



## Minimum Contact Position Statement

<p><b>Background</b></p>	<p>The <i>National Standards for the Management of Offenders in the Community</i> set by the Home Secretary in 1992 were the first specification of minimum contact levels for offenders on probation and their probation officers.</p> <p>These were welcomed at the time by HM Chief Inspector of Probation Sir Graham Smith but are no longer prescribed to by probation providers or HMI Probation. They set out the following minimum levels of contact:</p> <table border="1" data-bbox="347 857 1337 1279"> <thead> <tr> <th>Community penalty</th> <th>Frequency of contact</th> </tr> </thead> <tbody> <tr> <td colspan="2"><i>Probation orders:</i></td> </tr> <tr> <td>- first three months of an order</td> <td>12 appointments (normally weekly)</td> </tr> <tr> <td>- second three months</td> <td>6 appointments</td> </tr> <tr> <td>- thereafter</td> <td>at least one appointment a month</td> </tr> <tr> <td><i>Supervision orders</i></td> <td>As for probation orders</td> </tr> <tr> <td><i>Community service orders</i></td> <td>A minimum of 5 hours work per week throughout the order; no more than 21 hours should be worked in any one week</td> </tr> <tr> <td><i>Combination orders</i></td> <td>Not specified</td> </tr> </tbody> </table> <p><a href="https://publications.parliament.uk/pa/cm199798/cmselect/cmhaff/486/48606.htm">https://publications.parliament.uk/pa/cm199798/cmselect/cmhaff/486/48606.htm</a></p> <p>Such minimum standards for contact were disestablished in 2011 when revised National Standards moved probation practice to a model of professional judgement and simply stated that <i>purposeful contact is made with the offender promptly after order commencement/release on licence</i> and required that <i>the sentence plan is implemented</i>.</p> <p>The current National Standards (2015) maintain this approach and do not specify minimum contact levels.</p>	Community penalty	Frequency of contact	<i>Probation orders:</i>		- first three months of an order	12 appointments (normally weekly)	- second three months	6 appointments	- thereafter	at least one appointment a month	<i>Supervision orders</i>	As for probation orders	<i>Community service orders</i>	A minimum of 5 hours work per week throughout the order; no more than 21 hours should be worked in any one week	<i>Combination orders</i>	Not specified
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<p><b>Relevant provisions/clauses (legislation, international rules, National Standards, contracts, SLAs)</b></p>	<p>The National Probation Service (NPS) <i>Service Level Agreement</i> made with the now disbanded National Offender Management Service (NOMS) does not specify a minimum frequency or duration of Offender Manager/Allocated Person contact. Instead it notes that <i>an enhanced level of contact is provided to address higher levels of need</i>.</p>																

	<p>In Community Rehabilitation Company (CRC) contracts there are two specifications; that the CRC shall meet the service user face to face to prepare a plan within five working days after allocation by the NPS and that upon release from custody the service user should be seen face to face within one working day. The detail is set out in the table below. CRC contracts do not specify minimum ongoing contact frequency, type or duration.</p> <table border="1" data-bbox="355 488 1522 992"> <tr> <td data-bbox="355 488 456 705">OM3</td> <td data-bbox="456 488 1522 705">The Contractor shall arrange a face to face appointment between the Contractor and each Allocated Person to take place within five Business Days after the allocation by the Authority of the Allocated Person to the Contractor in order to prepare a Plan in accordance with OM8 of this Schedule 7.</td> </tr> <tr> <td data-bbox="355 705 456 992">OM4</td> <td data-bbox="456 705 1522 992">(ii) The Contractor shall arrange for a face to face appointment between the Contractor and each Allocated Person released from custody to take place within one Business Day after that Applicable Person has been released from custody in order to prepare a Plan or review the existing Plan in accordance with OM8 of this Schedule 7.</td> </tr> </table> <p><a href="https://www.gov.uk/government/publications/community-rehabilitation-company-contracts">https://www.gov.uk/government/publications/community-rehabilitation-company-contracts</a></p>	OM3	The Contractor shall arrange a face to face appointment between the Contractor and each Allocated Person to take place within five Business Days after the allocation by the Authority of the Allocated Person to the Contractor in order to prepare a Plan in accordance with OM8 of this Schedule 7.	OM4	(ii) The Contractor shall arrange for a face to face appointment between the Contractor and each Allocated Person released from custody to take place within one Business Day after that Applicable Person has been released from custody in order to prepare a Plan or review the existing Plan in accordance with OM8 of this Schedule 7.
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<b>Relevant Agency guidance</b>	None stated				
<b>Evidence base</b>	<p>There is no definitive research to establish the minimum level of acceptable contact for supervising cases in the community. Instead, research findings focus upon the quality of the contact, recognising that the establishment of trusting personal relationships can be a powerful vehicle for change<sup>1</sup>. For example, the desistance literature promotes the importance of respectful, participatory and flexible “working alliances” between service users and practitioners<sup>2</sup>. Other research highlights the need for a personalised delivery for service users thus avoiding a one-size-fits-all approach<sup>3</sup>.</p> <p>The commentary on the Council of Europe probation rules states that:</p> <p style="padding-left: 40px;">“The nature and intensity of the supervision (for example, the frequency of required reporting to the supervising officer) should depend on the individual offender and be subject to revision depending on changes in the</p>				

<sup>1</sup> Sapouna, M., Bisset, C., Conlong, A. and Matthews, B. (2015) *What Works to Reduce Reoffending: A Summary of the Evidence*, Edinburgh: Scottish Government (Justice Analytical Services)

<sup>2</sup> McNeill, F. and Weaver, B. (2010) *Changing Lives: Desistance Research and Offender Management*, Glasgow: Glasgow School of Social Work & Scottish Centre for Crime and Justice Research Universities of Glasgow and Strathclyde

<sup>3</sup> McGuire, J. (1995) *What Works: Reducing Reoffending Guidelines from Research and Practice*, Chichester: John Wiley & Sons

	<p>offender’s the personal circumstances and in progress towards the objectives of supervision.”</p> <p>We have commissioned a rapid evidence assessment of the evidence around types of supervision and will revisit our position once that reports.</p>
<p><b>HMI Probation standards</b></p>	<p>In our case level standards (domain two) we are interested in whether the level and nature of contact is sufficient to reduce reoffending and support desistance in individual cases. In making judgements about this, inspectors must be satisfied that engagement with the service user was appropriate to the individual, relevant and responsive to the needs of the case, and sufficient to support completion of the identified interventions in the plan<sup>4</sup>. A prescribed model of minimum contact would not achieve this in all cases. It is likely that the level of contact towards the end of a period of supervision will become less frequent but this must be based on risk, need and individual case factors.</p> <p>At an organisational level (domain one) we require that leadership supports and promotes the delivery of a high-quality, personalised and responsive service for all service users. In reaching our judgement about whether this standard is met we ask whether the operating model supports effective service delivery and meets the needs of all service users<sup>5</sup>. We expect to see the operating model clearly set out and we work to the following definitions.</p> <p><b>Meaningful contact</b> is contact that focuses on addressing risk and desistance factors in a way that is accessible and acceptable to service users. It is contact that engages service users in relevant activities or addresses any risk of harm they present. This entails services and interventions that operate in a planned and co-ordinated way.</p> <p><b>Continuity of contact</b> requires that sentences are delivered consistently and are carefully coordinated, preferably by one offender manager working with the same service user throughout, but failing that through systems and operational processes that achieve the same end.</p> <p><b>The operating model</b> must be responsive to the needs of service users, which requires that in most situations contact should be face to face to ensure that needs are being assessed appropriately and service users are being actively engaged. There may be occasions when face to face contact is interspersed with telephone appointments, but this should be the exception rather than the rule and be based on a clear rationale.</p> <p><b>The delivery environment</b> should provide the volume, range and quality of services to meet the needs of service users either in-house or through other agencies and we consider whether the premises and offices enable staff to deliver a quality service<sup>6</sup>. Premises should as a minimum provide for discrete and</p>

<sup>4</sup> HMI Probation Standards for the inspection of Probation Services- Standard 2.3.2

<sup>5</sup> HMI Probation Standards for the inspection of Probation Services- Standard 1.1.3

<sup>6</sup> HMI Probation Standards for the inspection of Probation Services- Standard 1.4.2

	<p>confidential interviewing space where service users can be seen without the possibility of being overheard, including in buildings which are shared with other users and members of the public.</p>
<b>HMI Probation position</b>	<p>HMI Probation's standards are intentionally non-prescriptive about frequency of contact. Instead, we are interested in whether the level and nature of contact is sufficient to reduce reoffending and support desistance in individual cases. Contact may be less frequent towards the end of a period of supervision but any such approach must be based on risk, need and individual case factors.</p> <p>There is no research evidence supporting a minimum level of contact. If inspectors find cases where supervision is not taking place face-to-face on a monthly basis, they should properly investigate the justification for this approach.</p> <p>At an organisation level we expect to see that the operating model supports effective service delivery and meets the needs of all service users. We consider meaningful contact, continuity of contact and the provision of an appropriate delivery environment as key factors underpinning this delivery.</p>
<b>Linked position statements</b>	Remote supervision
<b>Date last updated</b>	11 <sup>th</sup> June 2018
<b>Signed off by</b>	Dame Glenys Stacey

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