

**Joint Inspection Framework**

**2023-2024**

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# Introduction

Criminal justice (CJ) joint inspection is a product of long-standing co-operation between the four CJ inspectorates (His Majesty’s Inspectorate of Constabulary and Fire & Rescue Services, His Majesty’s Crown Prosecution Service Inspectorate, His Majesty’s Inspectorate of Probation and His Majesty’s Inspectorate of Prisons) which was formalised by the Police and Justice Act 2006.

This joint inspection framework has been produced in accordance with the provisions of the Act which requires CJ Chief Inspectors to produce: a document setting out what inspections are proposed (the inspection programme contained with the current business plan published on our website <https://www.justiceinspectorates.gov.uk/cjji>; and a document setting out the manner in which they propose to carry out the functions of inspecting and reporting (an inspection framework).

# Framework content

This inspection framework incorporates the following elements:

1. The purpose of CJ joint inspection;
2. Underpinning principles;
3. Inspection focus and scope;
4. Consultation;
5. Risk assessment and prioritising activity;
6. Inspection methodology;
7. Programme governance and support structures;
8. Joint website;
9. Gate-keeping arrangements;
10. Delegated authority and non-CJ collaboration;
11. Benefits realisation plan and value for money; and
12. Human resources, diversity and culture.

This framework document remains under constant review as the joint inspection programme is further developed by the Criminal Justice Chief Inspectors’ Group (CJCIG).

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| --- | --- | --- |
| **Date of amendment** | **Authority** | **Summary of change** |
| 7 Sept 2011 | CJCIG | Full revision (still draft) |
| 6 March 2012 | CJCIG | Updated to reflect progress in planning |
| 20 March 2013 | CJCIG | Updated to reflect production of standard methodology |
| 24 February 2014 | CJCIG | Updated to reflect joint methodology |
| 5 December 2023 | CJCIG | Updated terminology and to reflect updated joint thematic methodology |

# THE JOINT INSPECTION FRAMEWORK

# The purpose of CJ joint inspection

1.1 We work together to address issues that involve more than one criminal justice agency and have a direct impact on the public who use the justice system. Working together produces a more rounded examination of issues that cut across the system and enables us to achieve more than if just one inspectorate acted alone.

1.2 We support democratic accountability, local transparency and the drive to reduce bureaucracy. Joint inspection particularly provides a unique focus on:

* Systemic issues within the criminal justice system (CJS) as a whole;
* Identifying and driving cost from the system;
* Addressing risks and public safety;
* Looking at the system end-to-end and the role individual agencies play;
* Universal issues, standards and constraints within the CJS; and
* Public reassurance and confidence.

# Underpinning principles

2.1 The principles of inspection within the public sector were set out in the Policy on Inspection of Public Services (published by the Cabinet Office in 2003) reproduced in **Annex A**.

2.2 In 2007, we adopted these principles as core to criminal justice joint inspection and, despite the passing of time and change of Government, they remain valid.

# Inspection focus and scope

3.1 Our four inspectorates increasingly collaborate to focus on end-to-end and cross-cutting thematic justice processes. To reflect this, we have focussed activity around four high level business processes (community safety; bringing offenders to justice; offender management; and custodial conditions) and three cross-cutting issues (victim and witness experience; equality and diversity; and achieving value for money and efficiency).

3.2 Latterly, our increased focus on outcomes and the user experience have been key drivers. The overall balance of our joint programme also relies heavily on stakeholder consultation and resultant prioritisation.

3.3 For core programmes of joint inspection such as custody, no consultation is required, and the methodology adopted is that of the lead inspectorate.

# Consultation

4.1 The Police and Justice Act 2006 established a statutory obligation on our inspectorates to engage in formal consultation with Minsters, named individuals and specified organisations. In addition, we have broadened consultation to include key stakeholders - both generically and focussed on specific areas of joint business - and users of CJ services.

4.2 ***Statutory consultation*** - The Police and Justice Act 2006 stipulates that, before preparing an inspection programme (or framework), each CJ Chief Inspector shall consult the relevant Ministers and - subject to exceptions - the following:

* Other CJ Chief Inspectors;
* Chief Inspector of Ofsted;
* Commission for Care Quality and the Welsh equivalent (HIW)[[1]](#footnote-1);
* Auditor General for Wales;
* Any other person or body specified by the relevant Ministers.

4.3 It is subsequently incumbent upon the Chief Inspector(s) to send each of the consultees a copy of the programme and framework, once prepared.

4.4 ***Wider stakeholder consultation*** - We have also engaged in substantive consultation with other statutory and voluntary organisations with direct interest in the areas under scrutiny - for example Victim Support, and the Health and Safety Executive - as well as the inspected agencies and inspectorate staff.

4.5 This consultation usually takes the form of circulation of a draft business plan setting out the thematic inspections under consideration - for comment and contributions to inform the final selection.

4.6 In addition, within each joint work stream, contact is made at an early stage with the most relevant stakeholders and/or subject experts to seek views and contributions in respect of individual inspections. These individuals may be invited to participate in an external review group (ERG) and thereby provide ongoing advice and feedback throughout the life of the work stream.

4.7 ***User consultation*** - Historically, direct consultation with service users has been limited to specific groups relevant to individual inspection themes - for example victims of specific offence types under scrutiny. Latterly consultation has also been possible on a wider bases for example with the appointment of a Victims’ Commissioner.

# Risk assessment and prioritising action

5.1 ***Risk assessment -*** risk assessment is informed by environmental scanning, emerging results from customer or user feedback and mapping of outcomes against the activities undertaken by the inspectorates, singularly and jointly.

5.2 A key factor in deciding the final balance of the joint CJ inspection programme is a comprehensive assessment of the risk posed by elements competing for attention. A substantial part of the risk assessment is informed from data and intelligence gathered during the consultation process. Other sources include:

* Data on performance and outcomes - joint and single-agency;
* Knowledge held within the four inspectorates - from liaison and/or assessments of agencies;
* Knowledge from other inspectorates or agencies - e .g . Victim Support;
* Organisational self-assessments - e .g . Local Criminal Justice Boards;
* Performance assessments - including from Departments .

5.3 It should be noted, however, that some subject areas - such as victim issues - will always be considered within programme planning, regardless of their profile within the above information sources.

5.4 ***Prioritisation -*** With the overall scope and focus agreed, and the results of individual and joint consultation collated, a long-list of potential areas for inspection activity are required to be subject to a process of prioritisation, to reach an achievable but relevant short-list of proposed inspections. In achieving this, two categories of criteria are applied, namely:

* *Qualifying criteria:* to be included in the joint inspection programme proposed activity needs to meet basic requirements; and
* *Prioritising criteria:* to rank the qualifying joint proposed thematic inspections, to inform programme compilation and validate decisions on inclusion or exclusion.

5.5 The ***qualifying criteria*** applied since 2006 has been that all joint CJ systems proposed inspections to be included on the long-list should:

* Relate to cross-cutting work that involves two or more of the CJ inspectorates;
* Have an identified lead CJ inspectorate;
* Have a clearly defined scope and purpose; and
* Meet the key principles for public sector inspection, in particular: a contribute to service improvement; b be outcome focussed; and

c have a user perspective. (See Annex A for full list.)

5.6 Those proposed inspections which pass the first stage enter the long-list for ***prioritisation***, being assessed against three qualifying elements:

## Pre-existing commitment to delivery

• A number of projects are elements of extant programmes and will be progressed in response to pre-existing commitments*.*

## Current priority factors

* Support to Government priorities for the CJS;
* Balance of impact versus resource: the degree of impact or value added in proportion to the effort required to implement the inspection activity;
* Practicality, deliverability and risk: having regard to the availability of staff, specialist skills or expertise in the relevant timetable for implementation;
* Incompatibility with other programmes: the potential to clash or adversely affect other activity in the same or similar subject area;
* Additional value gained through joining up inspectorate working: the ability to shed greater light or achieve greater insight through joint working than by the sum of individual efforts; and
* Proportionate coverage of relevant high level CJ processes: contributing in areas of scrutiny otherwise under-represented in the overall programme.

## Additional considerations

* Individual proposed inspections may particularly complement or support single-agency inspection outside of the joint CJ systems programme;
* ‘Joint inspections’ which are led by non-CJ inspectorates may seek one or more of the CJ inspectorates’ involvement; or
* High profile may be afforded by events to particular topics which would not otherwise be expected to feature in a risk-assessed or prioritised list .

5.7 While the above criteria are applied with a degree of formality, the key determinant in finalising a long-list of potential areas for inspection remains the professional judgement of the Chief Inspectors, as informed by the full range of consultation and the expressed views of CJ Ministers.

# Inspection methodology

6.1 Tried and tested inspection methodologies already exist in each of the individual inspectorates. While many aspects are similar, there are some significant differences which often mirror the differences in operational approach of the agencies and institutions inspected. Historically for joint inspections all concerned have adopted the lead inspectorate’s methodology for the duration of that particular work stream.

6.2 In March 2013, CJCIG adopted a *Standard Methodology for Joint Thematic Inspections* was compiled. This methodology was reviewed in 2023 and will be replaced with a set of principles and expectations for each stage of the inspection process to guide and assist with the planning and delivery of CJ joint thematic inspections. This is due to be published Spring 2024.

6.3 Unless statutory obligations dictate otherwise, the guidance in this document is not prescriptive or mandatory. Rather, it is to be taken as the initial ‘default’ position for those who plan inspections - from which they may deviate if the specific circumstances of the subject under scrutiny require. It is intended as an aid to consistency but above all is meant to avoid the need to re-invent tried and tested processes. This guidance draws from recent, current and planned joint thematic inspections and brings together guidance from all four criminal justice inspectorates. It is available on the joint inspectorate website (see section 8 below).

# Governance and support structures

7.1 The pivotal elements of the governance and support for joint inspection are the Criminal Justice Chief Inspectors’ Group (CJCIG), the Development Group and the Joint Secretariat. The Chief Inspectors retain individual lines of communication for core, single-agency business to their respective Ministers, also involving relevant departmental leads, but in addition, CJCIG has established structured processes for consulting with, and providing formal progress reports to, CJ Ministers collectively. There is also close liaison with the Ministry of Justice.

 **Criminal Justice Chief Inspectors’ Group**

7.2 The strategic aim of CJCIG is “To foster and contribute to the continuous improvement of the criminal justice system for all its stakeholders, through a programme of individual and co-ordinated inspection and monitoring, in accordance with the Ministers’ Policy for better joined up Government.”

7.3 The key purpose of CJCIG is to provide the most appropriate balance between delivery of individual inspectorate priorities and of the agreed joint programme, and to meet the commitment to Ministers to deliver an enhanced joint programme, based on consultation and risk assessment.

7.4 In order to meet the strategic aim and key purpose, CJCIG will advise and air discussion of major strategic and cross-inspectorate issues and will:

* Develop common positions, where appropriate, on matters of mutual interest seeking to influence Ministers and other criminal justice agencies, considering the statutory independence of each inspectorate;
* Endorse new and developing joint work streams on issues which affect either the criminal justice system as a whole, or at least two or more inspectorates;
* Agree a joint business plan on an annual basis, including the resourcing of such a plan, ensuring that there is effective delivery and that due account is taken of the statutory consultation which each inspectorate is required to undertake;
* Promote a culture within inspectorates of approaching issues and evaluating performance from a holistic perspective; and
* Monitor agreed work streams and ongoing joint work and evaluate the results, overseeing practical arrangements for efficient joint working between inspectorates.

 7.5 CJICIG is chaired by one of the Chief Inspectors. The role of Chair rotates on an annual basis to allow each of the Chief Inspectors to chair the group during their period of appointment. To allow for effective delivery of the intended aims of CJCIG much of the day-to-day implementation of CJCIG decisions and planning is delegated to the Development Group.

## Development Group

7.6 Chief Inspectors have established the Development Group as a meeting of senior managers from each inspectorate which is tasked with progressing the current year’s programme of joint inspections and developing any new products commissioned by CJCIG.

 7.7 The Group has three main areas of activity and responsibility:

* ***Work stream management -*** members identify and address any issues, problems or barriers to current year programme delivery;
* ***Development projects -*** the Group or individuals take the lead in developing new products or inspections as commissioned by CJCIG; and
* ***Business planning -*** members input to the compilation of draft programmes, debate scope and scale of potential work streams and make recommendations to CJCIG on long and short-listing of possible inspections.

7.8 Although having no definitive executive function, the Group is commissioned by CJCIG to resolve as much as possible without the need for referral. However, significant issues of overall policy or strategy will always be referred to CJCIG for decision and/or approval.

7.9 The Development Group is chaired by a member of the group and aligns with the chair of the CJCIG, rotating on an annual basis. Its work forms a standing item for report at all CJCIG meetings.

## Secretariat

7.10 CJCIG and the Development Group are supported by a secretariat function. This is delivered by the inspectorate of which the chair of CJCIG is the Chief Inspector and also rotates on an annual basis.

The secretariat functions include:

* Arranging and servicing meetings of CJCIG and Development Group;
* Acting as single point of contact for external bodies and Government Departments in respect of CJ joint inspection;
* Arranging and compiling all documentation for annual consultation exercises; and
* Drafting and finalising the annual joint business plan.

7.11 The cost of provision of the Secretariat function is absorbed by the inspectorate delivering the function for the year.

# Joint website

8.1 There is a Criminal Justice Joint inspection website containing all the documentation relating to joint thematic inspection which can be accessed at [www.justiceinspectorates.gov.uk](http://www.justiceinspectorates.gov.uk).

8.2 All published joint reports can also be accessed via this website.

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# Delegated authority and non-CJ collaboration

9.1 Under the provisions of the Police and Justice Act 2006, each Chief Inspector (or HM Inspectors in some instances) may delegate any of their functions to another public authority, who will then be regarded as having the same status and powers as the delegating inspectorate. This means, for example, that HM Chief Inspector of Constabulary and Fire & Rescue Services could delegate power to inspect aspects of the work of police prosecutions teams to colleagues from HMCPSI - obviating the need to ‘double-up’ on staffing of inspection or to unnecessarily duplicate effort, or impact on the inspected body.

# Benefits realisation and value for money

11.1 In addition, in all our inspections we have regard to three cross-cutting issues that are fundamental to the success and effectiveness of the CJS, namely:

* the quality of victim and witness experience
* active promotion of equality and diversity
* achieving value for money and efficiency.

11.2 CJCIG will continue to explore any opportunities for making savings and efficiencies in joint working.

# Human resources, diversity and culture

12 .1 While the work on potential shared services will examine aspects of human resources **(**HR) such as potential efficiencies in recruitment and training, there will be a need to examine more widely a number of HR issues such as staff development, fairness at work, disparities in conditions and diversity in organisational cultures.

12 .2 In recognition of the duties placed on all authorities as a result of equalities legislation, all relevant products and policies of CJCIG will also be subject to the regulatory impact assessment.

# ANNEX A THE TEN PRINCIPLES OF PUBLIC SECTOR INSPECTION

The principles of inspection in this formal statement from 2003 place the following expectations on inspection providers and on the Departments sponsoring them:

1. The ***purpose of improvement*** . There should be an explicit concern on the part of inspectors to contribute to the improvement of the service being inspected . This should guide the focus, method, reporting and follow-up of inspection . In framing recommendations, an inspector should recognise good performance and address any failure appropriately . Inspection should aim to generate data and intelligence that enable Departments more quickly to calibrate the progress of reform in their sectors and make appropriate adjustments .
2. A ***focus on outcomes***, which means considering service delivery to the end users of the services rather than concentrating on internal management arrangements .
3. A ***user perspective*** . Inspection should be delivered with a clear focus on the experience of those for whom the service is provided, as well as on internal management arrangements . Inspection should encourage innovation and diversity and not be solely compliance-based .
4. ***Proportionate to risk*** . Over time, inspectors should modify the extent of future inspection according to the quality of performance by the service provider . For example, good performers should undergo less inspection, so that resources are concentrated on areas of greatest risk .
5. Inspectors should encourage rigorous ***self-assessment*** by managers . Inspectors should challenge the outcomes of managers’ self-assessments, take them into account in the inspection process, and provide a comparative benchmark .
6. Inspectors should use ***impartial evidence*** . Evidence, whether quantitative or qualitative, should be validated and credible .
7. Inspectors should ***disclose the criteria*** they use to form judgments .
8. Inspectors should be ***open about their processes***, willing to take any complaints seriously, and able to demonstrate a robust quality assurance process .
9. Inspectors should have regard to ***value for money***, their own included .
10. Inspectors should ***continually learn from experience***, in order to become increasingly effective . This can be done by assessing their own impact on the service provider’s ability to improve and by sharing best practice with other inspectors .

**TO CONTACT US OR TO FIND OUT MORE**

Joint website:

[www .justiceinspectorates.gov.uk/cjji](http://www.justiceinspectorates.gov.uk/cjji)

Inspectorates:

[www .justiceinspectorates.gov.uk/hmic](http://www.justiceinspectorates.gov.uk/hmic)

[www .justiceinspectorates.gov.uk/hmcpsi](http://www.justiceinspectorates.gov.uk/hmcpsi)

[www .justiceinspectorates.gov.uk/about/hmi-probation](http://www.justiceinspectorates.gov.uk/about/hmi-probation)

[www .justiceinspectorates.gov.uk/about/hmi-prisons](http://www.justiceinspectorates.gov.uk/about/hmi-prisons)

1. Original list in the Act included other Commissions now either merged or disbanded. [↑](#footnote-ref-1)