



Ministry of
JUSTICE

National Offender
Management Service

A PARTNERSHIP PROTOCOL

**Between the National Offender Management
Service and the Probation Association**



Probation Association

The Voice of Probation Trusts

Foreword

Probation Trusts are at present the main providers of probation services.

We will work to maintain open and early dialogue to ensure that the relationship between the National Offender Management Service (NOMS) and the Probation Association (PA) remains robust without impeding the direct contact that exists between NOMS and Probation Trusts on operational issues. In order to achieve this, we will continue to engage constructively on national issues so that the views and expertise of Local Probation Trusts are translated into effective policies.

This partnership agreement outlines the roles and responsibilities of NOMS and the PA, principles for effective joint working and illustrates some of the benefits for adopting this approach. We are confident that this agreement develops what is already a strong and effective partnership, reflecting the accountability of Trusts to deliver against contracts and NOMS' overall accountability to the Secretary of State for their performance. It ensures we continue to build upon our commitment to protect the public and reduce re-offending.

We would like to thank all those involved in developing this agreement and are confident it provides a blueprint for strengthening the Probation Service during times of change and development.



Michael Spurr
Chief Executive, NOMS



Sebert Cox OBE
Chairman, Probation Association

June 2011

Introduction

This partnership agreement establishes a framework for working relations between the NOMS Agency and the PA. It clarifies the roles, responsibilities and accountabilities of each organisation. It provides a basis for developing effective working relations, ensuring the collective views of Probation Trusts are represented and made known and that the ideas and aspirations of staff at all levels are reflected in local, regional and national policy development as well as incorporating the views of NOMS, Ministers and other stakeholders. The partnership agreement reflects the desire of both parties to work collaboratively.

Roles and responsibilities

In order to ensure the organisations' objectives are met, it is helpful to acknowledge their complementary roles, responsibilities and accountabilities. This agreement recognises that the roles of the organisations are as follows:

National Offender Management Service (NOMS) Agency

NOMS is an executive agency of the Ministry of Justice responsible for commissioning and delivering adult offender management services in custody and the community in England and Wales.

In relation to probation, NOMS has the following roles:

- To be accountable to Ministers and to implement the Offender Management Act (2007);
- To develop strategies to manage different groups of offenders, improve the system and manage demand for services;
- To develop service specifications which can be delivered as cost-effectively as possible;
- To be formally responsible for developing and implementing public policy;
- To produce national standards for offender management;
- To deliver the Offender Manager recruitment and training framework, including leadership development; and

- To ensure that pay settlements negotiated by the Employers with the Trade Unions are compatible with Government pay policy.

Probation Association (PA)

The PA is the employers' organisation working with, and on behalf of, Probation Trusts and is recognised by NOMS as a membership organisation, mandated by PA members, as the primary point of contact for consultation on national matters relating to Trusts.

In particular, the PA has the following roles:

- To provide information, advice and support to Trusts to achieve best practice in corporate governance, staff employment, commissioning and service delivery;
- To consult and negotiate with Trade Unions on pay and conditions of service on behalf of the employers;
- To represent the interests of Trusts to MOJ/NOMS and others; and
- To contribute to national policy development and be a 'critical friend' to NOMS.

Principles for effective joint working

In order to deliver in partnership, it is imperative that good working relations are maintained. Therefore, all parties commit to adopt the following principles in working with each other:

- Mutual respect for differing roles and responsibilities;
- Understanding of respective boundaries and remits;
- Openness, courtesy, honesty and transparency;
- Commitment from all levels of each organisation to work together;
- Agreement to learn from the expertise of Trust members through PA fora;
- Consultation before the release into the public domain of sensitive information and/or agreement about issues to be retained as confidential by both parties;
- Agreement of joint arrangements for working at various levels; and

- Seizing each and every opportunity to share learning and knowledge and to apply same to help achieve the aims and objectives of the Probation Service.

There will be regular quarterly meetings between the Chairman of PA and the Chief Executive of NOMS to discuss matters of mutual interest. At one meeting annually this protocol will be formally reviewed.

There will be regular quarterly meetings between the Chief Executive of PA and NOMS' Director of Probation and Contracted Services.

The above regular meetings are not intended to inhibit access between PA and NOMS and do not preclude additional meetings being held if/as agreed by both parties.

Benefits

Adherence to this partnership agreement will bring the following benefits:

- Recognition of the PA as the representative Employers' organisation ensuring informed views are brought to influence policy and strategy;
- Establishment of a close and effective working relationship between PA and NOMS;
- Enhanced communication that ensures the views of probation staff at all levels are articulated in policy formulation;
- Creation of a close, constructive working relationship based on knowledge and acknowledgement of the respective roles and responsibilities of both organisations;
- Establishment of clear structures and accountabilities during a time of change in the Probation Service; and
- Assistance with the Probation Service's integration into the NOMS Agency model, whilst retaining its integrity.