



Her Majesty's
Inspectorate of
Probation

A thematic review of work to prepare for the unification of probation services

An inspection by HM Inspectorate of Probation
May 2021

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Foreword

The probation service has gone through many changes over the last 20 years, most recently through the *Transforming Rehabilitation*¹ agenda, which saw delivery split between private and public sector provision. HM Inspectorate of Probation has commented previously on our concerns about the impact of *Transforming Rehabilitation*. The planned unification of provision this June will draw probation services back together into one new delivery model in the public sector – we welcome this decision. A significant change programme to deliver this unification and a new longer-term operating model has been launched. If the benefits of the model are fully realised and backed by adequate resources, this will address many of our previous recommendations to improve probation delivery. Unlike *Transforming Rehabilitation*, the large majority of staff and managers we spoke to support this direction of travel.

This unification programme is no small endeavour and will see staff from 54 separate organisations coming together on day one of the model, 26 June 2021. An ambitious task in itself, but with the added complication of delivering this change within the context of a global pandemic which adds considerable extra complexity and has affected the ability of the service to plan the transition. Day one of the new unified service represents the beginning, not the end, of the transformation process. The amalgamation of inherited structures and the implementation of a new operating model will take time – potentially at least four years – and there will be inherent risks. The pace with which this change programme is being delivered is fast and is happening against the backdrop of ongoing Covid-19 restrictions.

Our findings are based on fieldwork undertaken between October 2020 and February 2021. The inspection team interviewed over 200 people involved in the reform programme including every regional probation director and national workstream lead as well as frontline staff in five probation regions. We found a rapidly evolving picture and a notable increase in the momentum of planning and preparation as our fieldwork progressed. As key milestones were reached and plans started to crystallise, our confidence (and that of key stakeholders) increased in the service's ability to transition successfully to a new unified structure on 26 June.

Our judgement is that the necessary steps are being taken to ensure continuity of sentence management from day one of the service. A 'lift and shift' approach means that probation officers (POs) and probation services officers (PSOs) are taking their existing caseloads and line managers into the unified service for the first few months to reduce risks of service users being 'lost' in the transition. Good progress has been made to transfer Community Rehabilitation Company (CRC) office accommodation to HM Prison and Probation Service (HMPPS); the roll-out of new laptops, mobile phones and Ministry of Justice IT accounts has also started for CRC staff.

I do, however, have concerns in a number of areas. The Inspectorate has reported previously on staffing issues; these remain and are particularly acute in some regions. While plans are in place to recruit and train additional probation officers, they will take time to come on stream and reach full capacity. There is a challenge for the service to bring all staff together and develop a new cohesive culture for the unified model, where ex-CRC staff have the same status and respect as their ex-NPS colleagues. The Dynamic Framework which is being used to procure additional rehabilitative support for service users is running behind schedule for some services, leaving little time for new providers to mobilise a new service by the end of June. In some regions, there may be gaps on day one. Resettlement work will also require close attention. I have been pleased to see the difference that additional funding for Through the Gate services has made over the past three years to work with prisoners being released from custody. In our most recent round of inspections we rated eight out of 10 CRCs as 'Outstanding' on this aspect of service provision. There is a real concern that this

¹ Ministry of Justice. (2013). *Transforming Rehabilitation: a strategy for reform*.

progress is put at risk as these contracts are terminated, teams are broken up and new providers put in place. Strong regional leadership will be needed to ensure this does not happen.

I am grateful to everyone that has engaged in this inspection and been responsive to the independent feedback that we have provided the probation reform programme to inform the transition activity. Probation staff across the board should be commended for their resilience and hard work during these challenging times. Day one is very much the start of the journey for the new unified probation service, and I look forward to seeing progress in our future regular inspection programme.

A handwritten signature in black ink that reads "Justin Russell". The signature is written in a cursive, flowing style.

Justin Russell

HM Chief Inspector of Probation

Contextual information

Timeline of probation reform

May 2013	The Ministry of Justice published a white paper called <i>Transforming Rehabilitation</i> (TR), which set out plans to split probation delivery between private and public sector.
June 2014	A new National Probation Service (NPS) was launched to supervise high-risk offenders and 21 Community Rehabilitation Companies (CRCs) were created to supervise low and medium-risk offenders.
July 2018	HMPPS announced it will end CRC contracts early in 2020. All sentence management activity will be delivered by the NPS, with interventions and unpaid work being delivered by a number of new private or voluntary sector probation delivery partners.
December 2019	All sentence management activity in Wales moved to the NPS.
March 2020	HMPPS published a draft Target Operating Model, setting out the proposed future model of probation services in England and Wales after June 2021.
March 2020	Covid-19 restrictions came into effect across England and Wales. The restrictions have a major impact on the delivery of probation services.
June 2020	The Lord Chancellor announced he was cancelling the planned probation delivery partner procurement. The delivery of unpaid work, Through the Gate services and behavioural change programmes will move back to public sector from 2021.
June 2020	HMPPS launched the first of the Dynamic Framework competitions. Charities, voluntary and private sector organisations have bid for a share of £100m a year to run additional support services such as education, employment, specialist women's services and accommodation.
July 2020	HMPPS published its Probation Workforce Strategy.
February 2021	HMPPS published its Target Operating Model for the unified probation service.
26 June 2021	Day one of the new unified probation service, responsible for managing all those under supervision on a community order or licence following their release from prison in England and Wales.

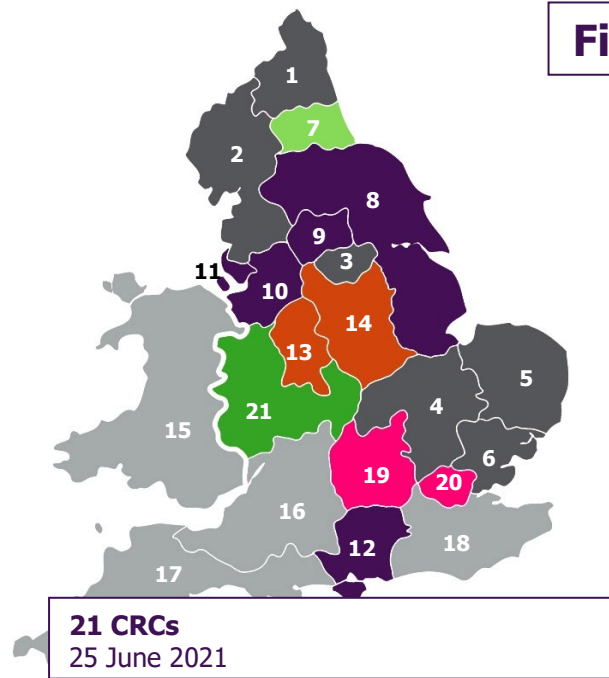
21	Number of existing CRC contract package areas
7	Number of parent organisations currently delivering CRC probation services
12	Number of new probation regions in England and Wales under the unified model
54	Number of organisations involved in the transition programme (employing individuals who will be assigned to either the new unified probation service or the Dynamic Framework)
16,333	Estimated workforce of new unified mode
9,533	Number of staff currently employed by the National Probation Service
7,500	Approximate number of CRC posts (full-time equivalent) who will be assigned to either the new unified probation service or the Dynamic Framework
223,000	Estimated unified caseload on day one of transition ²
112,723	Estimated caseload that will transfer from CRCs to the unified service
11	Number of different types of support to be commissioned under the Dynamic Framework
118	Number of contracts/lots to be awarded for employment, training and education; accommodation; wellbeing; and women's services

Transition to unified model

The maps in Figure 1 demonstrate how the regional structure of probation delivery will change from 26 June 2021. The number of National Probation Service divisions increased from six divisions in England and one division in Wales to 11 regions across England and one in Wales from April 2020. From 26 June 2021, 21 CRC regions will also become part of the unified model.

² The current caseload has reduced because of Covid-19 related issues, such as court backlogs. The number is likely to increase in the first 12 months of unification.

Figure 1: Transition to unified model



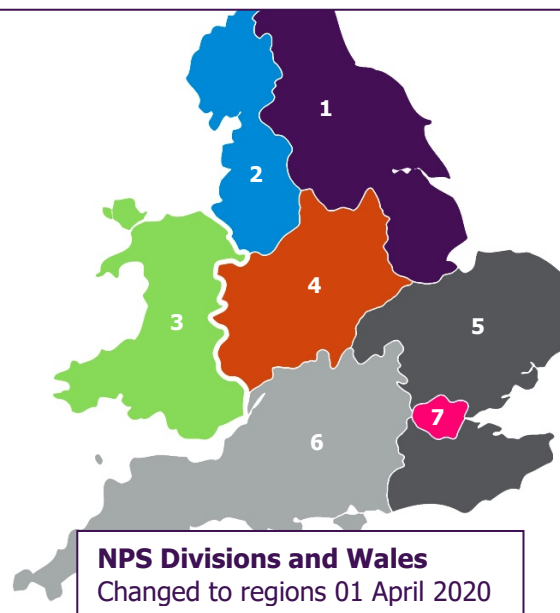
21 CRCs
25 June 2021

CRC ownership

Dark Grey	Sodexo Justice Services in partnership with Nacro
Light Green	ARCC (Achieving Real Change in Communities)
Dark Purple	Purple Futures
Orange	The Reducing Reoffending Partnership
Grey	Seetec
Pink	MTC
Light Green	EOS Works Ltd

CRC Regions

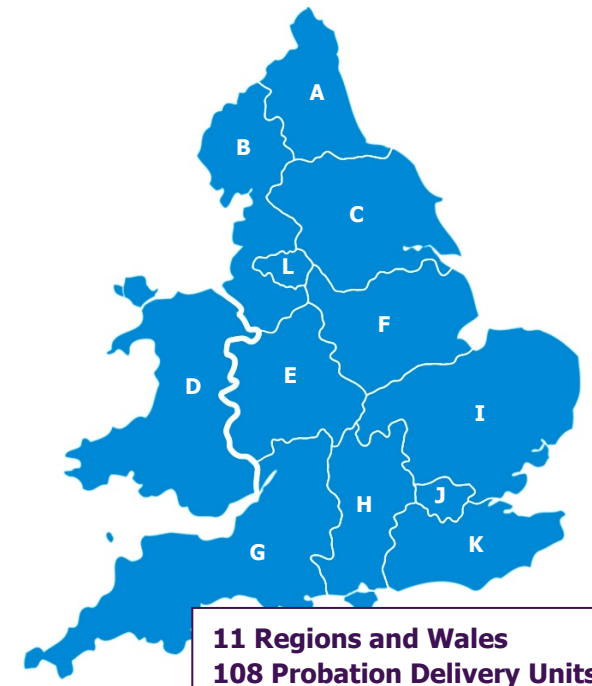
1	Northumbria	8	Humberside, Lincolnshire & North Yorkshire	15	Wales
2	Cumbria & Lancashire	9	West Yorkshire	16	Bristol, Gloucestershire, Somerset and Wiltshire
3	South Yorkshire	10	Cheshire & Greater Manchester	17	Dorset, Devon & Cornwall
4	Bedfordshire, Northamptonshire, Cambridgeshire & Hertfordshire	11	Merseyside	18	Kent, Surrey & Sussex
5	Norfolk & Suffolk	12	Hampshire & Isle of Wight	19	Thames Valley
6	Essex	13	Staffordshire & West Midlands	20	London
7	Durham Tees Valley	14	Derbyshire, Leicestershire, Nottinghamshire & Rutland	21	Warwickshire & West Mercia



NPS Divisions and Wales
Changed to regions 01 April 2020

NPS Divisions

1	North East
2	North West
3	Wales
4	Midlands
5	South East and Eastern
6	South West & South Central
7	London



11 Regions and Wales
108 Probation Delivery Units
26 June 2021

New Probation Regions

A	North East
B	North West
C	Yorkshire and the Humber
D	Wales
E	West Midlands
F	East Midlands
G	South West
H	South Central
I	East of England
J	London
K	Kent, Surrey and Sussex
L	Greater Manchester

Executive summary

This inspection explores how probation providers are preparing for the new, unified probation delivery model due to be implemented at the end of June 2021. Under the unified model, the separate functions currently provided by the public-sector National Probation Service and by 18 private-sector Community Rehabilitation Companies (CRCs) in 21 areas, will come together in a single, public-sector service responsible for court reporting, sentence management, the delivery of unpaid work requirements and behaviour change interventions, as well as liaison with victims. Alongside this, a dynamic procurement framework worth £100m a year will provide additional support services for those under probation supervision, such as accommodation advice and education, training and employment (ETE) provision through contracted private and voluntary sector providers.

The focus of this inspection was on how Her Majesty's Prison and Probation Service (HMPPS), National Probation Service (NPS) and Community Rehabilitation companies (CRCs) are responding to the challenge of preparing for this significant organisational change. It explores their readiness to complete the transition to the new unified service on 26 June under the four main areas covered by our core inspection standards³ for leadership and corporate delivery: leadership, staff, services and information and facilities.

This transition, and the extensive planning being undertaken for it, has to be seen in the context of the Covid-19 pandemic and the impact this has had on probation and on all of the services with which it interacts. This impact has been the focus of two recent HM Inspectorate of Probation inspections on the impact of exceptional delivery models on probation service provision from the end of March 2020⁴ and the recovery from this first lockdown period between July and November 2020.⁵ Continuing with preparations for transition whilst also dealing with the impact of Covid-19 on business-as-usual delivery has been a huge challenge for national and regional service leaders and senior managers. We pay tribute to the way that they have managed these competing demands, including the impact of a second pandemic wave at the end of 2020, just as the momentum and demands of the transition programme were accelerating.

This report summarises the findings of a further thematic review, undertaken between October 2020 and February 2021, on the state of readiness for transition to the unified probation model. Fieldwork was conducted remotely using video interviews and focus groups in five of the new probation regions and included both the NPS and CRCs teams currently operating within them. The regions inspected were: North West; Yorkshire and The Humber; London; Kent, Surrey and Sussex; and Wales. We also undertook a series of meetings in both October 2020 and February 2021 with national HMPPS leads responsible for the probation reform programme. Additional interviews took place with all 12 regional probation directors and with external stakeholders. In total, we undertook 204 meetings. More detail on our approach can be found in Annexe 1.

³ HM Inspectorate of Probation inspection standards: www.justiceinspectors.gov.uk/hmiprobation/about-our-work/our-standards-and-ratings

⁴ HM Inspectorate of Probation. (2020). *A thematic review of the Exceptional Delivery Model arrangements in probation services in response to the COVID-19 pandemic*. www.justiceinspectors.gov.uk/hmiprobation/inspections/edmadult

⁵ HM Inspectorate of Probation. (2021). *A thematic review of the quality and effectiveness of probation services recovering from the impact of exceptional delivery models introduced owing to the Covid-19 pandemic*. www.justiceinspectors.gov.uk/hmiprobation/inspections/recoverythematic2021

This table provides a summary of key elements of the transition, followed by further detailed information:

Our summary of progress against key workstreams

Leadership

Overall, the transition programme is being well led nationally, and in probation regions. A new Target Operating Model (TOM) for probation has been finalised which will be implemented gradually over the next four years to allow the transition to the new probation service to take place. Learning from Wales NPS, where elements of the transition have already taken place since December 2019, has been embedded. New leadership arrangements are in place, nationally and regionally. Services are making progress against the transition plans to ensure that on day one of the unified service (26 June) all staff will have an assigned office, the right equipment and that service users will have an allocated probation practitioner and know where and how to report. There is less clarity about the assignment and allocation of corporate CRC staff transferring into the new unified structure. The successful implementation of the TOM, post day one, will be reliant on how well the plans progress in relation to staff training needs, having the right numbers of staff in place and ensuring the right and appropriate services are in place to manage the risk of harm and reoffending posed by service users.

Staffing

The process for transferring staff from CRCs to the new probation service is gathering pace. We are satisfied that all eligible staff will be transferred by day one. The process of allocating heads to the 108 local Probation Delivery Units (PDUs) is due to be complete by April 2021; these will be key leadership roles for frontline delivery. Some staff roles do not map across easily to the structure of the new organisation – this will have to be resolved following unification.

CRC caseloads will transfer to the unified service, with probation practitioners retaining current caseloads for the period immediately after transition. In time – once ex-CRC staff have been fully trained in the management of higher risk cases and current NPS staff have been trained in the full range of low to medium risk cases – all practitioners will manage a blended caseload of higher and lower-risk cases. Some regions are planning to implement the new workload management tool early to inform the allocation of cases. In order to ensure cases are being managed by appropriately trained staff, we recommend changes to case allocation are made in accordance with the plans set out in the TOM.

Many staff within CRCs managed by MTC and Seetec, who have their own case management systems, will not be fully trained and skilled in the use of the NPS OASys⁶ and nDelius⁷ systems prior to day one. While contingencies have been identified and staff will be able to view a pdf of the previous assessment on nDelius, until all staff are trained, this will place a burden on those who have the experience of using these systems to support those who do not.

Additional newly-qualified probation officers and trainee PQiPs are a welcome boost to staffing numbers. However, it is recognised that this group of new staff will have continuing learning needs, protected caseloads and limited capacity in the short-term. The impact of this will fall on senior probation officers (SPOs) and more experienced probation officers who are already feeling the other additional pressures of going through a significant change programme.

While the staff and caseload transfer processes appear to be on track for day one, there is still much to do to ensure all staff have access to the relevant training, learning and development opportunities and manageable workloads in the longer term.

⁶ The probation and prison services across the country use a system called the Offender Assessment System (OASys) for assessing the risks and needs of an offender.

⁷ nDelius is the approved case management system used by the NPS and CRCs in England and Wales.

There remains less clarity about future roles for some CRC corporate specialist staff, including human resource and data roles, transferring into the unified service. Some staff working within Through the Gate resettlement services will transfer to the Dynamic Framework providers. However, details of their future employers are dependent upon the outcome of the competitions for commissioned services.

Services

The Covid-19 pandemic will have an ongoing impact on the accessibility of services and interventions nationally, particularly in relation to the backlogs that have developed over the last year. Under the Dynamic Framework, tenders are being awarded to providers of rehabilitative services; however, not all geographic lots have attracted compliant bids and competitions have had to be rerun. There is a risk that on day one some services in some regions will not be fully in place. Consequently, service user needs, for example around education, training and employment, will not be fully met by expert providers. Existing services and interventions provided by CRCs will cease and it is unclear how any gaps in services will be mitigated. Although all service users will continue to be supervised by their probation officer or probation services officer, some may not receive the necessary additional interventions needed for effective rehabilitation.

The probation reform programme has made good progress with arrangements for transitioning the delivery of unpaid work. Plans are in place for the continuation of unpaid work delivery from day one, following arrangements inherited from the CRCs. Initially, we were concerned that the six CRCs managed by MTC and Seetec operated standalone unpaid work scheduling systems and this could hinder delivery after transfer. Transition leads have worked with digital teams to consider if these scheduling tools can be transferred to the unified service to maintain continuity. At the time of inspection, this work was still in progress and we urge leads to ensure this is resolved prior to day one.

Information and facilities

The transition programme placed an early focus on reviewing the existing buildings and facilities occupied by both CRCs and the NPS. A full audit of the combined probation estate has been undertaken leading to a four-year modernisation plan. This programme of work is progressing well and where necessary buildings have been closed, CRC contracts with landlords terminated, and transfers of leases have taken place where a CRC office is to continue to be used.

The HMPPS Digital, Data and Technology team have worked with NPS regions and CRCs to ensure staff will have the right ICT equipment in place for day one. A successful pilot was undertaken in February 2021. The roll-out of new equipment and a data migration is taking place and staff are being trained in readiness for day one. The initial roll-out has been completed successfully in one CRC area, with an ambitious but realistic plan in place to deliver all equipment before day one.

Leadership

Almost seven years have passed since the *Transforming Rehabilitation* reforms led to a split in probation services. Moving to an integrated delivery model is not an overnight task. The complexities of bringing all staff and services together into one unified service are significant. The new probation Target Operating Model (TOM) replaces not only seven different CRC parent organisation models, but also the operating model currently used within the NPS. National and regional boards are in place to drive the transformation activity and there are multiple interdependencies across the project. For example, every member of staff needs to be allocated to a role in the new structure, provided with an IT account and issued with new ICT equipment if necessary, and the appropriate human resources infrastructure needs to be in place to support these changes.

For day one of the unified probation model at the end of June 2021, the probation reform programme has adopted what they call a 'lift and shift' approach to minimise the risks of transition. Although this language appears to have changed over time, it is still in regular use. In practice, it means preserving the status quo in terms of working arrangements for staff transferring into the new service wherever possible. For example, probation practitioners will take their existing caseloads into the new structure and will continue to supervise them in the initial months with the same line managers. However, this description belies the amount of work and the process, cultural and infrastructure changes that need to be complete in order for this to happen.

We found that often both CRC and NPS staff described the unification process as an NPS 'takeover' or 'acquisition', which we concluded was an unhelpful barrier to the cultural change which will be needed to create a genuinely unified service. While some of the language has shifted during the period of our fieldwork, it still remains present. Maintaining the existing name 'National Probation Service' for the unified service would be a barrier to creating the sense of a new organisation in which CRC and NPS staff consider themselves as equals. We were, therefore, pleased to see that the most recent version of the TOM uses more inclusive language and that senior leaders and other staff have given attention to language that is more inclusive.

Regional probation directors (RPDs) were appointed and in post from April 2020 and have led this change programme whilst also managing the impacts of Covid-19 restrictions. Many have already had to lead the necessary changes to adapt former divisional structures to the new regional footprint. Some newly created regions, such as the East Midlands and South Central, have had to develop a regional infrastructure almost from scratch, whereas the majority of staff and managers were already in place in other regions and aligned well to existing strategic partnerships.

Throughout our inspection, we have been struck by the commitment, motivation and tenacity of the many staff supporting the delivery of transition. Despite the additional challenge of Covid-19, staff have been totally committed to driving the change programme forward, in the main believing that it will ultimately lead to a better probation service. Although we found good cooperation and engagement between the majority of CRC and NPS leaders, there was a significant impact on programme activity where leaders of CRC parent organisations were not supportive and there is still a significant amount of work for CRCs to deliver for transition. Some senior CRC leaders have already moved to new roles in the unified model and others may follow, which leaves potential challenges for the CRCs in maintaining standards of business-as-usual delivery in the run up to June 2021.

Staff

Nationally, there is a huge amount of work needed to support the transition of some 8,500 (7,500 full time equivalent) CRC staff to the new structure, while also supporting the HR and workforce needs of those in the NPS. There are many interdependencies across the transition programme, with the picture ever changing. Delays in the commissioning of some services in some regions through the Dynamic Framework will affect staff working for current providers, who remain uncertain about whom they will be working for after June. Contractors have been brought in to support the HMPPS central team with some elements of this workstream. We question if there is sufficient time left to complete the volume of essential staff transfer processes, needed in the months to June 2021, with the existing resource.

Delays in the process of assigning roles in the unified service have led to a high degree of uncertainty for many staff. The future roles and responsibilities for those with a sentence management role carries more certainty than for other staff, particularly those in corporate and resettlement functions. The majority of staff responsible for delivering accredited programmes and rehabilitation activity requirements (RARs) will transfer into specialist interventions teams in the new structure. However, other staff will transfer to Dynamic Framework providers, for example those providing some outsourced Through the Gate support services. While all staff have been guaranteed a role in the new unified model with a three-year period of pay protection, anxiety prevails because of this uncertainty. The lack of timely sharing of some staff data by the CRC parent

organisations and lengthy quality assurance processes for this data by HMPPS has contributed to much of the delay, with external contractors to HMPPS struggling to understand the context in which their data assurance exercises are taking place.

The allocation of assistant chief officers, for example to each local Probation Delivery Unit, was originally scheduled to be completed in Autumn 2020 and the delay of this until March/April 2021 has been unhelpful. In a period when these senior managers should be driving transition forward, and supporting their teams, their own roles in the future model have remained uncertain.

Some of the challenges around staffing are, in fact, not transition related, and we have commented on staffing challenges for both NPS and CRCs for a number of years. Some regions have a significant vacancy rate for qualified probation officers, as high as 35 per cent. This issue is most acute in southern regions and is likely to continue to remain a challenge. The workforce professionalisation agenda is ambitious but for it to be successful, sufficient qualified probation officers need to be in place. The recruitment of 1,000 probation trainees (PQiPs) has continued throughout the pandemic, but it will take time for them to become sufficiently skilled. There is also a balance to be struck between the number of PQiPs undergoing training and the necessary infrastructure, including managers and assessors, to support them. As the old probation divisions separated into new probation regions in summer of 2020, existing senior leadership teams were split between them, leaving some new regions with gaps to be filled. Good progress has been made in filling Heads of Operation posts. However, other important regional positions remain vacant. In particular, the Heads of Community Integration posts which will lead regional commissioning of services had yet to be filled at the end of February 2021 – only four months before transition. We think the new regional leadership teams lack a dedicated post to lead on resettlement work to oversee the quality of release planning and resettlement work across each region and support local PDU heads of service with this crucial function.

Services

Under the *Transforming Rehabilitation* model, all behaviour change programmes (except sexual offender programmes) and unpaid work order placements – including for NPS service users – have been delivered locally by CRCs. They have also been responsible for providing Through the Gate services to support prisoners with resettlement as they leave custody.

Following unification in June, all CRC staff involved in the delivery of unpaid work, rehabilitation activity requirements (RARs) and accredited programmes will transfer into equivalent teams in the new unified service, or with Dynamic Framework providers. In prisons, CRC staff undertaking case assessment and management type functions in Through the Gate services will also transfer to the new service. The decision in July 2020 to bring unpaid work and other interventions staff into the new service, rather than to contract these out to probation delivery partners, came as a shock to CRCs. There has been less time to prepare for this change than for the unification of sentence management functions, which was announced in 2019. We spoke to managers and staff who specialise in these functions, and they expressed concern about the attention and status they will get in the new unified organisation. They were worried they might be seen as having 'second class status' to the sentence management side of the organisation.

The transition of unpaid work activity is progressing well. The TOM makes clear that HMPPS wishes to build on the success of unpaid work activity delivered by CRCs, which we have generally rated as 'Good' in recent inspections. For day one, we were told that services will transfer 'as is'.

Comprehensive plans are in place, supported by appropriate contingencies, to enable unpaid work to be delivered from day one. There were significant challenges to the resourcing of unpaid work delivery at the start of *Transforming Rehabilitation*, with difficulties for staff in obtaining fuel and other items needed to deliver work parties. We were reassured that extensive work had been undertaken to ensure similar issues did not exist for the future model. The current unpaid work scheduling systems used by MTC and Seetec have presented some challenges to ensuring continuity. Digital teams are working with transition leads to ensure a smooth transition of these

systems. At the time of inspection, this work was in progress and it is important that this work is completed prior to day one to ensure unpaid work can continue to be delivered.

The Dynamic Framework will be used to commission additional, resettlement and rehabilitative support across each region to supplement the work of sentence management in custody and the community. When the full TOM is in place, there will be 11 separate intervention pathways commissioned through the Dynamic Framework. The ambition for day one is for services to be commissioned and operational for: education, training and employment (ETE); accommodation; personal wellbeing (made up of four elements); and women's services. These services were initially tendered nationally through a total of 110 contracts, with alternative co-commissioned arrangements in both London (interventions for women) and Greater Manchester. We found the potential risks and gaps in the coverage of these initial contracts to be of some concern, for example there have been no compliant bids for ETE in one region and for accommodation in three regions, and these competitions have had to be rerun. The remaining pathways will be tendered regionally at a later stage by the regional probation directors including services for young adults and black, Asian and minority ethnic people, dependency and recovery and finance, benefits and debt. A national contract for an organisation to support service user engagement will also be let in autumn 2021.

By February 2021, the results of two of these Dynamic Framework pathways had been announced and further announcements are imminent. It seems inevitable there will be gaps in provision on day one – given the lack of bids in some areas, the need to re-tender some lots and the very limited time available for all commissioned services to mobilise before the end of June. The question will be the extent to which these gaps impact on service delivery and outcomes for service users, and how long they will be allowed to last. Contingency arrangements are being worked up for areas where no bids were received, including the consideration of direct awards to potential or existing providers. However, mobilisation of new services takes time and the likelihood is that some gaps will remain on day one, and probation practitioners will be required to cover some of this work themselves alongside their normal duties.

The resettlement workstream appears to be lagging in comparison to other parts of the programme and is under-developed. The national team were keen to develop a consistent approach, but we found different approaches across the regions. This included differences in whether resettlement staff should be located in the prison or in the community. There is a lack of well-defined, strategic leadership for resettlement in the new regional structures. This workstream accounts for a significant part of the caseload and successful delivery requires coordination with prison governors, local heads of probation delivery and a range of strategic partners. We recommend the appointment of regional resettlement leads to ensure this happens.

Opportunities for regional probation directors, to take part in localised co-commissioning, for example with Police and Crime Commissioners, will be available through use of a new regional outcomes and innovation fund (ROIF). The funding for this is limited in year one but has potential to grow in future years. However, the criteria for allocating this funding was not widely understood by those we interviewed, and planning had been hampered by delays in appointing regional heads of community integration. The ROIF is not available for services that form part of an individual's sentence, such as rehabilitation activity requirements (RARs) that can be enforceable as a court or licence requirement, which will limit its use.

Information and facilities

The roll-out of appropriate ICT for all staff is a key component of the unification process. Without successful allocation of laptops and telephones compatible with current NPS systems, ex-CRC staff will not be able to operate on day one and every staff member will need a justice.gov account. There is a clear plan in place to deliver the appropriate equipment to CRC staff, with implementation and distribution adjusted to accommodate Covid-19 restrictions. The roll-out of equipment was tested in February 2021 and will continue across the regions until June 2021.

While some training and induction of transitioning CRC staff in NPS case management and other corporate ICT systems will be completed prior to day one, the majority will be undertaken after June 2021. Staff from two CRC owners (Seetec and MTC) have not used OASys and National Delius (nDelius) systems in recent years and will need additional training in these systems.

A new process is expected to be in place on nDelius to enable sentence management staff to identify and refer cases to appropriate interventions contracted through the Dynamic Framework. Contingences are in place if this referral tool is not yet live on day one. Longer term, the OASys and nDelius case and risk management systems will be redesigned.

NPS and CRC staff currently work in 450 different buildings across England and Wales. During the *Transforming Rehabilitation* period, CRCs have been able to move many of their staff into modern, open-plan accommodation. These sites are often better than the legacy buildings occupied by the NPS, which our recent inspections have found are often poorly maintained and increasingly unfit for purpose. A major task for the transition programme has been to agree a consolidated estates plan which maps out which buildings will remain in use from the end of June, agree which CRC buildings will transfer to the HMPPS, and which will revert to their original landlords. Buildings transferring to the new probation service will need to be fitted out before day one for their new function, for example, with new signage and the secure ICT cabling needed to support NPS systems. The programme has identified 97 CRC buildings to be transferred to the public sector by the end of June. Good progress is being made on this workstream with 94 buildings transferred by the end of January and a clear plan is in place for the remainder to transfer by 25 June. Plans also include significant capital investment in the probation estate, following years of little investment.

We have commented previously on the facilities management contract operating in NPS buildings,⁸ and this remains a cause for concern for staff that needs to be addressed. We are aware that a dedicated probation estates facilities team will be implemented in the unified model and we hope this will address the concerns with facilities management. Future demand for office space may change as the service learns from the experience of smarter working during the Covid-19 pandemic and staff are encouraged to work more flexibly. The TOM allows for providers of Dynamic Framework services in relation to ETE and accommodation to maximise their investment in delivery of services by enabling them to utilise available space across the probation estate at a peppercorn rent. Although the accommodation needs of providers delivering these interventions will be unclear until the outcomes of all bidding exercises have been completed.

⁸ HM Inspectorate of Probation. (2020) *An inspection of central functions supporting the National Probation Service*. www.justiceinspectorates.gov.uk/hmiprobation/inspections/nationalnps

Recommendations

Her Majesty's Prison and Probation Service should:

1. ensure commissioning of services in regions is informed by an up-to-date strategic needs analysis of the full probation caseload, including all transferring CRC cases
2. ensure that an effective workload measurement tool is used in the unified probation service, which is informed by assumptions about timings that reflect current practice for all activities
3. ensure that regional probation directors review the services that have been commissioned nationally for their respective region within two years to ensure they meet the needs of their region
4. ensure clearer strategic oversight of resettlement services in each English region and Wales. We suggest the appointment of regional heads of resettlement
5. ensure an inclusive culture is in place that embraces different experiences and backgrounds of the staff forming the new probation model and gives equal status to interventions and sentence management staff
6. ensure appropriate services are in place to manage risk of harm and address risk of offending, during the last months of the CRC contracts before they terminate
7. ensure the skill base of transitioning CRC commissioning and corporate staff is sufficiently understood and employed appropriately in the new unified model.

CRCs including parent organisations should:

8. prioritise and facilitate the smooth transition of the CRC workforce to the unified probation service and relevant Dynamic Framework commissioned providers.

1. Background

In 2014 the government implemented the *Transforming Rehabilitation* programme, which created the National Probation Service to work with high risk of serious harm offenders and provide advice to courts and outsourced the remaining caseload to 21 Community Rehabilitation Companies. The *Transforming Rehabilitation* programme has since received wide-ranging criticism including from HM Inspectorate of Probation and the National Audit Office.⁹ In our 2019 annual report, the Inspectorate highlighted a series of concerns about the *Transforming Rehabilitation* programme and subsequent delivery model, describing it as 'irredeemably flawed'.¹⁰

In 2019, the government announced its intention to change its approach to probation delivery with all sentence management being delivered by one nationally organised, public-sector probation service. Private and voluntary sector probation delivery partners would provide other elements of service delivery, including behaviour change interventions and supervision of unpaid work orders. However, on 11 June 2020, in view of the uncertainties created by the Covid-19 pandemic and its profound impact on probation, Lord Chancellor Robert Buckland announced that as well as delivering all sentence management, the new unified probation service will also take on responsibility for unpaid work, resettlement services and accredited programmes. Additional rehabilitative and other support services, for example, in relation to accommodation and employment and training, are to be purchased from partners commissioned through a dynamic purchasing framework. On 23 June 2020, HMPPS published a draft Target Operating Model (TOM). An updated TOM for the future probation service was published in February 2021.

As shown on the maps on page eight, the delivery of probation services will move from six NPS divisions and Wales and 21 CRCs to 11 regions across England plus Wales from June 2021.

In Wales, case management activity transferred from the CRC to the NPS in December 2019, helpfully providing an opportunity to capture early learning and inform the larger scale transition planning for this aspect of work. Unpaid work, accredited programmes and Through the Gate services in Wales will transfer in line with the English timetable on 26 June 2021.

1.1 The new model – Target Operating Model (TOM)

A Target Operating Model (TOM) for unified probation delivery was published in February 2021.¹¹ The TOM provides clarity on how all elements of probation work will be delivered in future and sets out longer-term ambitions to reform and transform probation services by 2024. The TOM makes clear that it is not an expectation that all of the operating model will be fully functional from the end of June 2021, but rather that it will be implemented over the course of the next few years in a three stage approach. The language used in the most recent version of the model feels inclusive to all staff joining the unified service and is much improved compared to previous draft versions.

⁹ National Audit Office. (2019). *Transforming Rehabilitation: Progress review*. www.nao.org.uk/report/transforming-rehabilitation-progress-review

¹⁰ HM Inspectorate of Probation. (2019). Report of the Chief Inspector of Probation. www.justiceinspectors.gov.uk/hmiprobation/inspections/report-of-the-chief-inspector-of-probation

¹¹ Her Majesty's Prison and Probation Service. (2021). *The Target Operating Model for probation services in England and Wales*. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/959745/HMPPS_-_The_Target_Operating_Model_for_the_Future_of_Probation_Services_in_England_Wales_-_English_-_09-02-2021.pdf

1. 26 June 2021 – commencement of the unified model

- a 'lift and shift' approach to transferring CRC caseloads and staff where this is possible with minimal impact on staff and service users
- staff placement into roles in the new structure for all existing NPS and CRC staff to be completed.

2. Sept 2021 to March 2022 – service stabilisation and harmonisation

- staff placements to be confirmed and operational processes to be harmonised during this period
- all mandatory training (for example, in management of higher risk cases) complete
- probation practitioners moving to a blended caseload of higher and lower risk cases.

3. March 2022 to July 2024 and beyond – service transformation

- professionalisation and registration of probation officers
- improvements to existing electronic case management and risk assessment tools
- all work completed on probation buildings to ensure they meet the needs of the new organisation.

New national probation standards¹² were published in conjunction with the TOM and are mandated for use from day one of the unified service. The new standards are focused on outcomes, rather than process or input, and concentrate on how staff work with service users in the community, and those serving custodial sentences. The aim of the standards is to drive up levels of quality and consistency during the period of transition and stabilisation.

The phrase 'lift and shift' means that in the period immediately following transition, most staff will be undertaking the same role, with the same caseloads, largely in the same location on day one of the unified service. While, this is the plan for the majority of staff, this simplifies the significant work still needed in many instances. Furthermore, the impact of Covid-19 on delivery remains very significant and it is likely that restrictions will not be lifted until just days before the transition takes place.

This major change programme was ambitious and challenging in itself. However, the Covid-19 pandemic has added further complexity to the schedule, including to the commissioning processes, and will impact significantly on how successful bidder organisations for Dynamic Framework services are able to mobilise to be ready to deliver from day one. Slippages in the programme have not solely been as a result of Covid-19; delays, particularly in the staff transfer process, remain a concern. Furthermore, the lack of market interest for some Dynamic Framework services and bid locations will mean it is very likely that there will be gaps in services in some regions on day one of the unified model.

In many ways the current change programme is more complex than *Transforming Rehabilitation*. While, the NPS have been delivering under one operating model, the seven CRC parent organisations have been running their own different models and case management systems. All

¹² Her Majesty's Prison and Probation Service. (2021). *National Standards 2021 – Supporting transition to the new operating model*.
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/959746/HMPPS_-_National_Standards_2021_-_Supporting_transition_to_the_Unified_Model_English_-_09-02-2021.pdf

staff will come together under a single new unified operating model, which will mean that change will be experienced differently dependent on which organisation staff are transitioning from.

Unlike *Transforming Rehabilitation*, where a large majority of staff were critical of the change programme, we found enthusiasm and buy-in to the new probation delivery model across all grades of staff and significant key stakeholders. We found managers and staff are committed to delivering the unified model and this contributed to their determination and resilience, despite the obvious additional pressures. There was a realism that it would take time for the full benefits of a unified probation model to be realised.

One senior manager said:

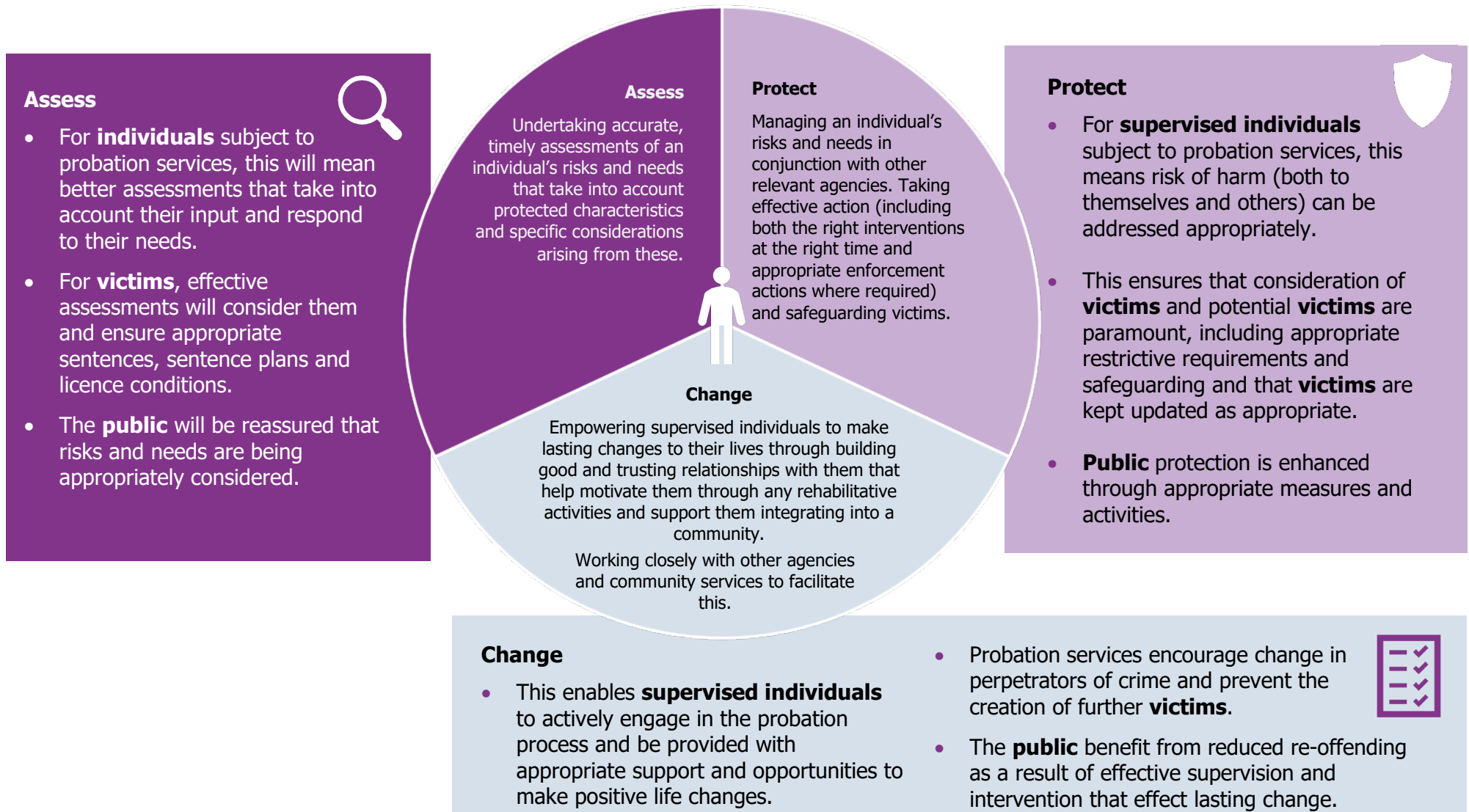
“Transition will be fantastic but the first year will be messy and tough”.

Another said:

“I recall TR initial months was 18 months of hell, I expect something similar. But I am supportive of reunifying caseload, expect it to be messy, but we must achieve it”.

1.2 National picture

Figure 2: The overarching HMPPS vision for the new unified probation service is to 'Assess, Protect and Change'.



Her Majesty's Prison and Probation Service. (2021). *The Target Operating Model for probation services in England and Wales*

1.3 Funding

These probation reforms come with additional investment. The government announced an additional £155m to fund probation services transition into, and first year activity of, a unified model. Total probation funding in 2021/2022 will be £1,177m, up from the 2019/2020 baseline of £1,022m. This includes spending through the Dynamic Framework alongside delivery of core sentence management and other functions. The government limited the last spending review to one year (2021-22), so it will be crucial for this funding to be sustained in subsequent years to enable the service to embed and fully deliver the operating model as intended. It will take time for the service to become high performing, given the complexities of transitioning into the unified model in full and the inherited issues with workloads and supervision quality.

Remaining elements of commissioning under the Dynamic Framework will be the responsibility of regional probation directors (RPDs). In order to minimise the potential negative impact on service user outcomes, regional commissioning arrangements need to be put in place as soon as possible after the unification has taken place. RPDs will need to move with urgency to build regional commissioning capability to enable contracts for additional services to be awarded and mobilised to meet the criminogenic needs of service users. Failure to ensure further services are in place will contribute to unmet need and poorer outcomes, as well as run the risk of the additional investment not being deployed appropriately. The TOM maps out an ambition to increase the use of community sentences and it will be important that capacity has been built to support this.

1.4 Future demand

The business case for the new probation delivery model recognised the likelihood of an increase in demand for probation services. The government has committed to increase policing numbers by 20,000 by 2023.¹³ This will inevitably drive up conviction rates which could increase probation caseloads by up to ten per cent. The new TOM sets out an ambition to increase the use of pre-sentence reports, which could contribute to an increase in the use of community sentences, if they help to avoid unnecessary use of custody. Furthermore, as the country comes out of Covid-19 restrictions, and in particular, national lockdown, there is the potential for an increase in criminal activity, arrests and charges.

In our Covid-19 recovery report,¹⁴ we found there had been a reduction in new community sentences of some 12 per cent in the period 01 March 2020 to 28 September 2020 compared to the same period in 2019. It remains to be seen how long this reduction will last. The lifting of restrictions will also have an impact on how cases are managed at court and how quickly the court backlog caused by Covid-19 can be progressed.

Covid-19 restrictions have led to other backlogs across the criminal justice system,¹⁵ and for probation services this means large backlogs of unpaid work and accredited programmes which will be carried into the new operating model. Further modelling and planning will be required to address the ongoing impact of the pandemic on probation service delivery in 2021/2022 as the service transitions to the new structure.

In addition, it is unlikely that the Dynamic Framework will provide a full menu of services in all regions from day one. Probation practitioners will need to bridge this gap, and this is likely to lead to them undertaking individualised interventions with service users. Approved 'toolkits' for one-to-one work are now being rolled out. This will need to be considered in any future workload management modelling. It will take until 2025 for the benefit of the additional 1,500 PQiP staff being recruited each year from 2021/2022 to be fully realised in terms of reduced workloads.

¹³ HM Treasury. (2020). *Spending Review*. www.gov.uk/government/publications/spending-review-2020-documents/spending-review-2020

¹⁴ HM Inspectorate of Probation. (2021). *A thematic review of the quality and effectiveness of probation services recovering from the impact of exceptional delivery models introduced owing to the Covid-19 pandemic*. www.justiceinspectors.gov.uk/hmiprobation/inspections/recoverythematic2021

¹⁵ Criminal Justice Joint Inspectorate. (2021). *Impact of the pandemic on the criminal justice system*.

2. What we found – leadership

A national probation reform team is leading preparations with input from both the workforce programme and service design teams. These teams are performing well and ensuring interdependencies across the programme are fully considered. The number of staff currently employed in different aspects of delivering the programme at both a regional and national level is substantial.

Initially the reform programme was focused on the integration of CRC and NPS case/sentence management functions, with the decision to bring accredited programmes, unpaid work, resettlement services and other interventions into the unified structure not coming until later. The latter were originally to be commissioned through a probation delivery partners framework with the private and voluntary sectors, which was scrapped in summer 2020. The change in strategy was at least in part influenced by Covid-19, which made it far more difficult to model future workloads reliably and thus introduced too high a level of risk into the commissioning process. This announcement, in June 2020, was made only a year before unification. Some of those we interviewed questioned if the transition of cases and services could be fully delivered in this timeframe. We heard from some managers who felt the Dynamic Framework element of transition should have been deferred until after unification. There are clearly arguments for and against this approach, but HMPPS leaders told us that an extension to CRC provider contracts, and in turn their supply chains, for services like Through the Gate was not a viable option beyond 26 June. It is inevitable that for day one, in some areas some services will not be in place as envisaged, where there has not been sufficient market interest of acceptable quality and further commissioning is required.

Senior national leaders talked of *“taking the best of the best”* from both CRC and NPS models. However, some CRC staff and managers felt that this was not the reality. There was a sense of frustration that innovative projects and posts developed by CRCs would not be accommodated in the new national model. Some speculated there would be less scope for local, ad-hoc innovation and creativity. Restorative justice workers and staff working on mentoring projects remained unclear how their workstreams will fit in the future delivery model.

Some CRC senior leaders were frustrated by the fact that the regional probation director (RPD) posts in the new structure had been advertised prior to the decision to add unpaid work and behaviour change programmes to the unified model. They had decided not to apply for these posts, thinking that their future would be with a future probation delivery partner organisation. These same managers talked about this as a challenging time for their staff too. After some turbulent times at the beginning of the CRC contracts, they were starting to see improvements in performance and experiencing a sense of stability. The government’s announcement in July 2020 was frustrating and unsettling for them, in contrast to the almost celebratory mood of NPS counterparts.

Within the new unified model for probation, delivery functions are defined as either ‘fixed, flexible, or free’. This means that some elements of delivery are agreed nationally and, therefore, fixed and some are flexible for regional directors to vary within agreed national parameters. For some elements of delivery, RPDs have full autonomy to be innovative in their approach. Some RPDs told us that initially they thought they would be restricted, with much of the work defined as fixed. However, over the course of the inspection period there appeared to be a shift to a more flexible approach which allows regions to take greater account of regional characteristics and opportunities. This will be helpful in allowing regions to be reactive to local difference and need, and in facilitating their work with existing partnership arrangements.

When transition was originally planned, there was no sense that it would have to be delivered within the context of a global pandemic. The reality is that regions are having to deliver the change programme simultaneously with Covid-19 recovery activity. For many regions, transition and recovery boards were integrated in the second half of 2020. In 2021, some regions have reverted

to separate boards to drive the transition activity, as the pace of the programme has intensified. We found in our recovery themed inspection¹⁶ that the Covid-19 pandemic had led to a reduction in probation caseloads, but this is unlikely to be sustained as restrictions are eased in the coming months and court throughput increases. The slightly reduced caseloads do, however, in the short term potentially free up some staff time to help deliver transition activity and attend preparatory training.

2.1 National/regional relationships

Dedicated national and regional transition leads from both CRCs and NPS are responsible for assisting regions with their preparations and act as the conduit between national and regional activity. These roles have been crucial to drawing together the various workstreams and, in particular, to responding to the interdependencies across the programme. However, while national teams have arrangements in place to ensure interdependencies across workstreams are well understood, this was less obvious to those at a regional level.

Regional workbooks provided by the national programme team have been used to identify key actions to be taken. Regional teams have used these workbooks to drive regional transition planning, though with some feeling it was an additional process rather than helping them to identify key deliverables. Where we came across examples of shared delegation of transition tasks to NPS and CRC senior managers we could see there was improved understanding of respective strengths and mutual acknowledgement of barriers and risks that required attention or mitigation. The workbooks initially lacked a detailed critical path of the key actions and deliverables essential to successful handover of services from day one; they have been amended subsequently to make these clearer and drive the necessary activity. They have also been streamlined to ensure that tasks are prioritised appropriately. Some regions said that while the workbooks were supposed to drive and order all activity, they remained frustrated about numerous other requests from national teams outside of the workbook.

2.2 Regional structures

Regional probation directors were appointed to the new structures in April 2020 to enable them to lead the transition activity. There are 12 RPDs across England and Wales with varied backgrounds and experience, including from CRC and NPS regional leadership positions and other senior HMPPS backgrounds. How these senior leaders have each experienced transition to this point differs depending on that experience, and the regions they have been allocated to lead. Covid-19 restrictions have inevitably influenced how they have been able to work with their regional teams, as well as with other RPDs.

The footprint of most regions in the new structure differs from former NPS divisions. As part of preparation for the transition, some regions have already had to manage a significant change as NPS staff were split across new regional lines. This also meant that some regions had to start from scratch to develop their senior management teams and corporate capability, while others already had an established management group. Some regions are still operating with elements of shared legacy infrastructure including performance and quality and administrative teams still having to work across two of the new regions. As one senior manager reflected:

“the challenge of transition is not equal across regions”.

CRCs have had to backfill roles where managers have moved to RPD or other NPS senior management posts since April 2020. These temporary promotions have impacted on management posts further down the reporting line. This has been particularly acute in those CRCs with very lean management structures and operating models. As day one of transition draws closer, there is an

¹⁶ HM Inspectorate of Probation. (2021). *A thematic review of the quality and effectiveness of probation services recovering from the impact of exceptional delivery models introduced owing to the Covid-19 pandemic.* www.justiceinspectorates.gov.uk/hmiprobation/inspections/recoverythematic2021

increasing likelihood that further senior and other CRC staff may move across to roles in the new unified structure. This presents a potential risk to the ability of some CRCs to continue to deliver and exit their own contracts, while supporting a smooth transition.

While the geographical boundaries of some new probation regions parallel existing external stakeholder structures and commissioning areas, other regions, such as South Central, do not. These variations will influence how complex and challenging future commissioning and cross stakeholder working will be. Furthermore, some RPDs will inherit existing CRC administrative hubs meaning, at least initially, that their administrative support will be delivered from outside of their geographical area.

2.3 CRC/NPS relationships

The relationship between managers from CRCs and NPS at a regional level was reported to be largely positive, with most keen to see the transition programme succeed. Many senior staff had worked together previously in the former probation trust structures and working relationships are not starting from scratch. There is an appropriate focus by both organisations on ensuring a positive experience through transition for service users and staff. In many regions transition boards are co-chaired by representatives from both CRC and NPS, with the majority feeling included in the change process. Engagement by the CRC parent organisations has varied. Where relationships at this level with the national HMPPS programme have been problematic, this has resulted in key challenges for the delivery of transition in those regions. Some CRCs have readily agreed, for example, to release staff for training on NPS IT systems prior to unification, where others are unwilling to do so. Further examples of these challenges are included later.

We found CRC staff at all levels committed to delivering a good service and contributing to a smooth transition to the unified model. This approach was very much reflected by one senior CRC leader who said they were determined to *“turn the lights off with dignity”*.

This view permeated across most staff, regardless of their position in the organisation. CRC staff were also very keen to ensure learning and innovation from CRC practice was incorporated in the unified model, although were sometimes frustrated by a perceived inability to do so. They commented on national rigidities within the new service, for example, links to Civil Service rules and procedures, national guidance and nationally-dictated sentence management systems and processes, which may subdue innovation.

Good practice example

An initiative to support individual CRC and NPS colleagues at all levels of the organisation to meet virtually to discuss their roles or their wider lives in general was set up in the Yorkshire and The Humber region. ‘InclusiviTEA’ was introduced to assist in dispelling the myths between organisations and has received positive feedback.

2.4 Culture/language

Establishing an inclusive, shared culture within the new unified organisation is crucial but will inevitably take time. Some of the language around the transition has been unhelpful, particularly in the context of developing an inclusive new organisation with a new culture that gives equal respect to the skills and experience of staff from both CRC and NPS backgrounds. We have seen some shift in this during the period of fieldwork. In the first month of fieldwork in 2020 we heard views that implied the changes were being seen as an NPS ‘takeover’ or ‘acquisition’, rather than equal partnership. Staff said:

“CRCs are coming back”

“We are going back to [probation] trust days”.

There were views that indicated CRC staff were lesser partners in the unification process:

“There is a lot of demand on our teams [NPS] to bring CRCs up to speed”.

Many staff felt that there should be a new name for the new unified service, as maintaining the ‘National Probation Service’ brand did not assist with seeing the service as an inclusive merger rather than a takeover. We support this view. Throughout our fieldwork we did see a shift in language used by national programme staff and in communications about transition, making it more inclusive, and less focused on one organisation, instead looking forward to the unified model. Although there were still slips, we observed a concerted effort to ensure the language was inclusive. This needs to be maintained and built upon. A national lead for culture has been appointed and is engaging staff across the board at virtual all-staff events, as well as through regular newsletters and she has worked hard to address concerns and feedback.

It is clear it will take time to embed a sense of one new organisation. A recently launched online portal to keep staff informed of transition activity makes it clear that it is a new organisation which will welcome everyone in. However, this has yet to permeate through to all staff groups. There remains a risk that a two-tier culture will emerge in the new model between staff doing what were previously CRC and NPS functions, which will require monitoring and attention. Leaders are aware of this and taking steps to minimise it. It is fair to say such attitudes have permeated the service during the period since *Transforming Rehabilitation* and will take time to shift. While work on culture is being driven nationally, there will also need to be regional work to unify all elements of the new probation model. How staff will experience cultural change will vary across regions and be dependent on the organisations in which they have previously worked.

The new TOM also includes a change to how probation officers are referred to in the unified model. ‘Probation practitioner’ will replace the formerly used terms ‘offender manager’ or ‘responsible officer’; ‘sentence management’ will replace the formerly used term ‘offender management.’ These new terms have been used in this report. The term ‘offender’ continues in the language around resettlement and offender management in custody (OMiC) which seems to contradict the approach adopted for community supervision.

3. What we found – staffing

3.1 Role assignment

The unification process involves the movement of some 8,500 CRC related staff (7,500 FTE equivalent) either into the new unified probation service or into organisations delivering commissioned rehabilitative services. This includes staff currently employed by CRCs, their parent organisations or within the CRC supply chain of providers. Some staff (approximately half) will have been employed previously by the former public sector probation trusts, but the remainder have been recruited since the start of *Transforming Rehabilitation* and so have only worked for a CRC or associated supplier. In total, this involves staff from 54 different organisations. This is the most complex workstream and greatest area of risk across the unification programme. Each member of staff needs to be allocated a role and be transferred between payrolls along with their employment and training records with terms and conditions and pension rights protected. This requires sufficient capacity within the national HMPPS human resource and workforce teams, and we were concerned that the capacity does not exist to handle the demand.

Any staff transferring into the new model are guaranteed a role and pay protection for three years. However, for some staff, mostly those outside of sentence management, their future roles in HMPPS or Ministry of Justice are more uncertain. The aim for day one of unification is for these staff to transfer in their current roles, with allocation to final roles in the new structure being completed later. A role assignment process is being undertaken to determine how staff will be allocated in the new unified structure. Staff received a letter in autumn 2020 with an initial indication of whether they would fall within the new probation service or within services on the Dynamic Framework. By the end of our fieldwork in February 2021, regional probation directors were still waiting for final confirmation from CRC parent organisations of the number and characteristics of staff they would be receiving from CRCs in their regions. This was a cause of concern and frustration for both managers and staff. The process has been delayed by a difficulty in assuring CRC staff data, a process which is being managed by a new Transferring Organisations and Regional Support team (TORS) of external consultants who have been contracted to perform a validation exercise but lack operational knowledge about CRC operating models, including the different nomenclature used by different CRCs to describe core roles.

Most RPDs felt that the information assurance exercise had been unreliable. In its absence, they have sought to develop their own local intelligence and data to support their regions, which risks multiple versions of the assumptions used to base future workforce planning and decision making.

A further complication for the role assignment process has been the Dynamic Framework exercise. Not all tenders have led to a clear outcome, therefore some staff still did not know whether they will be allocated to a Dynamic Framework provider or to the new probation service. The contingency is for staff to be transferred to the new probation service at the end of June and then potentially on to a Dynamic Framework provider. This situation is clearly far from ideal.

There are approximately 20 director-equivalent posts currently working in CRCs, who will initially transfer to the new unified model. Given that most probation leadership posts in the unified model have now been recruited, their future remains uncertain. Senior HMPPS managers have been engaging with this group of individuals to discuss their options.

The recruitment and allocation of staff at assistant chief officer (ACO) level (a senior management grade), including to 108 PDU head of service roles, was originally planned for September 2020, but only commenced in January 2021. It is due to conclude in April 2021. This delay has been frustrating and anxiety provoking for staff at this grade. At the very time you would want these local leaders to be driving and supporting the change programme, they are facing uncertainty about their own roles. Staff we interviewed at this grade, both in CRCs and NPS, were concerned. While nationally, it is anticipated there may only be a small oversupply of staff at this grade, potential vacancies are not evenly spread. It is likely that in the East of England, for example, there will be

an oversupply of existing ACOs, while other regions will not have enough senior managers to cover their needs. We found that some NPS managers were frustrated by the process as they felt that these roles should have been allocated rather than open to competition. We concluded, however, that it was fairer for these opportunities to be open to both NPS and CRC staff of a similar grade.

Movement of staff from private companies into the Civil Service, and speculation about the limitations associated with this is causing anxiety for some transitioning staff. However, for others the opportunity to develop their careers across government departments and the promise of new investment in probation was appealing.

3.2 Annual leave

A further potential impact on the success of transition comes from a backlog of staff annual leave. The Ministry of Justice has allowed staff to carry over double the usual amount of leave entitlement into 2021/2022 due to Covid-19, up to a maximum of 20 days. As a result, staff will transfer with a higher annual leave backlog than originally expected. As Covid-19 restrictions are lifted, it is inevitable that staff will want to take some of this leave and this could impact on pre and post-transition learning and development and delivery of business as usual, at a time of greatest vulnerability in the transition programme.

3.3 Recruitment

HMPPS published a new probation workforce strategy on 30 July 2020 which made a commitment to recruit an extra 1,000 probation trainees (PQiPs) within the 2020/2021 financial year, in addition to the 530 who were already training at the time. They also committed to raising numbers in future years and improving conditions of service and wellbeing support. The strategy commits to a more diverse workforce, including better pathways into the service for people who have been through the criminal justice system themselves, and an accelerated promotion path between PSO and PO.

We found many new PQiPs in each region. Indeed, in some offices their numbers exceeded the amount of qualified PO grade staff. There is a balance to be struck between how many PQiPs are recruited to increase the probation officer headcount, and the ability of the organisation to support the needs of this group appropriately.

In February 2021, the-then Minister of State for Prisons and Probation Lucy Frazer announced the new unified service will employ 150 former service users by April 2022. CRC leaders have worked hard to value and develop the contribution of people with lived experience and we were given assurances that these staff members would not be excluded from the unified service due to Civil Service vetting arrangements but will transfer over with other staff on day one. A further national commissioning exercise for an organisation to promote service user involvement will be undertaken. This aims to secure a national provider for this important area of work and should be completed by the end of October 2021.

3.4 Learning and development

Training will be needed to enable staff in the unified model to manage a blended caseload of high and lower risk cases. CRC staff joining the civil service need an induction into this new organisation. That is not to say that the learning needs will be purely for CRC staff. Staff in the NPS may also have learning needs, a point overlooked by some regions.

While many CRC staff already use existing NPS systems for case management and risk assessment processes, two providers (MTC and Seetec) have developed their own systems during their tenure. This means that some staff in these areas will have no experience of using OASys and nDelius systems before transition. Unless their parent organisation agrees to release them for relevant training, this will need to be delivered after unification, which is clearly not ideal. At the time of our inspection fieldwork (February 2021), discussions were ongoing to allow staff in MTC and Seetec areas to be released for training on OASys and nDelius before the end of June. Contingency arrangements were being put in place to enable the training to take place swiftly after the transition

date. However, Seetec and MTC have subsequently confirmed all relevant staff will be trained prior to day one.

Restorative justice staff in some CRCs were concerned that the qualifications they had acquired during their time in CRCs would not be recognised in the future model in terms of professionalisation, grade and salary. While this is a small group of staff, research from a Seetec project ¹⁷ in Wales has indicated the importance and success of this type of restorative justice work.

The professionalisation agenda is a key part of developing staff in the new service. It seeks to increase the standing and desirability of the role of probation officer – including through the creation of a national register of POs. As has been the case for many years, ensuring sufficient practitioners at PO grade has been challenging. While the PQiP recruitment programme seeks to address some of these gaps, a proposed plan to provide additional training and support to PSOs, to ultimately move them into a PO grade is welcome.

As highlighted in our report on recovery from the first Covid-19 lockdown published earlier this year, few people we spoke to expect a full return to business as usual before the transition to a new service. One manager said:

“Transfer is business as usual, but we are not in a business as usual environment”.

Good practice example

Sodexo had supported one member of staff to undertake the training needed to complete the transition from PSO to PO prior to transition, despite this meaning they were not always available to deliver CRC work. That member of staff will enter the unified model as a qualified probation practitioner. While this is only one case, it demonstrated Sodexo’s commitment to staff development and support of the transition programme, despite not being part of the unified probation model.

3.5 Blended caseloads

Under the new unified operating model, case management staff will have a blended caseload, including a range of cases in terms of levels of risk of harm, complexity and need. In Wales, blended caseloads took four months to establish, following the move of case management staff from Wales CRC to the NPS in December 2019. This was only possible after an intensive programme of staff learning and development. This exercise was on a much smaller scale than the forthcoming transition, so while learning from the Wales experience is important, it cannot be assumed to be indicative of the challenge in England. Managers and staff recognised that a blended caseload approach in England will take many months to achieve. The current NPS workload measurement tool is dated; it utilises historic data to inform timings of activities. A review is currently being undertaken to develop a new tool to use on the future blended caseload.

A tiering model will be introduced to inform the allocation of cases to individual probation practitioners. This will identify both complexity and risk levels to ascertain which grade of staff should supervise each service user. HM Inspectorate of Probation has previously found that the threshold for determining which cases should be supervised by POs rather than PSOs varies across organisations and areas, so we will be keen to see whether the new tiering model brings a more consistent approach across the unified caseload. At the time of inspection, details of this new tiering framework had not yet been published. Some CRCs reported that they were keen to apply the new tiering model to cases allocated prior to 26 June, while others were not. This should be done in line with the TOM to ensure staff have been fully trained before being allocated cases for which they are equipped to manage.

¹⁷ Coley, D., Lawrence, J. and Salmi, P. (2021). *Restorative Justice Enabling Communication, Repairing Harm, Interventions Alliance, Seetec.*

It is positive that tiering will be worked out within the case management system, rather than a standalone tool requiring manual entry and management. This will allow for both clarity and responsiveness to changes in circumstances, including in risk levels of individual service users, which will inform individual workload measurements and trigger a need to review the probation practitioners' caseloads.

3.6 Diversity

Throughout the life of the CRC contracts, HM Inspectorate of Probation has found it difficult to obtain verified data on staff numbers and diversity. This issue appears to be ongoing and a complete picture of the diversity of staff in the new unified service will take time to develop. Managers said that the transfer of CRC staff data onto Civil Service HR systems presented a challenge due to GDPR issues. On day one of transition there will be a lack of a comprehensive analysis of the characteristics of the blended workforce. CRC staff will be asked to input their diversity data onto the Civil Service HR system on day one of the unified model.

Managers, involved in the roll-out of new technology, were confident that the assistive technology needs of staff had been considered. However, without an analysis of the full staff group it is difficult to say whether all of these needs will be catered for on day one.

We were pleased to see that a number of regions were ensuring that CRC and parent organisation staff had been given the details of Ministry of Justice diversity networks so they could access support, if required prior to day one. The Black Lives Matter movement and the death of George Floyd had brought CRC and NPS staff together to discuss diversity issues in some regions.

As mentioned previously, there are likely to be gaps on day one for services on the Dynamic Framework. This includes services for women in some regions, as was the case in Wales. The Inspectorate has seen CRCs adopt innovative approaches to working with women. The majority of female offenders on supervision have been supervised by CRCs in recent years and it is imperative that their needs are met.

Additional grants were issued to RPDs in autumn 2020 to commission services for black, Asian and minority ethnic service users. However, some regions were struggling to identify appropriate interventions within the timescale, as monies had to be spent by 31 March 2021.

Good practice example

In some regions, staff had completed diversity 'passports'. When they move into the unified model, or indeed move into other roles in the future, they do not have to explain their diversity needs repeatedly to new managers.

3.7 Vetting

Those joining the new probation service are also joining the Civil Service. Staff need to undertake a vetting exercise to give them the security clearance to enable access to sensitive service user data. Some CRCs have indicated a willingness to undertake this for their staff prior to day one of the unified model; other staff will need to undertake this post-unification. Some staff expressed concern about this process and what it might mean for their future in the organisation. We found similar concerns when the vetting was undertaken in the NPS, for staff to gain access to the Violent and Sexual Offender Register (ViSOR) which were ultimately not borne out on completion of the exercise. Some CRCs have employed former service users, and this group could be impacted disproportionately by this process, which will need to be managed sensitively.

3.8 HR services

Ensuring that all staff are paid accurately from day one of the unified model is complex, but crucial. For some staff, a change in pay dates will be necessary. Practice runs of payroll activity are taking place to ensure a smooth transition and contingences are in place, if there are any difficulties. The

process ran smoothly for the sentence management staff in Wales in 2019, and learning has been taken from this exercise. However, as with much of the learning from Wales, how this learning applies to much larger numbers remains to be seen.

Staff with a knowledge of the Ministry of Justice self-service HR systems (used for travel expense claims, recording sickness absences and other similar tasks) were apprehensive as to whether these systems will be able to cope with the transition of such a large group of staff. While reassurances have been given by national teams, many staff are still anxious about how well this will work in practice.

4. What we found – services

4.1 Commissioned rehabilitative services

A Dynamic Framework will be used to procure rehabilitative and resettlement interventions (collectively known as commissioned rehabilitative services) in each area, from a range of private, voluntary and charity sector providers, to complement accredited programmes and in-house structured interventions. Ultimately, 11 separate intervention pathways will be covered by the Dynamic Framework, although services for day one delivery are limited to four pathways. Regional probation directors will consider future commissioning based on local need after the end of June.

Education, training and employment (ETE) and accommodation services have been procured as 12 regional lots, whereas women and personal wellbeing services have been procured at the Police and Crime Commissioner (PCC) level (across 41 different lots). These services have been tendered nationally through a total of 110 contracts. Separate co-commissioning arrangements apply in both Greater Manchester (all Dynamic Framework pathways) and London (interventions for women). The Dynamic Framework process has been run centrally from HMPPS headquarters, although RPDs and their staff have been consulted on the contract specifications for their areas and involved in the bid evaluation process. Those we interviewed seemed generally satisfied at their level of engagement. RPDs will take on devolved responsibility for the management of those services already commissioned and for the commissioning of future services.

There was an ambitious plan in place to deliver the Dynamic Framework programme within a 12-month period. This was further complicated by the Covid-19 pandemic. The team also needed to work with organisations who had to adjust their long-term planning assumptions rapidly, including whether they wished to stay in the market for probation-related services, following the decision by the Lord Chancellor in June 2020 to bring interventions and unpaid work delivery in-house. Developing market engagement and enough coverage for each Dynamic Framework pathway in each region has presented challenges and we were not surprised to learn there have been difficulties.

At the time of our fieldwork between October 2020 and February 2021, it was clear that HMPPS were having difficulty securing sufficient compliant and high-quality bids to cover all locations and services. The national procurement team have had no choice but to revise lots (for example, accommodation services for Wales were re-tendered at PCC level, rather than an all-Wales contract) or formulate interim solutions with neighbouring providers or using direct grants to mitigate the risk of gaps in services for day one. Whether the commercial team are successful in ensuring these core services are universally available remained to be seen at the time of writing (March 2021). The time left for new providers to mobilise their staff and capability by the end of June is short. This workstream of the transition programme remains of serious concern and will require constant and close attention to make sure service delivery is not compromised during the initial transition period.

At the time of writing, the outcomes of the commissioning process had only been announced for ETE and accommodation services. The successful bids for women's services and wellbeing services had yet to be announced. For some areas, HMPPS had started a retendering process for some services as they had been unable to award the contracts.

Where contracts have been awarded, the majority have been to larger or national voluntary or private sector organisations. With the exception of interventions for service user engagement, which will be commissioned as a national contract in the autumn, all further commissioning will be undertaken at a regional level, after unification has happened. It is anticipated that this will happen within the first 12 months of the unified model, but this timescale may lead to further gaps in service delivery in the intervening period.

The appetite of existing CRC providers and their voluntary and community sector partners or supply chains to bid during this process has been mixed, with some opting out. Some successful bids have been from organisations with no previous experience in criminal justice and they will take time to

mobilise in order to deliver on day one. Where lots have had to be retendered, successful bidders will also be challenged to mobilise for day one delivery. Contingency arrangements are being put in place to ensure there is at least some provision in place from 26 June for the four initial types of service covered by the Dynamic Framework. In areas where no compliant bids were received as at the end of February, it remained to be seen what the day one gaps will be, and how long the gaps will last.

Under *Transforming Rehabilitation*, the payment by results component of the providers' contracts turned out to be flawed, leaving many CRCs with significantly less revenue than expected. The payment mechanisms under the new Dynamic Framework model are based on fixed payments and designed not to present this challenge.

HMPPS have been unable to conduct a reliable strategic needs analysis of the projected needs of the future blended NPS and CRC caseload. Data that has been used has been taken from OASys and OGRS¹⁸ assessments, supplemented where available with local/regional intelligence. However, it was acknowledged this does not provide a full picture and assumptions have had to be made. HM Inspectorate of Probation has commented in a number of our inspection reports that for lower risk of harm cases a full needs assessment has not been completed by CRCs on OASys. Furthermore, for those CRCs who have been using their own case assessment system, their data has not been accessible or transferable; again, best assumptions have had to be made about the nature and needs of their caseloads. We concluded that the case data on criminogenic needs and volumes informing Dynamic Framework commissioning, including anticipated funding requirements, was questionable. For this reason, we recommend that RPDs undertake a review of the contracts assigned to their region against their caseload as soon as possible after the first year of transition to assess whether supply and demand align. Contracts for accommodation, ETE and personal wellbeing cannot be renewed until they have run for two years and nine months (women's services for three years and nine months), which could impact on flexibility. However, contracts can be adjusted in response to volume changes and to address areas of quality.

Commissioning in a central way may come at the expense of established local partnerships or expertise, a concern which was expressed by a number of managers and staff. Many of the contracts awarded to date have been to national or large sub-national organisations, although it is recognised that this may not be the case for other elements of the Dynamic Framework. Some regions will find it more challenging than others to develop a commissioning footprint that aligns with existing partnership arrangements. The South Central region, for example, will need to commission across Hampshire, Isle of Wight and Thames Valley (Oxfordshire, Buckinghamshire and Berkshire). This does not match an existing strategic partnership area and will require considerable nurturing and collaboration to yield shared co-commissioning opportunities. This lack of existing strategic arrangements compares starkly with London, Greater Manchester and Wales.

Interventions to address finance, benefit and debt issues for those nearing the end of their custodial sentences appeared to be a gap in some regions. NPS staff delivering pre-release activity under the new Resettlement model will ensure finance, benefit and debt issues are addressed for those nearing the end of their custodial sentences.

Over the course of our inspection, we saw staff were becoming more knowledgeable about the Dynamic Framework. However, experience and understanding of commissioning within regions was mostly immature and senior appointments of those with relevant commissioning experience was still awaited. Local staff remained uncertain about what commissioned services would be available in their area on day one.

While our inspection did not involve speaking to smaller providers directly, managers said they thought that the Dynamic Framework process may have deterred such providers from bidding as they did not have the appropriate infrastructure and contract bidding skills, given the size or skill

¹⁸ The Offender Group Reconviction Scale (OGRS) is a predictor of re-offending based only on static risks: age, gender and criminal history.

base of their organisations. This may mean that small, often unique, interventions will be lost. Clinks have been funded by the Ministry of Justice to support these smaller organisations to collaborate or partner with larger providers. However, it remained the case that some local, valued, smaller-sized providers, whose services were limited to only part of larger lot package were at risk of being lost.

One senior manager said:

“There is still a lot of confusion about what DF [Dynamic Framework] will provide on day one. We have called for continuity of existing arrangement for day one, but that is not currently the case, and it is soon to be left too late. I fear we will have let go of some good services without the next part being in place to replace it, which is significant risk”.

This issue was acknowledged by the national commercial team as a risk. RPDs we interviewed speculated as to whether they would be able to purchase services from smaller providers using a direct grant process. The Regional Outcome Innovation Fund (ROIF) has been designed to support organisations like this. Potentially direct grants could be used, but the criteria for these are very limited and have to be agreed nationally. The ROIF can only be spent on non-enforceable services, which would exclude services linked to court orders such as the delivery of rehabilitation activity requirements (RARs). Regional heads of community integration were being recruited towards the end of our fieldwork period and would have benefited from being in post sooner to support commissioning activity. There was little doubt that the immaturity of regional commissioning capacity presents risks to delivery of important services to address reducing reoffending needs, particularly in the first year following transition.

Relationships with Police and Crime Commissioners and their staff in most regions were positive and we found they had a good understanding of the probation reform programme and were excited about the future opportunities to collaborate and co-commission. RPDs recognised the importance of nurturing strategic commissioning under the Dynamic Framework as it is extended. From meetings with strategic stakeholders, it was clear they welcomed the idea of devolved regional commissioning by probation and were keen to develop and improve opportunities for co-commissioning and improve access to services.

CRCs have developed expertise in commissioning from supply chain partners. It was disappointing that we found little evidence that these commissioning skills were recognised by the NPS or being utilised to support this work in the new regions, although we recognise that in some instances this was related to commercial sensitivities. There is a lack of clarity about how staff in CRCs with existing commissioning skills will be assigned in the unified model and how best use could be made of their expertise.

Good practice example

In London, we found detailed attention to future planning of services and completion of a strategic needs analysis of caseload, making best use of data, while also recognising the limitations. A mature approach to commissioning was being developed, which involves developing important influential relationships with the Mayor’s Office for Policing and Crime (MOPAC).

Additional funds have been received by all regions to support work with black, Asian and minority ethnic service users and to support those under Integrated Offender Management (IOM) supervision. Managers reported that this investment, while welcomed, needed to be allocated and spent by the end of March 2021, which was a challenge for many who did not have the resource in place to seek out commissioning opportunities.

A national effective interventions panel has been put in place to assess and approve structured interventions previously designed by the CRCs to deliver rehabilitative activity requirements (RARs) in their areas. Involvement of CRC interventions staff in this process was limited. Each regional

probation director is required to select at least one structured intervention to be delivered in their area to address three key resettlement and rehabilitation pathways relating to: attitudes, thinking and behaviour; emotional management; and domestic abuse. In addition, toolkits called 'Stepping stones' have been issued to sentence management staff to enable consistent delivery of one-to-one structured interventions, for example while someone is waiting to start a group programme or as an intervention. Guidance was being considered to address how cases already 'inflight' across the transition period would be supported to complete RAR activities where existing CRC interventions will not continue from day one. It will be important that there is a clear and consistent approach that ensures sentences are delivered as intended, monitoring is put in place and any risks mitigated.

Many RPDs said they looked forward to focusing on local needs in their future commissioning and were keen to consider locally responsive provision in the future. They too expressed concerns about the potential loss of smaller local 'niche' interventions, either because of an inability by such organisations to bid on the Dynamic Framework or a loss of funding through the Covid-19 pandemic.

The Greater Manchester region has been given an exemption from the central Dynamic Framework procurement and will be co-commissioning all interventions with the Greater Manchester Combined Authority. Even with the flexibility and autonomy of this approach, however, there will be gaps in provision on day one, with services building over the future months. Some contingencies have been put in place to award contracts directly in year one, however this will still leave gaps in what is available initially.

In London, interventions for women are being commissioned through a co-commissioning arrangement with the Mayor's Office for Policing and Crime (MOPAC). There is a desire for other elements of the framework in London to be co-commissioned in this way in future.

Good practice example

Probation in Wales benefits from its relationship with the Welsh Government, which has been further improved through joint working during the Covid-19 pandemic. This has provided for excellent partnership arrangements with opportunities for collaboration, co-commissioning and leverage to access additional funding streams with Police and Crime Commissioners.

Good practice example

The Regional Probation Director in Yorkshire and the Humber had already established a regional rehabilitation partnership and funded a business manager post to work on co-commissioning with their local Police and Crime Commissioner. This positions probation services well with local partners and will support the tendering process for the remaining Dynamic Framework pathways.

4.2 Resettlement

Throughout our inspection fieldwork it was clear that the resettlement workstream was underdeveloped. This was particularly disappointing given the improvements we have seen in enhanced Through the Gate provision, during our core inspection programme, since the Ministry of Justice provided additional funding in 2018/2019.¹⁹

¹⁹ HM Inspectorate of Probation. (2020). *Annual report: inspection of probation services (2019-2020)*. www.justiceinspectorates.gov.uk/hmiprobation/inspections/par2020

Staff working in Offender Management in Custody (OMiC) and Enhanced Through the Gate (ETtG) services were some of the most anxious that we spoke to throughout our inspection. Resettlement staff in almost all regions told us they were unclear as to their future in the unified probation model. This was particularly true for those employed by third-sector organisations as part of a CRC supply chain. Communication to probation teams working in custodial settings has been a perennial issue. Resettlement staff said that national communications focused on sentence management in the community and were not seen as relevant to them. For many there remains confusion as to how OMiC and other resettlement activity will align under future arrangements.

Regional structures in the unified model do not currently include a strategic lead for resettlement, despite the complexities and the need to draw various strands of resettlement activity together. RPDs reported that this work would be shared across the management team. Given that there are regional strategic leads for interventions and programmes, this gap has the potential to devalue the priority given to resettlement activity, and lead to gaps in delivery.

Worthy of note is that prisons are likely to be running exceptional Covid-19 delivery models for a number of months, most likely up to and beyond day one of the unification. This may hinder the ability of probation or Dynamic Framework provider staff in custody to mobilise in any meaningful way.

4.3 Unpaid work

On day one, unpaid work will continue to be delivered in its current form using existing projects and, when safe, using bespoke placements to address personal circumstances. Delivery will vary across regions and will be based on the projects available locally and other factors such as rurality, which remain an important consideration prior to the transition. Plans for transition have factored in arrangements to retain vehicles, equipment and access to storage facilities and, in some areas, reporting sites for services users. For CRCs managed by MTC and Seetec, parts of their unpaid work referral and scheduling is done through separate ICT systems, which do not transfer as part of the transition. During the inspection period, unpaid work leads confirmed that progress was being made by the digital teams to establish if these scheduling and referral systems could be adopted for day one. If this is not completed prior to day one, significant resource will be required to revert to using nDelius as a contingency.

4.4 Backlogs

As highlighted in two of our recent reports, it is clear that Covid-19 has resulted in significant backlogs at various points of the criminal justice system. From day one of the unified model, there will be significant challenges linked to these backlogs.

National modelling has been undertaken to predict future unpaid work staffing and resource needs, to address the considerable backlog. This found that even if staff resource doubled, it would take over a year to clear backlogs. Historically, recruiting for unpaid work staff has been challenging, so recruitment of extra staff is unlikely to resolve the issue in its entirety. Work is being undertaken to explore legal and other contingences, but it remains an area of risk for the new organisation.

Court backlogs are an additional concern. While 'Nightingale' courts and weekend magistrates' court sittings are adding capacity, these require additional probation resource in court to deliver requested reports. Probation court staff reported an increase in demand, which is likely to continue up to, and beyond day one of transition. These staff will also need to know in advance which interventions will be available on day one to ensure proposals made to court from April 2021 reflect the availability of interventions in the unified model.

Accredited programmes, similarly, will have a backlog to address as a result of Covid-19 restrictions. While alternative delivery models are being used as a substitute for regular face to face group-based programme activity, they do not meet all the need. Individual work by probation practitioners with service users is also supporting some of the delivery of these interventions, however the fact remains that it is a risk for the new organisation.

5. What we found – information and facilities

5.1 Technology

For the 'lift and shift' of existing caseloads on day one of the unified model to be successful, allocation and operation of appropriate IT and telephony equipment to transferring staff is vital for consistency of service. A schedule is in place to enable the allocation of appropriate laptops and telephones to all CRC staff joining the new organisation. The first of these allocations of new IT equipment to enable staff in one CRC area to log on to NPS systems was scheduled at the end of February 2021 to be followed by a review period in which to learn lessons. The remaining allocations will take place between March and June 2021. As some staff remain uncertain about their future roles, staff who could potentially be allocated to a provider within the Dynamic Framework will also be issued laptops. There will be an exercise to ensure anyone with equipment who is subsequently allocated to a provider returns it. Given Covid-19 restrictions, equipment has been delivered to individual's home addresses and this option remains under review for future roll-outs. Training to enable staff to use the equipment is being delivered remotely with staff assigned a virtual 'floor walker' to support their needs.

Some CRCs are ensuring that their staff complete the necessary training before the end of June to operate the NPS and Ministry of Justice systems which they will use after the transfer. While clearly this is a challenge given Covid-19 and the need to continue with business as usual delivery up to the date of transition, it is an appropriate response to ensure staff can use their laptops on day one. It is accepted that the majority of training for transitioning staff will happen after June 2021. Digital solutions, currently used by CRCs, in particular those used for the delivery and scheduling of unpaid work, will remain in place for day one of transition. These will be integrated into Ministry of Justice systems over time.

The Covid-19 restrictions have encouraged greater flexibility in terms of electronic meetings, flexible and remote working. Staff reported that in many ways they found this has supported some of the national and regional meetings relating to transition and had been a helpful way to engage large groups of staff. However, there was no doubt that many staff working on transition and business as usual activity were working in excess of their hours, and electronic meetings meant that meetings were often scheduled back-to-back. Many of the national and regional engagement events have been delivered on Microsoft Teams. Some CRC staff remain without access to this platform so had to dial into meetings by phone, putting them at a disadvantage compared to their NPS colleagues.

A new electronic referral process which will allow staff to refer service users to providers under the Dynamic Framework is being developed. The system, known as 'Refer and Manage', is currently under development and it is hoped that it will be available from day one of the unified model. Contingency arrangements have been put in place if the system is not in place then.

Good practice example

The South East and Eastern NPS Division had taken the initiative to review all information-sharing protocols ahead of transition for East of England and Kent, Surrey Sussex (KSS) Regions. This will enhance and expedite opportunities for co-working in the new unified model.

5.2 Estates

NPS and CRC staff currently work in 450 different buildings across England and Wales. During the *Transforming Rehabilitation* period, CRCs have been able to move many of their staff into modern, open-plan accommodation which is often better than the legacy buildings occupied by the NPS, which our recent inspections found have often been poorly maintained and become increasingly unfit for purpose. A major task for the transition programme has been to agree a consolidated estates plan which maps out which buildings will remain in use from the end of June and to agree

which CRC buildings will transfer to the HMPPS and which will revert to their original landlords. Buildings transferring to the new probation service will need to be fitted out before day one, for example to replace CRC signage and the secure IT cabling needed to support NPS systems. The programme identified 97 CRC buildings to be transferred to the public sector by the end of June.

We found work on the estates workstream of the probation reform programme to be well developed and on track. While many changes will not impact the estate until after day one of the unification, a comprehensive audit of the whole estate has been undertaken. This audit identified which buildings will be used in the new unified model, which buildings are in line for capital investment and which will no longer be needed. Significant numbers of CRC buildings were transferred over to HMPPS in January 2021 and subsequently leased back to the CRCs for the period up to 26 June 2021. This is beneficial in that it allows any necessary infrastructure to be put in place prior to day one of the unified model.

Many probation buildings across England and Wales already have CRC and NPS staff co-located which will assist staff to feel part of the new organisation. However, staff who work in buildings which hold solely CRC or solely NPS staff will have a greater challenge to feel part of a new model, until such time as further estate changes and merging of teams takes place. Smarter working arrangements as a result of Covid-19 have allowed a mixture of home and office working. It is likely that the workforce will continue with more flexible working arrangements in a post Covid-19 world and it may be necessary to complete a further review of estate requirements in the future.

One potential risk for the work on future estates capacity is the accommodation needs of successful bidders within the Dynamic Framework. The TOM allows for some providers to utilise available space across the probation estate at a peppercorn rent to enable them to maximise investment in delivery of services. Currently these needs are not fully known so it is impossible to know whether the current estate can accommodate them. The NPS facilities management contract administered by the Ministry of Justice will continue for the new unified service; this was highlighted as an area of concern, particularly by CRC managers and estates leads. HM Inspectorate of Probation has previously commented on the delays and long escalation process with the current contract.²⁰ CRC staff reported they were used to having a speedy response to issues raised within their own facilities management contracts and were concerned that staff would experience a lesser service in the future. Funding has been allocated until 2023 to complete improvement work on existing premises, in addition to capital spend on new buildings. A dedicated in-house probation estates facilities team is included for the future unified model and this should address some of these concerns.

5.3 Administrative hubs

A number of CRCs have developed administrative hubs and call centres during their tenure to support delivery of clerical tasks and handle calls from service users. Under the 'lift and shift' arrangement, these administrative support arrangements will remain as is, although the longer-term TOM is for administrative services to be delivered at a regional level. However, services need to ensure that this group of staff are not forgotten in the change programme. For them to continue 'as is', even in the short term, still requires a significant amount of work to ensure they can transfer on to new probation systems and continue to support colleagues. These hubs have proven beneficial for those CRCs who find it difficult to recruit in their own areas. For example, the London region has indicated a desire to retain the MTC administrative hub based in Norwich for this reason. Other regions are keen instead to extract their administrative resource from these hubs and embed it in their own regional structures.

The professional services centres in Liverpool and Wakefield, currently provide administrative support for five different Purple Futures CRC areas across the country and pose a particularly complex challenge. While much of the disentangling of these centres will be undertaken after day

²⁰ HM Inspectorate of Probation. (2020). *An inspection of central functions supporting the National Probation Service*.

one, this group of staff were uncertain about their future roles. They service many CRCs outside of the local areas of Wakefield and Liverpool. A specific challenge with technology, and the use of the SharePoint application, had been identified and work is underway to ensure these centres can continue to support delivery after unification.

5.4 Communication

There have been a number of national forums and presentations about transition both to the whole staff group and to particular groups of staff across the country. These sessions have largely landed well with staff. They provided an open forum in which staff could ask questions which were taken away and responded to, where an immediate answer was not available. Staff said that they were so busy dealing with the day job, under exceptionally difficult circumstances, that it was sometimes hard to think about the future model.

Staff working in resettlement and other intervention roles reported that the national communications had been of some use but were heavily focused on sentence management staff and activity. This has left these staff questioning their own role and value in the new organisation. If unrectified, this leaves the potential for a two-tier system in how staff see their status in the new model, similar to the way that some CRC felt looked down on by NPS staff under the *Transforming Rehabilitation* model.

Regional events increased in frequency throughout the period of inspection, with the start of 2021 seeing a shift in focus towards day one of the unified model. The majority of communications at both local and national level were delivered on Microsoft Teams, which meant CRC staff in some areas were not able to access meetings equally alongside NPS counterparts. Some CRC staff found communications to be focused on the NPS. One said:

“Written comms is very NPS heavy and CRC examples underrepresented, it is NPS process overload.”

An online portal with information for all staff in the new organisation has been launched. This provides a really useful point of reference for all staff. Content will be amended and updated in the run up to day one and beyond to ensure staff access the latest information. Some staff were hungrier than others for information.

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Annexe 1: Methodology

Approach

We inspected in five of the new probation regions, with all fieldwork conducted remotely using video-conferencing platforms and conference calls. We spoke to a wide range of staff working in both CRCs and the NPS. We also interviewed the remaining seven regional probation directors to ensure we explored the views of all the RPDs across England and Wales. We also conducted a separate meeting with staff working on the Dynamic Framework services in Greater Manchester, given their different approach via co-commissioning with the Greater Manchester Combined Authority. We also spoke to external stakeholders.

We also conducted two weeks of fieldwork at a national level, at each end of the regional fieldwork in October 2020 and February 2021. This included interviews with senior national strategic leaders, and other staff working on the probation reform programme.

A qualitative review approach was adopted, to allow inspectors to focus on the four elements of our core domain one standards: leadership, staff, services, and information and facilities. We felt that this was an appropriate way to measure progress across the transition activity. No case work was undertaken to produce any quantitative data, as it was felt that this would not add value to this inspection.

Staff interviews

We conducted 204 interviews and focus groups with:

- senior leaders in HMPPS, NPS and CRCs
- probation officers and probation service officers in both NPS and CRCs
- middle managers managing frontline staff and services
- probation court staff
- programme staff
- victim liaison officers/partner link workers
- programme delivery staff (both accredited and non-accredited)
- unpaid work supervisors and staff
- union representatives
- external stakeholders including representatives from Police and Crime Commissioners' offices.