularly challenging for an organisation whose work is demand-led and which has had to absorb a 27 per cent increase in eligible complaints cases in 2009-10.

Nevertheless, we have been able to achieve some notable successes in 2009-10. We have achieved significant increases in output and productivity. We have rolled out investigative skills training for complaints and fatal incidents investigators. We have developed, and started to use, a new performance management framework that enables us to assess our performance in a more rounded way and to make more robust management decisions. Linked to that are comprehensive stakeholder surveys we have undertaken, including seeking the views of bereaved families using a methodology that we developed specifically for the purpose.

In 2010-11, we intend to consolidate the significant advances we have made in the last two years and introduce a number of measures to provide better and more speedy services to our users. These are set out in detail in this business plan.

I should end by saying something about my colleagues. They have responded magnificently in difficult circumstances to the challenges presented in 2009-10. I pay tribute not only to their efforts in keeping the office moving forward in the face of unprecedented increases in workloads but also to the way they have gone about their work, in keeping with our values of decency and fairness. I know they will give my successor every support in taking the office forward to the next level.

A handwritten signature in blue ink, appearing to read 'Stephen Shaw', with a stylized flourish at the end.

**Stephen Shaw CBE**  
Prisons and Probation Ombudsman  
for England and Wales  
(October 1999 – May 2010)

# Our statement of purpose and our values

We have during 2009-10 reviewed and revised our statements of purpose and external values. Our new statements are reproduced below.

## Statement of purpose

The Prisons and Probation Ombudsman's office exists to carry out independent investigations into deaths and complaints. Our service is in respect of prisoners, those supervised by probation and immigration detainees.

The purpose of our investigations is to understand what has happened, to correct injustices, and to identify learning for the organisations whose actions we oversee.

## Statement of values

### *1. Accessible*

We will provide a service that meets the needs of the people who use our services and their expectations. We will promote awareness and understanding of the services we provide using plain language and in a range of formats.

### *2. Professional*

We will be sensitive to the needs of bereaved relatives and share the information that we gather in our investigations. We will be open, honest and fair in the way we treat all complainants, relatives and witnesses. We will treat the organisations that we work alongside professionally and cooperatively.

### *3. Impartial*

We will act independently and ensure that we investigate all our cases objectively. We will be transparent and consistent in our decision making and will set out clearly the reasons for our decisions which will be sound and justified.

### *4. Efficient*

We will use our time, money and resources effectively and efficiently. We will listen to customer feedback and look to continuously improve our processes and the service we provide.

### *5. Influential*

We will seek to improve the performance of services within remit by advising our stakeholders on scope for improvements which have been identified in the course of our investigations.

### *6. Accountable*

We will take responsibility for our actions and be open to learning from constructive criticism.



## About the Prisons and Probation Ombudsman's office

The Prisons and Probation Ombudsman's office is now in the 16th year of its existence. Our remit and function have expanded considerably over those years. However, independence remains at the core of everything we do.

The complaints investigation function is the longest established, and was the reason why the office was set up in 1994. In 2009-10, the office completed over 2,000 investigations into complaints by prisoners, those under community supervision and those in immigration detention.

The fatal incidents investigation function was established in 2004. In 2009-10, the office completed around 200 investigations into deaths in prison custody and amongst residents of approved premises. There were no deaths in immigration detention and we have conducted a small number of discretionary investigations of post-release deaths.

The full terms of reference are reproduced in the office's annual report and on our website at [www.ppo.gov.uk](http://www.ppo.gov.uk).

## About this business plan

This sets out our detailed plans for 2010-11. It should be seen within the broader context of our corporate and business plan for 2009-12, which was published in April 2009 and is available on our website. That plan set out our long-term strategic objectives and our plans for achieving them. This business plan, as well as setting out our detailed plans for next year, also assesses what we have achieved so far.

The plan takes full account of wider financial constraint across public sector organisations. While the details of our financial settlement for 2010-11 are not known at the time of writing, the expectation is that we are going to need to put all our efforts in maintaining our core services to our users and this will require us to find ways of doing things differently and prioritising.

## Our status

The office remains a non statutory body in spite of a commitment from the Government over many years to put the office on a statutory footing. We will continue to press for the introduction of legislation in Parliament to bring this about. Given that a key part of our role is to ensure that the state complies with its human rights obligations, it is difficult to justify non statutory status.

The Ombudsman has during 2009-10 agreed a framework document with the Secretary of State for Justice setting out how relationships are conducted between the office and our sponsoring Department, the Ministry of Justice, in order to safeguard our independence. The document will be reviewed annually and is available on the website at [www.ppo.gov.uk](http://www.ppo.gov.uk).

## The wider world

Although the office has a very specific purpose to investigate fatal incidents and complaints, it continues to put a lot of effort into ensuring that lessons are learned from the cases we investigate. We seek to influence for the better the practice of the organisations whose actions we oversee: the National Offender Management Service (NOMS) – that is, prisons and probation – and the UK Border Agency. This is through attending meetings with stakeholders, participating at conferences and issuing bulletins.

In addition, we work closely with our partner organisations to learn from each other and share information. These are organisations such as HM Coroners, the Independent Police Complaints Commission, Independent Monitoring Boards, HM Inspectorates of Prisons and Probation, the police, health professionals, interest groups and other Ombudsman organisations.

More generally, we play an important part in wider developments in the criminal justice system and those affecting the Ombudsman community. We are also enthusiastically committed to wider developments, such as ensuring we put into practice effective policies for diversity and equality; and play our part in protecting the environment in which we live and work.

# Our strategic objectives and service targets

## Introduction

We set out five strategic objectives in our corporate and business plan for 2009-12. They say at the highest level what the office is seeking to achieve and provide a sense of direction. Like any good organisation, it is not an option for us to stand still. We seek to maintain a culture of continuous improvement to support better investigations and reports issued more quickly, and to be more influential.

## Our objectives in detail

### *1. To maintain and reinforce our current reputation for absolute independence*

Independence is the foundation of everything this office does. As is shown in our stakeholder surveys, we have a good reputation for independence, but we cannot be complacent. We put a lot of effort into ensuring that we have and demonstrate the right values and behaviours. We now have a published framework document which defines our relationship with our sponsoring body, the Ministry of Justice. However, that is no substitute for legislation and we will continue to take every opportunity to press for early legislation to put the office on a statutory footing.

### *2. To be more accessible to all who have contact with our services*

We seek to be accessible in the widest sense, meaning that we want all our users and stakeholders to be able to contact us easily and we want to maintain a good level of communications, so that for example we inform interested people about the progress of our investigations. We aim to be customer-focussed and responsive.

In relation to our complaints work, we want to explore why certain groups are under-represented in making complaints, such as young people, women and those who might have difficulty in accessing formal complaints systems. However, we need to be realistic and be mindful that we do not currently have the resources to handle more complaints than at present.

### *3. To improve the quality of our investigations and resulting reports, ensuring excellence, robustness and a proportionate approach*

We believe the quality of our investigations and reports has improved steadily in recent years as we have invested resources in developing our investigators' skills and have exercised more robust quality assurance. We aim to continue to improve in 2010-11 through developing a system for effective measurement of quality, and through further developing our data systems to ensure better information is available to investigators about precedents and trends.

*4. To improve the timeliness of issuing our reports and to ensure that people are better kept informed about progress*

Timeliness is a crucial aspect of our customer service and recent stakeholder surveys have highlighted that this is the area of lowest satisfaction level. Within the constraints of resources available to us, we want to find ways of improving our performance in 2010-11. We are considering undertaking a fundamental review, using Lean techniques, of our investigation and case management processes. In addition, we know that delays in Primary Care Trusts carrying out clinical reviews are a major cause of delays in completing fatal incidents investigations and we would like to undertake an assessment of whether these reviews address the issues and follow the clinical review guidance.

*5. To be more influential so that others can learn the lessons from the findings from our investigations*

The office's core function is to conduct independent investigations. This is to provide complainants with an independent assessment of their grievances and to provide bereaved families and others with the truth about the circumstances of deaths in prisons and other places within remit. The investigation reports contain a significant body of learning. We want to ensure that this learning is put to best use, through analysing trends and common issues that arise in reports and communicating the learning to the organisations whose actions we oversee. We have made good progress on this in recent years but we need to do much more. Our work plan for 2010-11 contains a number of initiatives to make further progress.

## Our service targets

The office has six published service targets. These give our users an indication of when the various stages of our work are likely to be completed. They are also an objective way of measuring our strategic objective above relating to timeliness. We do not expect to meet these targets in all cases, but will endeavour to do so in as many as possible subject to workloads (which are unpredictable) and resources available. The targets for completing fatal incidents investigations are particularly challenging, given the complexity of these cases and the extent to which we are reliant on contributions from other agencies.

The targets are:

1. Determine the eligibility of a complaint within ten working days of receipt in the office.
2. Give a substantive reply to a complaint within 12 weeks from accepting the complaint as eligible.
3. Visit the site of a death within five working days.
4. Complete an investigation into a self-inflicted death and distribute the draft report for consultation within 26 weeks of the initial notification.
5. Complete an investigation into a death due to natural causes and distribute the draft report for consultation within 20 weeks of the initial notification.
6. Publish fatal incidents investigation reports (anonymised) on the PPO website within eight weeks of the conclusion of the coroner's inquest.

## How we have performed in 2009-10

We have responded exceptionally well to the increase in workload in 2009-10. However, it has impacted on some of our timeliness targets. Some key statistics for 2009-10 are:

- 82% of complaints assessments done in time in 2009-10 compared with 53% in 2008-09.
- 47% complaints investigations done in time in 2009-10 compared with 53% in 2008-09 – this slight dip is mainly due to extra efforts to clear old cases from the backlog.
- 27% more eligible complaints received in 2009-10 than in 2008-09.
- 37% more complaints investigations completed in 2009-10 than in 2008-09.
- 14% more complaints eligibility decisions made in 2009-10 than in 2008-09.
- 191 new fatal incidents cases in 2009-10 compared to 183 in 2008-09.
- 205 fatal incidents reports issued in 2009-10 compared with 189 in 2008-09.
- 26% and 13% of reports for natural causes and self-inflicted deaths respectively issued within time targets in 2009-10 compared to 20% and 16% in 2008-09.

## Planning for 2010-11

As a demand led organisation, it is difficult to forecast our workloads with any accuracy. It is reasonable to assume, given past trends, that there will be some increase on the number of complaints cases we are required to investigate. In 2009-10, there was a 27% increase in eligible cases. Our planning assumption is that there will be 2,500 new cases in 2010-11.

On fatal incidents, the number of self-inflicted deaths in prisons has fallen substantially in recent years. In some part, this must be due to the influence of this office's investigations on policy and practice in the Prison Service. However, deaths from natural causes have been rising. Our planning assumption is that we will receive approximately 200 new cases in total in 2010-11 (that is, self-inflicted deaths, natural cause deaths, accidental deaths and homicides), and will have 550 ongoing cases to manage at any one time. Ongoing cases include those where the investigation has been completed but the inquest is awaited. However, it has to be said that predictions of this type are intrinsically unreliable. And while the numbers are stable, cases have become increasingly complex over the years, with a rising trend for lawyers to be involved.

In order to cope with such a volume of work, it is clear that in 2010-11, as in 2009-10, we will need to do things yet more efficiently across our organisation. Our aim is to make an efficiency improvement of 5%.

# Business development

We intend in 2010-11 to continue to develop the office so that it is best placed to support our front line services. We have done a lot of work over the last two years or so to develop the office's capability and, to some extent, we will use 2010-11 to consolidate those developments and ensure that they become an established part of our mainstream work. But there are areas we need to develop further.

## What we have achieved

Some examples of our achievements over the last two years are described below.

- We have developed a performance management framework to help us manage and improve the office's performance. The framework provides a rounded view of our performance, focussing not only on our strategic objectives but also on office capability (such as human resources, IT, accommodation, research, communications). We will roll the framework out in 2010-11.
- We have introduced a system of annual surveys of complainants, bereaved families and general stakeholders and will repeat these surveys in 2010-11.
- We have published a research bulletin analysing fatal incidents over a 12 month period, the first of a series of bulletins to be issued.
- We have introduced an annual staff survey and will repeat this in 2010-11.
- We have introduced bespoke investigative skills training for investigators.
- We have agreed a framework document with the Ministry of Justice and have begun to agree protocols about support services provided by the Ministry. We will continue development of the protocols and will review the framework document in 2010-11.
- We have carried out reviews of job roles across the office to ensure that we are organised in the best possible way.
- We have produced and publicised three DVDs providing general information about the office and specific information about the complaints and fatal incidents investigation functions.
- We have introduced a care support service for the fatal incidents investigation team.
- We have started to develop a comprehensive knowledge base for the fatal incidents work and development work will continue into 2010-11.

## Plans for 2010-11

In 2010-11, we intend to build on our achievements in 2009-10 and tackle some of our weaker areas as highlighted in our stakeholder surveys. In particular we need to ensure that we are making the best possible use of our resources to produce reports which are both high quality and issued in a timely manner. And we need to develop our knowledge and data systems so that we can be more effective at communicating lessons learned from our investigations. Our detailed plans are set out in the next chapter.



# Our detailed development plans 2010-11

Our detailed plans for 2010-11 are set out below. They build on our achievements in 2009-10 and are intended to take us on to the next step towards achieving our broader strategic objectives set out in our corporate and business plan 2009-12.

We will use project management techniques to drive forward delivery of the plans and will provide regular monitoring and adjustment of resources as needed. We will report on how successful we have been in delivering these plans in our annual report for 2010-11.

## *Independence*

We will:

- Review our governance arrangements in discussion with the Ministry of Justice to ensure that our independence is safeguarded.
- Undertake an annual review of our framework agreement with the Ministry of Justice and complete protocols on specific support services.
- Continue to argue for legislation to be introduced to provide a statutory remit that delivers conspicuous independence.

## *Accessible*

We will:

- Ensure our publicity materials, in particular our three recently produced DVDs, are used to maximum effect.
- Undertake a piece of work to explore reasons why certain complainant groups are under-represented, such as women and young people.
- Improve our telephone customer service.

## *Quality*

We will:

- Develop means of measuring and assessing the quality of our investigations and reports.

### *Timeliness*

We will:

- Undertake a review, using Lean methodology where appropriate, to streamline our processes.
- Seek to reduce the number of ineligible complaints being made and the number of borderline cases that are accepted for investigation.
- Assess the clinical reviews of deaths in custody to establish whether they address the issues and follow the clinical review guidance, then if needed we will devise an action plan for improvement.

### *Influence*

We will:

- Develop a cross-office stakeholder relations strategy.
- Develop the complaints investigations knowledge base.
- Issue research reports highlighting lessons learned from both complaints and fatal incidents investigations.
- Review the effectiveness of the quarterly newsletter *On the Case* and the PPO website.
- Develop and implement a research strategy, focussing on learning the lessons and establishing underlying reasons for matters we investigate, possibly involving joint research work.

### *Organising and managing the office*

We will:

- Implement a human resources and recruitment strategy and a diversity and equality action plan which the office developed in 2009-10.
- Provide development for managers in effective management, including performance and attendance management.
- Provide development for all staff, ensure we make the best use of the range of skills we have and consider an element of accreditation.
- Develop a corporate risk register.
- Work with the Ministry of Justice to develop a new electronic case management system.
- Work with the Ministry of Justice to achieve better office accommodation.

# Resources

In 2009-10, the office was allocated a budget of £5.8 million. As this plan goes to press, we await our budget allocation for 2010-11. Clearly the general financial climate is not favourable and we are going to need to prioritise our resources while ensuring we maintain our core services. This plan has informed negotiations with the Ministry of Justice about our resource needs.

Overall, 80% of our costs are staff costs. The other costs cover travel and subsistence, maintenance of the electronic case management system and other essential support to the investigation process. (The budget allocation does not include provision for services such as accommodation, IT and human resources and some aspects of communications which are provided by the sponsoring department.)

This leaves us with a small residue to undertake work to develop the PPO office and to monitor our work programme.

## Staff resources

The office comprises two operational teams: one responsible for complaints investigations and the other responsible for fatal incident investigations. Each team is headed by a Deputy Ombudsman. A third Deputy Ombudsman runs a team that provides corporate services to the office.

The office currently has 117 staff. These are split between:

<b>Ombudsman and secretary</b>	<b>2</b>
<b>Complaints investigations</b>	<b>52</b>
<b>Fatal incidents investigations</b>	<b>51</b>
<b>Corporate services</b>	<b>12</b>

The complaints investigations team comprises five investigation teams, each of which is headed by an Assistant Ombudsman. One of the Assistant Ombudsmen also oversees a team which assesses whether the complaints received are eligible for investigation. One investigation team is known as the experimental team, headed by an Assistant Ombudsman, which is testing out new ways of working.

The fatal incidents investigations (FII) team comprises six investigation teams, each of which is headed by an Assistant Ombudsman. Integral to the FII team are a team of family liaison officers and an administration team.

The corporate services team covers office services, business development, human resources, IT, research and communications. It is also responsible for governance issues and liaison with the sponsor department.

## Staff learning and development

The PPO office is committed to developing its staff. It has invested heavily in the last two years in designing bespoke courses so that staff can develop and reinforce their skills. These courses have been rolled out and are now fully established. In 2010-11, resources will be scarce and we will need to find imaginative ways of maintaining our commitment to development. We will explore whether we can make more use of the Ministry of Justice's Learning Academy, which can provide training in a range of different skills. We will also consider the scope for introducing an element of accreditation for investigators.

The office produces an annual learning and development plan, based on an assessment of needs identified through the staff appraisal system and a skills needs analysis. The current plan is published on the website.

The PPO is committed to the principles of Investors in People.



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