



Service Specification for Restorative Justice - West Midlands

1. Brief Summary of Service

Restorative Justice (RJ) is defined as ‘the process that brings those harmed by crime, and those responsible for the harm, into communication, enabling everyone affected by a particular incident to play a part in repairing the harm and finding a positive way forward’ in the *Ministry of Justice Restorative Justice Action Plan for the Criminal Justice System - February 2017*. The fundamental element of RJ according to the Ministry of Justice (MoJ) is the exchange of dialogue between the victim (harmed person) and offender (harmer).

The Police and Crime Commissioner (PCC) David Jamieson, wants to ensure that high quality RJ is accessible to every victim of crime across the West Midlands, irrespective of the individual circumstances. The service will also accept offender initiated referrals.

The PCC is looking to commission a Service Provider who will act as a single point of contact to ensure that the RJ service is effectively and efficiently delivered. The service will also seek to build awareness and understanding of RJ and its potential benefits amongst our partner agencies and the communities that we serve.

1.1. West Midlands Restorative Justice Service value and period

The service delivery period will be for three years. There may be some variance in the dates, depending on when the service is commissioned. There is an option to extend the service at the end of the period by up to two years subject to strategic relevance remaining and the Service Provider’s performance.

The value of the service is £450,000 per annum inclusive of any and all taxes including VAT. Totalling £1,350,000 for three years.

2. Background and Context

In November 2012, PCCs were introduced into each force area in England and Wales as set out in the Police Reform and Social Responsibility Act 2011. Their duties include holding the Chief Constable to account, bringing together criminal justice partner agencies to make sure local priorities are joined up and setting the local Police force budget. A central responsibility for the Police and Crime Commissioner is to identify local needs through his [Police and Crime Plan 2016-2020](#) *'Your Police, Your Priorities'* and he commission's services to meet those priorities.

The responsibility and funding for the commissioning of RJ Services was transferred to PCC's at the same time as other victim services. The MoJ Grant Agreement in relation to the commissioning of Victims' Support Services, states under the conditions of the grant, that this should include RJ Services. It also makes it clear that any service provision must comply with the [Code of Practice for Victims of Crime](#), [the EU Directive](#) and guidance issued by the Restorative Justice Council (RJC). The RJC is the independent third sector membership body for the field of restorative practice. It provides quality assurance and is a national voice advocating the widespread use of all forms of restorative practice, including RJ.

The RJ landscape across the West Midlands is a developing one, and this Specification is the result of the lessons learned during the last 18 months. The PCC carried out an extensive [Scoping Study](#), looking at previously commissioned services and practice across the criminal justice sector, and we now have a greater understanding about the most effective delivery model in relation to RJ across the West Midlands.

The West Midlands Restorative Justice Service will cover the whole of the West Midlands force area. The PCC would like to award a single provider for the whole geographical area, or a single lead organisation on behalf of a consortia, to enable a strategic, consistent approach to RJ Service delivery to be embedded. This will prevent our partners from having to build relationships and referral pathways with a number of different providers. It will also ensure that regardless of where the victim or offender lives across the geographical area, the service received should be the same. The providers will lead on awareness raising and a consistent message will be given. The service will complement the existing provision managed by our partners in the Youth Offending Service and partners using a restorative approach to resolve neighbourhood disputes through their partnership with housing providers.

The current RJ Services funded by the PCC expires on the 1st June in Birmingham and 1st August in Coventry and we will work with those projects to ensure a smooth transition. All arrangements are provided under a grant agreement.

3. Strategic Aims and Priorities

This Specification has been designed to enable the PCC to meet a number of current RJ local and national policy drivers, including:

- Restorative Justice Action Plan for the Criminal Justice System for the period to March 2018
- The MoJ Government Action Plan for RJ in the CJS, refreshed in March 2017. The MoJ's vision is for good quality, victim-focused RJ to be available at all stages of the CJS in England and Wales and this is endorsed by the PCC
 - Victims have equal access to RJ at all stages of the CJS irrespective of their location, the age of the offender or offence committed against them;
 - People have an awareness and understanding of RJ, it's benefits, what it entails and how to access it;
 - Good quality RJ is delivered by trained facilitators
- The Victims Directive 2012/29/EU by the European Union which establishes minimum standards on the rights, support, and protection of victims of crime. With regard to RJ it states that measures must be in place to safeguard the victim from secondary and repeat victimisation.
- Victims who choose to participate in a RJ process should have access to safe and competent services. RJ should only be used if it is in the interests of the victim, subject to any safety considerations, and provided the victim has given their free and informed (provided with full and unbiased information) consent, which can be withdrawn at any time.
- Code of Practice for Victims of Crime - October 2015 which outlines the entitlement for all victims to receive information from the Police on RJ. This includes how they could take part. It further states that victims should not be pressured into taking part in RJ and that necessary measures will be taken to ensure the process is safe, delivered by a trained facilitator and is in line with recognised quality standards.

The House of Commons Justice Committee Report was published on the 1st September 2016 whereby the Justice Committee considered the effectiveness of RJ provision across the CJS. [The Report summary](#) talks about restorative justice being subject to a 'postcode lottery' and dependent on regional buy-in. The report also highlighted that it may be too soon to introduce a legislative right to access RJ services, but recognised that 'such a goal is laudable and should be actively worked towards'. It is therefore worth highlighting that there is the possibility of legislative

change if the postponed Victims' Law is progressed and services will need to be prepared to respond to this. The attention of the enquiry was particularly drawn to doubts around the use of RJ in cases of sexual crime, domestic abuse and hate crime. The real and substantial risks were acknowledged, however the enquiry concluded that: *'While Restorative Justice will not be appropriate in every case, it should not be excluded simply by reason of the type of offence committed'*.

3.1. West Midlands Police and Crime Commissioner Intent

The PCC has set out his intention to deliver a victim focussed RJ service for victims of crime in the West Midlands. He has stated in his Police and Crime Plan that:

I will develop a victim-focused Restorative Justice (RJ) strategy and service delivery model that will ensure that RJ is available to all victims of crime, at every stage of the criminal justice system and aims to put victims at the heart of Restorative Justice in the West Midlands.

I will bring together voluntary and community sectors, alongside West Midlands Police, Community Rehabilitation Company and National Probation Service who also have a responsibility to deliver Restorative Justice. In addition, it will give the criminal justice system an opportunity to reengage with our communities, victims of crime and offenders.'

The PCC wants to ensure that the West Midlands is a safe place to live and work, and that people have the opportunity to live and achieve their ambitions. In order to achieve this, he has identified the following key priorities:

- **Protecting from harm** identifies how West Midlands Police will work with partners to reduce harm through intervening and protecting, developing and strengthening partnerships, reducing offending by developing services that tackle the root causes of offending and working with partners, make early interventions to prevent offending
- **Supporting victims of crime** so they can cope and recover from the impact of crime
- **Building trust and confidence** in our police to ensure that the public has faith in the work that West Midlands Police does on their behalf

- **Strengthening communities and growing the economy** to support communities through local policing, encouraging people to become more active citizens and championing the key role that policing has to play in the economy and
- **Standing up for young people** will give young people the opportunities they need to contribute to society

The PCC has made a commitment to the use of RJ and restorative approaches across the West Midlands and wants RJ to be accessible to every victim of crime in our force area. This is regardless of where they live, the offence that has been committed against them and the time that has elapsed since the offence was committed. RJ will also be accessible to every offender across the West Midlands. This is subject to a trained facilitator being confident about the motive behind the willingness and consent of the victim to take part and robust assessment to ensure that there is no further risk of re-victimisation.

The newly reformed Local Criminal Justice Board's (LCJB) current priorities includes the delivery of RJ and they have committed to supporting the PCC with the implementation of the service. The aim is to improve the service delivered to victims and witnesses and reduce re-offending and crime.

4. Equalities and Social Value

The Service will comply with equality law and fulfil its duties under the Equality and Diversity Act 2010 for people with protected characteristics. The Service will respect the diversity of local communities and provide services in a safe environment free from discrimination where all individuals are treated fairly and with dignity and respect appropriate to their needs. Reasonable access to culturally sensitive and non-discriminatory services which promote social inclusion, dignity and respect will be available.

Disability - Commissioned services have a legal duty to comply with the provisions of the Equality Act including in respect to engagement, physical access and communication.

Faith and Religion - Although mainstream interventions do not adopt a faith-bias, those involved in delivering the Service will be required to maintain an empathetic understanding of clients' belief systems and facilitate access to local faith groups should this be beneficial.

Social Value

The service will aim to deliver additional Social Value, for example, potential use of local community based volunteers. The Service will comply with the Public Services Social Value Act 2012.

5. Specific Aims and Objectives and Standards for the Service

The core purpose of the service will be to provide RJ for victims of crime. The Service Provider must therefore have experience of delivering RJ services and of working with people harmed by crime and those responsible for causing that harm.

It is important to the Police and Crime Commissioner that the service must deliver high quality RJ to a nationally agreed standard.

Partnership/consortia arrangements are also encouraged. The Police and Crime Commissioner's Office believes the benefits to be:

- greater awareness of what RJ is, the potential benefits and how people can access services, across a number of organisations
- to overcome barriers such as information sharing
- access to a wider range of services
- sharing skills, knowledge and resources.

5.1. Restorative Service Quality Mark (RSQM)

[The Restorative Justice Council](#) (RJC), together with a multi-agency steering group, developed the Restorative Service Standards and framework for the Restorative Service Quality Mark (RSQM). The RSQM is aimed at ensuring participant safety, providing the public and commissioners with confidence in the restorative service provided by RSQM holders. The Restorative Service Standards are used to assess the quality of the restorative service provision and delivery by service providers. They set out the minimum requirements needed to provide a safe and effective restorative service. The Service Provider must hold the RSQM either locally (within West Midlands policing area) or can evidence that it has previously been achieved in another Police and Crime Commissioner area. It is not expected that all parties will hold the RSQM in the event of a consortia arrangement.

The Service Provider will need to demonstrate in their response that they already hold RSQM or a suitable alternative which matches the required standards and/or provide specific details of their equivalent experience.

The Service Provider must also achieve a service specific RSQM accreditation for the West Midlands area within the first year of the service, if this is not already held. If the area specific accreditation for the West Midlands is not achieved within the specified timescale the Police and Crime Commissioner's Office reserves the right to terminate the contract.

It will be essential for the Service Provider to evidence in their tender response that they have the capability to achieve this award and evidence the quality of their restorative service provision. The Service Provider will also be expected to detail in the tender response, any recommendations from the RJC that accompanied their RSQM award, including any work that has been undertaken to address the recommendations. Progress towards the RSQM award and progress made against any previous recommendations will be monitored by the Police and Crime Commissioner's Office at the quarterly monitoring and review meetings.

In addition to the RSQM, there is also an expectation that all staff and any volunteers used by the service will be accredited practitioners. The Police and Crime Commissioner's Office recognises that it will take new staff and volunteer's time to receive appropriate training; shadow/co-facilitate cases with more experienced members of the team; take the role of lead facilitator and build a portfolio of evidence to submit to the RJC. Facilitators must have at least one years' experience and have facilitated 5 restorative processes (3 of which should be face to face) in order to make an application to the RJC.

5.2. Geographical Scope

The service will be provided across the whole of the West Midlands force area (Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall, and Wolverhampton).

The Service Provider will not routinely accept referrals for offences committed outside of the geographical scope. It is also anticipated that either the victim or offender are likely to reside within the geographical scope. If either the victim or offender are from another Police force area, the provider is required to work in partnership with the RJ service provider responsible for that area, to ascertain who should manage the case.

There may be exceptional circumstances, for example, the victim was living in the West Midlands when the offence was committed, but both the victim and offender now

live out of area and their local provider is unable to accept the referral because the offence is out of scope. These anomalies should always be discussed with the Police and Crime Commissioner's Office in the first instance for a decision on how best to proceed.

5.3. Availability and suitability

The RJ service must be accessible to all victims of crime.

As previously mentioned the Police and Crime Commissioner's vision is for RJ to be available at any point of the Criminal Justice process, this includes:

- where no further action has been taken, however there is a clearly identifiable victim and offender
- as part of an Out of Court Disposal issued by the Police
- prior to sentencing if deemed appropriate
- while the offender is serving a sentence in custody or under supervision of CRC or NPS in the community
- when their involvement with the CJS has come to an end (there is no time limit for this)

The nature of the offence should not, in isolation, preclude someone from engaging.

Offender initiated referrals will also be accepted, however all restorative processes will be subject to a trained facilitator being assured of the motive behind the desire, the willingness and free informed consent of a victim to take part and a robust assessment to ensure there is no further risk re-victimisation.

It is essential that:

- the offender has accepted some responsibility for the harm caused
- both the victim and the offender are willing to engage in the process
- the participants consist of, or include, the offender and one or more of the victims
- there is two way communication between both the victim and offender, either directly or indirectly

- the process gives a victim or victims the opportunity to talk about, or by other means express experience of, the offending and its impact and to have a say in the resolution of offences.

The restorative process can include the wider community, or family members of the victim and offender but they must have been directly affected by the crime.

5.4. Out of scope

The following are out of scope:

- Referrals in relation to anti-social behaviour
- Referrals in relation to crime committed by a young person under the age of 18 years old. Some local YOTs provide RJ services for victims of youth crime. Any referral received must in the first instance be discussed with the local YOT manager and a decision reached as to the best provider to support the individuals involved
- Referrals not related to the impact of crime, for example the use of RJ practice within an educational setting, do not fall within the scope of the service.

5.5. Referrals

The service will receive referrals direct from victims and offenders who are interested in taking part in RJ, or they want to find out more about the process, so that they can make an informed decision about their involvement. The provider must ensure that no participant is pressured, or feels pressured, into taking part in any RJ activity.

Referrals will also be received from a wide range of voluntary and statutory organisations who are working with victims or offenders. These organisations include but are not limited to:

- The Police (which may include Integrated Offender Management services) – some through direct referrals from individual officers and some through established automated processes
- National Probation Service (NPS) – the service will accept both victim and offender initiated referrals from the NPS, however it is more likely to be victim initiated
- Community Rehabilitation Company (CRC)

- Victim Care Service
- Youth Offending Teams (YOTs) – providing it is outside the scope of their statutory responsibilities
- Community Safety Partnerships (CSPs)
- Her Majesty's Prison and Probation Service (HMPPS)
- Victims and offenders will also be able to make self-referrals and the provider is responsible for ensuring that information about the service is easily accessible through a wide range of sources, i.e. advertising in Citizen's Advice Bureau's, NHS buildings and local community venues, using a range of marketing tools.

It will be necessary for the provider to forge excellent working relationships with all referring partners to ensure that all participants taking part in the process are properly assessed, their expectations are managed, the potential implications of the process are understood and so that they have access to support, before, during and after the restorative process.

Please note that this is a new service and at this point is it difficult to indicate potential levels of referrals. The West Midlands Force area has not been covered by a service before and we will discuss levels of referrals at the interview and at the inception meeting with the successful Provider. A great deal of engagement and awareness raising activity has been undertaken over the last 18 months and it is anticipated that the referral numbers per quarter will grow as knowledge and awareness amongst our partners and victims increases.

5.6. Provision of information

Referring organisations will provide the following information as outlined in the Multi-Agency Information Sharing Agreement (ISA):

- victim contact and demographic details
- any additional information regarding the victims needs
- information about the crime and outcome
- offenders contact and demographic details
- any additional information regarding the needs of the victim.

If the referring organisation only has access to some of these details, the ISA makes it clear that the provider can obtain contact details from West Midlands Police and contact the individual on their behalf to obtain consent. The referring organisation will confirm that they have explained some basic details about the RJ process, for example as a minimum, the process is confidential and voluntary for all parties; they can withdraw from the process at any time and that taking part in the RJ process does not preclude them from accessing other support services.

The referrer is responsible for ensuring that victims and offenders have consented to the referral. However, the service provider will be responsible for contacting individuals on behalf of West Midlands Police, where this consent is unknown. The provider will ensure that all participants are aware of the services information sharing policy and other key protocols. The RJ provider is responsible for contacting all potential participants in line with agreed information sharing protocols, ensuring that the RJ process is fully understood, along with the implications for taking part.

The provider must share relevant information with the referring organisation and other partner agencies where appropriate to do so. This includes updates about the progression of the case (not specific details relating to the case) and notification on completion of the restorative process.

5.7. Assessment

The service provider will be responsible for assessing the victim (harmed), the person who has caused the harm and any supporters involved in the process. The purpose of the assessment is to ensure that:

- risks are identified – in relation to the different types of restorative process being considered and the risk of potential emotional and/or physical harm to participants
- there is an opportunity for a safe dialogue between participants
- steps are taken to identify what needs to be put in place to enable a process to happen

Individuals must be given sufficient information on what RJ is and its potential benefits to enable them to make a free and informed choice about whether they would like to engage in the process. The expectations of all potential participants must be managed to minimise the risk of further harm being caused.

It is essential that preparation work is undertaken in relation to each process facilitated. As part of that preparation process, practitioners should be able to identify and review the risks involved in a restorative process and the subsequent actions that may be required to mitigate those risks. Organisations will be expected to use an agreed risk assessment process/protocol, in order to safeguard participants.

If upon assessment it is found that either the victim or offender is not suitable for RJ, the provider must manage this sensitively and put in place an appropriate exit strategy to ensure participants are supported and their expectations managed. The provider will signpost service users where required to support services. There is a further requirement for the provider to work closely with the Victim Care Service (VCS) provider currently Victim Support, and specialist support services working with domestic abuse and sexual crime victims and perpetrators. The provider will be required to regularly report on the engagement work undertaken in relation to these areas of work. The provider will demonstrate that they have knowledge of and access to relevant, current, local generic and specialist support, which will commence during the mobilisation period and must be evidenced in their tender response and implementation plan.

From receipt of full referral, the provider must establish initial contact within 5 working days; whenever possible, facilitate the RJ process within timescales – i.e. Community Resolution (6 weeks) and Conditional Caution (16 weeks).

5.8. Service Offer

The service will offer the full range of restorative interventions, from direct restorative conferencing, face to face contact, to indirect processes, such as shuttle mediation and the exchanging of letters between parties.

MoJ evidence suggests that a face-to-face meeting between the victim and offender is the most effective RJ process in terms of outcomes for victims and offenders.

However, it is important that the right type of RJ activity is delivered for the individual circumstance at the right time. Wherever possible, a face-to-face meeting should be the aim, but if the trained facilitator does not assess it as suitable then an alternative type of RJ process should be considered.

The service must be able to adapt to meet emerging guidance from the MoJ on good practice and how to evidence outcomes.

The service must also:

- be free of charge
- be confidential
- be led and focused on the needs of the victim (regardless of who initiated the referral), however the process must be balanced and also take the needs of the offender into account
- not be dependent on the making of a formal complaint to the Police
- be able to work collaboratively and take referrals from a range of voluntary and statutory partner agencies, including but not limited to the Police, and through self-referral
- help to shape the processes and culture of the CJS so that it can become more victim centric
- be provided to eligible service users without discrimination
- be available irrespective of the residence status, citizenship or nationality of the individuals wishing to engage in the process
- obtain feedback from service users to develop, enhance and continually improve service provision
- be transparent and accountable to victims, seek and act on feedback and views about the service provided
- work to achieve the priorities in the Police and Crime Commissioner's Police and Crime Plan

5.9. Completion and Feedback

On completion of the restorative process, the provider must ensure that the participants are offered the opportunity to reflect on their experience, access additional support and evaluate the service provided to them. This will include their satisfaction with the service provided and outcome, as well as the impact that they feel the process has had on their health and well-being. This is with a view to making continuous improvements to service provision.

5.10. Care Groups

The following outlines the minimum requirements for priority/vulnerable groups. Service Providers should outline how they are going to address their needs as part of the application process:

- Diversity:
 - Specific consideration must be given to the victims' social, cultural and religious beliefs and needs; where possible buildings should be compliant with the requirements of the Equality Act 2010.
 - If either victims or offenders need interpreting services, these will need to be made available by the provider at all stages of the RJ process.
- Sensitive and complex cases:
 - The RJC defines a 'sensitive case', as any case involving: actual, or threats of, serious or sexual violence; vulnerable participants (for example, vulnerable because of physical disability, age or mental impairment); domestic abuse; risk of continuing harm
 - A 'complex case', is defined as any case involving: harm caused over a substantial period of time (over three years); more than three perpetrators and/or more than three victims; vulnerable participants (for example, vulnerable because of physical disability, age or mental impairment); risk of continuing harm or intention to cause further harm; multiple agencies
 - The RJC Practitioner Code of Practice states that 'practitioners must not undertake sensitive and/or complex cases unless they have the skills, experience and knowledge to do so'. This includes having undertaken relevant training'.
 - The Service Provider must ensure that sensitive and complex cases are allocated to appropriately trained, skilled and experienced practitioners. Applicants will need to evidence that they can appropriately support service users and manage cases defined as sensitive and complex. In particular, how they will ensure that their practitioners have the necessary skills, experience and training.

5.11. Victims and offenders under the age of 18 years old

An RJ process involving a young person under the age of 18 years old does not require the presence or permission of an appropriate adult; however providers must be able to demonstrate the experience they have of engaging young victims and how they

intend to work with parents; schools; YOTs and specialist support services etc. to ensure that young people receive the appropriate support.

Providers must ensure that all service users are fully assessed in line with their risk assessment and safeguarding procedures, and offered additional support where necessary. Service Providers will need to evidence their understanding of risk assessment in relation to both service users and the RJ process.

6. Awareness Raising and other activities

The OPCC will expect an awareness raising campaign to run alongside the new service, delivered in conjunction with the PCC's Communications Team.

In addition to delivering the RJ service, the successful provider will be expected to develop and implement the Police and Crime Commissioner's Restorative Justice and Restorative Approaches Strategy. The tender response will state how the Service Provider will do this. It will include how the Provider will (but is not limited to):

- Support the Police and Crime Commissioner's Office to increase public knowledge and understanding of Restorative Justice. Ipsos MORI was commissioned by the RJC in 2016 to conduct polling on public awareness of and attitudes to RJ. They found that only 28% of people had heard of RJ. 32% of respondents who had been a victim of crime said that they had heard of RJ, but felt that 80% of victims of crime have the right. If they want to, to meet their offender and tell them the impact of the crime, which identifies a lack of awareness as they key issue.
- Deliver training and awareness raising to statutory and non-statutory partner agencies in order to generate referrals and increase knowledge and understanding of RJ.
- Be a member of the Local Criminal Justice Board, which is facilitated by the Office of the Police and Crime Commissioner and chaired by the PCC
- Support the Police and Crime Commissioner's Office with the development, management and delivery of a Restorative Approaches Forum. The PCC is keen to see RJ embedded as an approach across the West Midlands
- Attend partnership meetings and relevant delivery groups key to the development of the RJ service, i.e. West Midlands Reducing Reoffending Steering group; Victims Commission, work with specialist support services in relation to cases of domestic abuse and sexual crime and work with our specialist providers
- Work in partnership with the RJ lead within West Midlands Police to ensure effective use of Restorative Justice and appropriate referrals.

The Service Provider will be required, during the service provision period, to produce various forms of marketing and publicity material in order to promote the available services. However, any marketing information needs to be branded according to the

Police and Crime Commissioner's requirements and checked with the Police and Crime Commissioner's Communications Team before publication.

7. Service staffing levels

While the Police and Crime Commissioner's office will not be prescriptive about the number and type of staff employed within the service, it is expected that as a minimum the provider will ensure:

- There is a full-time service manager responsible for the management of the staff team; monitoring referrals received and relationships with partner organisations and the Police and Crime Commissioner's Office. It is essential that this person is based and has a visible presence within the West Midlands policing area. It is also critical that the Service has the capacity to work across the force area – Service Providers must indicate within the tender document how they intend to cover the area and the proposed staffing structure.
- There is permanent representation within each local authority area, and an even spread of accredited practitioners across the whole geographical location. It is important that the provider recognises the geography of the West Midlands and tenders need to demonstrate their ability to meet individual need across a widely diverse population. The Service Provider will need to pay particular attention to the way that our key statutory partners are structured and based locally.
- Sensitive and complex cases will be allocated to appropriately trained, skilled and experienced practitioners. Practitioners must not undertake sensitive and/or complex cases unless they have the skills, experience and knowledge to do so. This includes having undertaken relevant training. It is important that all staff and volunteers (if relevant) undertake regular professional development.
- Accredited practitioners will mentor and offer case supervision to staff and volunteers who may be working towards accreditation
- All staff delivering RJ processes or accessing case information, including volunteers, must have completed enhanced DBS checks, which will be paid for by the Service Provider
- If required by the Police and Crime Commissioner's Office, Service Providers will undertake the necessary vetting checks to enable them access to Police premises and IT systems and pay any necessary costs.
- All staff and volunteers will receive facilitators training through an approved RJ training provider, who is a member of the RJC's training register and who holds the Training Provider's Quality Mark (TPQM). They will also work towards their accreditation as previously outlined in this specification.
- The provider must demonstrate how they intend to ensure service cover and capacity is maintained across the area and whether volunteers are to be

incorporated into the service. If so, at what level and how they will feature in the overall structure

- There is adequate staffing levels to provide a safe, quality service, meet expected capacity demands and offer some provision out of hours.
- Arrangements, such as memorandums of understanding are in place with local services, where necessary to ensure that referrals of this nature are managed by those who have the established relationships and experience.

8. Accommodation

The Service Provider will supply their own accommodation and must consider the need to meet victims and offenders in locations that are convenient to them. It is recommended that the Service Provider considers the need to work across the whole geographical location and how that will impact the facilitators.

It will be necessary for the Service Provider to build local relationships with partner agencies, for example, local neighbourhood policing teams, investigation teams, YOTs, CRC, NPS, local CSPs and the VCS. The Police and Crime Commissioner's Office will support the Service Provider to obtain the necessary vetting checks that will enable them to work with West Midlands Police as necessary, for the purposes of building relationships and extracting referrals.

8.1. Availability

It is expected that the majority of the referrals and Services will be provided during core operating times 09:00hrs -17:00hrs Monday to Friday. However, it is important that the service provider must be flexible and meet victims and offenders at times that are convenient to them. This may need evening and weekend working to meet the needs of victims.

9. Accountability and Governance

The Service Provider will provide quarterly performance reports to the Police and Crime Commissioner’s Office.

9.1. Quarterly monitoring meeting

The Service provider is required to send the performance report to the Police and Crime Commissioner’s Office at least one week in advance of each quarterly contract monitoring meeting. The meetings will be held in the month after the end of the reporting period (for example, July 2018 to consider the reporting period 1st April – 30th June 2018).

The meetings will be chaired by the Police and Crime Commissioner’s Office and the panel will consist of representatives from partner organisations. The meeting will include standard agenda item’s, for example, performance indicators (as described in the outcomes and performance indicators section below), progress against RSQM, risk assessment, case studies and relationship management. However, both the Service Provider and Police and Crime Commissioner’s Office will have the opportunity to review the agenda and add items in advance of the meeting.

Additional meetings can be requested by either the Police and Crime Commissioner’s Office or Service Provider to discuss and resolve issues which require urgent attention and which cannot wait to be addressed at the quarterly monitoring meeting. The quarterly meetings will also be an opportunity to discuss any other issues relevant to the Service.

9.2. Monitoring information

The requirements for monitoring information will be finalised between the provider and OPCC on award of the contract but are likely to include those set out in the table below. The Service Provider should be aware that there may be a need to vary the outcomes and performance indicators should the Ministry of Justice dictate additional reporting requirements as part of the Victim Services grant conditions.

Referrals	Total number of referrals received in the previous quarter by: <ul style="list-style-type: none"> • Referral source
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	<ul style="list-style-type: none"> • Referral type (victim/offender) • Local Authority area/Neighbourhood Policing Unit • Victim age, gender, ethnicity, disability, language requirements • Offender age, gender, ethnicity • Crime type (including hate crime, cybercrime and DV markers) • Stage in the CJ process at which point the referral was made <p>% of victims contacted within 5 working days of the receipt of full referral</p>
<p>Declined or unsuitable cases</p>	<p>How many referrals were declined by the provider</p> <ul style="list-style-type: none"> • Reasons for provider declining <p>How many were found not suitable at assessment by provider</p> <ul style="list-style-type: none"> • Reasons for lack of suitability • Onward referrals
<p>Willingness to take part</p>	<p>Of the referrals accepted, no. of victims willing to meet and explore the RJ process and no. who subsequently agreed to take part in the RJ process</p> <p>Of the victims who wanted involvement in the process, how many offenders declined involvement? Reasons given for not wanting to engage</p> <p>Of the offenders who wanted involvement in the process, how many victims declined involvement? Reasons given for not wanting to engage</p> <p>All broken down by:</p> <ul style="list-style-type: none"> • Age, gender, ethnicity, disability, language requirements • Crime type (including hate crime, cybercrime and DV markers)

	<ul style="list-style-type: none"> • Stage in the CJ process at which point the referral was made <p>Total number of cases currently 'in progress' – i.e. preparation work is being undertaken</p>
<p>RJ activities</p>	<p>Total number of RJ processes facilitated in the previous quarter, including a breakdown of the type of process facilitated (i.e. RJ conference/shuttle mediation etc.)</p> <p>Broken down by:</p> <ul style="list-style-type: none"> • Age, gender, ethnicity, disability, language requirements • Crime type (including hate crime, cybercrime and DV markers) • Stage in the CJ process at which point the referral was made <p>Time taken from referral to RJ activity</p>
<p>Completion and feedback</p>	<p>Closed cases during reporting period. Reasons for closure</p> <p>How many victims expressed satisfaction? What was it they found satisfactory? How many victims expressed dissatisfaction? What was it they found dissatisfactory?</p> <p>How many offenders expressed satisfaction? What was it they found satisfactory? How many offenders expressed dissatisfaction? What was it they found dissatisfactory?</p> <p>Did the victim express satisfaction or dissatisfaction with the way that the CJ process dealt with the offence?</p> <p>Referrals made to support services for victims/offenders</p>
<p>Outcomes</p>	<p>Participant reports on:</p> <ul style="list-style-type: none"> • Impact on health and well-being affected as a result of the RJ process, e.g. confidence, feelings of safety, mental and physical health • Victim ability to cope and recover • Relationships • Understanding and trust in the CJS

	<ul style="list-style-type: none"> • Offender understanding of the impact of their behaviour on victim Reoffending rates Repeat victimisation
Volunteering	Number of staff and volunteer hours spent directly with victims and offenders

Wider outcomes include improved and increased awareness/understanding amongst statutory and non-statutory partners and the communities that we serve, in respect of RJ, its potential benefits and how services can be accessed. This will be shown by increased numbers of victims and offenders being referred or self-referring to the RJ service and increased opportunities for people to make an informed decision about whether or not they would like to take part in an RJ process. The provider is further encouraged to elicit feedback from partners.

9.3. Additional reporting requirements

The provider will submit an end of year annual report which will be made publically available, content of which will be agreed with the Police and Crime Commissioner's Office

Any staffing issues which may affect the reputation of the Police and Crime Commissioner or staffing issues which may affect delivery of the service (for example any long term sickness) should be reported to the OPCC. This should include number of staff in role per quarter/staff turnover/attrition.

Accurate and appropriate records of RJ interventions must be maintained.

Each quarter the Police and Crime Commissioner's Office will request case studies and random samples of risk assessments. The Service Provider will be expected to present these at each meeting. In addition to the monitoring information outlined above, the Police and Crime Commissioner's Office will be interested to hear the service provider's ideas for demonstrating success, particularly in relation to participant satisfaction and improvements in the health and well-being of victims.

The Service Provider will also be responsible for monitoring their own performance under this grant, but will be required to report at each quarterly meeting the results of this monitoring. This should include:

- Regular supervision of staff and volunteers to ensure compliance with the RJC service and practitioner handbooks
- Regular audit of the quality and accuracy of the recording on case management systems
- Observations.

10. Information Management

The Provider will be expected to work with partners across the West Midlands, in line with agreed data sharing protocols, to ensure the needs of the victim and offender are managed appropriately.

It will be the provider's responsibility to provide a case management system and to ensure that it is compatible with West Midlands Police existing ICT infrastructure before the commencement of the service and allow sufficient funds for any upgrades that are required to ensure compatibility. The OPCC will discuss requirements once the services has been tendered.

It will also be the provider's responsibility to ensure compliance with the new legislation around data security and General Data Protection Regulations.

The Service Provider must sign and adhere to the following. The documents must be signed at contract award stage:

- Data Processing Agreement with West Midlands Police, sending quarterly updates regarding new staff members and volunteers who will have access to this information
- Multi-Agency Information Agreement and associated Referral Pathway documentation
- Security agreements and documentation in relation to the agreed case management system

In addition, Service Providers must establish the following:

- Non-Disclosure Agreements in relation to the sharing of information with any partners who are not signatories of the Multi-Agency Information Sharing Agreement
- Memorandums of Understanding with any organisations forming a consortia or undertaking partnership arrangements with the Service Provider

Personal data about service users such as victim and offender information should be shared with partners via the specified case management system wherever possible. If personal data has to be shared with other organisations who do not use the case management system, for example, referring a victim or offender to a support service, all referral/partnership agreements will include the requirement to share information

lawfully and securely, in line with the principles outlined within the relevant information sharing agreements as outlined above.

Victim and offender (harmer) personal data will only be used to meet the purpose of providing Restorative Justice Services, following the agreed process of:

- Contacting the victim and offender (harmer) to carry out both a needs assessment and a risk assessment to determine whether or not Restorative Justice is appropriate in this case and what level of support the victim and offender require
- Arranging the appropriate Restorative Justice activity
- Reporting Restorative Justice Outcomes to West Midlands Police and to other victims' service providers or offender management agencies as required.

Victim and offender (harmer) personal data will only be disclosed to third parties for the following purposes

- To provide services to meet identified support needs e.g. referral to the Victim Support or other specialist provider organisations. Referrals will only be made with consent from the victim.
- For risk mitigation following a risk assessment process e.g. notifying the police in case of emergency.
- Any circumstances involving child or adult safeguarding concerns in line with the organisation's safeguarding policies e.g. contacting a child protection team.

11. Additional Information

11.1. Mobilisation

The provider will be expected to produce a mobilisation plan for the first six months of the service from award and submit this as evidence as part of their response. The mobilisation plan will outline how they will work in partnership with the existing providers to ensure the smooth transition of services. During the first three months of the Service, the Police and Crime Commissioner's Office and Service Provider will meet regularly, with progress reports provided to evidence how the service is to be implemented from the commencement date.

11.2. TUPE

There are no TUPE obligations as current services are funded through a short term Grants procedure.

11.3. Exit Strategy

At the end of the service and in order to provide continuity of RJ service provision to victims and offenders, the RJ Service Provider must, before the point of completion:

- Make all relevant data accessible to the Police and Crime Commissioner's Office and replacement provider (if applicable) and ensure that they have taken all reasonable measures to safeguard a smooth transfer of service to the replacement provider before the new service commencement date.
- The Service Provider will work closely with the replacement provider, Police and Crime Commissioner's Office and partner agencies to ensure a seamless transition of services and open cases at Service commencement. This will be essential to assure the safeguarding of services to victims.

11.4. Compliance

The Service Provider must sign and adhere to the appropriate information sharing agreements, Data Processing Contract's etc. and provide information as requested. For example, data protection policy; safeguarding policy; details of staff members/volunteers who have access to this information.

The Service Provider must actively recruit staff to fulfil the proposed operating model or allocate resources appropriately as detailed in their proposal.

The Service Provider must achieve the RSQM within the specified timeframe.

It is a requirement that the Service Providers will work to the specification, provide competent and qualified staff, having due regard to insurance requirements and demonstration of capability of experience and specific contract knowledge.

Duties on agencies include the following:

1. The police must pass on the victim's contact details to the organisation that is to deliver RJ services, unless asked not to do so by the victim which aligns with our consent based model referral mechanism
2. The RJ service provider must provide victims with full and impartial information on RJ and how they can take part; confirm the offender has acknowledged the basic facts of the case and is willing to participate, be satisfied that RJ is in the best interests of the victim; ensure victims safety; and ensure RJ is delivered by a trained facilitator.
3. If the offender is under the age of 18, victims are entitled to be offered the opportunity by the Youth Offending Team in their area to participate in RJ where appropriate and available.

Timetable

The OPCC has produced an indicative timetable of events. Variations to these milestones must be agreed, in advance, with the OPCC and confirmed in writing.

Milestone	Required completion date
Closing date for proposals	Monday 11 June 2018 17.00 hrs
Presentations	15 June 2018
Inception meeting with the OPCC	20 June 2018
Draft inception report submitted	4 July 2018
Sign off of inception report	11 July 2018

EVALUATION CRITERIA

The evaluation will be awarded on the basis of the following criteria including the weighting applicable to each criterion. Applications should structure their bids in line with the criteria below addressing each in turn and in a clear and concise format.

Quality Criteria	Areas of evaluation	Score/ Weighting
<p>Question 1</p> <p>SERVICE DELIVERY</p> <p>How will your organisation deliver RJ services for those harmed by crime and those responsible for causing that harm, as described in the service specification for police, partner and self-referrals? It is important your overall response demonstrates a clear understanding of how the service will operate with reference to each core function.</p> <p><i>Maximum word count 2000</i></p>	<p>Your response to the question must either explain, evidence, demonstrate or describe fully each of the following prompts:</p> <ul style="list-style-type: none"> • Equal access for clients; • Process for initiating contact with victims and offenders; • Issues to take into consideration when making an approach; • Developing a needs assessment of the client from contact to service disengagement; • Monitoring a client's progress at various intervals; • Onward referral process to key agencies, statutory and non-statutory agencies, local support groups and local communities; • Managing the challenges of service delivery across the geographical area; • Provision for cross border working and referral; • Balancing the Client's right to access services without compromising their safety; for example, in cases of domestic abuse and sexual crime. • Offering a balanced approach to both victims and offenders throughout any intervention. 	20%

	<ul style="list-style-type: none"> • Involvement of young victims and vulnerable adults with direct and third party support. • Managing adult cases and transitional arrangements for young people aged 18-21 years; • Barriers to services, for example, language, disability or other impairment; • Location and use of sites across the geographical area convenient for clients to attend; • Relationship with local mediation services; • Business Risk Assessment. 	
<p>Question 2</p> <p>RESOURCE MANAGEMENT</p> <p>How will your organisation ensure that it has sufficient capacity of resource and technical capability to deliver the services required under the terms of the contract?</p> <p><i>Maximum word count 2000</i></p>	<p>Your response to the question must either explain, evidence, demonstrate or describe fully each of the following prompts:</p> <ul style="list-style-type: none"> • Organisational structure, including volunteers, and partnership arrangements; • Availability of experience, skills and qualifications for each individual working to fulfil the required functions; • Types of support available for service users; • Arrangements for the supervision of staff performance in terms of case management and line management; • Business contingency arrangements for ensuring service cover and capacity is fully maintained; • Management systems/tools in place to monitor workload activity to assist with resource planning. 	<p>10%</p>

<p>Question 3</p> <p>TRAINING, STAFF COMPETENCY & PROFESSIONAL DEVELOPMENT</p> <p>It is essential that RJ Service workers, including any volunteers have access to a learning environment.</p> <p>How will you ensure your approach will provide the right skills, qualifications and experience and access to continuing professional development to fully meet the service requirements?</p> <p><i>Maximum word count 2000</i></p>	<p>Your response to the question must either explain, evidence, demonstrate or describe fully each of the following prompts:</p> <ul style="list-style-type: none"> • Use of a TPQM Accredited Trainer; • Process for ensuring competency of new staff and volunteers; • Process for ensuring Practitioner Accreditation through the RJC; • Specialist training for sensitive and complex cases; • Competency assessment framework for all staff; • Responding to identified individual training needs; • Responding to continual professional development (CPD) needs; • Understanding the range of interventions and skill sets required; • Processes for ensuring systems, processes and procedures are consistent, safe, correct and up to date; • Promoting successful outcomes and encouraging positive working. 	15%
<p>Question 4</p> <p>RISK MANAGEMENT</p> <p>The case management of clients includes identifying risks of proposed Restorative Justice processes to ensure safety of victims and offenders at all times.</p>	<p>Your response to the question must either explain, evidence, demonstrate or describe fully each of the following prompts:</p> <ul style="list-style-type: none"> • Purpose of a risk assessment from a Restorative Justice perspective; • Proposed approach to risk assessment to enable safe dialogue; 	15%

<p>It may also include identifying risks posed by the victims and offenders to themselves or to staff of the RJ Service or others.</p> <p>How do you propose to identify and manage potential risks to ensure the safety of staff, victims and offenders at all times?</p> <p>Maximum word count 2000</p>	<ul style="list-style-type: none"> • Capturing and understanding the initial needs of clients through assessment; • Managing client expectations; • Managing different social, cultural and religious beliefs; • RJ Risk Assessment template with factors for assessing incidents and individuals; • Approach to Lone Working. 	
<p>Question 5</p> <p>QUALITY SERVICE PROVISION AND MEASURING SUCCESS</p> <p>It is imperative that the quality of service provided demonstrates good value for money during the entire period of contract.</p> <p>How will your organisation ensure that a quality service is being continually provided?</p> <p>Maximum word count 2000</p>	<p>Your response to the question must either explain, evidence, demonstrate or describe fully each of the following prompts:</p> <ul style="list-style-type: none"> • Obtaining feedback from service users; • Compliant handling process; • Providing feedback and outcomes of cases to partner organisations; • Using feedback to continue service development; • Involving participants in the development of the service; • Benefits to be gained from effective participation of service users in developing service delivery; • Pro-active support for service users; • Sharing information specifically with the police and other statutory partners; • Alleged breaches of Practitioner Code of Practice by accredited practitioners; 	10%

	<ul style="list-style-type: none"> • Measuring client outcomes and experience of the service. 	
<p>Question 6</p> <p>PROMOTION AND ENGAGEMENT</p> <p>It is important that the RJ Service is promoted in a sensitive manner and is accessible for hard to reach groups, in particular people with protected characteristics. Engagement should improve outcomes for all service users, with appropriate signposting in the event they need additional support.</p> <p>How will you promote RJ to ensure all stakeholders are aware of the services available, whether directly or indirectly provided?</p> <p><i>Maximum word count 2000</i></p>	<p>Your response to the question must either explain, evidence, demonstrate or describe fully each of the following prompts:</p> <ul style="list-style-type: none"> • Stakeholder analysis; • Proposals for actively promoting the RJ Service across the West Midlands • Increasing referral numbers • Engaging directly with potential service users to promote the service and expound potential benefits; • Signposting to access additional specialist support; • Media tools and types of information for raising awareness and understanding; • Engaging people with particular needs, recognising that a “one size fits all” approach may not be appropriate; • Ensuring continual development and improvement in stakeholder relationships and service provision; • Developing working relationships with West Midlands Police to help embed RJ process and specialist support agencies; • Promoting the RJ brand with the PCC to promote benefits and access to the services. 	10%
<p>Question 7</p> <p>PERFORMANCE MANAGEMENT</p>	<p>Your response to the question must either explain, evidence, demonstrate or describe fully each of the following prompts:</p>	10%

<p>Managing the performance of an organisation is fundamental to maintaining the operational and strategic control of its inputs and outputs.</p> <p>How will the organisation meet the requirements of the Specification to provide regular management information and performance data against key performance indicators, whilst ensuring a high quality service is consistently maintained throughout the life of the contract?</p> <p>Maximum word count 2000</p>	<ul style="list-style-type: none"> • Organisational approach to quality management; • Understanding of performance measures and monitoring; • Approach to gathering, inputting and using personal data; • Processes for measuring performance and specified indicators; • Systems to be employed to meet requirements of a quality service; • Measuring and monitoring service user progress and outcomes. • Sharing self-referral and trending information with Police and partners; • Quality and accuracy of self-monitoring processes for managing performance; • Reporting and communicating performance and quality with the PCC Office. 	
<p>Question 8</p> <p>MOBILISATION AND IMPLEMENTATION PLAN</p> <p>The quality of an organisation’s preparation is critical to the success of the contract commencing on time and delivering immediate quality services.</p> <p>How do you intend to successfully mobilise your organisation’s resources in preparation to implement the required RJ Services</p>	<p>Your response should include a detailed project plan outlining mobilisation, project set up and implementation phases.</p> <p>A Gantt chart or similar can be submitted as a separate document with you tender submission. Your response must reference any attachments sent.</p> <ul style="list-style-type: none"> • How the RJ Service is to become fully operational from the date to be agreed. • All key activities are mapped; • Timescales identified; 	<p>10%</p>

<p>from the contract commencement date?</p> <p>Maximum word count 2000</p>	<ul style="list-style-type: none"> • Resources allocated; • Recruitment (where necessary); • Key tasks and milestones; • Include details of how senior managers / project manager/s and central management will support implementation and contribute throughout to support the transfer of clients to the new service during implementation and continued support following 'go-live' of the contract; • Venues/locations the service will be run from; • Hours of operation and service cover; • How you will ensure that you have sufficient knowledge of and access to specialist and generic support services for service users. 	
<p>Total</p>		<p>100%</p>

Example of calculation of quality score:

Example: If Question XX has a weighting of 10%.

- An excellent mark would be awarded a score of 10 (100% of 10)
- A good mark would be awarded a score of 7.5 (75% of 10)
- A satisfactory mark would be awarded a score of 5 (50% of 10)
- A poor mark would be awarded a score of 2.5 (25% of 10)
- An unsatisfactory mark would be awarded a score of 0 (0% of 10)

Presentation Stage

Presentations will be required before award of funds if the panel requires clarification. The date for presentations is the 15 June. The presentations should be no more than 20 minutes in length. **Applicants should make themselves available on this date**