

Probation inspections

External guidance manual

HMI Probation, v4 July 2019

# Contents

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<b>Contents.....</b>	<b>2</b>
<b>1. Statement of purpose and values .....</b>	<b>4</b>
1.1. Statement of purpose .....	4
1.2. Values.....	4
1.3. Our mandate .....	4
1.4. Confidentiality.....	5
<b>2. Overview of probation inspection.....</b>	<b>6</b>
2.1. Introduction .....	6
2.2. Standards for inspection .....	6
2.3. Inspection principles .....	7
2.4. Summary of Inspection phases .....	8
<b>3. Phase I: Pre-fieldwork and planning .....</b>	<b>10</b>
3.1. The inspection team for phase I .....	10
3.2. Pre-fieldwork activity .....	10
3.3. Inspection announcement .....	11
3.4. Project plans.....	11
3.5. Telephone planning meeting .....	11
3.6. Structured evidence in advance.....	12
3.7. Lead inspector tasks during the planning phase.....	13
3.8. Presentation by the inspected organisation.....	13
3.9. On-site planning meeting.....	14
3.10. Local assessors (NPS only).....	15
<b>4. Case sample.....</b>	<b>18</b>
4.1. Case sample confidence levels.....	18
4.2. Inspection sample sizes.....	18
4.3. Stratification.....	19
4.4. Specification and selection .....	20
<b>5. Schedules .....</b>	<b>23</b>
5.1. Weekly schedules.....	23
5.2. Domain one meetings.....	23
5.3. Team meetings.....	26
<b>6. Phase II: Fieldwork .....</b>	<b>27</b>
6.1. Methodology.....	27
6.2. Guidance material.....	30

6.3.	Inspection sites .....	32
6.4.	IT access .....	32
6.5.	Case files .....	32
6.6.	Responsible officer interviews .....	32
6.7.	Alert process .....	33
6.8.	Meeting Format .....	34
6.9.	Closing the inspection fieldwork.....	34
<b>7.</b>	<b>Phase III: Post-fieldwork .....</b>	<b>35</b>
7.1.	Ratings explained .....	35
7.2.	Ratings panel meeting.....	37
7.3.	Report writing .....	38
7.4.	HMI Probation complaints procedure .....	38
7.5.	Report publication .....	39
7.6.	Action plans.....	39

# 1. Statement of purpose and values

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## 1.1. Statement of purpose

Her Majesty's Inspectorate of Probation is the independent inspector of youth offending and probation services in England and Wales. We conduct annual inspections of each of the divisions of the National Probation Service (NPS), and the Community Rehabilitation Companies (CRCs). We publish reports following each inspection, highlighting good and poor practice. We also rate each organisation as 'Outstanding', 'Good', 'Requires improvement' or 'Inadequate'. We are independent of government, and speak independently.

## 1.2. Values

### *Integrity*

We work in an independent, honest, open, professional, fair and polite way.

### *Accountability*

We are reliable and stand by the evidenced conclusions we reach. We will always fully account for our actions.

### *Effectiveness*

We report and publish inspection findings and recommendations for improvement, focused on service practice quality, in good time and to a high standard. We check the impact of our inspections. We disseminate widely to enable improvement across England and Wales.

### *Inclusion*

We promote attention to diversity in all aspects of our work, including within our own employment practices and organisational processes. We are committed to pursuing equality of outcomes for all.

## 1.3. Our mandate

HM Chief Inspector of Probation's responsibilities are set out in the *Criminal Justice and Court Services Act 2000 (Section 7)*, as amended by the *Offender Management Act 2007*, Section 12(3)(a). This requires the Chief Inspector to inspect (Section 1) and report to the Secretary of State (Section 3) on the arrangements for the provision of probation services.

Under the *Criminal Justice and Court Services Act 2000 (Section 7(6))*, the Chief Inspector is also conferred to inspect and report on youth offending teams, established under the *Crime and Disorder Act 1998 (Section 39)*, and bodies acting on their behalf.

We are the independent source of fair comment for ministers and the public on the effectiveness of the work of probation and youth justice providers.

We test the effectiveness of the provision and provide assurance. Critically, we make recommendations to identify and disseminate best practice, challenge poor performance and encourage improvement. Our reports provide evidence-based intelligence for commissioners and providers, designed to play a key part in facilitating and encouraging improvement in effective service delivery.

## **1.4. Confidentiality**

No information provided to us, in written form or verbally, by staff working for the inspected organisation, or under contract to that organisation, is treated as confidential. We use all available evidence to help us make an inspection judgement. Similarly, information provided to us by stakeholders invited to contribute to the inspection, is not treated as confidential.

In group meetings and case interviews with practitioners, we provide an assurance that information shared will only be used in an aggregated form, and will not identify individual staff members, unless immediate action is needed to protect an individual.

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## 2. Overview of probation inspection

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### 2.1. Introduction

The current probation inspection programme was launched in April 2018, replacing the previous Quality & Impact inspection programme.

Key changes included:

- underpinning our inspections and judgements with agreed standards
- increasing the frequency of inspection to an annual basis
- increasing the number of inspected cases
- rating each NPS division and CRC using a four-point scale from outstanding to inadequate
- extending the scope of our inspections to cover most of the regular work of probation.

The inspection will comment on progress being made in implementing the recommendations made in both previous inspections, and relevant thematic inspections.

The inspection standards cover three domains. The first two apply to all probation providers. Domain one covers how well the organisation is led and managed. Domain two covers the quality of work in individual cases, and how well individuals are supervised. Responsibility for some other areas of probation work (such as court work or the delivery of unpaid work) rests just with the NPS or just with CRCs. We cover these areas in a third domain, which is sector-specific.

We publish a report following each inspection and we also report at the end of the series of inspections against each standard on the extent to which the enduring aims of probation are being met across the system as a whole.

### 2.2. Standards for inspection

Our standards are based on a set of principles that we think good probation providers should meet to deliver a quality service. They are based on established models and frameworks, and are grounded in evidence, learning and experience.

The standards are grouped into three domains, each standard is underpinned by key questions and prompts (figure 1), which aim to be coherent, sufficiently comprehensive and balanced.

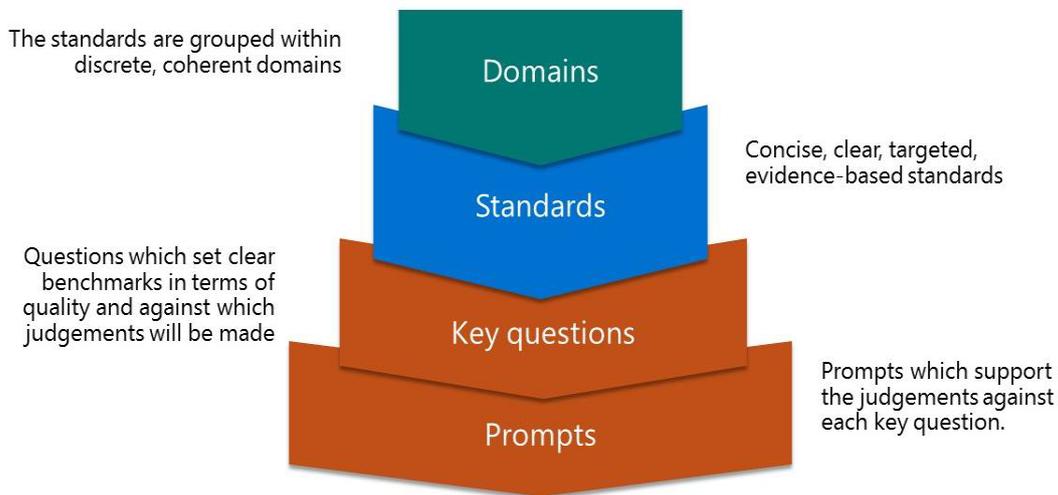
For the 2019-2020 inspection cycle, we will also consider the integration between individual domains to assess how well the provider is applying its leadership and management to deliver effective probation services and outcomes.

#### **The relationship between domains**

The three domains are structured separately to allow us to make comment and judgements about specific areas of work. The domains do not operate in isolation; there is a relationship between them. Following our April 2019 consultation, we revised the questions and prompts in domain one to link more explicitly to the delivery that we inspect in domains two and three. We have also published revised rules and guidance to reflect this. In making

judgements about the prompts and questions in domain one we will consider how we have seen this demonstrated in practice in domains two and three.

Figure 1: The standards structure



This guidance manual sets out the arrangements for the inspection programme, covering all aspects of the inspection process and methodology, as well as roles, responsibilities and conduct of HMI Probation staff.

Further detail about the standards and additional supporting documents can be found on the HMI Probation website: <https://www.justiceinspectorates.gov.uk/hmiprobation/>.

## 2.3. Inspection principles

### How we inspect

We assess quality rather than either the specifics of a process or the use of any particular tool. For example, we consider the quality of assessment in the round rather than the use of any document, tool or process. The wording of our key questions and prompts reflects this, by not referring to specific tools.

### What we judge

We decide on a rating based on what and how an organisation is achieving. We also acknowledge effort in the report narrative. We are interested in the impact that the inspected body is having now and we do not make judgements about how policy and practices may influence future impact.

Our standards include a 'hurdle' that all inspected bodies must pass, where there is insufficient assessment of child safeguarding issues there must be an insufficient judgement for assessment of harm.

## **How we score domains**

In domains two and three each key question is integral to effective case delivery, linking to the core purposes of probation, and sufficient attention needs to be given to all of them. Therefore, the rating for the standard is set at the lowest judgement at key question level.

Domain one is different, in that there is a greater number and range of key questions. So, a deficiency against one key question should not necessarily override strengths in the others thus requiring a qualitative judgement to be made.

## **How to use supplementary questions**

Under some key questions in domain two and three there are additional supplementary questions which are not part of our published standards. These are part of our evidence gathering process and we do not require that all supplementary questions should be answered positively in order for a judgement to be sufficient.

## **2.4. Summary of Inspection phases**

The inspection consists of three phases:

- Phase I: Pre-fieldwork planning and preparation
- Phase II: Fieldwork
- Phase III: Post-fieldwork.

### **Phase I: Pre-fieldwork planning and preparation**

The pre-fieldwork phase commences nine weeks before the fieldwork (week -9), with the announcement of the inspection. At this point we issue documentation to assist with planning and preparation. A telephone planning meeting takes place the week following the announcement (week -8). An on-site planning meeting, and presentation by the CRC Chief Executive Officer/NPS Divisional Director takes place during week -5.

### **Phase II: Fieldwork**

The three fieldwork weeks, plus an off-site review week, form the second phase of inspection. During the first two fieldwork weeks, the inspection team inspect all domain two and domain three cases. Some meetings with individuals and groups of staff are also scheduled. Following this, the lead and deputy inspectors have an off-site review week, to consider all the evidence received by that point, and finalise plans for the final fieldwork week. Further meetings are held largely around domain one, during the final, third fieldwork week.

### **Phase III: Post-fieldwork**

On completion of the fieldwork phase, the lead inspector prepares draft ratings and summarises evidence and key findings for the ratings panel meeting.

The ratings panel is normally chaired by the director of operations and includes the lead inspector and the head of the inspection programme. The deputy lead inspector attends if available. The panel ensures that ratings are evidence-based and fully reflect the balance of evidence, and that they are sufficiently consistent across inspections. A summary of the ratings panel decision is sent to the inspected body on the Monday after the panel.

The lead inspector then prepares an inspection report, which is submitted to the inspected organisation for factual accuracy checking on the Monday of week +7 (i.e. seven weeks after the start of fieldwork).

This should be return by the inspected organisation to the HMPPS Operational System Assurance Group, they will then forward it to the lead inspector and head of inspection programme by the Friday of week +8. We aim to publish the report in week +13 in England (and in week +17 in Wales to allow for translation). We confirm the publication date once factual accuracy checking is complete.

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## 3. Phase I: Pre-fieldwork and planning

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### 3.1. The inspection team for phase I

The inspection team for phase I consists of:

- lead inspector
- deputy lead inspector
- information and data team
- administrator operations (inspection)
- head of the inspection programme.

### 3.2. Pre-fieldwork activity

The administrator and lead inspector start to prepare for the inspection at week -11. Before the announcement telephone call is made, key documents and background information are collated by HMI Probation information and data team, to support the lead in planning the inspection.

After the inspection announcement, the inspected organisation is required to submit the requested evidence in advance; identify the case samples for domains two and three; and arrange meetings and interviews with key staff members and stakeholders.

#### **Background information**

The information and data team provides the lead inspector with background information at week -10. This information pack contains published data on caseload, performance, crime levels, proven reoffending, accredited programmes, local labour market and population characteristics. The lead inspector analyses this information before attending the CRC Chief Executive Officer or NPS Divisional Director presentation and on-site planning meeting.

The background information provided will include:

- performance information
- numbers of service users supervised in the community at period end, by NPS region, division and CRC, England and Wales
- proven reoffending
- segmentation data
- recorded crime rates
- population estimates
- ethnicity by local authority
- local labour market
- names of courts
- list of prisons, including Through the Gate providers
- anticipated domain 3 sample sizes.

And for NPS inspections only:

- Workload Measurement Tool
- MAPPA data by area
- staff levels and staff survey results
- list of approved premises.

### 3.3. Inspection announcement

Each inspection is announced on either the Thursday or Friday, nine weeks before the fieldwork commences (week -9). The announcement is made by the lead inspector (or the deputy if the lead is not available) by telephone to the CRC Chief Executive Officer/NPS Divisional Director or the most senior manager available.

The key aspects of the telephone call are to:

- announce the inspection
- provide a brief overview of the inspection
- allow the CRC/NPS senior leader to identify the link senior manager for the inspection (they may know immediately)
- confirm the date and time of the telephone planning meeting.

### 3.4. Project plans

The external project plan provides the inspected organisation with details of key timescales and activities required, from pre to post-fieldwork. The inspected organisation receives the project plan at the beginning of week -8. The single point of contact (SPOC) for the inspected organisation, needs to check the key dates and identify any conflict with other significant commitments. The SPOC should raise any issues with the plan with the administrator in the first instance. The SPOC should ensure all relevant staff involved in the inspection planning processes are familiar with the project plan.

### 3.5. Telephone planning meeting

The telephone planning meeting should take place within one week of the announcement.

The telephone planning meeting may simply be a one-to-one conversation between the lead inspector and the SPOC, or it may involve others.

Optional attendees include:

- the CRC Chief Executive Officer or NPS Divisional Director (to hear an overview of the presentation purpose and requirements)
- the HMI Probation administrator (subject to availability)
- the HMI Probation deputy lead inspector (subject to availability)
- the HMI Probation head of inspection programme (subject to availability)
- others identified by the inspected organisation needing to be involved in the planning and preparation, if required, for support or absence cover for the SPOC.

The lead inspector chairs the meeting and covers the following:

- an outline of the inspection methodology in more detail, explaining the domains and processes
- case sample selection criteria, spreadsheet completion and deadline for return to HMI Probation (the case sample section in this manual provides detailed guidance on the criteria for each domain)
- the evidence in advance required; section 3.6 below clarifies information required from the NPS and CRC

- clarification of local organisational arrangements and team structure, including the local convention for naming teams, LDUs and LDU clusters
- in CRCs only, confirmation of the prisons where the CRC directly delivers Through the Gate services (either as lead host or otherwise). Also, a confirmation of any prisons where the CRC commissions another CRC to provide Through the Gate services. Note, for domain three Through the Gate, we will not inspect cases being released from those prisons.
- in CRCs only, information about arrangements for unpaid work, including assessment, allocation to placement, and nature of available placements
- arrangements for the on-site logistics meeting and the chief executive/divisional director presentation
- confirmation of key dates.

The planning meeting is documented and a copy issued to the SPOC, the HMIP administrator and any other relevant people.

All correspondence between the inspected organisation and HMIP should be addressed to the mailbox [crcinspections@hmiprobation.gov.uk](mailto:crcinspections@hmiprobation.gov.uk) or [npsinspections@hmiprobation.gov.uk](mailto:npsinspections@hmiprobation.gov.uk).

### 3.6. Structured evidence in advance

The lead inspector reviews the evidence in advance as part of the assessment of the organisation against domain one standards and to identify relevant topics to be followed up by the inspection team during the fieldwork. The lead inspector can refer to evidence submitted for the previous inspection.

The announcement letter requests the following standard evidence in advance:

- local organisational structure chart to include names of managers/their primary office base and strategic responsibilities
- template to explain the organisational structure and operating model (CRC only)
- details of office locations. Please advise if there are specific office location(s) where it would be preferable to hold meetings with staff, managers and other key stakeholders
- caseload information
- details of unpaid work induction and projects (CRC only).

In addition, a structured evidence in advance submission template is sent to the inspected organisation with the announcement letter. This requests submission of up to three to five pieces of documentary evidence for each key question in the domain one probation standards (and one key question related to unpaid work for CRCs).

We ask for information to be provided at the organisation, rather than LDU level. Evidence submitted should be current, except for long-term strategy documents, and should include only those documents produced or modified since the last inspection. We are looking for the **best** relevant evidence, not **all** the available evidence. Our focus is understanding the impact of organisational policy and guidance, any significant organisational changes that have taken place and actions taken to address recommendations both from the previous inspection and from relevant thematic inspection recommendations. The structured evidence in advance submission template also asks the inspected organisation for a succinct summary of the current position in relation to each key question.

At the planning meeting, the lead inspector advises whether any further documentation is required in advance. During the fieldwork weeks inspectors may also ask for further documentation following specific meetings.

### **3.7. Lead inspector tasks during the planning phase**

#### **Review of evidence in advance**

The lead inspector reviews the evidence received from the inspected organisation. They identify strengths, any gaps and areas to be followed up during fieldwork.

#### **(CRC only) phone call to senior contract manager week -5**

The purpose of this phone call is to offer the contract manager an opportunity to discuss issues that may be relevant to the inspection. Any information supplied will be treated with sensitivity and will not be directly quoted as part of the inspection enquires or in the report. The information is used to brief the HMI Probation team on relevant background and contextual information.

### **3.8. Presentation by the inspected organisation**

Five weeks before the start of the fieldwork, a planning meeting is held, which includes a presentation from the CRC Chief Executive Officer or NPS Divisional Director. The date, location and time will be agreed during the telephone planning meeting. The lead inspector is accompanied at this meeting by at least one of the following: the director of operations, the head of inspection programme, or the deputy lead inspector.

#### **Guidance on the presentation**

##### **Content:**

The chief executive/divisional director is invited to cover the following, with specific reference to domain one (organisational delivery) of the HMI Probation inspection standards:

- What does HMI Probation need to know to understand the local context for this CRC/NPS area?
- What are the recent developments and current challenges since your last inspection?
- How does the organisation promote the delivery of a high-quality, personalised and responsive service for all service users?
- What services are in place to provide a tailored and responsive service for all service users?
- Is timely and relevant information available, and are appropriate facilities in place to support a high-quality, personalised and responsive approach for all service users?
- How have you responded to findings and recommendations from the previous inspection report, and any relevant thematic inspections?
- What are your priorities for improvement?

The presentation should directly address the inspection standards and their supporting questions and prompts, and should support the inspection team to find evidence to make their judgements. Any specific examples or evidence should relate to work carried out within the 12 months prior to the inspection.

### **Arrangements for presentation:**

The presentation should normally take no more than 120 minutes, including the opportunity for questions to be asked during the presentation.

If the CRC Chief Executive Officer/NPS Divisional Director is not available, the presentation can be delegated to an appropriate colleague, so that it can still take place during the identified week. Other relevant staff may be involved or attend, as agreed with the lead inspector.

An electronic copy (Word, PowerPoint or PDF) of the presentation should be provided to the lead inspector. A paper copy should also be provided at the start of the presentation, to assist the lead inspector when making notes.

### **How evidence from the presentation will be used in the inspection:**

The presentation and materials will be used to help the lead inspector prepare for the inspection, and, to inform inspection findings on domain one (organisational delivery).

The presentation should not be regarded as a substitute for the structured evidence in advance submission.

## **3.9. On-site planning meeting**

By week -5, work will have been carried out on the case sample and the provisionally selected cases will have been sent to the inspected area to provide further information before the case sample shortlist is confirmed. The lead inspector will have read through the evidence in advance and background information. The on-site planning meeting is the final face-to-face opportunity to discuss and prepare for the fieldwork and post-fieldwork. The lead is normally accompanied at this meeting by the head of inspection programme and an inspection administrator, if available.

The on-site planning meeting covers the following topics:

- confirmation of the HMI Probation inspection team
- offices where the case assessments will take place (by this point, we will have a provisional list of cases for inspection, and the office locations where the responsible officer is based; offices where interviews take place may not necessarily be the same, for practical reasons)
- case sample
- responsible officer interviews and scheduling
- contact details for service users in the provisional domain two case sample
- management meetings and other inspection activity (a list of standard meetings is put forward for all inspections. The on-site meeting provides the opportunity, based on what has been read or heard, to request additional meetings during fieldwork)
- request for any further information/evidence identified following analysis of evidence in advance and the chief executive/divisional director presentation
- information for staff and service users
- access to IT, rooms and buildings
- proposed schedules
- inspection surveys
- local assessor arrangements (NPS only).

The lead inspector and SPOC will normally locate inspection staff in offices that are convenient for responsible officers to attend. Whilst the case sample lists the specific office, the inspected organisation should also consider room availability, access to IT and availability of the responsible officer.

A list of standard meetings is put forward for all inspections (this list is included in section 5 of this manual). Some meetings are at a fixed time on the inspection schedule, while others can be arranged by the inspected organisation to suit availability of attendees. The on-site meeting provides the opportunity, to request additional meetings during fieldwork.

Once the on-site planning meeting has taken place, the lead inspector and administrator complete the schedules.

### **3.10. Local assessors (NPS only)**

#### **Overview of the local assessor Role**

Local assessors (LAs) play a key role in HMI Probation inspections of NPS and youth offending work. During inspection visits they examine and assess the quality of practice carried out by front-line staff in individual cases, against HMI Probation's published inspection standards.

Local assessors will:

- complete the HMI Probation case assessment training programme (three days) delivered within the division or in Manchester during the run up to the inspection
- work on the divisional inspection team for one full week each, in a location other than their normal place of work (or any other place where they may have a conflict of interest, up to five nights away from home if deployed at a distance)
- receive support and assistance from HMI Probation inspection team while working on inspection
- provide a continuing resource for the division through their understanding of the case assessment methodology and inspection benchmark, following their work on the inspection.

#### **Key responsibilities for local assessors**

- Work as part of HMI Probation's team of inspection staff by undertaking assessments of front-line practice through individual case assessments.
- Provide accurate and concise written feedback to lead inspectors on individual cases.
- Provide feedback to individual case managers/ responsible officers about their work.
- Recognise and promote diversity issues in all aspects of work.

#### **Recruitment of local assessors**

Four to six local assessors will be used on each NPS inspection, according to the size of the division.

Local assessors will be identified and nominated by the NPS divisional SPOC. This ensures divisional control over the selection of people they are confident will be able to apply the HMI Probation methodology.

Each local assessor will work on-site over five days and inspect seven cases, in either the first or second fieldwork week.

HMI Probation will reimburse travel and subsistence costs associated with the local assessor attendance on the HMI Probation training and during the inspection.

Up to eight people will be selected and trained for each inspection, which will provide for relief cover in the event of local assessor unavailability. It will also allow for any individual to drop out following training, or who was deemed to be unsuitable.

Places may also be available on the training for other NPS or HMI Probation staff. Up to a maximum of ten people can be trained.

Candidates should be selected from a range of locations within the NPS division. In addition to meeting the person specification, suitable candidates will need to be available to attend the local assessor training and their allocated inspection week. Both activities will involve full working days.

Local assessors will be placed away from their normal place of work, and any other locations where they may have possible conflicts of interest.

### **Nomination of local assessors**

A local assessor nomination form should be completed by the SPOC in conjunction with the local assessor and their line manager.

This form provides evidence that the candidate meets the person specification, confirms their availability for the training and inspection, and records their personal details and any specific individual needs relevant to undertaking the activity. It also notes any potential conflicts of interest relating to locations other than their current place of work.

Completed forms should be returned to the administrator by week -5.

### **Training of local assessors**

Training will be delivered over three days, two weeks prior to the inspection (week -2 of the inspection project plan). The event will be delivered by the lead inspector and an assistant inspector.

Training will normally be delivered at a convenient, central location within the division, but if preferred by the division, can be delivered at the HMI Probation office in Manchester. The venue and dates for the training should be agreed as soon as possible after announcement of the inspection.

### **Training cases**

The training will use two suitable cases identified by the division.

### **Managing conflicts of interest**

Potential conflicts of interest should be avoided by placing local assessors away from their normal place of work. They will also be asked to check their schedule of case assessments as soon as they receive it, to ensure they have not been inadvertently allocated to assess a case and/or interview a case manager/responsible officer where they have a prior or current connection that could give rise to a conflict of interest. Where they have been allocated such a case the local assessor should notify the lead inspector or their supporting assistant inspector to arrange for it to be re-allocated to another inspector.

### **Feedback after the inspection**

HMI Probation ask responsible officers to provide feedback on the individual members of the inspection team who interviewed them, including interviews conducted by local assessors.

The survey is optional and we do not always receive responses. Where responses are received these will be forwarded by email to the individual local assessor with a copy also provided to their line manager. Local assessors will also be notified if no responses were received.

Any other significant feedback on the local assessor's performance will be communicated from the lead inspector to the SPOC.

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## 4. Case sample

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### 4.1. Case sample confidence levels

The margin of error (or confidence interval) for our case assessment findings depends on the selected sample size: the larger it is, the surer we can be that our findings reflect the eligible population.

Our initial calculations for the required sample sizes have been based on achieving a margin of error of 5 and a confidence level of 80% for a simple random sample of monthly commencements. This means that, for a response figure of 47%, we can be 80% sure that the true percentage for the eligible population was between 42% and 52%. Importantly, this assumes that the sample is truly random – which links to the sampling method (see next section).

The size of our domain two case samples range across our inspections from 100 to 148.

The same principles apply to the case sample sizes for court reports, unpaid work, Through the Gate, and initial victim contact in domain three. The case sample periods are one week for court reports, two weeks for unpaid work and Through the Gate, and one month for initial victim contact. Published data is insufficient to calculate accurate margins of error for the pre- and post-release sample size for victim contact, so these cases will be identified from within the domain two case sample.

A higher confidence level is required for clinical trials and published peer-reviewed research, but this would increase sample sizes. For inspection purposes, an 80% confidence level provides a balance between cost-efficiency and statistical precision.

### 4.2. Inspection sample sizes

The case sample for each inspection comprises three different lists. For both the NPS and CRCs, there is a case sample for domain two cases. The NPS has two further samples: one for victim work, the other for court reports and allocations. CRCs have two further samples: one for unpaid work, the other for Through the Gate work. The size of the case samples required to achieve the 80% confidence level depends on the published numbers of relevant cases in the inspected organisation. These numbers are periodically reviewed.

CRC/ PROBATION SERVICES	D2 Sample Size	Unpaid Work Sample size	TTG Sample size
Norfolk & Suffolk CRC	100	30	20
Northumbria CRC	100	30	20
Durham Tees Valley CRC	100	30	20
Hampshire & Isle of Wight CRC	100	30	20
Warwickshire & West Mercia CRC	105	35	25
South Yorkshire CRC	105	35	25
Essex CRC	105	40	20
Dorset, Devon & Cornwall CRC	105	40	20
Thames Valley CRC	105	35	25
Humberside, Lincolnshire & North Yorkshire CRC	115	40	35
Merseyside CRC	115	40	35
Cumbria & Lancashire CRC	115	40	35
Bristol, Gloucestershire, Somerset & Wiltshire CRC	125	50	45
Bedfordshire, Northamptonshire, Cambridgeshire & Hertfordshire CRC	125	50	45
West Yorkshire CRC	125	50	45
Kent, Surrey & Sussex CRC	130	65	45
Wales CRC	130	60	50
Derbyshire, Leicestershire, Nottinghamshire & Rutland CRC	130	55	55
Cheshire & Greater Manchester CRC	140	70	60
Staffordshire & West Midlands CRC	140	65	65
London CRC	148	95	85
NPS DIVISION	D2 Sample Size	Reports & Allocation Sample size	Stat Victim Contact Sample size
South Central	78	80	20
Kent, Surrey & Sussex	78	80	20
South West	90	85	20
North East	90	85	20
East Midlands	90	85	20
Eastern	105	95	20
Wales	105	95	20
West Midlands	105	95	20
Yorkshire & Humberside	110	115	30
London	110	115	30
North West	125	115	30

HMI Probation allocate each CRC and NPS division to an inspection cluster, based on the required case sample sizes.

### 4.3. Stratification

**Stratified sampling** – the eligible population is divided into non-overlapping strata (sub-groups), and cases are then randomly selected from within each stratum. The number of strata and the variables used are linked to the issues being explored (i.e. where there are likely to be differences in our findings).

The main advantage of stratified sampling is that it ensures sufficient representation of all the sub-groups. The main disadvantage is that it adds complexity.

The case sampling approach is based on the following two stages:

**Stage 1:** The clusters (our primary sampling units) are tier 1 units; names vary between different organisations, but these may be called LDU clusters or LDUs. We know from our Quality & Impact inspections that we are likely to find variations in performance between units. This approach is a reasonable trade-off between the need for cost-efficiency and the need to have a representative balance of different types of case within the clusters.

**Stage 2:** The stratification variables for the service users (our secondary sampling units) are gender, sentence type and risk of serious harm (RoSH) level, ensuring that the ratios of male/female, post-custody/community sentence cases and low/medium/high/very high RoSH cases in the selected case sample match those in the eligible population. Proportionate stratification creates more accurate data for the full sample and avoids the need for any weighting.

#### 4.4. Specification and selection

All case sample long lists should be submitted by the inspected organisation by Monday of week -6.

##### Domain two: core sample specification

The inspected organisation provides a long list of all cases sentenced to a community order or suspended sentence order, or released from custody under supervision (licence or post-sentence supervision) during a specific timescale (six to seven months before fieldwork).

The sample should **include** any cases which have been transferred into or out of the area or escalated to the NPS from a CRC. When inspecting these cases, we will only take account of work undertaken while the case was the responsibility of the inspected organisation.

The sample should **exclude**:

- Community and Suspended Sentence Order cases where the only requirement is unpaid work, an attendance centre, an exclusion or curfew; or a combination of these requirements
- Community and Suspended Sentence Order cases where cases have no requirements
- any case held by a YOT, where the inspected organisation is managing or providing interventions on the YOT's behalf
- any cases which are (or have been during the sample period), subject to a serious further offence review or a serious case review (England)/child practice review (Wales).

Otherwise, there should be no exclusions.

**Stage 1:** The administrator calculates the percentages of cases in the long list from the five stratification groups. The stratification variables are: gender, sentence type and RoSH level.

**Stage 2:** The administrator identifies a provisional case sample list by applying the stratification variables to the cases on the long list. Matching the stratification variables takes priority over proportionate distribution of cases between clusters, LDUs or teams. The provisional case sample list will be 20% greater than the final sample to be selected, to allow for certain exclusions and logistical requirements. The provisional case sample list is sent back to the organisation on Friday of week -6 for it to provide information about

responsible officer availability, and confirmation of consent from the service user to be contacted by an inspector.

**Stage 3:** In week -4 the returned sample is checked by the administrator and lead inspector. A final selected case sample is then chosen, matching the stratification proportions, and taking logistics into account. This is used for preparing the schedule. The inspected organisation receives the final selected case sample during week -2.

### Domain three case selection

#### **Court reports and allocation (NPS only)**

A long list of cases is submitted by the NPS, of **all** court reports completed in a specified period in the NPS division. The long list should include all reports, irrespective of whether the case had been sentenced or not. The only exclusion is cases where reports were prepared for courts outside the inspected NPS area.

The stratification variables are report type, and agency to which any resulting case is allocated.

The selected case sample is returned to the NPS during week -2, and includes some reserve cases.

#### **Victim work (NPS only)**

The NPS is asked to provide details of **all** new custodial sentences allocated to the NPS division in a specified period, where the nature of the offence indicates that the case is potentially eligible for Statutory Victim Contact. The NPS does not need to indicate if a victim has been contacted, nor whether contact has been accepted by the victim.

No stratification is applied to this case sample.

The selected case sample is returned to the NPS during week -2, and includes some reserve cases.

#### **Through the Gate (CRC only)**

The CRC provides a list of all prisoners being released on licence or post-sentence supervision during a specified period, from prisons where the CRC delivers Through the Gate services, either as 'lead host' or otherwise.

The sample should **exclude**:

- prisoners who are/will be supervised post-release by other CRCs
- prisoners who are/will be supervised post-release by the NPS
- prisoners who were being held on recall at the point the case sample was produced
- prisoners who will not be subject to licence or post-sentence supervision (e.g. held for deportation, remand)
- prisoners released from prisons where a different CRC provides Through the Gate services under contract to the inspected CRC.

If the long list contains fewer cases than the intended case sample size, and we are confident it includes all eligible cases, we will not ask for the case sample period to be extended.

The stratification variables are the different prisons where the CRC delivers Through the Gate services.

The selected case sample is returned to the CRC during week -2, and includes some reserve cases.

### **Unpaid work (CRC only)**

The CRC provides details of all unpaid work requirements allocated during a specified period. This includes cases where the order is managed by the NPS as well as those managed by the CRC. The list should exclude:

- cases where the unpaid work requirement has been transferred into or out of a different CRC, on a formal or informal basis
- any cases which have been subject to a serious further offence review or a serious case review/child practice review.

If the long list contains fewer cases than the intended case sample size, and we are confident it includes all eligible cases, we will not ask for the case sample period to be extended.

The stratification variables are gender and level of risk of serious harm

**All domain three case samples** are submitted to HMI Probation by **Monday of week -6**.

All selected domain three case samples are returned to the inspected organisation by week -2, and will include some reserve cases.

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## 5. Schedules

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### 5.1. Weekly schedules

#### Fieldwork weeks 1 and 2

The lead and deputy inspectors each inspect four domain two cases and five domain three cases per inspection. The remainder of weeks 1 and 2 includes gathering domain one evidence, through meetings. A team of assistant inspectors undertake most case inspections and, where appropriate, lead and facilitate meetings. In NPS inspections, local assessors are deployed as part of the inspection teams during weeks 1 and 2. In CRC inspections, some assistant inspectors will also conduct observations of unpaid work activity.

The inspected organisation is issued with the final schedules for domain two and three at the start of week -2. The schedules identify the time of the responsible officer interview, which normally last 60 minutes, plus any fixed meetings or observations. For domain three, cases are inspected as 'file reads', that is, without the need for an interview with the responsible officer.

#### Review week

After fieldwork weeks 1 and 2, the lead and deputy inspectors are allocated a week to review the evidence gathered to that point. They also use this time to plan any additional activity needed during fieldwork week three, including requests for additional written evidence or meetings. A phone call is made to the SPOC on the Thursday of the review week, to clarify any changes needed to arrangements for the following week.

#### Fieldwork week 3

During the third week, the lead inspector, deputy inspector and an assistant inspector focus on completing domain one evidence gathering and collating any other evidence required. The schedules detail the meetings allocated and where they will take place. The inspected organisation needs to provide all those taking part in interviews, and meetings with information about the venue, date and timings. Some write-up and travel time is allocated on the schedule.

### 5.2. Domain one meetings

#### Domain one scheduling

Planning the schedule for domain one takes place during the pre-fieldwork phase. The list of core meetings below sets out the standard meetings that inspectors will require during the three weeks of inspection fieldwork.

An outline schedule is sent out following the announcement of an inspection, indicating the days and times inspectors are available for meetings. Some meetings are fixed in the schedule, and for others the inspected organisation has the flexibility to identify when it is most convenient to hold those meetings.

Depending on the geography of the organisation being inspected, some meetings may be scheduled to take place by telephone or Skype. Depending on the individual arrangements in organisations, it may be that one individual covers more than one of the tasks outlined in

the list of core meetings. In that case, we only need to schedule one meeting with that person. Similarly, if the role identified is covered jointly by two or more people, the organisation can schedule them both/all to attend.

For meetings with groups of staff, the optimum number of attendees is between six and ten.

The schedule templates indicate when meetings should take place, with the lead having flexibility to make changes.

This list below represents the core meetings we routinely wish to cover. Other meetings may be arranged either during the planning meeting, or as the fieldwork progresses.

## **CRC inspections – core meetings**

### **Meetings with individuals and groups of staff**

The purpose of these meetings is to evidence how the operation of the key domain one standards of leadership, staff, services, and information and facilities, are seen from different perspectives in the hierarchy of the organisation:

- CRC Chief Executive Officer
- director of operations (if applicable)
- deputy directors
- middle managers (sometimes in two locations, depending on the size of the CRC)
- responsible officers (sometimes in two locations, depending on the size of the CRC)
- administrative staff (sometimes in two locations, depending on the size of the CRC).

### **Meetings with subject leads to assess against particular domain one standards**

(Where appropriate additional specialists can be included to provide more detailed understanding as necessary)

#### **Leadership**

- Communications (external and internal)
- Equality and diversity.

#### **Staff**

- Human resources and workforce planning
- Learning and practice development.

#### **Services**

- Reducing reoffending
- Public protection (including safeguarding)
- Commissioning and planning of services
- Programmes and structured interventions
- Women's services
- Supply chain providers
- Partnerships and stakeholder engagement
- Sentencers.

### **Unpaid work**

- Strategic lead for unpaid work
- Unpaid work operational managers
- Unpaid work supervisors

### **Through the Gate**

- Head of resettlement/Through the Gate
- Meeting with heads of resettlement (local resettlement prisons)
- Through the Gate operational managers
- Through the Gate resettlement workers

### **Information and Facilities**

- Opportunity to view local intranet
- Rate card
- Estates and health and safety
- ICT planning
- Performance and quality
- Contract management
- Research and information
- Hub management
- Service user forum (only if existing).

## **NPS inspections – core meetings**

### **Meetings with individuals and groups of staff**

The purpose of these meetings is to evidence how the operation of the key domain one standards of leadership, staff, services, and information and facilities, are seen from different perspectives in the hierarchy of the organisation:

- NPS Divisional Director
- middle managers (sometimes in two locations, depending on logistics)
- responsible officers (sometimes in two locations, depending on logistics)
- administrative staff (sometimes in two locations, depending on logistics)
- meeting with heads of LDU clusters.

### **Meetings with subject leads to assess against particular domain one standards**

(Where appropriate additional specialists can be included to provide more detailed understanding as necessary)

#### **Leadership**

- Communications (external and internal).

#### **Staff**

- Human resources and workforce planning
- Learning and practice development.

## **Services**

- Reducing reoffending
- Public protection (including safeguarding)
- MAPPA
- Commissioning and rate card
- Equality and diversity
- Accredited programmes
- Approved premises
- Women's services
- Partnerships (including IOM) and stakeholder engagement
- Offender management in custody.

## **Court Work**

- Strategic lead for court services
- Meeting with sentencers (optional)
- Meeting with court senior probation officers
- Meeting with court duty staff (sometimes in two locations, depending on logistics).

## **Victim Contact Work**

- Strategic lead for victims
- Victim liaison officers.

## **Information and Facilities**

- Estates and health and safety
- ICT planning
- Performance and quality
- Research and information
- Enforcement hub management  
Service user forum (only if existing).

### **5.3. Team meetings**

The lead inspector will advise on appropriate arrangements for HMI Probation team meetings and gathering feedback during the fieldwork phase. A meeting room may be required for this purpose, for up to 12 members of staff; no IT access is required in this room.

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## 6. Phase II: Fieldwork

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### 6.1. Methodology

#### **Domain one: organisational delivery**

In this domain, the lead inspector and deputy lead inspector focus on leadership, people, services, information and facilities. During the pre-fieldwork period, the lead inspector assesses the evidence in advance submitted by the inspected body, identifying any gaps or areas for clarification in the evidence for standards and key questions. The fieldwork weeks include meetings where further evidence can be gathered, and provide an opportunity to triangulate evidence and information.

#### **Domain two: case supervision**

Domain two centres on the quality of practice. We examine those tasks relating to the supervision of service users, specifically, assessing, planning, implementing and reviewing. The lead and deputy undertake some case inspection, with most completed by assistant inspectors, and local assessors in NPS inspections. The case inspections take place over two fieldwork weeks. The case sample section of this manual provides more detailed information about the selection process, exclusion criteria and sample sizes. Inspectors assess work against the agreed standards, and record findings.

Case inspections include reading and assessing relevant information available through electronic records and tools, such as the national case management system, nDelius, ViSOR, OASys assessments and any other local tools used for offender assessment and planning. Inspected bodies are asked to provide access to other documents relevant to the case, for example minutes of MAPPA meetings.

We undertake face-to-face interviews with the responsible officer. These involve discussions about assessing, planning, implementing and reviewing. Responsible officers are also asked about their experience of training, development, management supervision and leadership. Where the responsible officer is unavailable, a telephone interview can be arranged or an interview held with a suitable replacement.

We also telephone the service user, where they have given their consent, to seek their views on the supervision they have received. Responsible officers should note on the case record that the permission of the service user has been obtained for HMIP to contact them using the service user's mobile phone number.

Case inspectors use all sources of evidence to formulate their assessment of the case.

#### **Dealing with cases that should have been excluded**

Occasionally, during fieldwork, it becomes apparent that a case on the schedule does not meet the case sample specification, and should have been excluded at an earlier stage. This is a difficult situation, particularly when the case manager has turned up for interview by the time an inspector realises the case should have been excluded. The inspector has a brief conversation with the responsible officer, to let them know that the case should not have been put forward for inspection.

The inspector then speaks to the deputy lead inspector about whether a substitute case needs to be identified as a file read. If possible, the inspector conducting the file read arranges a telephone conversation or brief meeting with the responsible officer.

### **Domain three: allocation of cases for inspection**

Most inspectors and assistant inspectors will inspect some domain three cases. There are no interviews with individual front-line staff relating to domain three work.

### **Domain three: NPS-specific work**

#### **Court reports and allocation**

All cases in the case sample will have had a court report completed; most will have been sentenced, and allocated to a CRC or the NPS. Inspectors use OASys and nDelius to inspect these cases, and judge the quality of the written record of the report provided to court. Inspectors make a judgement about the quality of information-gathering at the court stage (and allocation stage, if the case has been sentenced). This includes any assessment of RoSH, if required, and the accuracy of the allocation decision (if allocated). There are no interviews with the staff involved in preparing and producing information for court and/or allocation.

The case sample is drawn from across the whole NPS area being inspected, and takes proportionate account of the number of different report types prepared.

Inspectors exclude any cases where:

- the report type as shown on nDelius does not match the report type on the case sample list
- the case was sentenced in a court outside the NPS area being inspected.

Inspectors use NPS records of the court reports and allocation process (nDelius and OASys) to access the evidence for inspection. They do not take account of any activity or re-assessment that has taken place after the case was allocated to the appropriate agency. Inspectors will not normally need to access CRC case records, nor NPS records post-allocation. Exceptionally, that may be necessary to follow up issues of concern.

Exceptionally, if an inspector finds a significant shortcoming in the work of the NPS prior to allocation, which will have impacted on the ability of the CRC to manage the case, we expect the NPS to rectify this. We ask the NPS for evidence that they have informed the CRC of any changed assessment or additional information.

#### **Victim work**

Inspection of victim work covers only cases entitled to statutory victim contact, not discretionary contact. Inspectors use nDelius and OASys, and the victim database, to inspect the work done to trace and contact victims in custodial sentences commencing between six and seven months before the inspection fieldwork, where the case is eligible for statutory victim contact. Inspectors examine whether a victim was traced and contacted, and how initial contact was followed up if the offer was accepted by the victim. This allows us to comment on the quality of the work of victim contact officers, and the working relationship with local witness care units, which is crucial to obtaining the contact details of victims.

Inspectors also examine victim contact work in cases from the domain two case sample where there has been a victim eligible for victim contact.

### **Initial contact with victims after sentence**

Inspectors work from a case sample list containing details of custodial sentences allocated to the NPS area, where the nature of the offence indicates that the case could be eligible for statutory victim contact. The inspector reads the prosecution documents in the case, to establish whether there was an identifiable personal victim. Cases where there is no identifiable personal victim will not be inspected.

The assistant inspector will access the victim database to examine:

- whether the case was identified by the NPS as an eligible case for victim contact. The case is still inspected if the NPS has not identified it as an eligible case for victim contact
- whether the victim lived, or was believed to live, within the boundaries of the NPS area being inspected at the time of sentence
- whether attempts were made by the NPS to contact the victim
- whether any victim in that case chose to participate in the victim contact scheme.

### **Pre- and post-release victim work**

Inspection of victim work immediately prior to, and after release, is completed as part of the domain two inspection of NPS cases, for those cases where the nature of the offence indicates that an identifiable victim had been eligible for statutory victim contact. There is no target case sample number for pre-release victim work cases; the number of cases identified depends on the content of the cases inspected under domain two.

### **Domain three: CRC-specific work**

#### **Unpaid work**

Inspectors use OASys, nDelius and local records to inspect a sample of unpaid work cases. There are no interviews with unpaid work staff or responsible officers relating to the individual cases being inspected. Inspectors also observe unpaid work induction sessions and projects, and will interview service users and staff as part of the observation.

Inspectors exclude any cases where:

- the unpaid work requirement has been transferred in from or out to a different CRC
- the case has been subject to a serious further offence review or a serious case review (England)/child practice review (Wales)
- the service user was unavailable for work for more than a six-week period since this requirement commenced, for example, remanded in custody, signed off as unfit for work, or missing on a warrant.

Inspectors access CRC case records to inspect work done by unpaid work staff. In orders with more than one requirement, or orders where the case is managed by the NPS, they also look at assessment and planning completed by the responsible officer with a focus on issues relevant to unpaid work. For NPS cases, inspectors use NPS logons from CRC IT systems to access any necessary information about NPS cases. Note: prior to fieldwork, the administrator notifies the relevant NPS division that we are inspecting unpaid work services

in some of its cases. If anything arises in a case that gives cause for potential 'alert', the assistant inspector speaks to the deputy for advice.

### **Observation of unpaid work**

The schedule for observation of unpaid work induction sessions and group work projects will be confirmed as part of the overall inspection schedule during week -2.

### **Through the Gate**

We only inspect cases allocated to the inspected CRC post-release. We no longer inspect cases allocated to the NPS, because of the different role for responsible officers and offender management in custody arrangements. There are no interviews with the prison-based resettlement worker or the community-based responsible officer relating to individual cases.

Resettlement plans prepared by staff working for the CRC in the prison are completed using OASys. Inspectors use case records to access the cases, through OASys and nDelius. Our inspection is based on the records kept on OASys resettlement plans and reviews. We do not take account of information stored elsewhere, as that would not necessarily be available to other staff in the prison or community.

Inspectors exclude any cases where:

- the prisoner was not released as expected
- the prisoner was released to the supervision of the NPS or a CRC other than the one being inspected
- the prisoner was not under any form of supervision post-release, for example, released at sentence expiry date, held for deportation, remand.

### **Cases allocated to the wrong agency**

Occasionally during fieldwork, it becomes apparent that a case being inspected has been allocated to the wrong agency. If the case is currently allocated to the NPS, and the inspector believes it should be allocated to a CRC, they raise this with the NPS but there is no expectation that the case will be reallocated. If the case is currently allocated to a CRC, and the inspector believes it should have been allocated to the NPS, the inspector raises this with the NPS, with an expectation that the NPS will contact the CRC and request the case is reallocated to them.

## **6.2. Guidance material**

Guidance has been developed for each domain. This explains how evidence should be assessed and how to form judgements against key questions and standards. The purpose of the guidance is to provide advice, consistency and a shared understanding of the required expectations. The guidance material is separated into the following documents:

- domain one: rules and guidance (RaG)
- domain two: the case assessment rules and guidance (CARaG)
- domain three: each of the sector-specific modules has separate CARaG guidance embedded in the InfoPath tool.

The guidance documents are based on international and national probation standards and rules, CRC contractual provisions, and our own standards and benchmarks; as such, they outline approaches that set high standards to assess quality.

### **Purpose of the domain one rules and guidance**

The domain one rules and guidance explains how evidence should be assessed and how judgements should be formed against key questions and standards. The purpose of the guidance is to provide advice, clarity and a consistent understanding of the required expectations. The rules and guidance are based on international and national probation standards and rules, CRC contractual provisions, and our own standards and benchmarks. As such, they outline approaches that set high standards to assess quality.

### **Role of the rating characteristics**

The rating characteristics indicate what will guide a lead inspector to recommend a specific rating. They provide a framework to support the lead inspector's recommendation rather than being a checklist; we do not expect every characteristic to be present for the corresponding rating to be given.

The characteristics for 'Good' and 'Requires improvement' are closely aligned to the key questions and prompts in the standards framework.

The characteristics for 'Outstanding' capture whether the organisation is:

- innovative and creative
- forward-looking and proactive
- open and transparent
- supportive, empowering and inclusive
- agile and responsive
- collaborative and outward-looking.

The characteristics for 'Inadequate' capture whether the organisation is:

- solely reactive
- defensive and blaming
- characterised by division and conflict
- unresponsive
- inward-looking.

### **Purpose of the domain two and three case assessment rules and guidance**

Domain two and domain three case assessment rules and guidance (CARaGs) are comprehensive sets of published rules and guidance to be followed by inspectors and local assessors in their assessment of cases. The CARaGs promote transparency and consistency in our inspection of cases. Inspection staff and local assessors should use the appropriate CARaG as a reference document when assessing a case.

Guidance is provided in the CARaGs for the key questions and prompts. The CARaGs are regularly updated to ensure that they remain consistent with any changes that we make at standard, question and prompt level and so that they remain linked to evidence. The CARaGs also contain links where relevant to more detailed guidance and HMI Probation position statements in specialist areas.

## **The relationship between domains**

The three domains are structured separately to allow us to make comment and judgements about specific areas of work. The domains do not operate in isolation; there is a relationship between them. Following our April 2019 consultation, we revised the questions and prompts in domain one to link more explicitly to the delivery that we inspect in domains two and three. The revised rules and guidance and rating characteristics reflect this. In making judgements about some of the prompts and questions in domain one we will consider how we have seen this demonstrated in practice in domains two and three.

### **6.3. Inspection sites**

During the pre-fieldwork phase, the inspection sites are identified and the inspection team allocated to specific offices.

The inspectorate understand private office space may not be available in all inspection sites for the whole fieldwork phase. The inspected organisation may allocate the team to a desk in an open office with access to private interview rooms, in accordance with the timings on the schedule where interviews can take place with responsible officers.

On arrival, the inspected organisation gives an induction to the building, including a health and safety briefing. Inspection staff need access to fobs, and information on opening and closing times.

### **6.4. IT access**

HMI Probation staff have access to various criminal justice IT systems, including OASys, nDelius, ViSOR and VCMS. The lead confirms with inspected organisation which systems they will be accessing and, where other local systems are used, arranges access to that system and any relevant training.

To comply with GDPR, inspectors only access cases identified on case sample lists, or additional cases by arrangement with the inspected organisation.

### **6.5. Case files**

Inspectors access case files held electronically in OASys and nDelius, and should be provided with any additional paper documents or access to local folders if relevant information is stored separately. In relevant NPS cases, inspectors may access the victim case management system and ViSOR. On CRC inspections, we inspect Through the Gate using the record of resettlement planning and activity on OASys, so do not require additional documents.

### **6.6. Responsible officer interviews**

As part of our assessment of a case, the inspector or assistant inspector interviews the responsible officer for that case. The interview with the responsible officer provides an opportunity for the case under inspection in domain two to be discussed in more detail, and to gather evidence for domain one. Inspectors provide an introduction and overview to the responsible officer to help them understand the process of the inspection. In addition to gathering evidence for domains one and two, the interview includes constructive feedback

to the responsible officer, delivered in a productive and sensitive manner to encourage reflective discussions. The detail of the interview is not discussed with line managers, unless there are serious concerns about the case (prompting an 'alert' to be raised – see below).

Where the responsible officer is not available, we ask that another suitable person with a sufficient understanding of the case attends the interview. That would normally be the line manager or supervisor of the responsible officer, although in some circumstances another colleague with knowledge of the case may be suitable. The inspector will contact that person prior to the interview to check how much they know about the case. If they have little knowledge of the case, a telephone call during the scheduled interview slot may be arranged as an alternative, to avoid unnecessary travel. If no alternative is available, the case is assessed based on the written material alone (as a file read).

We sometimes get asked if the second person can attend the interview with the current responsible officer. Our preference is to interview the current responsible officer alone, with following exceptions:

- where a recent change of responsible officer means the previous one can add something useful to the assessment of the case
- where a second person has played a key role in delivery of an intervention
- where the responsible officer is very new to the role (for example a new trainee) and needs support from a colleague.

## 6.7. Alert process

Where we identify a significant actual or potential risk of harm to other people, or to the individual concerned, or where there is organisational practice that requires immediate attention, we have a responsibility to act on our concerns. The following procedures provide all inspection staff with an effective and consistent mechanism for tackling serious situations that require immediate attention.

An alert encompasses practice, or practice omissions, that require immediate remedial action to be taken (usually by the organisation responsible for the case) to reduce or contain an identifiable, significant and imminent risk.

Inspection staff should ask themselves:

- What might happen if no action is taken?
- How serious is the risk?
- When might it happen (that is, how imminent is it)?

If we are concerned that there is danger to life and limb, or an incident from which recovery will be difficult or impossible, or that an offence has taken place or is taking place (for example, fraud), then we need to act.

Through the individual alert process we are seeking assurance, confirmed by evidence, that actions have been taken. We do not manage the risk directly. The deputy lead inspector's role is to make sure that the organisation (or third party) responsible for the case takes sufficient action to address the concerns.

Any incidents recorded via the individual alert system may inform the inspection findings or recommendations.

## 6.8. Meeting Format

Meetings with groups of staff should ideally consist of six to ten people; in larger groups, some participants could be overlooked, while smaller ones might not generate sufficient diversity of views. Staff should be of the same grade (or doing the same role), and should not be included in groups with their line managers or senior managers. If attendees are not of the expected role or grade, inspectors may advise them that their attendance is not required. Certain topics might require consistency in other areas, such as gender, age and ethnicity.

Meetings with groups normally last between 45 and 90 minutes. The meeting should take place in a space that is private, not subject to interruptions and with sufficient comfortable seating. The inspected organisation is responsible for identifying the best location for meetings to take place, ensuring there is a good representation.

## 6.9. Closing the inspection fieldwork

The fieldwork phase on all inspections commence on Monday afternoon and ends on Friday, usually between 12:00 and 14:00.

On the final day of the inspection, the lead inspector:

- ensures all fobs/security passes have been returned
- outlines the process for report writing and submission of the draft report
- discusses the process if there are factual inaccuracies in the draft report
- explains the process for ratings and gradings
- explains the process for challenging ratings
- highlights key dates and next steps for improvement plans and provisional final report publication.

The lead inspector does not give the inspected organisation any feedback on inspection findings at this stage.

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## 7. Phase III: Post-fieldwork

### 7.1. Ratings explained

Domain two and three standard ratings are based on the results of the inspection of individual cases. Ratings are at the standard level, and based on consolidated results (at key question level) of all cases inspected in the relevant domain. In CRC inspections only, the rating for unpaid work in domain three may also be influenced by evidence from observations.

For each standard, the rating is aligned to the lowest banding at the key question level, recognising that each key question is an integral part of the standard.

Lowest banding (key question level)	Rating (standard)
Minority: <50%	Inadequate
Too few: 50-64%	Requires improvement
Reasonable majority: 65-79%	Good
Large majority: 80%+	Outstanding ☆

For example, implementation and delivery are rated as outstanding when there is a sufficient focus in all three key questions (engagement, desistance and keeping other people safe) across a large majority (80%+) of the cases examined. But if the banding is a reasonable majority (65-79%) for one of the three key questions, then we rate implementation and delivery as 'Good' rather than 'Outstanding'.

We use case sub-samples for some of the key questions in domains 2 and 3. For example, when judging whether planning focused sufficiently on keeping other people safe, we exclude those cases where the inspector deemed the risk of serious harm to be low. This approach is justified on the basis that we focus on those cases where we expect meaningful work to take place.

An element of professional judgement may be applied to the standards ratings in domains two and three. Exceptionally, the ratings panel considers whether professional discretion should be exercised in relation to a rating for a domain two or three standard where the lowest percentage at the key question level is close to the rating boundary, for example between 'needs improvement' and 'good' (specifically, within five percentage points of the boundary or where a differing judgement in one case would result in a change in rating). The panel considers the sizes of any sub-samples used and the percentages for the other key questions within that standard, such as whether they fall within different bandings and the level of divergence, to make this decision.

#### Rating unpaid work (CRCs only)

For the unpaid work standard, domain three case inspections provide data on key questions 4.1.1, 4.1.2 and 4.1.4. Analysis of that data provides an indicative rating for the unpaid work standard, aligned with banding, as above. Qualitative evidence for key question 4.1.3 is obtained from observations during the fieldwork. This qualitative evidence may increase or decrease the indicative rating for unpaid work by one band. That decision is ratified by the ratings panel.

## Domain one ratings

The three domains are structured separately to allow us to make comment and judgements about specific areas of work. The domains do not operate in isolation; there is a relationship between them. Following our April 2019 consultation, we revised the questions and prompts in domain one to link more explicitly to the delivery that we inspect in domains two and three.

Domain one ratings are proposed by the lead inspector for each standard. They will be a single judgement, using all the relevant sources of evidence.

Domain one rating characteristics indicate the issues to be taken into account to guide a lead inspector to recommend a specific rating. They provide a framework to support the lead inspector's recommendation rather than being a checklist; we do not expect every characteristic to be present for the corresponding rating to be given.

The characteristics for domain one ratings are closely aligned to the key questions and prompts in the standards framework.

The characteristics for 'Outstanding' capture whether the organisation is:

- innovative and creative
- forward-looking and proactive
- open and transparent
- supportive, empowering and inclusive
- agile and responsive
- collaborative and outward-looking.

The characteristics for 'Inadequate' capture whether the organisation is:

- solely reactive
- defensive and blaming
- characterised by division and conflict
- unresponsive
- inward-looking.

As part of our second round of probation inspections inspectors review the progress that has been made against our recommendations. They do not rate this progress or use it to directly influence ratings, instead it will form a short standalone narrative in the report. This is additional to prompt 1.4.4 (g) where we assess the action taken by providers in response to performance monitoring, audit or inspection more broadly.

More detailed information can be found in the probation inspection domain one rules and guidance on the website.

## Overall provider rating

Straightforward scoring rules are used to generate the overall provider rating. Each of the ten standards will be scored on a 0–3 scale in which 'Inadequate' = 0; 'Requires improvement' = 1; 'Good' = 2; 'Outstanding' = 3. Adding these scores produces a total score ranging from 0-30, which is banded to produce the overall rating, as follows:

- 0-5 = Inadequate
- 6-15 = Requires improvement

- 16-25 = Good
- 26-30 = Outstanding.

We do not include any weightings in the scoring rules. The rationale for this is that all parts of the standards framework are strongly linked to effective service delivery and positive outcomes, and we have restricted ourselves to those that are most essential. Our view is that providers need to focus across all the standards, and we do not want to distort behaviours in any undesirable ways. Furthermore, the underpinning evidence supports including all standards/key questions in the rating, rather than weighting individual elements.

## 7.2. Ratings panel meeting

The ratings panel for NPS and CRC inspections normally sits on the Thursday morning of the week following the fieldwork (week +1).

The ratings panel normally consists of the director of operations (Chair), the lead inspector, and the relevant head of inspection programme, who records the decision of the panel. The deputy lead inspector may attend, if available; the head of policy and standards and head of inspection methodology and assurance attend some ratings panels.

The lead inspector presents the proposed ratings to the panel in a structured way and in line with the following principles and processes:

- the panel checks that ratings for domain one are evidence-based and balanced, and in line with published HMIP rules and guidance
- the panel considers the validity, source and impact weighting of each piece of evidence for domain one and determines whether the rating proposed by the lead inspector is appropriate
- (CRC inspections only) the panel considers whether the indicative rating for unpaid work should be varied based on the qualitative evidence for key question 4.1.3
- exceptionally, the panel considers whether professional discretion should be exercised in relation to any of the domain two or three ratings that yield a percentage close to the rating boundary (see section 7.1 for more detail). The panel only revises the domain two or domain three scores (at the key question level) if they believe that to do otherwise would not be a true reflection of how the inspected organisation is performing
- the panel makes sure that ratings are consistently applied across inspections
- the panel provides a level of protection and challenge for the lead inspector
- the panel focuses only on ratings and key findings and does not quality assure other aspects of the inspection.

Following the ratings panel, the head of inspection programme completes the rating panel summary. The administrator sends the inspected organisation a copy of the summary of the ratings panel meeting, which includes the agreed ratings. This arrives with the inspected body on the Monday after the ratings panel (week +2) at 0900.

Also on the Monday of week +2, the lead inspector telephones the senior manager of the inspected organisation (if requested) to explain the decision of the ratings panel.

### 7.3. Report writing

As the public product from inspection, it is important that the report is well presented, credible and accessible to the intelligent lay reader. Equally, to drive improvement in practice, the report needs to present the information required by the technical audience.

The lead inspector is allocated three weeks to complete the first draft of the report, including presenting their judgements to the ratings panel in the first of these weeks. The following processes are carried out to finalise the report:

The following processes are then carried out to finalise the report:

- initial editing (checking on grammar, house style etc.)
- statistics checking by the data and information team
- structure, accuracy and quality check by the director of operations (strategic editing)
- review by the chief inspector
- factual accuracy checking by the inspected organisation.

#### **Final review and sign off by HMI Probation**

The inspected organisation normally receives a copy of the draft report on Monday morning of week +7, with a copy to the operational and system assurance group (OSAG). This is to provide the organisation with the opportunity to comment on the factual accuracy of the draft report.

Arrangements are in place for OSAG to send the response to HMI Probation within ten working days. A template, for use by both the inspected body and HMI Probation, is sent with the draft report. The head of inspection programme and lead inspector consider the comments from the inspected organisation and provide a response.

### 7.4. HMI Probation complaints procedure

We are committed to ensuring our inspectorate processes are transparent and fair and of a professional standard. This includes handling complaints proficiently, in an open and rigorous way, investigating the matters raised thoroughly, and replying as quickly as possible to any concerns raised with us.

Organisations can make a complaint if they are dissatisfied with the way in which we carry out, or fail to carry out, our business. This includes the quality of our work or the way we work, including the conduct of the organisation or individual members of staff. It can also include issues with our inspection judgements. Our complaints policy can be found on our website.

While our formal complaints policy covers any issues organisations may have with the findings of our inspections, the expectation is that these are dealt with informally, negating the need to invoke the formal complaints policy. There is therefore an opportunity to raise such issues at factual accuracy check. Providers are discouraged from raising such issues when they receive the ratings panel summary as they are not in possession of the more detailed evidence base that supports the inspection ratings.

The director of operations is the final decision-maker on any matters of factual accuracy.

We aim to address any concerns or dissatisfaction as early as possible, preferably before they are escalated to formal complaint.

## **7.5. Report publication**

The report will usually be published during week +13 in England, and week +17 in Wales. Changes to this publication date may be made in advance. The lead inspector will discuss any changes in the anticipated publication date with the inspected organisation.

The HMI Probation communications team arrange for the report to be distributed to relevant recipients. They also prepare the press release and submission to ministers, which are agreed with the lead inspector, head of inspection programme and director of operations, before final review by the chief inspector. An embargoed copy of the report is issued to the inspected organisation around five working days before formal publication.

## **7.6. Action plans**

The inspected body liaises with OSAG to agree the action plan to address the report recommendations. The action plan is sent by OSAG to HMI Probation at week +15 in England and +19 in Wales.

The action plan is published on the HMPPS gov.uk website and linked to from the HMI Probation website.

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