



Her Majesty's  
Inspectorate of  
Probation

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17 February 2022

**To:**

**Nic Davies, Regional Probation Director**

**cc:**

**Jon Matthews, (Inspection Single Point of Contact)**

**Dr Jo Farrar, Second Permanent Secretary, Ministry of Justice and Chief Executive Director, HMPPS**

**Amy Rees, Director General of Probation, Wales and Youth**

**Chris Jennings, Executive Director Wales**

**Sonia Flynn, Executive Director Probation & Women, HMPPS Operational and System Assurance Group,**

**Tony Kirk, Lead Inspector**

**Simi Badachha, Linda Neimantas, Heads of Inspection Programme**

**Marc Baker, Director of Operations**

**Stephen Doust, Operations Officer (Inspections)**

Dear Nic,

Many thanks for the cooperation we received from you and your staff during the recent review of Probation Service – Wales region.

We have now completed the inspection of the Swansea, Neath Port Talbot and Gwent probation delivery units (PDUs) in your region and would like to take this opportunity to share with you our overall findings.

### **Regional observations:**

At a regional level, we have identified the following key strengths and areas for improvement.

### **Leadership**

Your vision and strategy give priority to delivering a high-quality service through a range of strategic and business plans – for example, the effective practice strategy and Wales reducing reoffending plan. In response to our staff questionnaire, 77 per cent of regional staff felt that quality and adherence to the evidence base was prioritised 'always' or 'most of the time'.

Probation Service – Wales region and other key stakeholders are fully engaged in delivering a shared vision and strategy to reduce reoffending – for example, through the Criminal Justice in Wales Board, strategic sentencer liaison forums, Integrated Offender Management

(IOM) Cymru Board, and joint initiatives with the Welsh Government, including the female offender and youth justice blueprints, and the accommodating Welsh offenders strategy.

People on probation from across the region are not sufficiently engaged in informing the region's vision and strategy. Although governance arrangements and delivery plans seek to translate the vision and strategy into practice, the standard of case management delivery requires improvement. Co-commissioned services are in place in response to identified diversity needs – for example, for women and young adults on probation.

Business continuity has been ensured throughout the Covid-19 pandemic through successive exceptional delivery and recovery models. It has been tested to the full during this challenging period, and plans were communicated and implemented appropriately across the region. Plans were put in place quickly to ensure that services could continue in Swansea, Neath Port Talbot PDU, following the sudden loss of premises due to an emergency building closure.

### **Key strengths:**

- Arrangements are in place to ensure business continuity in the event of major incidents. These have been communicated across the region, including implementing successive exceptional delivery models, and quickly putting in place alternative arrangements to cover the loss of premises in Swansea, Neath Port Talbot. A reduced level of delivery has been maintained, in accordance with nationally set delivery models, in response to the unprecedented challenge of the Covid-19 pandemic. Plans are in place for the region to recover from the pandemic, which, if implemented effectively, should support improvements in service delivery. For example, progress is already being made on addressing unpaid work (UPW) backlogs. At the end of November 2021, 24 per cent of UPW requirements in Wales were not completed 12 months after commencement of the order, a reduction from 29 per cent, at the time of inspection announcement.
- Significant planned changes to the regional operating model have been communicated and implemented consistently. For example, the new centralised operational resettlement, referral, and evaluation (CORRE) function has been well developed and was in the process of being rolled out through the region. Practitioners, suppliers and CORRE staff have been engaged with implementation and embedding of the new system. Positive feedback has been received from staff and suppliers, and potential difficulties responded to – for example, through messaging to reinforce probation practitioner ownership of the case management process. Initial internal evaluation indicates an improvement in the quality of sentence plans completed within the CORRE model.

### **Key areas for improvement:**

- There is a need to engage people on probation from across Wales to a greater extent in influencing the vision and strategy. The 'Wales involving people on probation' proposal was launched in October 2020. A regional forum has been established and there are plans to implement local forums, but progress has been hindered by Covid-19 face-to-face contact restrictions.
- The regional vision and strategy do not impact sufficiently on probation delivery at a PDU level. There is a need to ensure that the vision and strategy to protect the public and reduce reoffending are translated consistently into practice, and to review delivery against these objectives. There are insufficient feedback loops to probation

practitioners about what is and what is not working. There is a need for greater connectivity between strategic vision and frontline performance – for example, through clearer lines of sight between senior leaders and case management practice.

- Specific, measurable objectives are required to enable the diverse needs of people on probation to be met. This should be carried out as part of normal business planning processes. A deliberate approach to meeting diverse needs should be taken, through a specific outward facing equality and diversity plan and through measuring the progress made in meeting the diverse needs of people on probation and reporting against this.

## **Staff**

Enough regional staff are in place to ensure the effective delivery of regional functions, including the victims team, Multi-Agency Public Protection Arrangements (MAPPA), female offender leads, quality assurance of serious further offences (SFOs), community integration, corporate services and business partner functions. Regional workforce planning should continue to take account of the changing demands of interventions and performance quality staff shortages. Additional spending review money for UPW is facilitating significant recruitment.

Regional staff workloads are manageable. In response to our staff questionnaire, 78 per cent of regional staff felt that their workloads are quite or very manageable. Roles for regional staff are clearly defined, with 80 per cent of regional staff stating that their roles are 'somewhat' or 'entirely' clearly defined.

Arrangements to ensure sufficient staffing levels for each PDU are not fully effective. Regional actions to address this are hampered by the absence of a resource model for the unified Probation Service, based on caseload requirements, rather than legacy National Probation Service (NPS) and Community Rehabilitation Company caseloads. The resource model does not take account of the Wales unification in December 2019, and the already well-established combined team structure and caseload. Recruitment is also hindered by protracted vetting requirements and the low retention rates for newly recruited probation service officers. There is a low staff attrition rate for all staff in the Probation Service – Wales region (10 per cent).

The regional workforce does not reflect adequately the diversity of the population in Wales. Arrangements for learning and development are not sufficiently comprehensive to identify and develop the potential of all staff. In 2020, following transition, a comprehensive training programme was implemented and included legacy NPS staff completion of relevant mandatory training. Professional Qualification in Probation learners participate in an extensive training programme. Nevertheless, access to in-service training is not sufficient for all staff groups, and the learning needs of staff are not met enough to support staff to deliver a high-quality case management service consistently.

The strategy to ensure that staff from all backgrounds have equitable access to promotion opportunities should be made more visible, including action to check for any bias. A staff engagement strategy is in place for all staff, including through frequent all-staff messages from the regional probation director. Staff engagement levels are monitored and PDUs are supported through accessible and visible senior managers.

There is a strategy to ensure the safety and promote the wellbeing of all staff. Joint senior management meetings with trade unions include a focus on ensuring staff safety and wellbeing. The Probation Service – Wales region wellbeing strategy aims to enable people to be their best, and the Wales strategic wellbeing group commits to “connecting, being active, keeping initiatives, focusing on wellbeing, and listening”. In response to our staff questionnaire, 83 per cent of regional staff felt safe always or most of the time, and 72 per cent of regional staff felt that sufficient attention was paid to their wellbeing.

PDUs are supported to make reasonable adjustments for staff, in accordance with statutory requirements and protected characteristics. In our staff questionnaire, 20 per cent of staff required reasonable adjustments, and these were made for 33 members of staff, which equates to half of those required. A policy and process for complaints is in place for staff who feel discriminated against or experience discrimination.

### **Key strengths:**

- Regional staffing levels are sufficient. The regional workforce planning strategy responds to changing demands at a regional and PDU level. There is a need to ensure that interventions and quality assurance functions are staffed sufficiently, to ensure that a high-quality service is delivered to all people on probation.
- The Her Majesty's Prison and Probation Service (HMPPS) in Wales Welsh language scheme is promoted actively to staff, including opportunities for staff to improve their Welsh language skills. We have noted an increased confidence of staff to communicate in Welsh.

### **Key areas for improvement:**

- Current arrangements are not fully effective in ensuring sufficient staffing levels in PDUs. Regional workforce planning is hindered by the unified Probation Service resource model being based on caseload requirements, rather than on transition of legacy staff resources. Rolling recruitment is hampered further by excessive delays in vetting processes, sometimes by up to six months, before much needed new recruits can be deployed into frontline delivery.
- The regional workforce does not reflect adequately the diversity of the population in Wales. Individuals from black, Asian and minority ethnic groups, individuals with a declared disability, and men are under-represented in the workforce. A greater focus is required to address these gaps, including through reviewing recruitment campaigns, undertaking targeted recruitment, running mentoring schemes from the point of application, and reviewing how the Probation Service – Wales region best promotes itself to achieve a representative workforce.
- Arrangements for learning and development are not sufficiently comprehensive. There is insufficient capacity to support probation service officers to achieve national vocational qualification level 3 awards. There is a lack of dedicated learning time and opportunities for staff to attend courses relevant to their learning needs. There is insufficient evaluation of training at a national level to identify whether it is effective at meeting identified learning objectives and whether it supports staff sufficiently to deliver high-quality case management.

- The current strategy to ensure that staff from all backgrounds have equitable access to promotion opportunities requires greater visibility. Positive action policies should be extended, and a greater focus placed on monitoring equitability of access, to identify and address issues. The percentage of staff identifying as having a disability or being from an ethnic minority background decreases in relation to seniority of grade. Greater attention is required to identify staff from under-represented groups and provide opportunities which might prepare staff for advancement.

## **Services and interventions**

Analysis of offending-related factors is sufficiently comprehensive. The PDU report provides an offender population and needs profile at PDU level. Analysis of need has identified gaps in service provision around finance, benefits and debt, and dependency and recovery. Analysis also captures the risk of harm profile for the caseload sufficiently – for example, through a breakdown of risk of harm tiers in each PDU.

Although there is a focus on meeting the needs of some specific groups, such as women on probation, further analysis is required of the needs in relation to race. Analysis does not pay sufficient attention to diversity factors. There has been some analysis of disproportionality in relation to pre-sentence reports and recall, although further examination is required in regard to assessment of risk of harm, referrals to interventions, breach and successful completion of orders and licences.

There is sufficient analysis of local patterns of offending and offence types – for example, as captured in 'strategic' tables, which inform co-commissioning at a Police and Crime Commissioner (PCC) level. IOM operational guidance focuses on persistent offenders and specific cohorts by PCC area. There is little evidence that the analysis incorporates the views of people on probation. In response to our staff questionnaire, less than half of regional staff felt that the views of people on probation are used to improve the effectiveness of services.

Access to a range of services is provided to deliver requirements through local partnerships, commissioned services and in-house interventions. A comprehensive directory of services is available for each PDU. The HMPPS in Wales drug and alcohol strategy targets clinical and psychosocial services to substance misusers. Regional outcome innovation fund (ROIF) services are targeted at prevention and include innovative projects, such as a brain injury link worker.

Analysis is used to inform planning and service provision – for example, through the Wales commissioning forum. Given that commissioned rehabilitation services were only launched in June 2021, it is too early to assess outcomes for people on probation. Service delivery has also been hampered by Covid-19 restrictions, and, in response, has been prioritised to those most at risk of causing harm to others and of reoffending – for example, through short-term sentence teams.

There are significant backlogs for UPW and long waiting times for accredited programmes, primarily as a result of repeated and prolonged shutdowns in service in response to the Covid-19 pandemic. There is a shortage of approved premises beds due to Covid-19 exceptional delivery model restrictions. Measures have been put in place to help manage the demand on limited resources, including prioritisation of referral to approved premises and a reduction in stays to eight weeks (rather than 12). The average waiting time for

commencement on rehabilitation activity requirements (RARs) is 5.6 weeks. At the date of the inspection announcement (09 August 2021), 29 per cent of UPW hours were outstanding beyond 12 months of order commencement. Seventy-seven per cent of accredited programme requirements had not commenced at the date of the inspection announcement.

Completion rates are below target for UPW and accredited programmes. Targets have been modified nationally to take account of backlog demands. The percentage of positive completions of a programme requirement or accredited programme are 65 per cent for accredited programmes for those convicted of a sexual offence; 21 per cent for other accredited programmes; and 67 per cent for RARs. Plans are in place for a review of services through contract management arrangements. Evaluation will be provided by CORRE, including incorporating the views of people on probation on the services and interventions they receive.

Plans are in place to attempt to resolve UPW backlogs, including through prioritisation of service delivery and ROIF funding to support UPW delivery in North Wales. A placements strategy is in place to reduce backlogs, including through generation of new projects, appropriate easing of social distancing measures and increased staffing levels.

### **Key strengths:**

- Analysis captures sufficiently the desistance and offending-related factors presented by people on probation. The region has a well-informed understanding of the reasons which led people on probation to offend and what will assist them to stop offending. A strategic needs assessment of the regional caseload is in place and commissioning plans use this analysis to inform priorities for developing targeted interventions.
- Effective relationships with partners and service providers are in place through the region's active participation in partnership arrangements. There is proactive engagement with a range of key partners, including safeguarding boards, the Criminal Justice in Wales Board, local health boards, substance misuse commissioning, the Welsh Government, the IOM Cymru Board, and PCCs. Engagement with key strategic partners in Wales is exemplary, including with sentencers – for example, through strategic sentencer liaison forums. Close partnership working with sentencers has led to reductions in court backlogs and the ability to process complex cases through the courts without protracted delays. The Homelessness Prevention Taskforce in Wales outcomes report indicates that, most of those that received funding, are still in the accommodation funded, and most cases are still in the community. The sustained positive outcomes for prison leavers achieved through this joint initiative is an example of effective practice.
- Plans are in place to resolve backlogs in UPW delivery. Remedial action is being taken to improve UPW delivery and to respond to concerns. This includes utilising the 2020/2021 underspend to extend existing UPW partnership projects, fund overtime and increase sessional staff work, and plans to increase education, training and education provision within UPW hours. As a result, some areas in Wales are now operating at over 90 per cent of pre-Covid-19 UPW delivery.

### **Key areas for improvement:**

- Analysis does not pay sufficient attention to diversity factors and issues of disproportionality. There is scope for commissioning to include a greater focus on addressing all diversity factors. There are positive examples of services and interventions designed to address specific needs, such as the female offending and youth justice blueprints, formulated in partnership with the Welsh Government. There is less evidence of services and interventions to address race inequality for people on probation. There is some examination of disproportionality, in relation to recall, although this should be extended to analysis of proposals for sentences, assessment of risk of harm, access to interventions, breach, and successful completion of orders and licences.
- There are significant backlogs and waiting times for services. UPW and accredited programme requirements have not been available to people on probation in a timely manner because of the restrictions imposed under successive exceptional delivery models.

### **Statutory victim work**

We looked at nine statutory victim cases and interviewed the strategic lead for victims work in the Wales region. We review case records, to look at whether initial contact with victims encourages engagement with the victim contact scheme, whether information and communication exchange supports the safety of victims, and if pre-release contact allows victims to make appropriate contributions to the conditions of release.

### **Key strengths:**

- Initial contact with victims encourages engagement with the victim contact scheme and provides information about sources of support. Appropriate initial contact is made soon after sentence; initial letters are personalised appropriately; and clear information is given to victims about what to expect at different points of the sentence. Initial letters include sufficient information to enable victims to make an informed choice as to whether to participate in the scheme, and victims are informed about the action they can take if the person on probation attempts to make unwanted contact with them. Victims are referred to other agencies or services for help and support.
- Victim liaison staff share relevant information with probation practitioners, and the concerns of victims are addressed in planning for release. Victim liaison staff are provided with appropriate and timely information about the management of the person on probation.
- Pre-release contact allows victims to make appropriate contributions to the conditions of release.
- Victims are given the opportunity to inform decisions about the release of a person on probation in a timely way and views expressed by victims are treated appropriately, in accordance with the victim contact scheme. Victims are supported in making a personal statement in parole applications.

### **Key areas for improvement:**

- Victim liaison staff are not always involved in MAPPA where this is appropriate. In complex cases, there is a need for clearer recording concerning which specific victims are entitled to statutory victim contact. It is not always ensured that victims are

offered access to the discretionary victim contact scheme, to ensure sufficient public protection arrangements are in place. An improvement is needed in the recording of victims' personal characteristics.

### **Information and facilities**

Comprehensive assurance and performance monitoring systems are in place, although these are not fully effective at driving improvement in case management practice. The Wales PDU performance report provides management information assurance and is circulated locally on a weekly basis. Performance is below target for the timeliness of explanation of recall to prisoners' and employment at termination.

Performance information is understood by senior and middle managers and staff, although this is not driving improvement sufficiently in the quality of case management practice. The improving practice and quality group oversees implementation of the effective practice strategy. The best practice learning group promotes local innovative approaches to improving practice. Quality improvement activity includes whole PDU Dysgu Cymru events, quality development manager/quality scrutiny manager briefings, a weekly quality survey, a recording practices focus group and quarterly thematic events.

Findings from performance monitoring, audit and inspection are promoted and evaluation reports are disseminated. For example, learning from the alcohol abstinence monitoring requirement (AAMR) has been used to expand the requirement to people on probation subject to licence supervision. The shortage of quality development officers has hindered case management quality improvement.

National policies and guidance are communicated clearly through Excellence and Quality in Process (EQuIP) and national IOM operating guidance is being implemented at a regional and local level. AAMR guidance for probation staff has been issued to support the rollout of the pilot. Clear guidance is in place about the full range of services available to people on probation through PDU service directories, which are an effective practice example.

Regional policies and guidance are reviewed regularly and are relevant and up to date. For example, the neighbourhood crime IOM strategy defines the cohort, model, alignment and partnership opportunities, evidence, governance, proportionality, equalities policy and measuring impact. The extent to which policy and guidance reviews pay due regard to diversity issues is not always clear.

### **Key strengths:**

- Guidance is in place about the full range of regionally commissioned services, specifying eligibility and the referral processes. The in-service PDU directories include comprehensive information on free-to-access local services, specific diversity and inclusion services, and details about how individuals can be referred or can refer themselves. This is an area of effective practice.

### **Key areas for improvement:**

- Assurance systems and performance measures do not drive improvement sufficiently. Comprehensive performance management and assurance systems are in place, although they are hindered by the lack of senior probation officer capacity to focus on case management quality oversight. The introduction of the Touchpoint process and the management support hub (aimed at taking transactional human resources tasks away from senior probation officers) may assist in this regard. There



is a need to review assurance systems, to ensure that they are driving the right behaviours and outcomes in case management practice.

### **Learning from SFO investigations**

The region learns systematically from things that go wrong, including SFOs. The region maximises learning from these events, including from 'near misses', such as violent and disruptive behaviour in approved premises. There is a supportive learning culture to support making improvements. Quality scrutiny managers provide coaching to probation practitioners and learning from SFOs is incorporated into regional learning and development forum action plans. SFO reviews are quality assured before submission, and reflective discussions are held between the head of public protection and quality scrutiny managers, to ensure that all relevant areas of practice are captured. The regional probation director and heads of operations are sighted on SFO reviews and action plans, and this process is thorough and comprehensive. Lessons learned are disseminated, both for the individual members of staff involved and for wider regional learning. Agreed actions are reviewed and monitored to strengthen service delivery processes. Learning from SFOs is an area of effective practice.

### **Observations from PDUs:**

Overall ratings:

Swansea, Neath Port Talbot PDU: Inadequate

Gwent PDU: Requires improvement

The capacity for PDUs to deliver high-quality probation services has been tested severely through the Covid-19 pandemic restrictions and incremental recovery of service delivery. PDU leadership is visible and engaging, although staff shortages and the lack of experienced frontline probation practitioners seem to have had a negative impact on the quality of probation delivery. There are pockets of good practice, but a more consistent application of quality case management practice is required. Delivery of interventions is increasing gradually through recovery from earlier exceptional delivery model restrictions and increasing take-up of CORRE referrals. The Wales region and PDUs should 'reset' clear practice expectations about the quality of work required to meet the needs of all people on probation.

Our recommendations are set out in Annexe one. I look forward to receiving your regional action plan in due course, outlining the implementation of our recommendations from the PDU inspections. I wish you and all your staff well in undertaking this work.

Yours sincerely



**Justin Russell**

Chief Inspector of Probation

## **Annexe one – Recommendations**

Set out below are the recommendations arising from the inspection of PDUs in this region.

### **Swansea Neath Port Talbot PDU should:**

1. improve the quality of work to assess, plan for, manage and review risk of harm
2. improve the effectiveness of quality assurance and management oversight of all casework
3. ensure that the interventions necessary to improve desistance and reduce reoffending and risk of harm are provided in all cases
4. ensure staff with responsibility for case management oversight have the skills, knowledge and time to undertake the work effectively
5. explore the reasons for better casework in those cases on post-release licence and use this learning to improve effectiveness elsewhere
6. explore the reasons for worse casework in those cases assessed as medium risk of harm, compared with those assessed as low or high/very high risk of harm, and use this learning to improve the quality of work delivered for medium-risk cases.

### **Probation Service – Wales region should:**

7. ensure that performance monitoring has a far greater focus on the effectiveness of provision.

### **HM Prison and Probation Service should:**

8. ensure that staffing levels are swiftly determined for the PDU and region
9. resolve the current shortfall in accredited programme delivery and ensure that the delivery of interventions offered as an alternative are effectively quality assured.

**Gwent PDU should:**

1. improve the arrangements for information sharing to inform assessment and review of risk of harm, including at pre-sentence report stage
2. improve the quality of work to assess, manage and review risk of harm
3. improve the effectiveness of management oversight and quality assurance of all casework
4. ensure that the interventions necessary to improve desistance and reduce reoffending and risk of harm are provided in all cases
5. ensure staff with responsibility for case management oversight have the skills, knowledge and time to undertake the work effectively.

**The Probation Service – Wales region should:**

6. ensure that performance monitoring has a greater emphasis on the effectiveness and quality of service delivery.

**HM, Prison and Probation Service should:**











7. ensure that staffing levels are determined for the PDU and region
8. resolve the current shortfall in accredited programme delivery and ensure that the delivery of interventions offered as an alternative are effectively quality assured
9. ensure that measures agreed by the National Demand Management Board prioritise delivering a high-quality service and regularly review the impact of those measures.

## Annexe two – PDU ratings

Set out below are the ratings of the PDUs in this region. More detail about the reasons for the ratings is available in the PDU reports, which are published on our website:

[HMI Probation - Home \(justiceinspectors.gov.uk\)](http://justiceinspectors.gov.uk)

### Ratings

Swansea Neath Port Talbot PDU	Score	<b>4/27</b>
<b>Overall rating</b>	<b>Inadequate</b>	
<b>1. Organisational delivery</b>		
1.1 Leadership	Requires improvement	
1.2 Staff	Requires improvement	
1.3 Services	Inadequate	
1.4 Information and facilities	Requires improvement	
<b>2. Court work and case supervision</b>		
2.1 Court work	Requires improvement	
2.2 Assessment	Inadequate	
2.3 Planning	Inadequate	
2.4 Implementation and delivery	Inadequate	
2.5 Reviewing	Inadequate	

**Overall rating****Requires improvement****1. Organisational delivery**

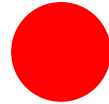
1.1 Leadership

Requires improvement



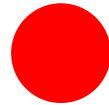
1.2 Staff

Inadequate



1.3 Services

Inadequate



1.4 Information and facilities

Requires improvement

**2. Court work and case supervision**

2.1 Court work

Outstanding



2.2 Assessment

Inadequate



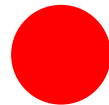
2.3 Planning

Requires improvement



2.4 Implementation and delivery

Inadequate



2.5 Reviewing

Inadequate

