

HM Inspectorate of Probation

1st Floor, Manchester Civil Justice Centre,
1 Bridge Street West, Manchester M3 3FX
0161 240 5336
enquiries.HMIProb@hmiprobation.gsi.gov.uk
www.justiceinspectorates.gov.uk/hmiprobation



Dear Colleague

Re: Consultation on our inspection framework and programmes

Under the Police and Criminal Justice Act 2006 we consult each year on our inspection framework and programmes. We think it right to consult not just with ministers and other inspectorates (as the Act requires) but also with those we inspect and other interested parties. We would very much welcome your views on our work programme for the year ahead, and our proposed topics for thematic inspection. We would like your views on potential research projects as well.

A summary of our plans for routine inspections

As we indicated last year in our annual consultation, and then in our corporate plan¹ and in subsequent consultations, we intend to change the way we inspect youth offending and probation services. We will begin to inspect in new ways next month, as we proposed last year.

We will increase the number of cases we inspect in each inspection, and underpin our inspections and judgements with agreed standards. We will rate each National Probation Service division, Community Rehabilitation Company and Youth Offending Team we routinely inspect. We are extending the scope of our inspections to cover almost all the regular work of probation and youth offending services. There is one exception – the offender management work the NPS undertakes in prisons.

For the first time, our lead and deputy inspectors will work in dedicated teams (NPS, CRC, YOT) rather than covering all types of inspection. In this way we intend to consolidate and increase our expertise in the work, and working arrangements in each of the three types of organisation.

We will inspect NPS divisions and CRCs annually. We cannot stretch to annual inspection of YOTs, however, and do not think that would be justifiable in any event. Instead, and as we suggested last year, we intend to determine YOTs for inspection using a risk-based approach.

We appreciate that the NPS and CRCs will want to know how these changes will sit alongside their contractual and other monitoring systems, so that everyone is clear what is expected and so that their oversight arrangements are proportionate and coherent. We are finalising with the Ministry of

¹ <https://www.justiceinspectorates.gov.uk/hmiprobation/corporate-documents/corporateplan2017-2020>

Justice a protocol that will set out our respective roles and responsibilities for probation services' oversight. We expect to publish the protocol shortly, and ahead of our first new inspections.

The way YOTs are overseen is changing as the role of the Youth Justice Board develops. We are now liaising with the Ministry of Justice and the Youth Justice Board, with the aim of developing and publishing a protocol setting out our prospective roles.

We intend to publish shortly on our website our inspection standards, ratings descriptors and the case assessment guidance our inspectors will use on inspection, together with a summary of how we will inspect and how we will rate organisations we inspect. Together these documents will enable all those to be inspected to know what to expect, and how we intend to do things.

The detail

Units of inspection

We are changing our unit of probation service inspection, as we proposed in last year's consultation. As from April 2018 we will inspect by CRC, and by NPS division. The piloting and testing we have done demonstrate that we can move to valid and workable arrangements for inspection of CRC and NPS divisions, and we believe that inspection at this level is more likely to deliver more benefits, rather than inspecting by Police and Crime Commissioner area, as now.

We will continue to inspect individual YOTs. We are not changing the unit of inspection for youth offending services.

Underpinning standards

Over the last year we have worked with YOTs, the NPS, CRCs and others to develop inspection standards that will underpin our inspections. The emerging draft standards have been very well received, with little suggested by way of change in response to our recent consultations on them. We will underpin all our routine inspections with these standards from April 2018 onwards.

Our standards are ordered into domains, with Domain 1 relating to the way organisations are led and managed, and two further domains relating to the quality of work produced by the organisation.

The NPS and CRCs do similar work in many respects, and those common elements are covered in Domain 2 of our standards. They also have individual areas of responsibility – for example, the NPS has responsibility for advising courts on sentence, and the CRCs for delivering Unpaid Work. These differing responsibilities are covered in Domain 3 standards, tailored to each organisation.

NPS Offender Management in prisons is not yet included in Domain 3. The way that work is done is changing fundamentally, and we will wait for things to settle over the year ahead, before we set standards for it and decide in conjunction with our colleagues in HMI Prisons, how best to inspect against those standards.

In recent years we have seen an increased emphasis on out of court disposals as well as core statutory work to implement orders of the court, reduce reoffending and protect the public, in YOTs. Our YOT standards cover out of court disposal work, and we will extend our YOT inspections to cover out of court work from April onwards.

We will keep our standards under review. We will be transparent and open about any minor changes we make to our inspection standards, and consult key stakeholders on any more significant changes we propose.

Rating

We will produce an overall rating (supported by underpinning ratings) for each YOT, NPS division and CRC we routinely inspect². We will be using a four-point ratings scale: Outstanding; Good, Requires Improvement; Inadequate. We consulted last year on how we intend to calculate ratings, and our proposals were well received. We intend to rate YOTs, NPS divisions and CRCs as we proposed in our consultation.

We anticipate that once established, HMI Probation ratings will provide a prime measure of the quality of probation services, to complement other outcome measures.

Inspection case samples

As we proposed last year, we are increasing the number of cases we inspect. We will generally aim for an 80% confidence level for assessment of Domain 2 standards and a similar level of overall confidence for Domain 3. In those areas in Domain 3 where we consider that case assessment alone is not a sufficiently valid or feasible method of assessment, we will be using a combination of case assessment and other methods, such as interview and data analysis.

We expect to inspect between 100 and 150 cases in Domain 2 assessment, depending on the size of the NPS division/CRC.

In inspecting YOTs we will be adopting the same approach. We expect to inspect between 10 and 120 cases depending on the size of the YOT.

Frequency of inspection

As formerly proposed³, we will inspect each NPS division and CRC annually, starting in April 2018. Rather than being inspected in part several times a year, as is generally the case now, NPS divisions and CRCs will each be inspected comprehensively once a year.

YOTs are smaller entities, with (inevitably) a longer track record of delivery than the NPS or CRCs. We do not think it proportionate or affordable to inspect individual YOTs annually. Instead, and as formerly proposed, we intend to adopt a risk-based approach. We propose the following criteria in order to assess risk and therefore determine YOTs for inspection:

1. The volume and nature of the organisation's caseload
2. Previous inspection results
3. Data and information on performance
4. Intelligence received from any source
5. Time elapsed since last inspection

² Ratings will not be calculated and applied on thematic inspections

³ <https://www.justiceinspectorates.gov.uk/hmiprobation/about-hmi-probation/consultations/>

Consultation questions – youth justice inspections

1. We welcome views on the criteria we propose to select YOTs for inspection.

Thematic inspections for 2017-2018

We do not propose any changes to the factors we consider as we select topics:

1. Potential impact of our findings
2. Significant changes to policy, service delivery or caseloads
3. Risks to public protection
4. Findings from other inspections
5. Intelligence received from any source
6. Time elapsed since last inspection
7. Estimated resource requirements
8. Ministerial and other key stakeholder interests

Applying these factors, we intend to conduct (jointly with others where appropriate) thematic inspections on the following topics:

- Sex offenders
- Domestic violence

We are also considering the following topics:

- Integrated offender management
- Post sentence supervision
- Mental health (adult)
- Extremism

Consultation questions – thematic inspections

2. We welcome views on our proposed topics for thematic inspections.

The balance of inspection

We expect to undertake up to 28 adult probation inspections over the course of the financial year. They will be a priority, and will rightly take up most of our resource. Having focused on thematic inspections for youth offending services last year, we will now commence routine YOT inspections, and plan to conduct up to 30 inspections over the course of the year. Together, routine youth offending and probation service inspections are likely to take up about eighty per cent of our resource.

Having increased the proportion of inspection hours devoted to thematic inspection last year, we intend to maintain the impetus and to conduct up to eight thematic inspections this year. We believe thematic inspection is particularly useful in showing, for example, how key initiatives are working or current issues addressed. Thematic inspections vary in their resource requirements,

depending on the topics and scope decided, but we estimate they will take up about ten per cent of our resource.

We propose to continue with our work in Joint Targeted Area Inspections, working with Ofsted, HMICFRS and CQC. We also intend to continue joint work with HMI Prisons on Prison Offender Management Inspections, and to conduct joint criminal justice inspectorate inspections, as decided. We also intend to pilot a new approach to inspecting youth resettlement this year, taking us into the youth juvenile estate for the first time. We estimate that together, these types of inspection will take up about ten per cent of our resource.

We would welcome your views on or proposals for the balance of inspection work for the year ahead.

Consultation questions – balance of inspection

3. We welcome views on our proposals for the balance of inspection work.

Research

We are committed to reviewing, developing and promoting the evidence-base for high-quality probation and youth offending services. We are strengthening our internal research function, and will seek to actively engage with the wider research community, identifying opportunities for collaboration. To assist with our prioritisation of research projects, we welcome suggestions for those areas where we need to fill evidence gaps or strengthen the evidence-base.

Consultation questions – research

4. We welcome views on potential research projects.

Finally, I should say that we wish to retain and develop the scope for changing priorities over the course of the year. We appreciate that Ministers may wish us to conduct specific pieces of work at any one time or in response to an unanticipated event, and we will wish to respond in any event to risks as we see them.

We would very much appreciate your views by Monday 16 April 2018. Please direct any queries and your responses to Kevin Ball at Kevin.Ball@hmiprobation.gsi.gov.uk

Yours sincerely,



Dame Glenys Stacey
HM Chief Inspector of Probation