

## Business plan 2008-09

Prisons and Probation  
Ombudsman

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I am very pleased to present my office's new business plan. It sets out what we intend to achieve in 2008-09 and also outlines our proposed direction of travel for the next three to five years. As well as being a vehicle of our accountability, I hope this document will be useful to our stakeholders and others to provide a better understanding of what the Ombudsman's office does and how we seek to make a difference.

In due course, the plan needs to be read in conjunction with the office's annual report as this remains the key document for accounting to Ministers, Parliament and the public at large. I would expect future annual reports to detail how we have delivered on the business plan, as well as providing a summary of important cases as we have done hitherto. I am very proud of the readability of our annual reports, and the fact that they are rather different from those emerging from most public authorities. However, there is a better balance to be achieved between reporting on cases and reporting on the overall use we make of public money.

The theme of this plan is improvement in everything that we do. The office has achieved a great deal in recent years, responding enthusiastically to new challenges brought about by extensions to our remit and expanded workloads. We have also needed to respond to changes in the outside world, including major organisational change in the bodies whose actions we scrutinise.

But we cannot afford to stand still. This business plan sets out a programme of reforms in 2008-09 to create a more professional organisation. This means proper investment in our staff and support systems, better methods for managing our knowledge, and more effective communication of our messages so that lessons may better be learned from our investigations and reports.

This is a stretching programme, but I believe it is an achievable one given a fair wind. However, our work is demand-led and I am all too conscious of the impact this can have on the best-laid plans. We have no slack and very little room for manoeuvre if the workload increases still further. We also have limited control over core functions like accommodation, HR and IT. For that reason, the arid term 'business plan' is something of a misnomer. At the heart of this document is the aspiration to greater functional and structural independence and freedom.

A handwritten signature in blue ink, which appears to read "Stephen Shaw". The signature is fluid and cursive.

**Stephen Shaw CBE**  
Prisons and Probation Ombudsman  
for England and Wales

## About the Prisons and Probation Ombudsman's Office

The office of the Prisons and Probation Ombudsman is in the 14th year of its existence. Its remit and scope have expanded considerably over those years.

Initially set up as an independent body to investigate complaints from prisoners that could not be resolved internally, the office's remit was extended in 2001 to consider complaints by offenders under the supervision of the probation service. It was further extended in 2006 to cover complaints by those in immigration detention. In 2006-07, the office completed over 1,600 complaints investigations. This compares with 363 investigations completed in 1995, the first full year of operation.

In April 2004, the office acquired a major new function to investigate all deaths in prison custody, probation approved premises and immigration removal centres. Approximately half of the office's investigators are assigned to fatal incidents investigations work. Some 130 investigation reports were issued during the 10 months from April 2007 to January 2008.

Although the Ombudsman has always acted independently and has been regarded as independent in practical terms, he has sought to operate under the authority of a statutory remit. The Government has for a number of years been committed to ensuring that this is brought about. Despite a number of attempts, this has not been achieved to date, and the Ombudsman will continue to press the Government to honour its commitment. The Ombudsman believes that the absence of statutory authority is increasingly untenable given the requirements of the Human Rights Act and wider expectations that bodies entrusted with independent functions should be truly independent and seen to be such.

### About this business plan

This business plan sets out our detailed plans for 2008-09 as well as our longer-term aims. Our remit and the volume of our existing work have expanded significantly in recent years. We are now an office comprising some 100 staff, compared with 48 staff five years ago. At the same time we have been required to adapt to a changing world, including significant organisational change within the bodies we oversee. We have responded enthusiastically to the challenges that these changes have presented. We will continue to do so, moving forward into 2008-09. We need to have effective systems and services to support investigation work. Many of the workstreams in 2008-09 are designed to improve on systems such as our use of information and themes from investigation reports. The overall strategic aim is that the office should be respected, independent, influential and seen as a model of excellence.

We cannot do any of this without our staff. This plan sets out how we will build and develop their skills. We are fortunate to have a diverse group of staff, and we will continue to foster a climate of respect and mutual support within the office.

## Statement of purpose, values and terms of reference

Our statement of purpose (or mission) is:

Within one united office, to deliver two services that contribute to just and humane penal and immigration detention systems:

- To provide prisoners, those under community supervision, and those in immigration detention with an accessible, independent and effective means to resolve their complaints.
- To provide bereaved relatives, the Prison Service, National Probation Service, the UK Border Agency, and the public at large, with timely, high-quality investigations of deaths in prison custody and other deaths in remit.

Our values are reproduced at pg 15 of this document. Our terms of reference can be found on our website at [www.ppo.gov.uk](http://www.ppo.gov.uk).

### The Ombudsman and the wider world

The office currently has no formal status that distinguishes it from the Ministry of Justice, although we enjoy operational independence in all practical ways.

We have a range of stakeholders. Those who complain to us - prisoners, offenders under community supervision and immigration detainees - and the families of those who have died in custody whose deaths the Ombudsman is investigating are naturally at the centre of all we do. The Ombudsman and his staff also deal closely with those organisations that are subject to our scrutiny: HM Prison Service, NOMS, the Probation Service and the UK Border Agency.

There is a wider range of stakeholders who have an interest in the Ombudsman's work or whom we consider to be partner organisations. These include the Independent Police Complaints Commission, HM Inspectorates of Prisons and Probation, Independent Monitoring Boards, the police, coroners, healthcare professionals, prison pressure groups, human rights groups and other Ombudsman organisations.

## Context

We are proud of our reputation for investigative rigour and as for fairness, both to those who complain to us and to those organisations whose actions we scrutinise following a complaint or a death in custody. But we cannot afford to be complacent. The public rightly expect the highest standards of service from any publicly funded organisation. This is all the more important when the organisation's role is to pass judgement on how others have carried out their duties.

In our complaints handling work, we will strive to be more accessible to all strands of a diverse group of potential complainants. We need to give confidence in our service by dealing with complaints speedily and by undertaking the right level of investigation to arrive at the truth, and by explaining our findings clearly and succinctly. We would like mediated settlements to be achieved more quickly across the board. These can be a useful way of bringing about a swift resolution to a person's grievance. We also need to put more effort and resources into investigating the most serious complaints, such as those alleging serious staff misconduct.

Our investigations into deaths in custody are of necessity more complex and involve more extensive scrutiny of the actions of those involved, than the majority of complaints investigations. The death of any person while under the care of the state is always a matter of the utmost seriousness and we are very aware of our obligation to arrive at the truth. This is for the family of the deceased person, for the organisations subject to our scrutiny so that they may learn lessons, and for the wider public interest. All our fatal incidents reports are published on our website in anonymised form.

## Aim

We can summarise our strategic aims as striving to be worthy of the following descriptions:

- Conspicuously independent and seen to be so
- Accessible to all who need to access our services
- Respected by the outside world, with a reputation for excellence
- Highly influential
- Producing excellent, robust products in a timely manner
- Giving confidence and having capability to take on a wider remit as required
- Employing high calibre professional leaders and staff
- Supported by excellent systems, infrastructure and tools for the job
- Efficient and giving value for money

These aims are underpinned by our core values of independence and integrity.

## Moving forward

The office has changed a great deal in recent years, taking on an expanded remit and absorbing increased caseloads within the existing remit. At the same time, the external world with which we deal has changed. The make-up of the prison population has changed, with a higher proportion of older and longer-term prisoners. There are also more foreign national prisoners as a proportion of the total number. The prison population as a whole has continued to increase, with a direct impact on our workload. New issues have been raised in respect of prisoners applying for home detention curfew or subject to indeterminate sentences for public protection, for example. Significant change is also taking place in the probation world, as the offender manager role develops.

Our challenge is to respond to these changes, and update our procedures and working methods as needed, while maintaining and improving our standards.

We are now embarking on a new phase of development. This has involved making an honest assessment of our strengths and weaknesses and has led to our identifying our overall priorities and detailed plans for 2008-09.

# Improvement priorities and service targets for 2008-09

## Improvement priorities

During 2008-09, we will work towards our strategic aims by focussing on three improvement priorities:

- improving the quality of our service;
- increasing the efficiency of all aspects of our work; and
- extending our influence so that others can learn the lessons from investigation reports.

## Quality

The office is ultimately judged by its quality of service to those with whom it deals, whether it is a prisoner making a complaint or the family of a person who has died in custody. Quality of service does not only mean the quality and rigour of the investigation, as set out in the investigation report or letter. It also means how our staff acquitted themselves during the investigation, for example keeping those who need to know informed about the investigation process and about the progress of a particular investigation. Timeliness in issuing investigation reports and letters is an important element of quality.

The office generally has a reputation for high quality work, but we need to do more to ensure greater consistency across the board and to develop a more customer focussed approach.

## Efficiency

Increasing the efficiency of all aspects of our work means ensuring that we are organised in the best possible way to produce high quality investigation reports on time. We strive to make our processes and structures fit for purpose so we deliver our service in the most efficient way possible. We will develop this further in 2008-09 by reviewing our organisational structures, improving our data systems and having in place a more effective system for managing the office's overall performance. We also commit to ensuring that all staff possess the skills to achieve a consistently high level of performance.

## Influence

The office's core function is to provide an independent investigation service to resolve complaints and to establish all the relevant facts relating to each death in custody. However, a wider role is to draw conclusions from our investigations and ensure that those conclusions are passed to the organisations we oversee. In this way we can ensure that lessons are learnt for the future.

Our plans for 2008-09 include improving our data, knowledge and methods of communication so that we have a much better understanding of the general themes emerging from our investigations. As a result we will be better placed to influence the organisations in remit to drive up their level of service to those they look after.

Ultimately, the office should be contributing to more just and humane treatment of prisoners, those under community supervision and immigration detainees.

Our specific development activities planned for 2008-09, are designed to contribute to meeting these three improvement priorities.

## Service targets

The office has six service targets for 2008-09 which are set out below.

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 self-inflicted death within three 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.

We will not meet these targets in all cases, but will endeavour to do so in as many as possible, subject to workloads and resources available. We intend to report after the year has ended on the extent to which we have been successful.

The office will be developing a more complete performance management framework in 2008-09 which will enable it to set additional service targets based on product quality and customer satisfaction levels.

# Key development activities 2008-09

Our planned key development activities for 2008-09 are set out below. A named person will be responsible for each activity. Some of these activities are part of longer-term improvement aims and work on them will continue into future years.

## A more strategic approach and building our leadership capability

We will deliver:

- A strategic plan
- Leadership training for all senior managers
- Specific leadership objectives in all managers' performance plans
- Improved internal communications
- Revised meetings structures and processes, including the senior management team and the wider senior management group

## Reinforcing our independence

We will:

- Work with the Ministry of Justice (MoJ) to produce and agree a memorandum of understanding setting out our freedoms in respect of managing human resources and other functions
- Work with the Ministry of Justice to produce and agree service level agreements for specific functions provided for us by the MoJ
- Work with the Ministry of Justice to produce and agree revised terms of reference
- Seek to exert influence on the Ministry of Justice with a view to reintroducing legislation to provide a statutory remit that delivers conspicuous independence
- Deliver better tracking of responses to our recommendations

## Getting the most from our staff

We will deliver:

- A human resources strategy, including plans to meet the agreed staffing structure and skill needs
- An improved induction process
- A training and development plan based on needs identified through individual appraisals and a skills needs analysis
- Development time for every member of staff, to be specified in personal development plans
- A generic course in skills for the Prisons and Probation Ombudsman's office

## Being organised to deliver our services

We will:

- Review how the assessment and investigation work is done to best deliver high quality reports in a timely way, considering processes, systems and use of resources
- Seek to influence the Ministry of Justice to provide expanded office accommodation and achieve more effective use of our existing space and other assets in an environmentally friendly way

## Managing our performance

We will deliver:

- A new performance management framework, covering the elements of timeliness, quality, customer feedback and organisational performance
- Research on the use of quality standards across a range of comparable organisations
- Performance measures to assess how well the office is functioning, such as staff feedback, measures of sickness absence levels, staff turnover levels
- Better management information

## Building and using a more effective knowledge base to assist investigators and get messages out about lessons learned

We will deliver:

- Better knowledge of themes and issues from cases – both for past and new cases
- Publicising lessons from cases through bulletins and the PPO website
- A regular feedback survey of users and stakeholders

## Effective external communications and stakeholder management

We will deliver:

- A review of our external communications strategy, including how we make prisoners aware of our service
- A review and refresh of publicity materials, including reviews of 'On the Case' and the Annual Report
- A revised statement of purpose, vision and values
- More effective engagement with stakeholders
- Regional roadshows and prison visits to publicise our work and gain feedback

In 2007-08, the office was allocated a budget of £5.2 million (including £0.4 million capital for IT case management). This does not include provision for services such as IT communications, accommodation and human resources which are provided by the sponsoring department. The Ministry of Justice agreed during the course of the year that, due to extreme pressures on our resources, we could recruit an additional six staff who could not otherwise be afforded within our budget. Overall, about 80 percent of our costs are staff costs. The other costs cover travel and subsistence, maintenance of the case management system and other spending to support the investigation process.

This leaves us with only a very small residue for essential tasks such as analysing investigation reports for themes and trends, publicising these to an outside audience or developing internal IT systems. By the standards of similar organisations, we are grievously under-funded.

### Staff, learning and development

The office comprises two operational teams: one responsible for complaints investigations and the other responsible for fatal incidents 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 96 staff. These are split between:

<b>Ombudsman and secretary</b>	<b>2</b>
<b>Complaints investigations</b>	<b>42</b>
<b>Fatal incidents investigations</b>	<b>43</b>
<b>Corporate services</b>	<b>9</b>

The complaints investigations team comprises four investigation teams, each of which is headed by an Assistant Ombudsman. One of the Assistant Ombudsmen also oversees a team that assesses whether the complaints received are eligible for investigation.

The fatal incidents investigations team comprises five investigation teams, each of which is headed by an Assistant Ombudsman, and an administration team. One of the Assistant Ombudsmen also oversees a family liaison team.

The corporate services team is split into business development (including human resources), central services and research.

Staff perform a wide variety of tasks requiring different skills, such as report writing, interviewing and mediation. The office is in the process of producing a learning and development plan, based on an assessment of needs which are being identified through the staff appraisal process and a skills needs analysis. The office is committed to the principles of Investors in People.

- To be accessible to all who are entitled to make use of the Prisons and Probation Ombudsman and actively to seek removal of any impediment to it.
- To be independent and to demonstrate the highest standards of impartiality, objectivity, thoroughness, fairness and accuracy in the investigation, consideration and resolution of complaints, and in the investigation of deaths in custody and other deaths in remit.
- To be sensitive to the needs of bereaved relatives, providing explanations and insights, and ensuring that information from investigations is shared.
- To be fair in the treatment of all complainants, relatives and witnesses, without regard to criminal history, race, ethnicity, gender, disability, sexual orientation, age, religion, or any other irrelevant consideration.
- To be effective by ensuring that both complaints and fatal incidents investigations are conducted thoroughly and as quickly as possible, and that recommendations are well founded, capable of being implemented and are followed through.
- To be constructive in helping the Prison Service, the National Probation Service, and the UK Border Agency to deliver justice and decency by improving their handling of complaints and eliminating the underlying causes of them, and to assist the three services to reduce the incidence of avoidable deaths.
- To be empowering by creating and maintaining a working environment in which colleagues are respected, engage in continuous learning, obtain job satisfaction and have equal opportunities for personal and career development.
- To be accountable to stakeholders for the fulfilment of our mission statement, our values and aims and objectives.
- To be efficient in the management of resources and deliver value for money.