



Probation inspection

Domain three

case assessment rules and guidance

HMI Probation, v2.4 June 2018

Questions with a dark grey background are directly linked to the published probation standards, key questions, and prompts. All of these questions need to be taken into account when making decisions about summary judgement questions.

Questions with a light grey background are intended to gather additional background information for the report, and while linked to the standards, do not directly derive from them. They should therefore be given less weight when considering your answers to the summary judgement questions

COURT REPORTS AND CASE ALLOCATION

Question number	Question Text	CARaG content
	REPORT DETAILS	
R 0.11	What type of report was prepared?	Inspectors will identify the type of report prepared in the case: Standard delivery report, based on OASys Fast written report, without OASys Breach report Oral report, with or without a written record The relevant Probation Instruction for the NPS Is available for reference, but we do not inspect against the contents of this instruction We are more interested in the content and quality of the report, however it is produced, than in the format itself.
R 0.12	Was the report prepared on the same day as the plea or finding of guilt?	The entries on nDelius related to court appearances should indicate when the report was ordered. There are some cases where the court orders an oral or fast written report, and the case is adjourned to a different date for sentencing, with the oral or fast report produced on the sentencing day. In such cases, the report has not been prepared on the same day as the plea or finding of guilt.
R 0.13	At what type of court was the service user sentenced?	
R 0.14	Was the OGRS score recorded before allocation?	Inspectors will expect to see the OGRS score calculated as part of the report preparation, as this is a crucial factor in deciding what might be the appropriate sentence to propose.

R 0.15	What was the OGRS score (24 months)?	
R 0.16	Was the RSR score recorded before allocation?	Inspectors will expect to see a calculation of the RSR score as part of the report preparation process. This is one of the deciding factors in case allocation, and should also be taken account of as part of the overall assessment of Risk of Serious Harm.
R 0.17	What was the RSR score?	
R 0.18	Offence: please select the original, principal offence only	A reference document listing all summary and indictable offences is available.
	STAFF DETAILS	
R 0.19	Grade of staff member who prepared the report for court:	
R1	Is the pre-sentence information and advice provided to court sufficiently analytical and personalised to the service user, supporting the court's decision-making?	
R 1.1	Were up-to-date previous convictions available at the point the report was prepared?	We expect to see up-to-date previous convictions uploaded onto the Offender Index on nDelius as part of the report preparation.
R 1.2	Was a written copy of the prosecution papers available at the point the report was prepared?	We expect to see a copy of the prosecution papers uploaded onto the Event Details on NDelius as part of report preparation.

R 1.3	Does the information and advice draw sufficiently on available sources of information?	<p>Inspectors need to consider what sources of information were available to the report writer at the time the report was written. Were there gaps? If so, were attempts made to find this information from other sources? As a minimum, documents from the CPS including previous convictions, and any information on Oasys/nDelius about current or recent supervision, should form the basis for information given to court. If there is one, the victim impact statement should also be taken account of.</p> <p>In some circumstances, information from other agencies such as substance misuse services or mental health should be sought and utilised.</p> <p>HMI Probation also expect checks to be made with police domestic abuse units and children's social care in relevant cases.</p>
R 1.4	Is there evidence that the service user meaningfully involved in the preparation of the report, and are their views taken into account?	We do not want to see a "one size fits all" report or proposal. Is reference made in the report, or any other documents, to the views of the service user? Has a Self-Assessment Questionnaire been completed, and/or is it clear that the report writer has explored the issues that the service user identifies for them self?
R 1.5	Is there evidence that the advice to court consider factors related to the likelihood of reoffending?	Inspectors will be looking to see whether the written record of the report makes it clear what the main factors related to likelihood of reoffending were.
R 1.6	Is there evidence that the advice to court considered factors related to risk of harm?	Inspectors will be looking to see whether the written record of the report makes it clear whether there were any factors related to risk of harm, and if so, what they were.
R 1.7	Is there evidence that the advice to court considered the service user's motivation and readiness to change?	This does not have to be an extensive analysis, but there needs to be some explanation of the motivation of the service user, and an assessment of their readiness to change.
R 1.8	Is there evidence that the advice to court considered the service user's diversity and personal circumstances?	This does not have to be extensive, but if there are any apparent diversity factors or relevant personal circumstances, particularly where they might affect the service user's ability to comply with any order imposed, we would expect these to be drawn to the attention of the court.

R 1.9	Is there evidence that the advice to court considered the impact of the offences on known/identifiable victims?	We expect to see the report making some comment about the impact of the offences on any identifiable victims, and the attitude of the service user to that.
R 1.10	Is an appropriate proposal made to court?	<p>Does the proposal allow for assistance to be given with any offending -related factors? Has consideration been given to Drug Rehabilitation Requirements, Alcohol Treatment Requirements, Mental Health Treatment Requirements (if relevant)? Has an explanation been given about the factors that might be covered by any Rehabilitation Activity Requirement?</p> <p>Is the service user likely to be eligible and suitable for any accredited programmes, and if so was a programme proposed to court? Where the proposal has been for a requirement or set of requirements without any rehabilitative content (any combination of unpaid work, curfew, prohibition), does that meet the needs of the case? Even where the court has specifically asked for e.g. an unpaid work assessment, the NPS should check out and inform the court about whether that is likely to be an effective sentence. Is a punitive requirement proposed in all cases where a Community Order is proposed (as required by LASPO)?</p> <p>Where there are factors related to harm, for example domestic abuse, does the proposal allow for these issues to be addressed? (We would expect this, even where the index offence is not related to these issues).</p> <p>Is the proposed sentence likely to be achievable by the service user, bearing in mind any protected characteristics or other diversity factors? Where custody (immediate or suspended) has been proposed, has it been explained why no other option is appropriate?</p> <p>If the proposal does not allow for key offending or risk of harm to factors to be addressed, based on information that was or should have been available to the person preparing the report, the answer will be "No".</p>

R 1.11	Is there a sufficient record of the advice given, and the reasons for it?	<p>The main source of evidence about the record of advice given to court, and the reasons for it, will be the written report. For standard and fast reports, this will be the typed report itself. For oral reports, it will be the uploaded copy of the report. The written record of oral reports may be brief or even non-existent, but our judgement is still based on that.</p> <p>Under the current working arrangements with HMCTS, we cannot expect reports to be lengthy documents in all circumstances. We can though, expect them to make an appropriate proposal, based on sufficient information. We also expect them to be personalised.</p> <p>The reason for this is that the written record of the report is what a responsible officer will base their supervision on. The responsible officer needs to understand what was proposed to the court and why, and the content of the report may form part of a breach case in the future. Our 2017 thematic inspection of Court Reports found that the presentation in court of oral reports was generally of an acceptable standard. However, on Q&I inspections, we found that the written record of oral reports is not always so good.</p>
R 1.12	What proposal was made to court?	
R 1.3	What sentence was imposed by the court?	
R 1 S	Summary judgement:	
	Is the pre-sentence information and advice provided to court sufficiently analytical and personalised to the service user, supporting the court's decision-making?	To make a judgement, consider whether the report preparation process obtained, and used properly, all the relevant information that was, or could reasonably have been expected to be available. Was the process sufficiently personalised depending on the individual needs and circumstances of the service user? Was an appropriate proposal put to the court, allowing relevant factors related to reoffending and risk of harm to be addressed? It is important to focus on the proposal made, not the sentence actually imposed.
R2	Is the allocation of the case prompt, accurate, and based on sufficient information?	

R 2.1	Is there a sufficient record of the assessment and advice to the court, for the purposes of allocation and the communication of relevant information to the organisation responsible for supervision?	As well as a record of the report delivered to court, we expect to see a record of any other enquiries undertaken. This may include a record of the interview with the service user and any significant others; conversations with other professionals working with the service user and their family; and notes of any documents that were used. Enquiries made to other agencies (including police domestic abuse units/children's social care) should be clearly recorded. Relevant documents should be uploaded onto nDelius in a way that is legible, and accessible.
	Is the case allocated promptly to the correct agency?	<p>Criteria for allocation to the NPS:</p> <ul style="list-style-type: none"> -case is already allocated to the NPS under an existing order -case is assessed, on the basis of the current offence, as High or Very High risk of serious harm -RSR score is 6.9 or greater -case is MAPPA eligible -case is a foreign national eligible for deportation (custody 12+ months) -case meets Public Interest criteria -case is subject to a sexual risk order or sexual harm prevention order -case is prosecuted by National Crime Agency and a serious crime prevention order is made at the point of sentence -cases subject to a deferred sentence <p>All other cases must be allocated to the CRC. The most common reason for misallocation is the failure to identify a case as eligible for MAPPA</p>
R 2.3	Which agency was the case allocated to?	
2.4	If the case was allocated wrongly, please explain why:	If a case has been wrongly allocated to the NPS, we would expect the NPS to retain that case. If the case has been wrongly allocated to a CRC, we will recommend that the NPS contact the CRC and request that the case is transferred to them.

R 2.5	Are there current concerns about the service user being a perpetrator (or potential perpetrator) of domestic abuse?	<p>The Home Office definition of domestic violence and abuse is: Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but it is not limited to; psychological, physical, sexual, financial, emotional.</p> <p>Domestic abuse is pervasive, and only a small proportion of incidents ever reach the point of charge/conviction. If there is any known conviction/charge/allegation/behaviour that meets the criteria for domestic abuse, answer this question 'yes', unless there is evidence of a substantial change in behaviour or that behaviour is so historical as to be irrelevant. Also answer 'yes', even if the service user is not currently in an intimate relationship.</p>
R 2.6	Is there evidence that enquiries were made to the police domestic abuse unit?	<p>We expect the NPS to initiate domestic abuse checks with the police in all cases at the point a PSR is ordered by the court. Those checks, and responses from the police, should be clearly recorded on nDelius.</p> <p>We expect the NPS to be working with police forces to facilitate a clear, detailed and speedy response to all enquiries.</p>
2.7	Was a response received from the police domestic abuse unit?	

R 2.8	Are there any current child safeguarding or child protection concerns in relation to this case?	<p>Working Together to Safeguard Children (2015) contains statutory guidance about the responsibilities of a wide range of statutory agencies, including providers of probation services, in promoting the welfare of children, protecting children from harm and safeguarding them.</p> <p>In detail, those responsibilities include:</p> <ul style="list-style-type: none"> - assessing the risk of serious harm posed to children by service users (either directly through offending, or indirectly, for example domestic abuse) - identifying concerns in relation to potential harm such as from neglect or substance misuse in parents - identifying the impact of parental offending behaviour on the well-being and development of children - considering the impact of parental responsibility on the ability of parents and carers to comply with community orders or licences <p>If there are any features in this case which lead to concerns about the safety or well-being of children, inspectors will answer 'yes.'</p>
R 2.9	Was the service user a source of these safeguarding or protection concerns?	In some cases, it is the offending or other behaviour of the service user that causes concerns about child safeguarding or child protection. In other cases, it might be the behaviour of a partner or other family member that is of concern.
R 2.10	Is there evidence that enquiries were made to children's services?	<p>We expect the NPS to initiate child safeguarding checks with children social care in all cases where the service user has children, is in contact with children or presents a potential risk of harm to children. Checks should be made at the point a PSR is ordered by the court. Those checks, and responses from the police, should be clearly recorded on nDelius.</p> <p>We expect the NPS to be working with local authorities to facilitate a clear, detailed and speedy response to all enquiries.</p>
R 2.11	Was a response received from children's services?	
R 2.12	Was a RoSH screening prepared before the case was allocated?	<p>If an OASys assessment has been completed as part of the report or allocation process, the RoSH screening will be in the OASys document.</p> <p>If there is no OASys, there should be a RoSH screening document on nDelius.</p>

R 2.13	Was the RoSH screening full and accurate?	<p>However, the RoSH screening is produced, we expect it to be full and accurate. We expect it to refer to all known offences and behaviour that is indicative of potential risk of serious harm, not just to serious offences that have been committed. It must utilise, and be consistent with, other information that is available at the time, including previous OASys assessments, nDelius records etc.</p>
R 2.14	Did the RoSH screening indicate the need for a full RoSH analysis?	<p>The purpose of a RoSH screening is to identify whether there are factors in the case that should be subject to a full RoSH analysis.</p> <p>In some circumstances, where the only offending/behaviour of concern is either very minor or historical, an exemption from completing a full analysis can be used justifiably.</p> <p>In some circumstances, a full RoSH analysis is needed to explain and justify an assessment of low risk of serious harm.</p> <p>In all cases where the correct level of risk of serious harm is medium or above, a full RoSH analysis is needed to explain the rationale for the level that is set.</p>

2.15	Was a full RoSH analysis completed before the case was allocated?	<p>In cases allocated to a CRC, the NPS is required to do a RoSH screening, on OASys or nDelius. If the screening indicates that a full analysis is needed, the NPS is required to complete a full RoSH analysis, again it may be done either on nDelius or OASys. The NPS is working towards completing all such risk assessments on OASys, but in many areas nDelius is still being used.</p> <p>In cases allocated to the NPS, the screening and full analysis if required, can be left to be completed by the allocated responsible officer.</p> <p>A “sufficient and accurate risk of serious harm assessment” will:</p> <ul style="list-style-type: none"> • refer to all convictions and known behaviour which indicate a potential to cause harm • analyse previous convictions and known behaviour to judge the likelihood of harm being caused in the future • indicate the nature of harm that could be caused, and identify potential victims • will incorporate relevant information from other agencies where required • identify the level of risk of serious harm, following the definitions on Oasys <p>In cases where there has been no previous behaviour indicating potential to cause harm, a screening alone will be sufficient to justify an answer “Yes”.</p> <p>In cases where there is previous behaviour indicating potential to cause harm, a full analysis (Oasys or nDelius) will be required.</p> <p>On the rare occasions where a Standard Delivery Report is completed, the screening and any necessary full analysis will be completed as part of the Oasys for that report.</p> <p>In most other cases, the ROSH_FAA form on nDelius contains the RoSH screening, although it is not as detailed as that on Oasys. It does not specifically ask for details of all previous violent offences, and requires the person completing it to note those under “other information”.</p> <p>HMIP expects that where the ROSH_FAA is used as the screening document, it screens in the same way as Oasys, i.e. it leads to a full analysis in all cases where there have been previous violent/sexual offences or other behaviour indicating the potential to cause serious harm, including emotional. Ideally, if a full analysis is needed, the NPS will complete that on Oasys. An interim policy has been in operation since 2015, to allow the NPS to complete the full analysis on nDelius, where there are “resource constraints”. The ROSH_FAA contains that also. The consequence of using the nDelius form rather than Oasys, is that the CRC has to start an Oasys from scratch, to complete the initial sentence plan, which is additional work for them.</p> <p>In cases allocated to the NPS, the screening and full analysis if required are left to be completed by the allocated responsible officer.</p> <p>So, 'sufficient' could be just a screening (Oasys or nDelius) when the screening does not indicate the need for</p>
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a full analysis.

'Sufficient' could be a screening and full analysis, where the full analysis is required.

'Where necessary' means in all cases that are going to be allocated to CRCs.

A sufficient and accurate risk of serious harm assessment will refer to all convictions or known behaviour which indicate a potential to cause harm, and will analyse previous convictions and known behaviour to judge the likelihood of harm being caused in the future.

R 2.16	What was the level of Rosh assessed at the point of allocation?	<p>Oasys definition of risk of serious harm: <i>A risk which is life-threatening and/or traumatic, and from which recovery, whether physical or psychological, can be expected to be difficult or impossible.</i></p> <p>Definitions of levels of Risk of Serious Harm: Low Risk of Serious Harm current evidence does not indicate likelihood of causing serious harm Medium Risk of Serious Harm there are identifiable indicators of risk of serious harm. The offender has the potential to cause serious harm but is unlikely to do so unless there is a change in circumstances. High Risk of Serious Harm there are identifiable indicators of risk of serious harm. The potential event could happen at any time and the impact would be serious. Very High Risk of Serious Harm there is an imminent risk of serious harm. The potential event is more likely than not to happen imminently and the impact would be serious.</p>
R 2.17	Was the assessed level of RoSH at the point of allocation correct?	
R 2.18	In the opinion of the inspector, what should have been the level of RoSH at the point of allocation?	
R 2 S	Summary judgement:	
	Is the allocation of the case prompt, accurate, and based on sufficient information?	To make a judgement, inspectors will consider both the accuracy of the allocation decision, and the range and consistency of information that has been accessed to make that decision. Also, whether all reasonable and necessary information has been provided to the responsible officer (whether CRC or NPS) to allow them to commence supervision of the case promptly and efficiently.
STATUTORY VICTIM CONTACT		
Question number	Question Text	CARaG content
	SERVICE USER (PERPETRATOR) DETAILS	

V 0.2	Offence: please select the original, principal offence only	Where there are multiple offences for one perpetrator, inspectors will choose the most serious offence.
V 0.3	Sentence length in months	
V 0.4	What was the date of sentence?	
V 0.5	How many individual, identifiable victims were there in this case?	<p>Statutory Victims are those who have been a victim of an offender, who has been sentenced to 12 months custodial sentence or more, for a violent or sexual offence. The list of qualifying offences is an appendix to PI 48/2014, see link below. We are only inspecting cases where victims are covered by the statutory scheme, not any who may have been offered discretionary contact.</p> <p>In complex cases, with multiple victims, it is possible that only some victims qualify for statutory victim contact.</p> <p>Where the offence has caused the death of an individual, the 'victim' is taken to be the next of kin, or nearest relative.</p> <p>Where the victim was a child at the time of the offence, and is still a child at the time of the inspection, a parent or appropriate carer should be identified to receive victim contact services.</p> <p>To answer this question inspectors will need to read the prosecution documents, on nDelius. For some offences, where physical violence or a contact sexual offence has been committed, there has been a direct personal victim. In other cases, such as arson or production of indecent images of children, they will need to read the detail of the prosecution documents to understand whether there has been a direct personal victim. The qualifying sentence length of 12 months or more applies to the individual offence, not the total sentence. In some cases, there will be just one victim, in others there could be many. Each case is recorded on the National Victim Database by name of perpetrator and the victims are listed within each record.</p> <p>Link to REF 4 PI-11-2013-victim-contact-scheme-guidance.doc</p>
	VICTIM DETAILS	

V 0.7	Is the age of the victims recorded?	We look to see whether diversity factors and protected characteristics in respect of the victim have been recorded by the victim contact scheme. We do not separately record those details.
V 0.8	Is the gender of the victim recorded?	
V 0.9	Is the race and ethnic category of the victim recorded?	
V 0.10	Is the preferred language of the victim recorded?	
V 0.11	Is the religion or faith of the victim recorded?	
V 0.12	Is the sexual identity of the victim recorded?	
V 0.13	Is there a clear record of whether or not the victim has a disability?	
V 1	Does the initial contact with the victim/s encourage engagement with the victim contact scheme?	
V 1.1	How many weeks from the date of sentence until information about the victim was received from the witness care unit?	
V 1.2	How many weeks from the date of sentence until the first attempt was made to contact the victim?	The Probation Instruction says that contact should be made within 40 working days from the date of notification of the case by the witness care unit. Inspectors will record the number of weeks (rounded up if necessary). Where there are several victims, inspectors will record the date of the first attempt to contact any of the victims.
V 1.3	What method was used to attempt the first contact with the victim?	There is an expectation that initial contact will be made in writing by conventional mail, unless there are reasons that this is not appropriate. Where no initial response is received to the initial letter in writing, victim officers are encouraged to consider other sources.

V 1.4	Is initial contact made soon after sentence, with appropriate consideration given to the timing of such contact?	Previously, there was a target for initial contact to be made within eight weeks of notification of the case. That target is no longer measured. We would expect contact be made as soon as reasonably possible, taking account of sensitivity issues such as the date of the offence, the date of birth of the victim, holiday and festival periods, and any other factors that may have an unnecessarily adverse impact on the victim.
V 1.5	Are the initial letters appropriately personalised, taking into account the nature of the experience of the victim/s and any diversity considerations?	As a minimum, we would expect letters to be professionally constructed and to use accurate spelling for the names and addresses of victims. In cases where the person being contacted is not the direct victim (e.g. they are the next of kin of a deceased victim, or the parent of a child victim) the letters should recognise that relationship. The letters should also recognise any pre-existing relationship between the perpetrator and any victims. The language of the letter, while not naming the offence the victim has experienced, should be sensitive to the nature of that offence.
V 1.6	Do the initial letters include sufficient information to enable the victim/s to make an informed choice as to whether to participate in the scheme?	The letters need to be sufficiently clear about what the victim contact scheme can and cannot offer to the victim. Language must be straightforward and understandable. The tone of the letter should make it clear that the victim is completely free to choose whether or not to participate. It should also make it clear that an initial choice not to participate can be changed at any point the victim might choose to do so. It should explain what the victim should do in those circumstances.
V 1.7	Is the victim given the name of the victim contact officer responsible for their case?	The name, office address, and contact telephone number for a single point of contact should be given.
V 1.8	Does the initial letter give information about the HMPPS National Victims Helpline for use in the event of unwanted contact from a prisoner?	The information may be provided on a leaflet. As a minimum, the letter should name any leaflets that are enclosed.
V 1.9	Is there a clear record of the response (or lack of response) from the victims?	There should be a system in place so that after initial contact has been attempted, the victim database is updated to make it clear whether the victim has opted in, has contacted the service to opt out, or there has been no reply.
V 1.10	Did the victim opt in to the Victim Contact Scheme?	

	Summary judgement:	
V 1 S	Does the initial contact with the victim/s encourage engagement with the victim contact scheme?	The most important factor in this judgement is about whether the victim contact service took all reasonable steps to encourage the victim to engage with the scheme. It is irrelevant whether the victim actually chose to opt in or not.
V2	Is the personal contact with the victim/s timely and supportive, providing appropriate information about the criminal justice process?	
V 2.1	Is clear information given to the victim/s about what they can expect at different points in the sentence?	Is the information clear, are timescales or likely timescales clear, and does the way the information is shared avoid using complex language or criminal justice jargon?
V 2.2	Are the victim/s referred to other agencies or services, or given information about available sources of help and support?	While not all victims will need this, victims should be provided with generic and specific support services where appropriate. This could include among other agencies – Victim Support, Rape Crisis, Women’s Aid,
V 2.3	Is a written record kept of the initial meeting?	A record of the initial meeting should be kept on the victim database. It should be clear and detailed, including information about the response of the victim to what they had been told, and any questions or representations they wanted to make.
V 2.4	Is the written record of the initial meeting shared with the victim?	The sharing of the record should be recorded on the database, with an appropriately worded accompanying letter. Victims should be offered the opportunity to say whether or not they agree that the record, accurately reflects the meeting that took place.
	Summary judgement:	

V 2 S	Is the personal contact with the victim/s timely and supportive, providing appropriate information about the criminal justice process?	This question is being asked between seven and eight months after the perpetrator was sentenced, so only refers to the very early stages of victim contact. The later stages are inspected in a different way. Inspectors should take account of the reasonableness of what has been done, and the quality of the information shared.
	UNPAID WORK	
Question number	Question Text	CARaG content
	SENTENCE DETAILS	
U 0.11	Under what circumstances was this unpaid work requirement imposed?	
U 0.12	Please enter the number of hours of unpaid work ordered as part of the requirement being inspected	
U 0.13	Was this a stand-alone unpaid work requirement?	
U 0.14	Which agency is the case currently allocated to?	
U 1.15	What is the current employment status of the service user?	
U 1.16	Is the service user suitable for Intensive Unpaid Work?	Generally, any service user not in full-time education or employment is expected to complete unpaid work on an intensive basis, of 28 hours per week. There may be exceptional circumstances that would make that unreasonable. More information is contained in the Unpaid Work Manual.
U1	Does assessment focus on the key issues relevant to unpaid work?	

U 1.1	Does assessment consider the service user's motivation and willingness to comply with unpaid work?	Inspectors will take account of all assessment processes, and will not necessarily expect to see a single assessment judgement. Inspectors will look at available documents including OASys or other assessment frameworks, induction activity, post-sentence assessment, unpaid work records and case management records, whether on nDelius or bespoke CRC recording systems. We expect assessments to include information about the motivation and willingness of the service user to comply with the unpaid work requirement.
U 1.2	Does assessment consider the service user's diversity and personal circumstances?	As a minimum, inspectors expect to see a fully completed, up-to-date diversity form, to set out any protected characteristics and any other relevant factors. A simple list of diversity factors and personal circumstances does not suffice. The nine protected characteristics are gender, age, race, religion and belief, disability, pregnancy and maternity, sexual identity, gender reassignment, and marriage or civil partnership. Other relevant issues may include rurality, employment patterns or caring responsibilities, educational difficulties, having grown up in local authority care, level of maturity etc. Any of these factors can make it difficult for service users to comply with an unpaid work requirement, or may mean that 'one size fits all' services are not appropriate. 'Consideration' would include a description of any of these factors that are relevant to the life of the service user, and a description of how these impacted on the life of the service user.
U 1.3	Does assessment consider the impact these have on their ability to comply and engage with unpaid work?	Assessment should clearly take into account the impact of any relevant diversity characteristics and personal circumstances on the ability of the service user to carry out unpaid work. The potential impact of any factor and the degree to which it would need to be taken into account will vary according to the individual case. A number of factors can impact on the extent to which service users are able to engage with services; experience of having been in care, mental health problems and substance misuse can all contribute to this. Many users of adult probation services have had these experiences. Experience of such exclusion can make an impact on their ability to develop appropriate supportive networks, to form trusting relationships with professionals and their self-perception. People with recent care experience may not have access to a range of support networks, important for desistance.

U 1.4	Does assessment draw sufficiently on available sources of information?	As a minimum, every service user undertaking Unpaid Work must have an assessment of Risk of Serious Harm (either using OASys, or another locally-agreed format) completed before they are allocated to a work site. All other material provided for the sentencing courts (e.g. previous convictions, reports and witness statements) must be made available to Unpaid Work staff assessing and allocating service users to work sites. All service users sentenced to unpaid work must have a 'plan' setting out; the work type and frequency of contact, any additional learning that may take place during the placement as part of skills development and how compliance will be monitored and promoted.
U 1.5	Does assessment consider issues relating to the health and safety or potential vulnerability of the service user	The assessment, whether as Oasys or in a local format, must set out any issues relating to the health and safety or potential vulnerability of the service user.
U 1.6	What is the level of RoSH assessed by the responsible officer at the start of the UPW requirement being inspected?	Inspectors will identify the level of RoSH set as part of the most recent assessment. It will not be sufficient to record, on nDelius or otherwise, 'medium risk of serious harm' without a full analysis being completed.
U 1.7	Was the assessed level of RoSH at the start of the UPW requirement correct?	Inspectors will use their own professional judgement to determine whether the level of RoSH set by the responsible officer is correct. Cases identified as having a current concern about domestic abuse and/or child safeguarding should not be assessed as low risk of serious harm.
U 1.8	In the opinion of the inspector, what should have been the level of RoSH at the start of the unpaid work requirement?	

U 1.9	Does assessment consider risk of harm to other service users staff or the public?	<p>An Unpaid Work assessment, sentence plan and risk management plan (for service users assessed as medium risk of serious harm and above) will be prepared by the Responsible Officer to identify any risks and explain how they will be addressed. Where the offence has resulted in serious harm to an identified victim(s), reasonable steps must be taken to ensure that the work placement is appropriate (given the nature of the offence) and it does not risk contact between the service user and the victim(s). The primary responsibility for the risk of serious harm assessment lies with the Responsible Officer but all staff have a responsibility to contribute to this assessment. All staff directly involved in working with the service user must be aware of the risk factors the individual service user presents and ensure they understand their role in managing the assessed RoSH level. Effective management of the risk of serious harm is a coordinated responsibility of all staff. Ensuring that a placement can safely manage the risk posed by an individual service user is the first priority of allocation.</p> <p>For standalone UPW orders where the service user is assessed as medium risk of serious harm (RoSH) or above, a sentence plan and risk management plan must be completed as set out above. As a minimum the sentence plan should set out how compliance will be promoted and monitored, the frequency of feedback between the UPW supervisor and the Responsible Officer and must include an objective on how the risk of serious harm will be monitored during the work placement. The risk management plan should set out in more detail what the RoSH indicators are for that individual service user and the action that must be taken where there is an indication that risk of serious harm may be increasing.</p>
	Summary judgement:	
U 1 S	Does assessment focus on the key issues relevant to unpaid work?	Inspectors will weigh up whether any strengths outweigh any deficits or omissions.
U 2	Do arrangements for unpaid work focus sufficiently on supporting the service user's engagement and compliance with the sentence?	

U 2.1	Is the allocated work suitable, taking appropriate account of the service user's diversity and personal circumstances?	This question asks about suitability of work in terms of protected characteristics (pregnancy, disability etc) as well as other personal circumstances such as hours of employment and travel arrangements. While completion of unpaid work will necessarily have an impact on the life of the service user, this impact must be proportionate. For female service users we would expect to see that they have been offered a female-only placement.
U 2.2	Do arrangements for unpaid work encourage the service user's engagement and compliance with the order?	Inspectors will take into account the number and frequency of work sessions offered, whether intensive work was offered or not, the number of any stand-downs, and the need to coordinate timings with other probation arrangements. As a minimum every service user must be instructed to attend for work on a weekly basis for seven hours until the requirement is completed, unless: - the service user's work makes it impossible to attend each week - the service user is ineligible due to long-term sickness, imprisonment, or they have been suspended pending breach. Those subject to intensive arrangements must be instructed to attend for a minimum of 28 hours over four days each week.
U 2.3	Do arrangements for unpaid work take account of risk of harm?	Inspectors will bear in mind the written RoSH assessment, and the level and nature of any risks identified. If the service user presents a risk potential harm to other workers, CRC staff, beneficiaries or the general public, has this been taken into account and is it actively managed throughout the order?
	Summary judgement:	
U 2 S	Do arrangements for unpaid work focus sufficiently on supporting the service user's engagement and compliance with the sentence?	Inspectors will weigh up whether any strengths outweigh any deficits or omissions.
U 3	Do arrangements for unpaid work maximise the opportunity for the service user's personal development?	

U 3.1	Wherever possible, does unpaid work build upon the service user's strengths and enhance their protective factors?	<p>The Unpaid Work Operating manual suggests that, where possible and appropriate, up to 20% of the hours ordered can be spent in employment or education.</p> <p>Unpaid Work provides a unique opportunity to engage service users in learning in a practical work setting. It can provide opportunities for service users to improve personal and practical employment related skills. This may include problem solving skills, working co-operatively with others, gaining knowledge of health and safety, improving basic skills or skills for life. Providers of Unpaid Work should seek to establish work placements which are able to provide formal vocational or skills for life qualifications for service users who are unemployed and whose offending reflects employment related needs. Providers of skills training must be able to enable service users to work towards a nationally recognised qualification.</p> <p>Learning provision on Unpaid Work sites should also take account of local skills deficits and opportunities provided by local labour markets. Organisations working in partnership to deliver Unpaid Work, such as placement providers or local authorities may also provide valuable employment opportunities for service users Where possible guaranteed interview arrangements should be established with placement providers and partner agencies. Arrangements of this nature can potentially provide an opportunity for service users to move into paid employment following the completion of their Unpaid Work sentences.</p>
U 3.2	What was the nature of work undertaken?	
U 3.3	Does the nature of unpaid work support desistance by providing opportunities for reparation and rehabilitation?	To answer this question, inspectors will take into account what is known about desistance, social capital and a sense of having a purposeful place in society. To what extent does the nature of unpaid work arranged for this service user, support those factors?

U 3.4	Where a responsible officer is engaged in other activity/work with the service user, is regular feedback provided to them about the progress on unpaid work?	There must also be a routine system for keeping offender managers up-to-date with information about offenders' attendance and behaviour. An efficient system needs to be in place to ensure that information is conveyed speedily, so that decisions can be made and action taken in a timely fashion. Information relating to attendance and behaviour should be available within one working day. To answer this question, inspectors will need to access the records of unpaid work staff and the responsible officer. However, judgement of the question should be made only on the basis of the work of CRC Unpaid Work staff, not the response of the responsible officer if there is one.
U 3 S	Summary judgement:	
	Do arrangements for Unpaid Work maximise the opportunity for the service user's personal development?	Inspectors will weigh up whether any strengths outweigh any deficits or omissions.
U 4	Is the sentence of the court implemented appropriately?	
U 4.1	How many calendar days from the date of sentence to the date of the first unpaid work session offered?	
U 4.2	Does unpaid work commence promptly?	The contractual requirement is that the first work session must be arranged to begin unpaid work within seven calendar days of allocation or referral to the CRC. The first work session may include induction activities, but the greater part of the session and work sessions thereafter must be devoted to work which benefits the community. There may be circumstances when an inspector judges that a longer timescale is necessary, so we do not inspect directly against the contractual requirement. Similarly, there may be circumstances when a quicker start to unpaid work would be reasonable.

U 4.3	Are the reasons recorded for any missed appointments?	For every missed appointment, we expect a record of actions taken to find the reasons the appointment had been missed, and the judgement about the acceptability of those reasons. In some cases, we will need to consider the role of call centres in monitoring compliance. In these circumstances, does the case management approach work? To what extent are individual circumstances considered? Does it add unnecessary fragmentation? Is it supportive of compliance?
U 4.3a	Are professional judgements recorded in relation to decisions about missed appointments?	
U 4.4	Is enforcement action taken when appropriate?	Prompt formal enforcement action should be taken when needed and appropriate. If there have been several incidents of non-compliance, we expect to see formal enforcement unless a clear rationale is set out for not doing this. For all decisions about formal enforcement, we expect responsible officers to bear in mind the overall level of compliance, any factors related to risk of harm or risk of reoffending, and the 'public interest' in enforcement. For cases with multiple requirements, we expect to see evidence of joint decision-making between unpaid work staff and the responsible officer.
U 4.5	Is the level of compliance and engagement reviewed periodically, analysing any barriers and, where appropriate, amending work arrangements?	Reasonable adjustments should be made to planning, to support the service user to comply with the order. Reviewing may make small changes, such as in time or location of unpaid work, and needs to be based on a good understanding of the service user's behaviour and needs. Where there have been any difficulties with compliance and/or engagement, this should be actively discussed and attempts made to find ways to overcome any barriers.
U 4.6	Were there any situations where work instructions were withdrawn, or the service user attended and was sent home?	This could either be that a scheduled work party, or other work arrangements, were cancelled in advance, or where the service user actually attended the muster point expecting to work and was then sent home.
U 4.7	On how many occasions did this occur?	
U 4.8	How many hours unpaid work have been completed?	
	Summary judgement:	

U 4 S	Is the sentence of the court implemented appropriately?	Inspectors will weigh up whether any strengths outweigh any deficits or omissions.
THROUGH THE GATE		
Question number	Question Text	CARaG content
	SENTENCE DETAILS	
T 0.11	Total length of current custodial sentence	
T 0.12	Offence: please select the original, principal offence only	
T 0.13	Name of releasing prison:	
T 0.14	Which agency is responsible for supervising the licence/post-sentence supervision?	
T1	Does resettlement planning focus sufficiently on the service user's resettlement needs and on factors linked to offending and desistance?	

T 1.1	Is there a clear and timely plan for how the service user's resettlement needs will be addressed?	<p>When a prisoner first arrives into custody, a member of prison staff completes a Basic Custody Screening (BCS1). That is passed on to a member of CRC staff (often working for supply chain organisations) to produce the Resettlement Plan (BCS2). The quality of the BCS1 can be variable, but the CRC staff have no access to that part of the document to change or update any information that might have been recorded previously. The only part of the document that the CRC staff can edit is the Resettlement Plan.</p> <p>The first resettlement plan is completed immediately after the prisoner arrives in custody. This may be many months, or even years, before they are due for release. CRCs should address any immediate resettlement needs at the point of arrival into custody, although in our 2017 joint thematic inspection we found very little work was done at the start of sentences.</p> <p>For prisoners serving a very short period in custody (less than three months), the pre-release Resettlement Plan may be the first one.</p> <p>CRCs come back into the picture in the 12 weeks before release, when they are expected to review the Resettlement Plan and address any resettlement needs that are evident at that point. The Resettlement Plan we are inspecting is the first one, and any subsequent reviews, completed 12 weeks or less before release. Judgements made by inspectors must be based on the work of the CRC alone, not the work of prison staff or others.</p>
T 1.2	Does the plan draw sufficiently on available sources of information?	We would expect the plan to draw on all available information about the service user. This might be records held in the prison, or information from prison staff or the responsible officer in the community. Information from current or recent OASys assessments should also be taken into account.
T 1.3	Is the service user meaningfully involved in planning their resettlement, and are their views taken into account?	Inspectors will look at all available records to judge the extent to which the service user has had meaningful involvement in planning their resettlement. There may be evidence in the resettlement plan itself, or in correspondence with the responsible officer, or in nDelius or C-Nomis. If the Through the Gate resettlement worker has made entries on C-Nomis, these should transfer automatically into nDelius.

T 1.4	Does the resettlement plan identify the service user's strengths and protective factors, and consider ways to build upon these?	Inspectors will want to see that the plan recognises any protected characteristics or other factors in the life of the service user that might impact on their ability to resettle successfully.
T 1.5	Does the plan take sufficient account of the service user's diversity and personal circumstances?	Inspectors will want to see that the plan recognises any protected characteristics or other factors in the life of the service user that might impact on their ability to resettle successfully.
T 1.6	In your opinion, what resettlement needs did the service user have before release?	Inspectors will identify whether the service user had needs in connection with accommodation; finance benefit and debt; ETE; having been a domestic abuse victim; having been a sex worker; drug misuse; alcohol misuse; mental health problems. We recognise that only the first five of these are the direct responsibility of Through the Gate staff to deliver services.
T 1.7	For each of the needs you identified in T 1.6, did the resettlement plan sufficiently address each of the relevant needs?	Where the service user has needs from the five core Through the Gate services, we expect CRCs to plan to meet those needs. Where there are other needs, not the direct responsibility of CRCs, we expect the resettlement plan to identify how in the prison those needs are going to be met.
T 1.8	What was the assessed RoSH level during the custodial part of the current sentence?	Not all prisoners will have an up-to-date RoSH assessment during the custodial part of their sentence. This question is for information only, to understand the context within which CRCs are delivering resettlement services.
T 1.9	Does the resettlement plan take account of factors related to risk of harm?	The resettlement plan is not a plan to manage risk of harm. However, as a minimum there should be no contradictions between what the resettlement plan proposes, and what would be reasonable as part of a risk management plan. For example, in a case where there are known factors related to domestic abuse, the resettlement plan should make it clear how any proposed accommodation after release will take these factors into account.
	Summary judgement:	

T 1 S	<p>Does resettlement planning focus sufficiently on the service user's resettlement needs and on factors linked to offending and desistance?</p>	<p>This question refers to the work of the CRC during the custodial part of the sentence, to plan necessary resettlement activity.</p> <p>In making a judgement, inspectors will take into account the range of answers to the questions in this section and weigh up whether any strengths outweigh any deficits or omissions. Sometimes the importance of a single strength or deficit will outweigh a larger number of other strengths or deficits.</p> <p>If the resettlement plan simply records factor to be addressed and opens and marks as completed on BCS on same date, it is may not sufficient, unless there is evidence of implementation activity.</p> <p>Inspectors will bear in mind the level of need/complexity in the case, and what is reasonable to achieve in the last 12 weeks before release.</p>
T 2	<p>Does resettlement activity focus sufficiently on supporting the service user's resettlement?</p>	
T 2.1	<p>Was sufficient work completed to address resettlement needs?</p>	<p>Inspectors will have previously identified the relevant resettlement needs in this case although the CRC has a responsibility to address the five core factors only. For other factors, CRC resettlement staff need to be aware of them, and take them into account in their other work, but they do not have to deliver any services directly.</p>
T 2.2	<p>Are resettlement services delivered in line with the service user's resettlement needs, prioritising those which are most critical?</p>	<p>It might not be reasonable, or possible to address all the needs of an individual prisoner in the 12-week pre-release period. In such cases, inspectors will identify which were the most urgent resettlement needs, and whether they were met.</p>
T 2.3	<p>Wherever possible, do resettlement services build upon the service user's strengths and enhance their protective factors?</p>	<p>This could be evidenced by the way that any reviews of resettlement plans are written, and how they describe the dialogue with the prisoner. Also, there may be emails to the responsible officer which describe the level and nature of contact.</p>

T 2.4	Does resettlement activity take sufficient account of the service user's diversity and personal circumstances?	This could be in terms of the way CRC staff engaged with the service user during their time in custody, or the specific support they provided for resettlement needs. If the service offered was 'one size fits all', inspectors should answer negatively.
T 2.5	Does resettlement activity take sufficient account of any factors related to risk of harm?	For example, was full risk information shared with providers of accommodation or ETE services? Were the locations of victims and potential victims, and any potential prohibitive licence requirements, recognised before referrals were made to services in the community?
	Summary judgement:	
T 2 S	Does resettlement activity focus sufficiently on supporting the service user's resettlement?	This question refers to the resettlement activity of the CRC, including supply chain organisations, during the custodial part of the sentence. If the CRC Through the Gate team continues any work after release, that can also be counted. Inspectors will not take account of any work done by prison staff or the responsible officer either before, or after release. Inspectors need to bear in mind the level of need/complexity, and what is reasonable for the CRC to achieve in the last 12 weeks before release.
T 3	Is there effective coordination of resettlement activity?	
T 3.1	What type of accommodation did the service user go to on the first night after release?	
T 3.2	What was the ETE status of the service user immediately after release?	
T 3.3	Is there effective coordination of resettlement activity with other services being delivered in the prison?	Ideally, the Through the Gate resettlement worker will be recording their activity on C-Nomis, and that will be automatically transferred onto nDelius. Other evidence for this might come from the resettlement plan mentioning contact with the responsible officer, or from the responsible officer's record on nDelius.

T 3.4	Is there effective communication with the responsible officer in the community, prior to and at the point of release?	<p>We expect the Through the Gate resettlement worker to communicate with the responsible officer, whether the case is allocated to the CRC or the NPS. In this question, we are only looking at communication from the Through the Gate resettlement worker, not from the responsible officer or others.</p> <p>Ideally, the Through the Gate resettlement worker will be recording their activity on C-Nomis, and that will be automatically transferred onto nDelius. Other evidence for this might come from the resettlement plan mentioning contact with the responsible officer, or from the responsible officer's record on nDelius.</p> <p>If separate case records are kept by Through the Gate resettlement workers, inspectors will ask to be given access to those records.</p>
T 3.5	Do resettlement services support effective handover to local services in the community?	<p>We expect to see that an update has been given to the responsible officer from the Through the Gate resettlement staff in the prison. It is reasonable that the responsible officer knows about all the activities the prisoner has been doing before release, and about any arrangements made for handover to community services e.g. substances misuse or benefits agency appointments. In some cases, it may not be clear whether information received by the responsible officer has come from Through the Gate resettlement staff, offender management unit staff or other prison staff.</p>
T 3 S	Is there effective coordination of resettlement activity?	<p>This question refers to the coordination of arrangements surrounding the release by the CRC resettlement team. It does not take account of any activity by prison staff or the responsible officer.</p> <p>In making your judgement take into account the range of answers to the questions in this section. Weigh up whether any strengths outweigh any deficits or omissions. Sometimes the importance of a single strength or deficit will outweigh a larger number of other strengths or deficits.</p> <p>Bear in mind the level of need/complexity, and what is reasonable to achieve in the last 12 weeks before release.</p> <p>Use the evidence box to explain the reason for your judgement.</p>