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Transforming Rehabilitation

Early Implementation 4

‘An independent inspection of the arrangements for offender supervision’

January 2016

HM Inspectorate of Probation



Transforming Rehabilitation – Early Implementation 4

‘An independent inspection of the arrangements for offender supervision’

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Foreword

This is the fourth in a series of five reports looking at early implementation of the *Transforming Rehabilitation* programme and, as I noted in the foreword to the last report, our findings are again broadly similar to those published previously. Our primary focus continues to be on the systems and processes which underpin the quality of service and impact on rehabilitation. This is intentional. No one should underestimate the importance of systems which are the foundation of the operating models in the National Probation Service and Community Rehabilitation Companies and govern the flows of work between them. The Early Work inspections, introduced in July 2014, were designed precisely for the purpose of shining a light on these issues and individual performance inspection was deferred until the new organisations were better established. Such was the scale and pace of the *Transforming Rehabilitation* changes I believe those decisions were justified.

To date we have not reported on the implementation of Through the Gate Resettlement Services to short-term prisoners, a key element of the *Transforming Rehabilitation* programme. With sufficient cases now in the system a thematic inspection is planned and progress will be reported early in 2016. Early scoping work suggests that implementation of some schemes in prisons and in the community has been slow and it is not yet clear how the delivery models planned by all CRCs will meet complex resettlement needs. The present rather disjointed provision is a long way from the seamless Through the Gate service so essential to the challenge of reducing high reoffending rates for this group.

I leave my post as interim Chief Inspector in January 2016 and this will be my last contribution to *Transforming Rehabilitation* reports. To date, I have published reports which draw attention to serious transitional issues. For the reasons already given I have been reluctant to rush to judgement on such new organisations and immature systems, but I am clear the transitional period should end early in 2016 and that the NPS and CRCs should then be fully held to account for their work.

To this end the inspection regime will change markedly in April 2016. Our new Quality & Impact inspections will focus on the effectiveness of the new probation organisations in reducing reoffending, protecting the public and ensuring individuals abide by the sentence of the court. These inspections will focus not just on the quality of work of those delivering probation services, but also on the impact that work has on service users and, in turn, on the wider public. Reports will draw on evidence from case records, and from interviews with service users, offender managers and other others delivering rehabilitative work. Evidence will also be drawn as appropriate from other agencies and from our own thematic inspections. We will assess how organisations work together to make the local criminal justice system work effectively.



Paul Wilson CBE
HM Chief Inspector of Probation

January 2016

Contextual Information

The National Probation Service and Community Rehabilitation Companies came into existence on 01 June 2014, as part of the Ministry of Justice *Transforming Rehabilitation* programme. This was the first step in a series of changes designed to open up the probation market to new providers, reduce reoffending rates and allow the National Probation Service to focus on managing high risk of serious harm offenders, those eligible under Multi-Agency Public Protection Arrangements and foreign national offenders subject to deportation. Community Rehabilitation Companies were transferred from public to private ownership on 01 February 2015. The table below shows the main responsibilities and interface between the two agencies.

COURTS, REPORTS AND ALLOCATION	INTERFACE	DELIVERY
National Probation Service	Community Rehabilitation Companies and National Probation Service	National Probation Service
Prepare reports for court Decide on case allocation	Communicate and promote sentencing options Commence orders promptly Exchange information Ensure swift enforcement Ensure risk escalation promotes effective risk management	Manages cases that are Multi-Agency Public Protection Arrangement eligible, foreign nationals who are subject to deportation, public interest cases and all others who are assessed as presenting a high risk of serious harm. Also delivers sex offender treatment programmes.
		Community Rehabilitation Company
		Manages cases presenting low and medium risk of serious harm. Delivers interventions on low medium and some high risk cases

All court work is delivered by the National Probation Service. Where a full analysis of the offender’s risk of serious harm to others is required this is completed by the National Probation Service within two working days of sentence.

Community Rehabilitation Companies are not involved in preparing reports for court, and many of their new cases are assigned to offender managers who have no previous knowledge of the offender. Good communication between the Community Rehabilitation Company and the National Probation Service is crucial in ensuring the smooth allocation of cases, full transfer of information, and also to ensure proper breach and escalation.

Inspection of *Transforming Rehabilitation*

This inspection can be seen as a continuation of HMI Probation's work to understand and report on the developing *Transforming Rehabilitation* landscape.

The scope of each of our *Transforming Rehabilitation* inspections is similar, but the detailed focus has varied to enable us to explore specific areas of practice as the *Transforming Rehabilitation* programme has progressed. Each of the four inspections has visited a different set of Local Delivery Units. It is not, therefore, possible to compare directly the findings or to say conclusively that any differences are representative of performance across England and Wales. We have, however, commented where we have seen indications of progress made on the areas for improvement we have identified in our previous *Transforming Rehabilitation* inspections.

We have also reviewed our findings from *Transforming Rehabilitation* inspections 2 and 3 against the findings from this inspection. Where possible we have identified those recommendations from the earlier inspections that no longer apply, and those where evidence suggests, at least in those places visited in this inspection, that further improvement is still required. Given the scale of the changes involved in the *Transforming Rehabilitation* programme it is not surprising that many of the recommendations still apply. This report also makes five new recommendations.

Our last two reports and their recommendations can be found by using the following links:

<http://www.justiceinspectorates.gov.uk/hmiprobation/inspections/transformingrehabilitation2/>

<http://www.justiceinspectorates.gov.uk/hmiprobation/inspections/tr3/>

The details of the inspection methodology are given in Appendix 2.

Recommendations

Previous recommendations:

Some progress made

In this inspection we were pleased to note that changes in national guidance had addressed the following recommendation.

National Offender Management Service

1. The National Offender Management Service should review the requirement to fully complete the Case Allocation System process for those cases where the allocation to the National Probation Service is mandatory, such as Multi-Agency Public Protection Arrangement eligible or offenders liable to deportation. (1.13, 1.14)

Based on the findings of this inspection we were pleased to see improvements in the quality of work which met the following recommendations made previously:

National Probation Service

2. The National Probation Service should ensure that a robust and timely risk management plan is in place for all high risk of serious harm cases. (3.10)
3. The National Probation Service should ensure that for all cases presenting a medium or high risk of serious harm, there is a sufficient full initial assessment of the offender and the risks they pose, particularly with reference to the analysis of and management of risk of harm to children. (3.8, 3.9, 3.13)
4. Where appropriate, the management of medium and high risk offenders should include purposeful home visits, repeated as necessary. (3.19)

Community Rehabilitation Companies

5. Where a group or duty induction is used, an appointment with the offender manager should always be provided as part of this process. (2.2)

More progress required

The following recommendations were made in the recent *Transforming Rehabilitation* reports 2 and 3. In some Local Delivery Units we found a degree of improvement in the quality of some of these areas of work, but overall we concluded that the previous recommendations remained valid.

National Offender Management Service

6. The National Offender Management Service should amend the Case Allocation System process to align the Risk of Serious Harm screening into a single process. (1.20, 1.22.)
7. The National Offender Management Service should explore the possibility of allowing joint access to the nDelius record for a short period after transfer, so that incoming information can be handled efficiently. (2.15)

National Probation Service and Community Rehabilitation Companies

8. The National Probation Service and the Community Rehabilitation Companies must ensure that relevant information held by either party is shared efficiently at the court hearing stage. The National Probation Service must inform the Community Rehabilitation Company of all hearings involving cases under their jurisdiction, including the results of bail hearings. Any information provided by the Community Rehabilitation Company should be shared appropriately with the court. (1.5)

National Probation Service

9. The National Probation Service should ensure that all staff are familiar with the Risk of Serious Recidivism/ Case Allocation System prioritisation matrix. (1.14)
10. The National Probation Service should establish a quality assurance system in order to improve the accuracy of the completion of the Risk of Serious Recidivism tool. (1.15)
11. The National Probation Service should ensure that a Risk of Serious Harm screening and where indicated as necessary, a full risk of harm assessment is completed in all cases prior to allocation to a Community Rehabilitation Company. (1.19, 1.20)
12. If it is not possible at the time of the allocation to gather all the necessary relevant information from partner agencies, National Probation Service staff should clearly indicate on the Case Allocation System what steps have been taken to gather that information, and what is required to complete the full analysis. (2.15)
13. National Probation Service staff should ensure that all necessary documentation is uploaded on to nDelius at the point of allocation. (1.4, 1.18)
14. National Probation Service court duty staff should, where possible, ensure that a provisional first appointment is arranged before sentence, and confirmed once the sentence is passed. Community Rehabilitation Company staff should make available such provisional appointments, taking into account the relevant circumstances of the offender such as working patterns or childcare arrangements. (2.1)

Community Rehabilitation Companies

15. Community Rehabilitation Companies should focus on improving the quality of full risk of harm assessments. (2.16)
16. Community Rehabilitation Companies should ensure they have effective management oversight structures in place for cases where there are concerns over the level of risk of harm. (2.34)
17. Community Rehabilitation Companies should focus on improving the quality of likelihood of reoffending assessments. (2.14)
18. Community Rehabilitation Company managers must ensure that offenders engage with their assigned officer at the earliest opportunity. (2.4)
19. Community Rehabilitation Company staff should ensure that an assessment of any diversity issues or barriers to engagement is completed and a plan put in place to address relevant issues. (2.5, 2.18)
20. On receipt of an allocated case, Community Rehabilitation Company staff should review the Risk of Serious Harm screening or full analysis that has been completed as part of the pre-sentence report process and ensure that they have all the information necessary to confirm the risk of serious harm level posed by the offender. Where necessary, they should review the risk management plan and ensure that it forms the basis for the necessary work to manage the risk of harm posed by the offender. (2.16, 2.17)
21. Where appropriate the management of medium risk offenders should include purposeful home visits, repeated as necessary. (2.25)

22. Community Rehabilitation Companies should ensure that the plan to manage the offender throughout the sentence should be kept under review to ensure that it remains focused and relevant. (2.33)

No further evidence

The following recommendations were made in previous *Transforming Rehabilitation* reports but were not specifically evidenced in the work we saw in this inspection.

National Probation Service and Community Rehabilitation Companies

23. Community Rehabilitation Companies and the National Probation Service should agree a joint process to identify all partner agencies involved in cases where a risk review has caused a change in the organisation responsible for the case, so that they can be informed.
24. Community Rehabilitation Company and National Probation Service recording of breach and escalation information on nDelius should be improved to facilitate the production of meaningful performance management information for the National Offender Management Service.

National Probation Service

25. Where a case is accepted as high risk of serious harm by the National Probation Service, there should be a face-to-face meeting between the new offender manager and the offender as soon as possible, so that the case is actively managed to minimise risk of harm to the public. Where the offender is held in custody there should be clear communication explaining the risk escalation and setting out the next steps.

Community Rehabilitation Companies

26. Where the Community Rehabilitation Company offender manager starts the escalation process it should be seen through to a referral to the National Probation Service promptly, or be withdrawn by the Community Rehabilitation Company manager.
27. Community Rehabilitation Companies should improve the quality of their recording of information concerning the risk review escalation procedure and breach process.

New recommendations

The following new recommendations are made in relation to the findings of this inspection.

National Probation Service and Community Rehabilitation Companies

28. The National Probation Service and Community Rehabilitation Companies should ensure that in all relevant cases sufficient progress is made to reduce those factors making the offender more likely to reoffend. (2.35, 3.30, 3.32)

National Probation Service

29. The National Probation Service should take action to improve the availability of information provided by other agencies to ensure as much of the Case Allocation System can be completed prior to allocation of the case. (1.21)

Community Rehabilitation Companies

30. Community Rehabilitation Companies should ensure that the first arranged appointment with the offender takes place at the earliest opportunity. (2.6)
31. Community Rehabilitation Companies should ensure that in all relevant cases there is sufficient focus on the offender achieving the behavioural changes required to reduce the likelihood of their reoffending. (2.26)
32. Community Rehabilitation Companies should ensure that in all cases where required there is a sufficient review of the risk of harm assessment and management plan. (2.36)

Assisting sentencing and the assignment of cases

1



1. Assisting sentencing and the assignment of cases

Findings

Pre-sentence work

Key points:

- 1.1. The type of report prepared for sentencing was appropriate in most of the cases in our sample.
- 1.2. A report had been provided in all cases resulting in a community or suspended sentence order.
- 1.3. We found clear proposals for community sentences in most cases, and almost all of those cases where a report actually resulted in a community sentence.

Further improvement was still required in the following areas that related to previous recommendations:

- 1.4. We found no written record of just over one-third of the oral reports that were presented in court (see recommendation 13).
- 1.5. As in previous inspections we continued to see current Community Rehabilitation Company (CRC) cases appearing at court with no evidence of any consultation with the offender manager by National Probation Service (NPS) court staff prior to the case being dealt with. We continued to meet CRC staff who expressed their dissatisfaction at not being able to contribute in a formal and structured way to pre-sentence reports on their current cases (see recommendation 8).

Other findings:

- 1.6. Most reports were of the appropriate type. In this inspection we found an increased use of oral reports, at 37% of all reports prepared, with much higher levels in some Local Delivery Units (LDUs). Where there was a record of an oral report the majority used the NPS template, and many were typed.
- 1.7. Against a number of indicators the quality of reports in cases allocated to the CRCs was lower than those allocated to the NPS. This was largely due to the lower quality of oral reports in CRC cases. There was no noticeable difference in the degree to which the quality of standard or fast delivery reports were sufficient for the cases in which they were prepared.
- 1.8. In most cases a community sentence was proposed where it was appropriate, and in most cases courts passed a community sentence when it was proposed. We found, however, in some cases the making of the order, or of a particular requirement, was inappropriate given the circumstances of the offender and their ability to comply. This was particularly in relation to the ordering of offending behaviour programmes for which the offender was unsuitable, or unpaid work that they lacked the capacity to undertake.
- 1.9. All of the licences and some of the community sentences included restrictive requirements. All of these imposed a degree of punishment on the offender, and this also contributed to minimising the risk of harm to actual or potential victims in all such NPS cases. The benefit of contributing to minimising the risk of harm, however, applied in only two-thirds of the CRC cases with restrictive requirements.
- 1.10. Some staff we met reported that they believed there had been a 'significant increase' in use of short prison sentences as a result of the *Offender Rehabilitation Act*, but this could not be verified by our case assessment data since the sample pre-dated the period by which this might be detectable.
- 1.11. In an improvement from previous inspections, we found NPS–CRC interface meetings taking place in all LDUs.

The Risk of Serious Recidivism assessment

Key points:

- 1.12. The Risk of Serious Recidivism (RSR) assessment was completed in almost all cases allocated to the CRC, and most had been done either before or on the date of sentence.
- 1.13. We did not find any cases in our sample where the RSR score was over the threshold that required automatic allocation to the NPS and there were no other factors that required automatic allocation to the NPS. Only 2 out of 152 completed RSR assessments produced a score above the 6.90 threshold, and in both these cases there were other factors that required them to be allocated to the NPS (both were high risk of serious harm at the point of allocation and one was also Multi-Agency Public Protection Arrangements eligible) (see recommendation 1).

Further improvement was still required in the following area that related to previous recommendations:

- 1.14. We were pleased to note that changes in national guidance had removed the requirement to complete the RSR calculation at the pre-sentence stage in all cases (see recommendation 1). Some staff were unclear about the circumstances under which a RSR assessment was not required pre-sentence (see recommendation 9).

Other findings:

- 1.15. We inspected the accuracy of RSR calculations as a specific part of previous inspections and so did not repeat this on this occasion. We did find some incorrect calculations in the course of our case assessments, but none of these affected the decision about allocation.
- 1.16. The RSR assessment was completed in just less than three-quarters of cases allocated to the NPS, and nearly one-quarter of those completed were done post-sentence. All of the cases where the RSR had not been completed, however, had been identified as Multi-Agency Public Protection Arrangement cases and would have been allocated to the NPS irrespective of the RSR score.

The Case Allocation System

Key points:

- 1.17. We were pleased to find that in most cases where a Case Allocation System (CAS) assessment had been completed this was done on or before the day of sentence.

Further improvement was still required in the following areas that related to previous recommendations:

- 1.18. The CAS was not completed or was missing in slightly more than one-quarter of cases allocated to CRCs (see recommendations 11 and 13).
- 1.19. Of particular concern were cases where the completed CAS did not indicate the need for a full risk of serious harm analysis, but we found other information that did. This occurred in more than one-quarter of those cases where the CAS did not indicate the need for a full Risk of Serious Harm (RoSH) analysis (amounting to just over one in nine of all completed CAS assessments in the sample). This may have been a consequence of incomplete information being available, and in some cases this information may only have been available post-sentence (see recommendation 11).
- 1.20. A full RoSH analysis was not completed prior to allocation in more than one-third of cases where one was required (see recommendations 6 and 11).

Further improvement was required in the following area that related to new recommendations:

- 1.21. Important elements of the CAS were marked 'not known' in around one in six of the cases where it was completed (see recommendation 29).

Other findings:

- 1.22. NPS court staff appeared to be using the CAS for its primary purpose as an allocation tool, rather than to guide a more comprehensive risk assessment. It was, however, clearly being used by offender managers to inform post-sentence assessments. The review of risk post-sentence would be more efficient were the CAS and the Offender Assessment System RoSH screening and full analysis aligned in a single process.
- 1.23. We reported from previous inspections about the difficulty of there being insufficient time to complete all inquiries prior to the allocation of many cases, and this situation remains. It is unlikely that where Child Protection or domestic abuse checks are required a risk of serious harm assessment can be completed before the allocation decision is made because of the time required to complete these inquiries. This is in part due to the time often taken by children's services or the police to respond. Consequently, we continued to find too many cases without a sufficient RoSH screening, and where required, a full analysis of the risk of serious harm, in place before allocation.
- 1.24. Where required, the full RoSH analysis was completed prior to allocation in more NPS than CRC cases, consistent with these cases posing the highest risk levels. Only one-third of cases allocated to the CRCs had a full assessment completed before allocation. However, half of all CRC cases were assessed as presenting a medium risk of serious harm to others once the initial assessment had been completed, indicating that some medium risk of serious harm cases had been allocated to the CRC before an assessment had been completed.
- 1.25. Overall, we agreed with most of the RoSH classifications of the cases in our sample. Where the classification was incorrect the majority were too low rather than too high.
- 1.26. In some LDUs, there were NPS staff who thought risk of serious harm assessments should be done by offender managers post-allocation, and were unaware that it should be done prior to allocation, although as noted above, many assessments would be incomplete and require updating post-assignment.

Making the allocation decision

Key points:

- 1.27. Almost all cases were allocated to the NPS or CRCs by the next working day after sentence.
- 1.28. Only a very small number were misallocated.

Other findings:

- 1.29. The timeliness and accuracy of allocation decisions was good. Only two cases were allocated in error to a CRC, and both were subsequently corrected soon after by agreement, without use of the risk escalation process. We also saw three cases that had been allocated in error to the NPS.

Early Work in the CRCs

2



2. Early Work in the CRCs

Findings

Assignment, induction and first appointments

Key points:

- 2.1. Most of the offenders in our sample that had been released from custody on licence had an appointment within one working day of release, and all within five working days (see recommendation 14).
- 2.2. Just under half of inspected cases had their first appointment with the assigned offender manager. The remainder were with a duty officer or a group induction. Most of those, however, were given their next appointment with the assigned offender manager (see recommendation 5).
- 2.3. Most individual and group inductions were timely and individualised.

Further improvement was still required in the following areas that related to previous recommendations:

- 2.4. Overall, only half of all the cases had an appointment with their assigned offender manager within five working days of sentence or release, although a further quarter were within ten working days (see recommendation 18).
- 2.5. There was sufficient assessment of diversity factors and potential barriers to engagement in two-thirds of cases (see recommendation 19).

Further improvement was required in the following area that related to new recommendations:

- 2.6. In one-quarter of community sentence cases the first appointment (with any member of staff) was more than a week after sentence (see recommendation 30).

Other findings:

- 2.7. CRC arrangements for initial appointments and inductions appeared better established in this inspection than previously. Less than half of community sentence cases, however, had been assigned to an offender manager within 24 hours of sentence, and in some LDUs staff shortages and large scale transfers of caseloads between staff had disrupted assignment processes and effective starts to orders.
- 2.8. We saw systems to provide appointment slots for newly sentenced cases that worked very well, but they could not always guarantee an appropriate match between offender and offender manager; for example, in relation to level or type of risks posed by the offender and the skills and qualifications of the offender manager.
- 2.9. We continued to see a shift towards inductions done through duty rota systems, and sometimes as a group. One CRC had set up an 'intake team' where the assigned offender manager completed induction, initial assessments and sentence plan, prior to the case being reassigned to another offender manager for the ongoing management of the order. This was driven by the target to have initial sentence plans in place within ten working days of sentence, but resulted in two rather than one offender manager having to become familiar with the details of the case. Some arrangements for induction and assignment were efficient in delivering timely first appointments and sentence plans, but were not sufficiently personalised to the individual offender, and did not support the assessment of diversity factors and potential barriers to engagement. This may have impacted on the degree to which these factors were sufficiently assessed and taken into account.

- 2.10. We found a common problem with nDelius containing insufficient detail about what information had passed between the offender and probation staff at court, particularly in relation to confirmation that the first appointment had been issued, and the precise details of the court order, or the making of restraining orders etc. This was compounded by those cases where there was no record of the oral report presented at sentence.

Managing the offender

Key points:

- 2.11. The likelihood of reoffending had been assessed at the start of sentence in most cases.
- 2.12. An informed and timely sentence plan had been produced in more than two-thirds of cases. Only 7% of cases had no plan. The large majority of completed plans had set appropriate objectives to address the causes of the person's offending, although the offender was meaningfully involved in planning in less than two-thirds of cases.
- 2.13. An initial Risk of Serious Harm screening had been done in most cases, and most were timely. A small proportion were inaccurate.

Further improvement was still required in the following areas that related to previous recommendations:

- 2.14. Although an initial likelihood of reoffending assessment was usually completed, one-quarter were of insufficient quality (see recommendation 17).
- 2.15. It was often difficult for the assigned offender manager to know whether NPS staff at court had requested police domestic abuse or children's services checks, and whether or not information had been received back; this was not clearly logged in nDelius. Child Protection and safeguarding issues were not clearly recorded in one-third of relevant cases (see recommendations 7 and 12).
- 2.16. Less than two-thirds of cases had a sufficient initial full RoSH analysis where this was necessary. In one-third of cases the quality required improvement, while in the remainder an initial full analysis had not been completed (see recommendations 15 and 20).
- 2.17. One-fifth of cases in the sample did not have a risk management plan where it was required, but nearly two-thirds of those completed were of a sufficient standard (see recommendation 20).
- 2.18. Diversity factors and potential barriers to engagement were not taken into account in planning the work in more than one-third of cases (see recommendation 19).

Other findings:

- 2.19. The process of initial assessment and planning was often driven by the target to complete this within the first ten working days. In some cases this resulted in the work not being as good as it might otherwise have been. This time constraint was sometimes compounded by there being no record of an oral report presented at sentence, and also because it was less likely than before *Transforming Rehabilitation* that offender managers in CRCs would be familiar with their cases prior to sentence. In many cases, much better informed work could have been produced within a slightly longer timeframe, but it was rare to see work being completed within the target time and then being revised a short while afterwards to address any deficiencies.
- 2.20. Half of the inspected cases presented a medium risk of serious harm to others. We were pleased to find this improvement in the completion and accuracy of initial Risk of Serious Harm screenings in comparison with earlier inspections. In some instances work by probation service officers to address the risk of harm to others was insufficient either because of a lack of experience or understanding of work and/or because they had yet to receive sufficient training.

Delivering the sentence

Key points:

- 2.21. The offender's attendance was monitored in almost all cases we saw, and compliance with restrictive requirements was monitored in the large majority. Orders and licences were appropriately enforced where required. We found, however, the recording of contacts in relation to compliance and enforcement remained confused, as detailed later in this report.
- 2.22. Following from the failure to take barriers to engagement into account in sentence planning (as noted earlier), we found that in one-third of cases insufficient steps were taken to overcome barriers to engagement in delivering the sentence, and more work could have been done to help and encourage the offender to engage fully with the work being undertaken.
- 2.23. In some cases the Rehabilitation Activity Requirement had been implemented in a way that led to fragmentation of contact between the offender and the offender manager. This limited the amount of necessary motivational work that could be done by the offender manager.
- 2.24. We found a large reliance on individual work done by the offender manager to address behaviours and attitudes, sometimes using structured materials. Work was delivered in groups in only a small number of cases, and the use of accredited group programmes for CRC cases appeared minimal in most LDUs inspected.

Further improvement was still required in the following area that related to previous recommendations:

- 2.25. Initial and repeated home visits were only done in half of the cases where they could have usefully contributed to protection of the public or compliance with the sentence (see recommendation 21).

Further improvement was required in the following area that related to new recommendations:

- 2.26. Work with the offender did not maintain sufficient focus on the behavioural changes required to reduce reoffending in one-third of cases. Our finding relating to a reliance on individual work with offenders may have contributed to this (see recommendation 31).

Other findings:

- 2.27. The planned level and pattern of contact was recorded, and was sufficient to undertake the level of work required to prevent further offending, in only two-thirds of the cases. This was noticeably poorer in CRC than NPS cases. The planned interventions, however, were already being delivered, or were timed for an appropriate future date in two-thirds of cases.
- 2.28. We met some staff who were unaware that the *Offender Rehabilitation Act* changed the requirement for offenders to notify a change of address, to a need to request permission to change address.
- 2.29. In cases subject to a Rehabilitation Activity Requirement the recording of contacts to the different elements of the order in nDelius was often confused and/or incorrect. In some cases there was a lack of clarity about which contacts could or did count towards the national standard for enforcement. The facility to require enforceable contact under the sentence management part of a court order as the responsible officer (rather than under a Rehabilitation Activity Requirement) was not generally well understood or used.
- 2.30. Only one case in our sample that had been referred to the NPS for escalation, and we are unable to comment generally on the escalation process from this inspection. We found that many of the NPS LDUs now had centralised or streamlined arrangements in place to process referrals for escalation.

Reviewing the work with the offender

Key points:

- 2.31. One-quarter of the offenders in our sample had been convicted of a further offence. (This is noticeably higher than in the previous inspections).
- 2.32. All reasonable action had been taken to minimise the offender's risk of harm to others and protect the public in less than two-thirds of cases.

Further improvement was still required in the following areas that related to previous recommendations:

- 2.33. Reviews of the work with the offender, and their likelihood of reoffending, were of sufficient quality in three-quarters of the cases where they had been done. The offender, however, was sufficiently involved in the review of their progress in little more than one-third, and there had been no review of the work in more than one-quarter of the cases where it was necessary (see recommendation 22).
- 2.34. We found evidence of effective management involvement or oversight in less than one-third of the cases where it was required (see recommendation 16).

Further improvement was required in the following areas that related to new recommendations:

- 2.35. Insufficient overall progress has been made in addressing the factors identified as making the offender more likely to reoffend in more than half of the cases (see recommendation 28).
- 2.36. There had been no review of the risk of harm assessment and management plan in nearly half of the cases where it was required. The quality of reviews was insufficient in more than one-third of those completed (see recommendation 32).

Other findings:

- 2.37. The offenders in cases included in the inspection had been under supervision for four months since sentence or release on licence, and in one-quarter of them there had been a review of the initial assessment and the progress made to date. In a further quarter, a review would have supported progress in the case but it was either of insufficient quality or not done. However, the quality of the reviews of the likelihood of reoffending assessments where done was noticeably better than we saw in previous inspections, although the number of reviews that had not been done where required was the same.
- 2.38. The lack of progress in reducing the likelihood of reoffending may have been attributable to a number of factors such as the time taken for the offender manager to become fully engaged with the offender at the start of the order or licence, and insufficient focus from the offender manager on the behavioural changes required to reduce reoffending.
- 2.39. Changes in the risk of harm posed by the offender were responded to appropriately in less than two-thirds of relevant cases. There was evidence that other people or organisations involved with the offender had been notified of changes in only one-quarter of the cases. This contrasted with cases supervised by the NPS where this work was of a much higher quality.

Early Work in the NPS

3



3. Early Work in the NPS

Findings

Assignment, induction and first appointments

Key points:

- 3.1. The first appointment (arranged with any member of staff) was within two working days of sentence or release from custody in half of the inspected cases. A further third were between three and five working days. Most offenders released from custody on licence had an appointment within one working day of release, all within seven working days.
- 3.2. Only half of offenders had the first appointment arranged with the assigned offender manager. This was noticeably lower than in our previous two inspections. The remainder were with a duty officer or a group induction. Most of those, however, were given their next appointment with their assigned offender manager.
- 3.3. Three-quarters of all inductions were timely and individualised.
- 3.4. More than half of the cases had an appointment with the assigned offender manager within five working days of sentence or release, with a further third within ten working days.
- 3.5. There was sufficient assessment of diversity factors and potential barriers to engagement in most cases.

Managing the offender

Key points:

- 3.6. The likelihood of reoffending had been assessed at the start of sentence in nearly all cases, and most were of sufficient quality.
- 3.7. All NPS cases had an initial sentence plan in place, and this was informed and timely in most cases. Almost all plans had set appropriate objectives to address the causes of the person's offending, although the offender was meaningfully involved in only two-thirds of the plans.
- 3.8. An initial Risk of Serious Harm screening had been done in all cases, and most were timely and accurate. A full analysis had been done in all cases where it was required. Most of these were of sufficient quality, and this was an improvement on what we found in previous recent inspections.
- 3.9. Child Protection and safeguarding issues were clearly recorded in most cases, in contrast to CRC cases where the proportion was much lower.
- 3.10. All cases had an initial risk management plan where required, most were timely, and more than three-quarters were of sufficient quality (see recommendation 2).
- 3.11. Appropriate priority was given to the safety of current and potential victims by NPS staff in most cases.
- 3.12. Diversity factors and potential barriers to engagement were taken into account in planning the work in three-quarters of cases.

Other findings:

- 3.13. Half of the cases in the NPS sample were classified as high risk of serious harm. The quality of initial risk of harm work had improved compared with recent inspections and was noticeably better than in the CRCs. The NPS was subject to the same target to complete initial assessments and planning within the first ten working days as the CRCs, but this appeared to detract less from the quality of work in the NPS. In some LDUs the NPS was giving some flexibility to its staff in the requirement to meet this deadline.

Delivering the sentence

Key points:

- 3.14. The frequency and type of contact with offenders was in line with the planning and met the requirements and purpose of sentencing in nearly all cases.
- 3.15. Diversity factors were taken into account, and in most cases sufficient work was done to overcome barriers to engagement to help and encourage the offender to engage fully with the work undertaken during their sentence.
- 3.16. The offender's attendance was monitored in almost all cases we saw, and compliance with restrictive requirements was monitored in the large majority. Orders and licences were appropriately enforced where required, but we found the recording of contacts in relation to compliance and enforcement remained confused.
- 3.17. Work with the offender maintained sufficient focus on the behavioural changes required to reduce reoffending in most cases.
- 3.18. The facility to require contact under the sentence management component of court orders was not generally well understood.
- 3.19. Initial and repeated home visits were done in the majority of the cases where they were needed. This is noticeably higher than for CRC cases (see recommendation 4).
- 3.20. Multi-Agency Public Protection Arrangements operated effectively in all four applicable cases.
- 3.21. ViSOR was used effectively in 8 out of the 12 relevant cases.
- 3.22. Child Protection procedures were used effectively in 15 out of 16 relevant cases.

Other findings:

- 3.23. The planned level and pattern of contact was recorded in most cases, and was sufficient to the needs and situation of the offender in the large majority of cases. This, and maintaining sufficient focus on the behavioural changes required to reduce reoffending, was noticeably better in NPS than CRC cases. The planned interventions were already being delivered, or were timed for an appropriate future date in over two-thirds of cases.
- 3.24. As previously noted, some staff were unaware of the change from a requirement for offenders to notify a change of address, to the need to request permission to change address since the introduction of the *Offender Rehabilitation Act*.

Reviewing the work with the offender

Key points:

- 3.25. Less than one-fifth of the offenders in our sample had been convicted of a further offence.
- 3.26. All reasonable action had been taken to minimise the offender's risk of harm to others and protect the public in most cases.
- 3.27. There had been a review of the work with the offender in nearly all cases where it was necessary. Most completed reviews were of sufficient quality. The likelihood of reoffending had also been reassessed in nearly all cases where it was necessary, and nearly all completed assessments were of sufficient quality.
- 3.28. The offender was sufficiently involved in the review of their progress in two-thirds of cases, a somewhat higher figure than for CRC cases.
- 3.29. There had been a review of the risk of harm assessment and management plan in most of the cases where it was required. The quality of reviews was sufficient in nearly all of those completed.

Further improvement was required in the following area that related to new recommendations:

- 3.30. Insufficient overall progress has been made in addressing the factors identified as making the offender more likely to reoffend in slightly less than half of the cases (see recommendation 28).

Other findings:

- 3.31. The offenders in cases included in the inspection had been under supervision for four months since sentence or release on licence, and two-thirds of them required a review of the initial assessment and the progress made to date. The quality of the reviews of the likelihood of reoffending assessments when done was noticeably better than we saw in previous inspections.
- 3.32. The lack of progress in reducing the likelihood of reoffending may have been attributable to a number of factors such as the time taken for the offender manager to become fully engaged with the offender at the start of the order or licence, and insufficient focus from the offender manager on the behavioural changes required to reduce reoffending.
- 3.33. Changes in the risk of harm posed by the offender were responded to appropriately in more than three-quarters of relevant cases. There was evidence that other people or organisations involved with the offender had been notified of changes in almost all cases. This contrasted with cases supervised by the CRCs where this work was of a much lower quality.
- 3.34. We found evidence of effective management involvement or oversight in over three-quarters of the cases where it was required.

The views of offenders

4



4. The views of offenders

Introduction

We offered offenders in our sample, the opportunity to participate in an interview with the inspectors. We interviewed a total of 32 offenders using a semi-structured interview tool. In each area we managed to speak to some offenders from both the NPS and CRCs. Overall, 13 individuals were managed by the NPS and 19 by the CRCs. Two-thirds of the offenders were subject to a community sentence, the rest were on a licence. We are grateful to them for assisting us with this inspection.

Findings

- 4.1. The findings from our interviews with offenders were broadly consistent with what we had found in previous inspections.
- 4.2. Most offenders had a generally positive experience of the preparation of pre-sentence reports, although as previously one area for improvement identified was greater attention to individual circumstances such as health or childcare.
- 4.3. Most reported receiving clear induction that emphasised the requirements of their supervision. Some had been subject to enforcement processes as a consequence of not keeping appointments, and talked of their personal situations being responded to flexibly.
- 4.4. The level of contact reported by respondents was consistent with our case assessment data. The offenders described a good balance in work with them between a focus on their offending behaviour, and other legitimate needs (such as housing and employment).
- 4.5. One offender explained how his offender manager in the CRC had been proactive in ensuring he did not miss appointments due to health problems by working with him to find the best way to remind him of appointments. They decided on a system of calendars and mobile phone text messages. The result was that he had not missed any appointments other than for pre-arranged hospital appointments.
- 4.6. One person on licence reported how in a CRC he had had three different offender managers, and felt that there was little point disclosing much personal information since he had to repeat it all again each time his offender manager changed. He said he had high expectations on release from prison but was now struggling as he felt he “was not getting anywhere”.
- 4.7. An offender under NPS supervision said that his offender manager had recognised his individual needs and responded flexibly. This has enabled him to relax and engage well, knowing that she (the offender manager) understood the impact his mental health problems sometimes had on his ability to get out of the house and keep appointments.
- 4.8. Another offender on licence had been recalled twice by his offender manager in the NPS. The offender manager, however, had clearly exercised good management and people skills, and it was clear from talking to the offender that they had a good working relationship and he was able to take responsibility for his breaches of the licence rather than it impacting negatively.
- 4.9. Overall, most of those who took part in the interviews reported a positive experience. One respondent under NPS supervision said:

“I really trust my probation officer and believe that she wants me to succeed. I really needed someone to encourage me”.

- 4.10 Another said of her CRC:

“[they] have been really good; when I’ve contacted them I always get a response. My experience with them has been very good.”

Appendices



Appendix I

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Appendix II

Inspection Methodology

In this inspection we have focused on work undertaken at the point of sentence and allocation by the National Probation Service (NPS), work undertaken by the Community Rehabilitation Companies (CRCs) and the NPS to manage offenders, and the interfaces between the two organisations. We have included work with those released from custody on licence, and excluded those subject to a single requirement of unpaid work, an attendance centre, an exclusion or curfew.

The fieldwork for this inspection took place in July and August 2015. We looked at work that had been undertaken with offenders who had received community sentences or had been released on licences between four and five months prior to the inspection. The first three to four months often equates to about one-quarter of the length of an intervention. Consequently, it is difficult for us to assess the long-term outcomes of the interventions, as they had not had time to take full effect.

We looked at 134 cases that had been allocated to the CRCs. Of these, 78 were community orders, 31 suspended sentence supervision orders and 25 licences. The sample was 77% male, 91% white British and 7% were from black and minority ethnic communities. Two percent were from other ethnic groups.

There were 45 NPS cases in our sample. Thirteen were community orders, eight suspended sentence supervision orders and twenty four licences. The sample was 93% male, 93% white British and 4% were from black and minority ethnic communities. Two percent were from other ethnic groups.

The case samples from the CRCs and NPS are different in many regards. The main differences relate to risk of serious harm levels and Multi-Agency Public Protection Arrangements status. The NPS sample also contained a much higher proportion of licence cases and a lower proportion of female cases.

We visited five NPS Local Delivery Unit clusters and the associated CRCs. These were:

East Sussex & Brighton (Kent, Surrey & Sussex CRC), Doncaster & Rotherham (South Yorkshire CRC), Cleveland (Durham Tees Valley CRC), Southampton & Portsmouth (Hampshire & Isle of Wight CRC), Wigan & Bolton (Cheshire & Greater Manchester CRC). A team of six inspectors visited each area for three days.

We interviewed 35 NPS offender managers and 84 CRC offender managers who were responsible for the cases we examined. We also held five focus groups for middle managers in the NPS and five for middle managers in the relevant CRC. We interviewed 32 offenders using a semi-structured interview tool.

The scope of each of our *Transforming Rehabilitation* inspections is similar, but the detailed focus has varied to enable us to explore specific areas of practice as the *Transforming Rehabilitation* programme has progressed. Each of the four inspections has visited a different set of Local Delivery Units. It is not, therefore, possible to directly compare the findings or to say conclusively that any differences are representative of performance across England and Wales. We have, however, commented where we have seen indications of progress made on what we have seen as challenges in our previous *Transforming Rehabilitation* inspections.

Appendix III

Glossary

<i>Allocation</i>	The process by which a decision is made about whether an offender will be supervised by the NPS or a CRC.
<i>Assignment</i>	The process by which an offender is linked to a single offender manager who will arrange and coordinate all the interventions to be delivered during their sentence.
CAS	Case Allocation System – a document which needs to be completed prior to the allocation of a case to a CRC or the NPS.
CRC	Community Rehabilitation Company: 21 such companies were set up in June 2014, to manage most offenders who present a low or medium risk of serious harm.
<i>Child Protection</i>	Work to ensure that that all reasonable action has been taken to keep to a minimum the risk of a child coming to harm.
<i>Escalation</i>	Escalation is used to describe the process where a case allocated to a CRC is referred to the NPS for reallocation on the grounds that an increase in the risk of harm posed by the offender now places that person within the category of those that should be supervised by the NPS.
<i>HMI Probation</i>	HM Inspectorate of Probation.
<i>Interventions; constructive and restrictive interventions</i>	Work with an individual that is designed to change their offending behaviour and/or to support public protection. A constructive intervention is where the primary purpose is to reduce likelihood of reoffending. A restrictive intervention is where the primary purpose is to keep to a minimum the individual's risk of serious harm to others. Example: with a sex offender, a constructive intervention might be to put them through an accredited sex offender programme; a restrictive intervention (to minimise their risk of serious harm) might be to monitor regularly and meticulously their accommodation, their employment and the places they frequent, imposing and enforcing clear restrictions as appropriate to each case. NB. Both types of intervention are important.
<i>LDU</i>	Local Delivery Unit: an operation unit comprising of an office or offices, generally coterminous with police basic command units and local authority structures.
<i>MAPPA</i>	Multi-Agency Public Protection Arrangements: where probation, police, prison and other agencies work together locally to manage offenders who pose a higher risk of serious harm to others.
<i>NPS</i>	National Probation Service: a single national service which came into being in June 2014. Its role is to deliver services to courts and the parole board; and to manage specific groups of offenders: <ul style="list-style-type: none"> • Those presenting a high or very high risk of serious harm. • Those managed under MAPPA arrangements. • Those with an RSR score over 6.89%. • Those eligible for deportation. • Those subject to deferred sentence. • Those where there is a 'public interest' in the case.
<i>nDelius</i>	National Delius: the national probation case management system which was rolled out through 2013 and early 2014.
<i>NOMS</i>	National Offender Management Service: The single agency responsible for both prisons and probation services.

OASys	Offender Assessment System: The nationally designed and prescribed framework for both Probation and Prisons to assess offenders, implemented in stages from April 2003.
Offender management	A core principle of offender management is that a single offender manager takes responsibility for managing an offender through the period of time they are serving their sentence, whether in custody or the community. Offenders are managed differently depending on their risk of serious harm to others and what constructive and restrictive interventions are required. Individual intervention programmes are designed and supported by the wider 'offender management team or network', which can be made up of the offender manager, offender supervisor, key workers and case administrators.
Offender manager	In the language of offender management, this is the term for the officer with lead responsibility for managing a specific case from 'end to end'.
Probation Trust	Until May 2014, probation services were delivered by Probation Trusts, working under the auspices of NOMS.
Restrictive requirements	Restrictive requirements are those requirements within a community order, suspended sentence order or custody licence where the primary purpose is to restrict the liberty of the individual. Examples include curfew, prohibited activity, residence and geographical exclusions.
PSR	Pre-sentence report. This refers to any report prepared for a court, whether delivered orally or in a written format.
RoSH	Risk of Serious Harm: a term used in OASys. All cases are classified as presenting a low/ medium/ high/ very high risk of serious harm to others. HMI Probation uses this term when referring to the classification system, but uses the broader term risk of harm when referring to the analysis which has to take place in order to determine the classification level. This helps to clarify the distinction between the probability of an event occurring and the impact/severity of the event. The term Risk of Serious Harm only incorporates 'serious' impact, whereas using 'risk of harm' enables the necessary attention to be given to those offenders for whom lower impact/severity harmful behaviour is probable.
Rehabilitation Activity Requirement	Rehabilitation Activity Requirement (RAR): a requirement within a community order or suspended sentence order introduced by the <i>Offender Rehabilitation Act 2014</i> , which requires the offender to attend appointments and/or participate in activities for the purpose of their rehabilitation. This replaces the separate supervision and activity requirements under the <i>Criminal Justice Act 2003</i> .
RSR	Risk of Serious Recidivism: An actuarial calculation of the likelihood of the offender being convicted of a serious sexual or violent offence; this calculation was introduced in June 2014 as a required process in the implementation of <i>Transforming Rehabilitation</i> .
Safeguarding	The ability to demonstrate that a child or young person's well-being has been 'safeguarded'. This includes – but can be broader than – Child Protection.
ViSOR	ViSOR is a national confidential database that supports MAPPA. It facilitates the effective sharing of information and intelligence on violent and sexual offenders between the three MAPPA Responsible Authority agencies (police, probation and prisons). ViSOR is no longer an acronym but is the formal name of the database.

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