



HM Inspectorate  
of Probation



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# Consultation on the inspection of Approved Premises

HM Inspectorate of Probation, May 2024

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## Foreword

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The national network of approved premises (APs) is one of the least visible and least well-known corners of the criminal justice system. APs are residential units providing a temporary placement in the community for high-risk and complex offenders. APs provide enhanced supervision and rehabilitative support to individuals following their release from prison. They have two main roles: to help rehabilitate and resettle some of the most serious offenders and to make sure that the public are protected during an individual's early months in the community.

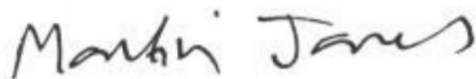
Our core inspection of probation delivery units has uncovered concerns in the delivery of work to protect the public, yet there is currently no routine inspection of the work that APs deliver. Although we have undertaken thematic inspections, most recently in 2017, we want to provide independent oversight of the arrangements for managing those individuals who pose a higher risk of serious harm. Our focus through these inspections will be on how well APs protect the public and promote rehabilitation. We will look at whether they do so in an environment that is safe, governed and led effectively and staffed by people who are skilled, motivated, and supported to do a good job.

In this consultation we are asking for your views on our proposed standards for AP inspections as well as how we deliver those inspections. Our aim is to focus on the things that make a difference to the quality of work in APs, aligning strategic activity with frontline delivery to residents. We are proposing five standards for which we will award ratings. Our ratings will continue to follow our established four-point scale and we will provide an overall rating for each AP. We will make recommendations to drive improvement and publish our findings. We will target recommendations where we believe they can have most impact.

Subject to the outcome of this consultation and resources, we plan to visit each AP around every four years and will choose to do so on the basis of where we think we can have the greatest impact. We want to highlight strengths and areas for improvement in practice. We intend to inspect without prior warning; we want to see APs delivering services on the days that we inspect in exactly the way that they do on any other day.

This consultation is hugely important to us in shaping an approach that best provides reassurance and drives improvement in APs. Prior to this consultation we have met with a range of stakeholders, conducted scoping visits to APs. Over the summer we are hosting three consultation events and we will also be asking AP residents for their views. We are grateful to everyone involved so far and would now like to reach out to a wider audience.

Our consultation closes at **23:59 on 21 July 2024**. We would very much welcome your views on the detail of our proposals, and I hope you will take the opportunity to respond.



**Martin Jones CBE**  
Chief Inspector of Probation

# 1. Background

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**1.1** Approved Premises (APs) provide essential support for people leaving prison, usually those who are assessed as a high risk of serious harm and require an increased level of monitoring in the community. There are 104 APs across England and Wales, of which 95 are for men and nine are for women. Most are in England, with four in Wales. There are no Welsh APs for women.

**1.2** APs are rarely the subject of research and yet they are arguably the most expensive and most intensive resource available to the Probation Service. Each night there are around 2,360 beds available in APs and the demand for these beds is always high. Some residents are serving short-term sentences of a few weeks while others are on life licence. APs cater for residents across a wide range of offence types.

**1.3** APs are required by law<sup>1</sup> to serve two core purposes.<sup>2</sup> Firstly, they are designed to protect the public from harm. This is achieved by requiring residents to live in APs and abide by the house rules, which include curfew conditions overnight and sometimes during the day. Security equipment is used to monitor the movements and behaviour of residents. Secondly, APs are required to provide rehabilitative activities with the aim of addressing issues related to offending behaviour. Most residents have recently been released from prison and should be supported whilst living in an AP to reintegrate into the community.

**1.4** Almost all APs for men (86) are operated directly by HM Prison and Probation Service (HMPPS). HMPPS currently has contracts with 10 provider organisations who operate 15 independent APs. All but except one are represented by the National Approved Premises Association (NAPA).

**1.5** AP regimes are divided into three categories. These are:

- *Psychologically Informed Planned Environments (PIPEs)*. Staff at these locations receive additional training and clinical supervision from a forensic psychologist. The AP environment is considered to be supportive and intended to facilitate personal development. There are seven PIPEs for men and two for women, all of which are in England.
- *Enhanced Security (ESAPs)*. These locations include additional CCTV, biometric entry systems and body-worn cameras for room searches. There are no enhanced APs for women.
- *Standard*. These sites are intended to meet the standards laid out in Probation Instruction (PI) -32/2014 and house a range of people who have committed sexual and violent offences.

**1.6** This consultation covers the detail of proposals to enable HM Inspectorate of Probation (the Inspectorate) to inspect all APs. This consultation has two parts. The first part is about our proposed standards and ratings; the 'what' of our inspection activity. The second part describes our proposed approach or 'how' we deliver our inspection activity.

The proposed standards can be seen in full at **Annex A**.

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<sup>1</sup> Regulation 7 (1), Offender Management Act 2007 (Approved Premises) Regulations 2008

<sup>2</sup> PI 32-2014

## 2. The case for inspection of APs

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**2.1** Despite the risks that APs manage they are not currently subject to any comprehensive inspection regime. APs were last inspected by the Inspectorate under our thematic inspection programme in 2017 [Probation Hostels' \(Approved Premises\) Contribution to Public Protection, Rehabilitation and Resettlement \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk), prior to the unification of probation services. Although there are a handful of regulators and other bodies who have some interaction with APs, this is limited in scale and in scope. A list of those bodies is outlined in **Annex B**. The assurance provided by inspection of other public sector residential services is established in other areas; homes for adults and children for instance are inspected by the CQC and Ofsted respectively. Prisons, secure establishments, hospitals and immigration centres are subject to inspection. APs, like other public bodies, have a common law duty of care<sup>3</sup> to residents during their placements and are bound by the conventions in the Human Rights Act 1998.

**2.2** Given the lack of any inspection regime for APs, there is limited insight into the quality and nature of service delivery across APs. It is not known how successful APs are at keeping people safe and supporting residents to stop offending. Little is known about the views of AP residents or staff. In preparing our proposals for inspecting APs, our inspectors completed a number of scoping visits which revealed a broad range of areas where inspection could drive improvement. This included staff retention, recruitment and rostering, the suitability and maintenance of buildings, the adequacy of waking night cover arrangements, rehabilitative activities, and the effectiveness of enhanced security in relevant sites.

**2.3** APs are used to resettle some of the highest risk individuals upon release from custody. APs typically house people who have received custodial sentences for extremist offences, people who present a high risk of sexual offending towards women and children, and those who have committed very violent offences, amongst other criteria. Our findings from inspections of probation delivery units consistently show that public protection work is not being delivered well enough. It is critically important that work to protect the public and support change is delivered effectively in APs and without external inspection it is difficult for the public to be reassured of this. Inspection would achieve transparency in relation to the quality of AP provision, which would be valuable to a range of stakeholder groups. These would include policy makers and academics but also people in local communities, victims of crime, and people on probation. Greater transparency would drive greater accountability in relation to the delivery of services within APs.

**2.4** There is limited research and little evidence of what contributes to effective practice in APs. The Inspectorate has a function to identify and disseminate effective practice and AP inspection would provide a critical opportunity to identify and share effective practice, enabling APs to learn from one another and achieve improvements across the sector. AP inspection would enable us to publish effective practice guidance and monitor the extent to which it has been adopted. There is a particularly limited understanding of disproportionalities within APs, including in relation to outcomes for Black, Asian and minority ethnic residents and women<sup>4</sup> (Rogers, M: 2023). Intelligence and material gathered from inspection activity could include learning for other parts of the criminal justice sector, further benefiting the system as a whole.

*Question 1- Should HM Inspectorate of Probation inspect APs?*

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<sup>3</sup> Robinson (Appellant) v Chief Constable of West Yorkshire Police (Respondent) - The Supreme Court

<sup>4</sup> Rogers, M. (2023). The experience of black, Asian and minority ethnic residents in APs: An exploratory study, Probation Quarterly (29): 33-38

## 3. Legislation

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**3.1** The Inspectorate has a duty to inspect probation services, which includes both APs operated directly by HMPPS and premises which are independently managed. The following legislation is in place to allow the Inspectorate to lawfully inspect APs.

Section 7 (1) of the Criminal Justice and Court Services Act 2000 (subsequently amended) confirms our duty to inspect the Probation Service, which includes AP provision. It states:

*The chief inspector must secure that the provision made in pursuance of arrangements made by the Secretary of State under section 3 of the Offender Management Act 2007 (power to make arrangements for the provision of probation services) is inspected by a member of the inspectorate.*

**3.2** That includes corporate bodies and other organisations who have been granted to operate independent APs on behalf of HMPPS. Section 3 (3) (c) makes it clear 'probation provision' can involve third parties who have entered into contractual arrangements with the Secretary of State.

**3.3** HM Inspectorate of Probation has the power to enter APs at any time and access records relating to its management. Regulation 14 of the Offender Management Act 2007 (approved premises) Regulations 2008 states that:

*Each local probation board and other body must arrange for the approved premises under its management to be open at all times to inspection by or on behalf of the Secretary of State and must, in connection with any such inspection, make available for examination the books and records of the approved premises.*

**3.4** APs operated by bodies other than HMPPS must establish management committees and make their records accessible for inspection. Regulation 17 (2) (a) states:

*Each management committee must keep minutes of its meetings and make them available for inspection by or on behalf of the Secretary of State and by any auditor appointed to audit its accounts.*

## 4. Guiding principles

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**4.1** All of our inspections are underpinned by a set of guiding principles. In inspecting APs we will inspect in a way that is:

**Fair** - our inspections will look at the right things in the right way and do so consistently across inspections.

**Valid** - our inspections will generate objective judgements which successfully measure the key areas and stand up to scrutiny and challenge.

**Reliable** - our findings will be reliable - providing accurate, consistent judgements about the quality of services delivered to residents.

**Future proof** - our standards will benchmark effective practice regardless of local delivery arrangements and as such should be able to stand the test of time.

**Flexible** - our approach will be flexible enough to enable us to put inspection resource where it will have the greatest impact.

**Intelligence-led** - we will use intelligence to inform where, when, and how we inspect.

**Proportionate** - we will be mindful of the effort and activity that inspection triggers and make sure that all our activity is necessary and in the right measure to drive improvement.

**Evidence-based** - our standards will be based on research and inspection evidence to maintain our authority and credibility and enable effective practice.

**Impactful** - our inspection regime will drive the right behaviours, without creating any perverse incentives, and must enable services to focus their attention on the quality of delivery.

## 5. The evidence base

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### What we will inspect

**5.1** As an independent, influential and evidence-based organisation the Inspectorate is not aligned to any one single approach. Instead, all of our activity is founded on the entirety of research and inspection evidence. The research evidence base specifically for APs is limited so we have considered research evidence both specific to APs and more broadly about managing risk and desistance. We have considered the findings from our core and thematic inspections. Our proposed standards have been developed through reference to this evidence, learning and experience.

**5.2** The importance of blending desistance-focused practice with risk management for long-term public safety and reduction of offending has been proposed for some years now and is set out in *Risk and Desistance: A Blended Approach to Risk Management* (Kemshall, 2021) [Risk and Desistance: A Blended Approach to Risk Management \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk/risk-and-desistance-a-blended-approach-to-risk-management/). Recently, efforts to support individuals' building their personal and social resources as part of desistance work through recovery capital have also been highlighted in *Social capital building supporting the desistance process* (Albertson, 2021) [Social capital building supporting the desistance \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk/social-capital-building-supporting-the-desistance-process/) and *Desistance, recovery and justice capital* (Kemshall and McCartan, 2022) [Desistance, recovery, and justice capital: \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk/desistance-recovery-and-justice-capital/). Such work has demonstrated that, theoretically, desistance, risk management, rehabilitation and public protection can be well aligned. However, although public safety will always need to take precedence, an overly risk-cautious approach that impedes desistance work must be safeguarded against and an appropriate balance in practice found. *Risk and Desistance: A Blended Approach to Risk Management* (Kemshall, 2021). This literature has informed our standards given the duty APs have to manage risk and reduce reoffending.

**5.3** Building on this but specific to APs, in December 2023 we published an Academic Insights paper: *Realising the Rehabilitative Potential of Approved Premises* (Marston and Reeves, 2023) [Realising the rehabilitative potential of approved premises through embedding desistance practice \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk/realising-the-rehabilitative-potential-of-approved-premises-through-embedding-desistance-practice/). As hostel managers and researchers in the field, the authors also contributed to *Reimagining Probation* (Burke et al., 2022). The authors argue that 'for APs to reach their potential in supporting personal rehabilitation, they need to be much more explicitly grounded in desistance approaches and focus on the unique supportive impact and value of the wrap-around social context of living in an AP.' (Marston and Reeves, 2022; 161). The challenges to achieving this include significant financial constraints, a focus on risk aversion rather than effective risk management and a failure to have risk management and rehabilitation fully operationalised as interwoven strands of hostel practice and purpose. The authors argue that delivering AP work in the context of a theoretical and practical understanding of desistance facilitates this connection and centralises rehabilitation, whilst still managing the risks to public protection. The authors make the case that APs are uniquely well placed to do this if reconceptualised as places of desistance and rehabilitation. We believe that our proposed standards *Protecting the public and promoting rehabilitation in a safe environment* provide a balanced approach to the dual functions of public protection and rehabilitation.

**5.4** A summary of other evidence relating to APs, is on our website [Approved premises \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk/approved-premises/)



## 6. Our proposed standards

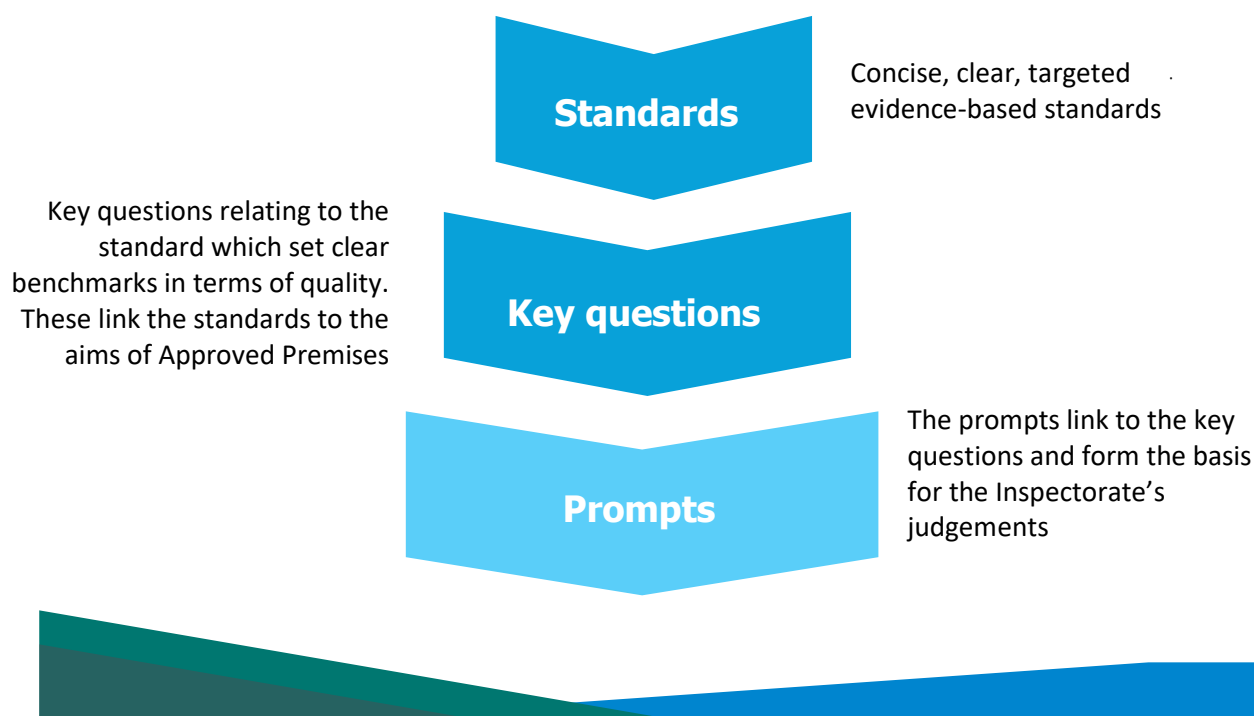
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**6.1** There is no one way to structure standards. Regulators and inspectorates each do it differently, but they each tend to group standards together in a sensible way to reflect the industry they work with and the key things they do. All have standards relating to the way the organisations they inspect are run, along with each element of the service they provide, with each standard underpinned by key questions and prompts. This mirrors how we structure standards across our inspections of probation regions, probation delivery units and youth justice services and it is this approach that we are proposing for our AP inspection standards.

**6.2** We are proposing a set of inspection standards that reflect the duties of APs. We have focused our standards on inputs and activities. We want to ensure that activities to protect the public and promote rehabilitation are delivered by APs and that this is delivered in a safe and decent environment. These activities are at the forefront of our standards and must be enabled by the right inputs of high-quality leadership and partnerships and effective staffing arrangements. The complete framework of standards, key questions and prompts that we propose is attached at **Annex A**. The standards framework will be supported by inspection guidance materials, ensuring that we make reliable and valid judgements.

**6.3** Our standards will form the basis for transparent, independent inspection. Our standards, key questions and prompts should be coherent, sufficiently comprehensive and balanced. They must also be sufficiently discrete, and they must be workable: they must support fair and transparent inspection judgements. We have drafted the standards so that they are applicable across all sizes and types of AP. All the key questions and prompts have a binary yes or no response. The greater the number of prompts underpinning a key question, the more difficult it becomes to balance them into a single judgement, and we have taken the view that no key question should have more than nine prompts. Some have as few as four.

## Structure of inspection standards



**6.4** In order to drive improvement and target recommendations effectively in the areas where they are most needed, we will comment on each of the following five standards separately:

- Leadership and Governance
- Staffing
- Safety
- Public Protection
- Rehabilitation

### Leadership and Governance

**6.5** Our proposed leadership standard is based on the *Primary Colours Model of Leadership* (Pendleton, 2012). This model groups leadership arrangements and activity into three distinct sets; strategic, operational and interpersonal leadership. We have reflected these areas in key questions and prompts and we also propose to ask about how well the AP uses evidence and learning to improve practice. Our standards will enable us to see whether leadership drives an effective AP for all residents. We want to see that leaders engage effectively with their staff promoting an open culture of engagement, and that staff are proud to work for the AP. We will expect to see leaders that use analysis and learning to drive improvements in the service. We have considered the role of leaders in APs and our expectations will be clear in our guidance documents.

## STRATEGIC DOMAIN



## OPERATIONAL DOMAIN

## INTERPERSONAL DOMAIN

*Primary Colours Model of Leadership (Pendleton, 2012)*

### Staffing

**6.6** Our proposed staffing standard focuses on the arrangements and activity that are in place to ensure high quality delivery. We are interested in whether staff have manageable workloads, the right skills, are effectively trained, and are supported by the right levels of management oversight. Staff should be competent in their roles and be able to make and develop positive relationships with residents. We will look at this across all job roles.

### Safety

**6.7** We are interested both in the facilities at the AP and the systems and processes used by the AP. We want to see that that the AP provides a safe, healthy, and dignified environment for residents and staff. Safeguarding and behaviour management arrangements should be appropriate and actively in place. Residents' rooms and shared facilities should be fit for purpose, clean and properly maintained.

### Public Protection

**6.8** We want to see that the AP proactively undertakes the right activities to keep the public safe. We are interested in effective multi-agency and community arrangements as well as internal processes such as how shift handovers work, drug and alcohol testing, and how enforcement decisions are made.

## Rehabilitation

**6.9** We recognise the importance of effective relationships between residents and staff in rehabilitation activity. We want to see relationships that enable individuals to build on their strengths alongside the delivery of keywork and rehabilitative activities appropriate to each individual.

**6.10** Please read our proposed standards, key questions and prompts in **Annex A** and let us have your views on the following questions:

*Question 2 - Is our focus on protecting the public and promoting rehabilitation the right approach to take?*

*Question 3 - Is it right that we consider the safety and decency of the environment?*

*Question 4 - Does the standards framework cover the key areas that contribute to the effective service delivery of an AP? If not, what is missing?*

*Question 5 - Are any of the proposed prompts insufficiently linked to effective service delivery? If so, which ones?*

*Question 6 - Are any of the proposed prompts insufficiently precise? If so, which ones?*

**6.11** We envisage that our standards framework will endure over time. We will keep it under review and will continue to evaluate how well it works. We expect to always have standards that cover the way APs are run (Leadership and Governance and Staffing) as well as standards that cover the longstanding aims of APs. We may make changes to some individual prompts or key questions as we learn from applying them on inspection. If and when we do that, we will publish the changes on our website. If we propose to make any significant changes to the standards themselves, we will consult before doing so.

## 7. Ratings

**7.1** We will make judgements against our standards through considering evidence such as interviews with residents, staff and other relevant stakeholders, examining data and information, policies and procedures, records of information, undertaking staff focus groups, and direct observation of activity at the AP during the inspection. Some of this will be gathered in advance of our visit to the AP and some will be gathered during an on-site inspection. Gathering a breadth of different types of evidence in these different ways enables us to best triangulate our findings. For example, we want to see what leaders tell us about the culture of the AP being borne out in the interviews with staff and the delivery of activities that we observe. Using different types of evidence in this way ensures that our judgements are fair and valid.

**7.2** Once we have collected evidence both in advance of and during our visit to the AP, our inspectors will form their judgements against the standards. The ratings for each standard will be determined using our inspection judgements in relation to the key questions, underpinned by the prompts. We know from studies across differing disciplines that rating judgements are likely to be more reliable and valid if the way they are made is structured in the way that we propose and underpinned by comprehensive guidance. Our judgements will be guided by rules and guidance documents for each standard, question, and prompt and this will be published on our website.

**7.3** In our inspection of probation regions, probation delivery units and youth justice services we use a four-point ratings system consisting of 'Outstanding,' 'Good,' 'Requires Improvement,' and 'Inadequate'. Similar systems are used by regulators and inspectorates such as CQC and Ofsted. The public is familiar with these categories and knows broadly what they mean. We plan to use this same four-point ratings system to rate each of the five AP standards.

**7.4** We also propose to have an overall rating for each AP, derived from the individual ratings at the standard level. We award overall ratings in our inspection of probation regions, probation delivery units and youth justice services. We believe that combining an overall rating for each AP alongside standard level ratings will give an overall picture of the AP and provide clarity about where they are performing well and where they can improve, thus improving the quality of service and any future overall rating.

**7.5** Straightforward scoring rules will be used to generate the overall AP rating. Each of the five standards will be scored on a 0 – 3 scale in which 'Inadequate' = 0, 'Requires Improvement' = 1, 'Good' = 2, and 'Outstanding' = 3. Adding these scores produces a total score from 0-15, which will be banded to produce the overall rating as follows:

Overall Rating	Total score
Inadequate (I)	0-2
Requires Improvement (RI)	3-7 (3 = 2 I + 3 RI)
Good (G)	8-12 (8 = 2 RI + 3 G)
Outstanding (O)	13-15 (13 = 2 G + 3 O)

**7.6** These bandings are aligned to the tipping points between the ratings at the standard level. For example, an overall rating of 'Good' is produced through three standard ratings of 'Good' and two standard ratings of 'Requires Improvement'.

**7.7** We are not intending to include any weightings in our standards but would like to hear your views. Our rationale is that all five of the standards are strongly linked to effective service delivery and we have restricted ourselves to those that are most essential. Our view is that APs need to focus across all of the standards, and we do not want to distort behaviours in any undesirable ways.

We will keep this approach under review and consider the need for any weightings in future years, reflecting upon our inspection findings.

**7.8** It is important that we have mechanisms for making sure that our judgements are sufficiently consistent across all inspections. Regulators and inspectorates find that, in rating standards that contain qualitative evidence, it is important to have mechanisms for making sure judgements are sufficiently consistent across all inspections. Each does this in a different way. These mechanisms are especially important in the early days of any new inspection regime, to make sure that the right benchmarks are set. For each AP inspection provisional ratings will be proposed by the lead inspector for each standard and will be reviewed by an internal panel. This panel will be chaired by a senior manager and will consider the evidence and proposed ratings. It will be the panel's job to ensure that ratings are evidence based and fully reflect the balance of evidence and issues, and that they are sufficiently consistent across inspections.

*Question 7 - Should any parts of the standards framework be weighted more heavily within the ratings system? If so, which parts?*

*Question 8 - Is there anything in our proposed standards or the way we suggest we will rate APs that you think could lead to undesirable behaviours, outputs or outcomes? If so, please tell us.*

*Question 9 - Does the way we are proposing to rate APs make sense. Is it fair?*

## 8. How, where and when we will inspect

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**8.1** We anticipate inspecting each AP around once every four years though this may be more frequent where we have inspected and have particular concerns. We will make decisions about which AP to inspect based on a combination of the risks that we think each AP is facing, along with a degree of random selection. To inform our risk-based decisions we will review intelligence that is available to us. We will not base our decisions solely on risk however, as we want to see a mixture of those APs where there are concerns and those that are performing well. We see a value in APs not being able to predict when they may be inspected, so alongside our risk-based decisions we will include an element of random selection. We take this approach in our inspections of youth justice teams and find it works well.

**8.2** We propose that our inspections will consist of our inspectors reading evidence provided to us in advance and then visiting the AP. Much of the evidence would be gathered from the HMPPS performance hub and we would also require some information to be submitted on an annual basis from each AP such as an organogram, staff training records, information about local geography, material relating to purposeful activities on offer and the resident profile. All of this important information will help us to build up a picture of an AP. Our inspectors would review this evidence in advance and then spend up to two days at the AP talking to residents and staff, observing how the AP functions including mealtimes, handovers, the delivery of key work and rehabilitative activity, and reviewing records and documentation. To get as full a picture of the AP as possible, we think it is important that we observe the AP during the evening as well as during the day. To reach our judgements we will consider all of the evidence that we have seen, that provided in advance and evidence gathered during the AP visit.

**8.3** We propose to undertake inspections of APs as unannounced inspections. This means that the AP will not know that we were coming to inspect them until the day of the inspection. The residential nature of APs means that there is huge importance in inspectors seeing how APs operate as normal on a day-to-day basis without this being adjusted in any way because an inspection is happening. Our teams will be small and the inspections short; both factors that lend themselves to minimal disruption from inspection, making unannounced inspection a feasible option. Unannounced inspections have the added benefit of removing any lead-in period which can be a nervous time for AP staff. Unannounced inspections will also discourage APs from undertaking inspection preparation at the expense of delivering the service.

**8.4** Where an AP is awarded an 'Outstanding' or 'Good' overall rating we would not undertake any further monitoring or follow up. Instead, the AP would fall into our routine risk profiling process and the next inspection for that AP would be determined by our standard risk and random approach. Where we are concerned by our findings, for instance if the AP is awarded an overall rating of 'Requires Improvement' or 'Inadequate', there will be an assurance process. We propose that there will be two layers to this. The first would be contact, after an appropriate time period following the inspection, between the HM Inspector and the AP to enable the HM Inspector to be assured that the necessary improvement actions have been taken. The second would be contact between the senior manager responsible for the AP inspection programme and HMPPS to ensure that senior leaders are appropriately driving improvements.

*Question 10 - How soon after an inspection should we expect to see improvement action taken?*

*Question 11 - Should our inspections be unannounced? If not, why not?*

## 9. Reporting and Recommendations

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**9.1** In our inspection of probation regions, probation delivery units and youth justice services, we publish our findings and ratings. Other inspectorates and regulators also do so. This enables the public to have a clear understanding of the performance of their local school, hospital, GP surgery or prison for instance, as well as setting out the underlying reasons for findings and the actions that need to be taken to improve. There is political and public interest in the performance of APs and it is expected that the public and stakeholders would want to know about the judgements that we make. We want to be transparent about our findings; we will share headline findings with the AP at the earliest opportunity and we will provide post-inspection activity to support learning.

**9.2** We plan to publish a short report for each AP that we inspect. This will include the rating that we have awarded the AP for each standard as well as the overall rating. It would explain the rating and outline the evidence that supports our judgements. The report would also include a number of recommendations for the AP and HMPPS to implement. This is all in the public interest. However, we acknowledge that as community-based residential establishments managing significant risks, the identification of APs and publication of inspection findings could be detrimental to individual APs. We may need to consider alternative ways of reporting our findings. For instance, by publishing an annual summary report. There is a balance to be achieved here between full transparency of our findings and ratings, and managing any risks to publishing these, such as negative reactions from the local community. We are interested to hear views.

*Question 12 - What are the benefits and drawbacks of publishing a report and recommendations for each AP?*

*Question 13 - What are the alternatives to publishing a report and recommendations for each AP?*



## 10. Impact assessment

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### Regulatory

**10.1** The quality of AP delivery is important for all and we believe that our proposals will help to drive improvements in service delivery where they are needed. Our inspections will provide the necessary independent oversight and will set clear standards exemplifying what good AP delivery looks like, helping to focus attention.

**10.2** The introduction of an inspection regime to APs will require only limited activity on the part of the AP. The information in advance that we need will come largely from the HMPPS performance hub and the evidence we need from APs is information they should already hold, such as handover documents, records of searches, and staff training information. There will be some disruption during our visit to the AP but this will be minimal and should not interfere with the day-to-day activities of the AP. We think the inspection activity that we are proposing is appropriate and proportionate.

**10.3** We have seen in other areas how an overall rating for a service can drive improvements. The inclusion of ratings at the standard level will also enable APs to see clearly where they are performing well and where they can improve, and so improve the quality of service and future overall ratings.

### Equalities

**10.4** The proposed standards highlight the need for a personalised and responsive approach to service delivery and the importance of effective relationships between residents and staff. In the delivery of services, we require APs to consider factors relating to equity, diversity and inclusion. The standards framework will be supported by inspection guidance documents, which will include material relating to specific sub-groups and protected characteristics. We will also use this data to inform the consideration of thematic inspection options.

## 11. Summary of questions

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*Question 1 – Should HM Inspectorate of Probation inspect APs?*

*Question 2 - Is our overall focus on protecting the public and promoting rehabilitation in a safe environment the right approach to take?*

*Question 3 - Is it right that we focus on delivering in a safe and decent environment?*

*Question 4 - Does the standards framework cover the key areas that contribute to the effective service delivery of an AP? If not, what is missing?*

*Question 5 - Are any of the proposed prompts insufficiently linked to effective service delivery? If so, which ones?*

*Question 6 - Are any of the proposed prompts insufficiently precise? If so, which ones?*

*Question 7 - Should any parts of the standards framework be weighted more heavily within the ratings system? If so, which parts?*

*Question 8 - Is there anything in our proposed standards or the way we suggest we will rate APs that you think could lead to undesirable behaviours, outputs, or outcomes? If so, please tell us.*

*Question 9 - Does the way we are proposing to rate APs make sense. Is it fair?*

*Question 10 - How soon after an inspection should we expect to see improvement action taken?*

*Question 11 - Should our inspections be unannounced?*

*Question 12 - What are the benefits and drawbacks of publishing a report and recommendations for each AP?*

*Question 13 - What are the alternatives to publishing a report and recommendations for each AP?*

## 12. Next steps

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**12.1** The consultation process will run until **23:59 on 21 July 2024**. We will then consider all responses carefully before deciding on our approach and we will develop our inspection framework and supporting guidance accordingly. We will pilot our standards and approach from October 2024. We will continue to work with services and stakeholders to keep our inspection standards relevant, comprehensive and up to date.

## 13. How to respond

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**13.1** The deadline for responses is **23:59 on 21 July 2024**.

Please email responses to [helen.mercer@hmiprobation.gov.uk](mailto:helen.mercer@hmiprobation.gov.uk)

**13.2** You can also send any questions you may have to that email address, and we will endeavour to respond as soon as we can. Alternatively, if you would like to discuss any part of the consultation, please email Helen Mercer ([helen.mercer@hmiprobation.gov.uk](mailto:helen.mercer@hmiprobation.gov.uk)) to arrange a time to do so.

**13.3** As part of your response, please ensure that:

- you state clearly who the submission is from. For example, from an individual in a personal capacity or sent on behalf of an organisation.
- you include a brief description of yourself/your organisation.
- you state clearly if you wish your submission to be confidential and/or you do not want to be contacted with follow-up enquiries (see confidentiality statement below).

### Confidentiality statement

**13.4** The information you send HM Inspectorate of Probation may be published in full or in a summary of responses. All information in responses, including personal information, may be subject to publication or disclosure in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000, the Data Protection Act 1998 and the Environmental Information Regulations 2004).

**13.5** If you want your response to remain confidential, you should explain why confidentiality is necessary and your request will be acceded to only if it is appropriate in the circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding.

## Annex A

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### Proposed standards for Inspection of Approved Premises

#### Leadership and Governance

##### 1. Leadership and governance drive the delivery of a high-quality service.

###### 1.1 Do leaders drive the effective delivery of high-quality services for all residents?

- a) Is there an appropriate vision, setting out how high-quality provision will be delivered to residents?
- b) Are staff engaged, motivated, and proud to work for the AP?
- c) Does the AP's culture promote openness, constructive challenge, and ideas?
- d) Do leaders collaborate sufficiently with local communities to utilise opportunities for residents?
- e) Are there appropriate arrangements in place to deliver high-quality provision to residents?
- f) Are risks to delivery understood sufficiently, with appropriate mitigations and controls in place?

###### 1.2 Do leaders use analysis, evidence, and learning to drive the effective delivery of high-quality services for all residents?

- a) Are the views of residents and other key stakeholders actively sought, analysed, and used to review and improve the service provided?
- b) Where necessary, is action taken promptly and appropriately in response to performance monitoring, audit, or inspection?
- c) Is a culture of learning and continuous improvement promoted actively?
- d) Do leaders understand, respond, and utilise equity, diversity and inclusion (EDI) information in delivery arrangements?

#### Staffing

##### 2. Staff are enabled to deliver a high-quality service.

###### 2.1 Does staffing support the delivery of a high-quality service for all residents?

- a) Is there always a suitable number of staff on duty?
- b) Are staff competent in their roles?
- c) Do staff have sufficient capacity to deliver their roles effectively?
- d) Does the workforce understand the diversity needs of residents?
- e) Are there effective relationships between staff and residents?
- f) Are arrangements in place to ensure that staff safety and wellbeing is prioritised for effective service delivery?

###### 2.2 Do staff management and support arrangements drive the delivery of a high-quality service for residents?

- a) Is an effective induction programme delivered to new staff?
- b) Do staff receive effective supervision and appraisal that enhances the quality of work with residents?

- c) Are workloads managed actively, with resources being redeployed, when this is reasonable and necessary, in response to pressures?
- d) Are there effective management oversight arrangements that enhance and sustain the quality of work with residents?
- e) Is poor staff performance identified and addressed?

## Safety

### 3. The AP provides a safe, healthy, and dignified environment for staff and residents.

#### 3.1 Do AP systems and practices provide a safe, healthy, and dignified environment for staff and residents?

- a) Are sufficient arrangements in place to identify and support residents who are at risk of suicide or self-harm?
- b) Is prescribed medication, including controlled drugs, securely stored and effectively administered in accordance with a safe system of work?
- c) Do staff fully understand and appropriately action safeguarding concerns regarding residents?
- d) Are behaviour management arrangements in place that are implemented and fully understood by residents?
- e) Are warnings used appropriately to residents, including the enforcement of AP rules?
- f) Is there sufficient and appropriate recorded observation of residents' behaviour?

#### 3.2 Do the AP's facilities provide a safe, healthy, and dignified environment for staff and residents?

- a) Are residents provided with a clean, decent, and well-maintained room?
- b) Are residents provided with a clean, decent, and well-maintained wider environment, which is in a reasonable state of repair and is fit for purpose?
- c) Are adaptations made to bedrooms to manage risk where appropriate?
- d) Are there sufficient shower and toilet facilities?
- e) Is security equipment appropriately used to capture and review incidents?

## Public Protection

### 4. The AP effectively protects the public.

#### 4.1 Does the AP deliver public protection arrangements effectively?

- a) Does the AP have active attendance at, and make contributions to, key multi-agency, risk management forums including MAPPAs?
- b) Are community engagement arrangements implemented and reviewed at appropriate intervals?
- c) Is the AP appropriately and actively involved in allocation decisions?
- d) Are appropriate enforcement decisions made and sufficiently recorded?
- e) Are required monitoring and sharing of information arrangements in place to manage risk sufficiently?

- f) Are shift handovers comprehensive and supported by written records that appropriately capture risk management information?
- g) Is drug and alcohol testing undertaken appropriately in relation to risk or safeguarding based concerns?

## Rehabilitation

### 5. The AP delivers purposeful activity to reduce reoffending.

#### 5.1 Does the AP deliver purposeful activity to reduce reoffending?

- a) Are there effective relationships and activity with the local services to enable effective rehabilitation?
- b) Are rehabilitative activities sufficient, planned, and delivered to support the reintegration of residents into the community?
- c) Do residents receive a suitable and timely induction into the AP?
- d) Are sufficient planning arrangements in place prior to arrival of residents?
- e) Do relationships between staff and residents support rehabilitative work?
- f) Is key work delivered effectively, with appropriate referrals and signposting for residents to relevant services to support reintegration into the community?
- g) Are sufficient arrangements in place to support residents to prepare for move-on from the AP?
- h) Are residents engaged in appropriate activities to meet their needs and build on their strengths?

## Annex B

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### Current Approved Premises assurance activity

Agency	Role and Scope
Prison and Probation Ombudsman (PPO)	Reactive investigation of unexpected deaths of residents whilst living in an AP.
Crown Premises Fire Safety Inspectorate	Enforcement of the Regulatory Reform Fire Safety) Order 2005, which relates to general fire precautions.
Health and Safety Executive	Reactive investigation of employee fatality or serious injury at work, assuming it meets the criteria outlined in the Reporting of Injuries Diseases and Dangerous Occurrences Regulations 2013, and their internal incident selection criteria.
HMPPS	Internal health and safety compliance checks on an annual basis. Covers residual hazards such as asbestos and legionella in addition to stress, violence and aggression, and task-based hazards.