

# Prisons and Probation Ombudsman for England and Wales

## Business Plan 2011-12

Prisons and Probation Ombudsman  
for England and Wales

**Business Plan 2011-12**



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# Foreword by the Acting Prisons and Probation Ombudsman



This document sets out the detailed plans for the Prisons and Probation Ombudsman's office in 2011-12, which takes the office into the first year of the Spending Review.

I do not expect that the reduction in the budget will constrain my ability to deliver the independent investigations expected of the terms of reference. However, maintaining and improving performance within the budget will require us to examine the numbers, skills and grade mix of the staff. To that end, I initiated a Strategic Review of every aspect of the office's resources and procedures which concludes in May 2011.

To prepare for the reduced budget and create the opportunity to respond to the Review's ambitions, vacancies have been held and savings already made. I regret that there may be a short term impact on the service we give to the public. However, I am confident in the long term benefits flowing from the streamlined procedures and from appropriately skilled staff carrying out proportionate investigations at the best time.

It has been said before that the office's work is demand led. In the coming year we will work with the National Offender Management Service in particular to improve their processes so that fewer complaints need to be sent to us. The numbers rise year on year and there need no longer be any doubt about the office's accessibility. Making sure that complainants use the internal procedure first and making sure that internal prison and probation investigations are thorough will have a huge benefit and mean that my office can continue to improve its timeliness.

Communication with stakeholders was extended last year. It is an important way to increase the office's influence. The objectives for 2011-12 take communications even further by increasing the analysis of themes and recommendations. The latest stakeholder survey and the first overview of complaints investigations will be published shortly. I am pleased that so many practitioners use the learning from our reports to improve their own services.

My position as Acting Ombudsman comes to an end in June 2011. Having achieved most of last year's objectives and led the office through the Arms Length Body Review and secured its future, my task now is to arrange a smooth transition to my successor. The plans set out here will enable the office to work within its means whilst responding to increased demand and the views of our stakeholders. I wish Nigel Newcomen CBE well as he takes up the mantle of this important office and the work to improve the safety and wellbeing of so many people in detention.



**Jane Webb**  
**Acting Prisons and Probation Ombudsman**

# About the Prisons and Probation Ombudsman's office

It is 17 years since the Prisons and Probation Ombudsman's office was established and the remit and function have expanded considerably since then. The complaints investigation team was set up in 1994. In 2010-11, the office completed 2,496 investigations into complaints by prisoners, those under community supervision and those in immigration detention.

The fatal incidents investigation team followed in 2004. In 2010-11, the office completed 200 investigations into deaths in prison custody and amongst residents of approved premises. There were two deaths in immigration detention and we conducted a small number of discretionary investigation of post-release deaths.

The terms of reference are reproduced in the office's annual report and on the website.

## The strategic objectives

1. To maintain and reinforce our current reputation for absolute **independence**.
2. To be more **accessible** to all who have contact with our services.
3. To improve the **quality** of our investigations and resulting reports, ensuring excellence, robustness and a proportionate approach.
4. To improve the **timeliness** of our reports and to ensure that people are better kept informed of about progress.
5. To be more **influential** so that others can learn the lessons from the findings from our investigations.
6. To use our resources as efficiently and effectively as possible.

## The service targets

The office has six service targets which indicate when the stages of an investigation will be completed. We may not meet these targets every time but we will endeavour to meet each target, subject to workloads (which are unpredictable), resources and our dependence on other agencies.

### Complaints targets

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.

## Fatal incidents targets

1. Visit the site of a death within five working days.
2. Complete an investigation into a self-inflicted death and distribute the draft report for consultation within 26 weeks of the initial notification.
3. Complete an investigation into a death due to natural causes and distribute the draft report for consultation within 20 weeks of the initial notification.
4. Publish fatal incidents investigation reports (anonymised) on the PPO website within eight weeks of the conclusion of the coroner's inquest.

## 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 this 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 wider world

Although the office has a very specific purpose to investigate fatal incidents and complaints, we make every effort to ensure that lessons are learned from the deaths and complaints which we investigate. We seek to influence 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, hosting visits, participating at conferences and issuing reports.

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

# Budget and Strategic Review

Our budget allocation for 2011-12 is £5.35 million (excluding a separate allocation to meet depreciation costs). This represents a 7.5 per cent reduction on our budget for 2010-11. We are required to make further budget reductions in future years so that by 2014-15, on current plans, our budget will be 14.5 per cent lower than it was in 2010-11.

We accept the need to bear a share of the budget reductions being made across the Ministry of Justice and its sponsored organisations. However, the challenge to deliver independent investigations within our reduced budget should not be underestimated. We are essentially a demand led organisation – we have to investigate every death in a prison and we have to investigate every eligible complaint that is made to us (unless we judge there is no worthwhile outcome). What is more, based on historical trends, we can expect our workload to continue to increase in 2011-12 and in future years. Although the Sentencing Green paper plans to reduce the prison population, this seems unlikely to reduce the number of complaints and deaths in custody.

Overall, over 80 per cent 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 Ministry of Justice.

To ensure that we make the best possible use of our resources to deliver high quality services, we have established a Strategic Review of the office. The review is examining in a fundamental way our high level functions, processes and structures. It is looking for example at how we commit resources to an investigation in a proportionate way, how quality is assured and at making better use of learning from investigations. We are already implementing changes flowing from the findings of the review. More changes will follow from June onwards although substantial revision will await the new Ombudsman taking up post.

# Planning for 2011-12

## Service delivery

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 2010-11, there was a ten per cent increase in eligible cases compared to 2009-10.

On fatal incidents, the number of self-inflicted deaths in prisons has fallen in recent years, but deaths from natural causes have been rising. In 2010-11, there was overall a four per cent increase in our caseload. This broke down into a six per cent reduction in self-inflicted deaths and a five per cent increase in deaths from natural causes. There was also an increase in the small number of deaths which were neither classified as self-inflicted nor natural causes. Our assumption has to be to plan for similar numbers in 2011-12. We also have nearly 500 ongoing cases to manage at any one time meaning those where the investigation has been completed but the inquest is awaited. And it should be said that cases have become increasingly complex over the years, with a rising trend for lawyers to be involved.

## Our detailed development plans 2011-12

Our detailed plans for 2011-12 are set out overleaf. They build on our achievements in 2010-11 and are intended to take us on to the next step towards achieving our broader strategic objectives. Each key deliverable links to a specific strategic objective.

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 2011-12.

# Development plans 2011-12

Strategic objective*	Key deliverable
Over-arching	Implement the findings of the Strategic Review which was commissioned in March 2011. The findings of the review will be presented to the senior management team by the end of May. Key issues include timeliness targets, quality assurance and staffing structures.
Independence	Continue to seek a more independent status, through reviewing our framework document with the Ministry of Justice and arguing for a statutory remit, so that the office's reputation for independence is maintained and enhanced.
Independence	Against a wider background of seeking to amalgamate public bodies' websites, ensure that our website's content and appearance continue to reflect our independent status.
Accessibility	Review the provision of our information online to ensure that it contains the right balance of fatal incidents, complaints and corporate information.
Timeliness	Work with Ministry of Justice and Department of Health to achieve a step change improvement in the timeliness and effectiveness of clinical reviews of fatal incidents.
Timeliness	Develop and implement timeliness targets for producing fatal incidents reports which reflect joint accountability with the Department of Health/NHS for clinical reviews. This will be linked with a number of initiatives to improve performance on clinical reviews (see item 5 above).
Influence	Increase our influence, such as through developing structures and processes to provide more data from investigations and communicate learning to influence behaviours.
Influence	Produce and publish a number of thematic research reports, highlighting key learning from our investigations.
Resources	Work with NOMS to reduce our complaints workload, such as through revising complaints leaflets in order to better educate complainants about complaints procedures and so reduce the number of ineligible complaints received.
Resources	Deliver diversity/equality training for staff.
Resources	Carry out a skills analysis of staff to ensure that skills are used in the best way to deliver the office's business. Provide training where skills gaps are identified.
Resources	Work with Ministry of Justice (MoJ) to move the office on to the MoJ IT network (DOM1) and provide access to the NOMS prisoner database (p-NOMIS) and MoJ applications such as travel and subsistence and human resources. This will deliver substantial savings to the office's budget in the cost of remote access laptops.
Resources	Continue to introduce the Lean approach to the office in order to ensure it operates in the most efficient and effective way possible.
Resources	Address the issues identified by the staff survey, such as improving cross-office communication, tackling poor performance and reviewing procedures for reporting and investigating staff grievances.
Resources	Provide staff training in information security.

\* A full description of our strategic objectives is set out earlier in this business plan.

# Staff resources

## Staffing

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 the team that provides corporate services to the office.

In March 2011, the office had a complement of 113.7 staff (full time equivalents). They are split between:

Ombudsman and secretary	2.0
Complaints investigations	48.2
Fatal incidents investigations	52.7
Corporate services	10.8

The complaints investigations team currently 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 complaints are eligible for investigation.

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

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.

A key element of the Strategic Review is to determine the best structure for the office in order to deliver its work with its reduced budget. Structural changes are likely to be implemented from June 2011 onwards.

The PPO office is committed to developing its staff. It has invested heavily in the last three years in delivering bespoke courses so that staff can develop and reinforce their skills. This has included externally accredited training for investigators. In 2011-12, 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 central Government training resources.

# Our Statement of Purpose and our Values

## 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.

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