

HM Inspectorate of Probation



Plan 2004 – 2005

April 2004

“Quietly Improving Quality” –
HOW HMI PROBATION PLANS in 2004 – 2005
To Help Improve Effectiveness in the Criminal Justice System

PART ONE: Our approach

Context:

This may be the last full year of business for HMI Probation in our present form, at a time when HM Prison Service and the National Probation Service are embarking on a process of ‘Metamorphosis’ towards a National Offender Management Service (NOMS). This process is in turn taking place in the context of wider plans to develop a more ‘joined-up’ Criminal Justice System (CJS). Alongside this, the government has specific ideas about how the inspection of public services should evolve. Accordingly, we in HMI Probation need to have a plan both for our current year’s programme of work and in order to prepare for a significantly different future.

The CJS in the future:

We first need to visualise how NOMS and the wider CJS might look, so that our planning of future inspections can be appropriate to it. Among the range of recent strategic planning documents, both the Home Office Strategic Plan for the Criminal Justice System (February 2004) and the Carter report (December 2003) identify the importance of integrating the management of offenders through their sentences. This should apply to both community and custodial sentences, and to sentences that are a mixture of both (as will increasingly be prevalent).

The central importance of case management:

Case management of offenders will therefore be part of the bedrock of the future NOMS, providing a foundation for supervision that is effective in terms of enforcing the sentence, making offenders less likely to reoffend and to minimise risk of harm to the public. Meanwhile, case management of young people (not always formally convicted offenders) will also continue to be part of the bedrock of practice by Youth Offending Teams (YOTs).

In our view, at the heart of effective case management will be the ability of the case manager to engage skilfully with the offender or young person. This not only secures compliance with sentence enforcement but also helps the offender or young person to make use of all the learning from the sentence to change their former behaviour.

Therefore there is clearly a need to be able both to assess and to improve the quality of case management by the NPS and YOTs now - and by NOMS and YOTs in the future. We believe that HMI Probation has a key contribution to make to both these tasks, as we outline further below.

The Inspectorate role:

Our contribution to service improvement is entirely in tune with the government's stated expectations of how public service inspectorates should work, contained in a Policy document in July 2003. Our developing practice will be informed by all ten of the Principles set out in that document, but in accordance with the first of these we therefore take this opportunity to commit ourselves to the aim that:

our inspections will not only measure the performance of our respondent organisations fairly and accurately, but will also maximise the likelihood of performance improvement.

The wording of this aim acknowledges the fact that if a respondent organisation (Probation area or YOT) improves its performance following an inspection the achievement belongs to that organisation. An Inspectorate cannot make performance improvement happen, but it can 'maximise the likelihood' of it happening. It does that through its own quality of engagement with the respondent organisation – in our case the NPS and YOTs. This has implications both for our inspection methodologies and for the interpersonal and communication skills of the staff who implement them.

Just as the heart of effective supervision of offenders and young people is the quality of engagement by case manager with offender, the heart of effective inspection of that work is the quality of engagement by inspector with the case managers and other people from the respondent organisation.

Our evolving methodology:

We believe that we are well placed as an organisation and in the methodology we employ to adapt to the future world under NOMS.

Our current methodologies for the Effective Supervision Inspection (ESI) and YOT programme and their related thematic inspections focus on what is actually delivered to offenders and young people under supervision. We measure the quality of assessments, interventions, and initial outcomes as a proxy variable for effectiveness. To do so we therefore seek evidence of how well each case is managed in terms of enforcement, likelihood of reoffending and risk of harm.

This methodology is currently employed on community sentences, and with licences following some custodial sentences, and also with the supervision of other young people by YOTs. But the same principles can be employed to assess the quality of integrated case-management of offenders serving almost all kinds of community and custodial sentences.

The strength of the methodology is that it focuses on services as delivered to the users by the NPS itself, or by YOTs, or by any of their contracted providers. We keep to a minimum our assessment of performance factors which are already comprehensively monitored within the organisation, and we

only seek to arrive at findings re quality of management insofar as they relate closely to the quality of supervision.

We therefore plan to retain and improve our existing methodologies, but also to develop them so that they align as appropriately as possible to the developing NOMS and to the wider CJS. By this we mean that although the NPS (NOMS in the future) and YOTs are our core subject area, we are also becoming increasingly committed to inspecting their work in the wider context of the Criminal Justice System as a whole. We will assess their effectiveness not only as organisations in their own right, but as contributors to the overall effectiveness of the CJS.

Hence, in order to prepare for our working in a context with much wider horizons than hitherto, it will be essential that we develop methodologies for undertaking joint inspection work with the other CJS inspectorates. We will look to the Joint Inspection Secretariat to support this work, and on our part we are making a specific resource allocation for joint CJS inspections, as outlined in Part Two.

Furthermore we expect to work increasingly closely with HMI Prisons, to prepare for our prospective shared future. We will establish joint plans with our HMI Prisons colleagues to take this work forward.

Our inspection criteria:

We aim for a shared understanding by all parties about 'what success looks like' in terms of good quality case management, and the specific details of how it will be measured. This is conveyed by means of our Criteria for our ESI inspections, which are published on our website. All our other inspections also have criteria, which are set out in open and transparent documents.

Our inspection criteria have two key aims:

- In the short-term, to provide the basis by which each inspection defines what it is looking for
- In the long-term, to provide a definition of quality (a definition of 'what success looks like') that our service delivery organisations can then look to, so that they know what they are aiming for. It is important that these definitions are maintained with reasonable consistency over a good length of time, because it takes time for an organisation to aim for them and achieve them.

Our overall approach:

Based on this thinking, we believe that our inspections can and will make an identifiable contribution to steady long-term improvement in front-line practice with offenders and young people. We will therefore:

- provide, by means of our inspection criteria, a clear and consistent definition of what good quality case management of offenders and young people looks like.

- measure, fairly and accurately the performance of each Probation area and YOT in achieving this, and
- both encourage and enable self-assessment by those organisations against our definition.

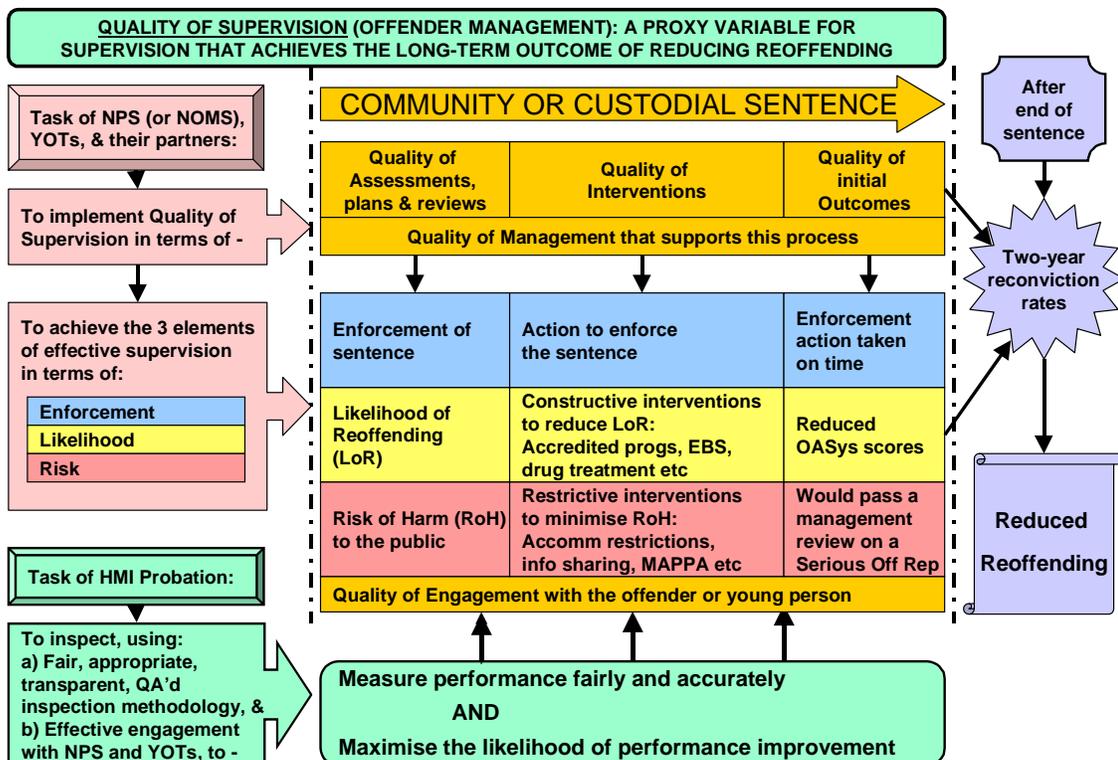
By repeating such assessments, it will be possible both for us, and for the organisations themselves, to track improvements or otherwise in their performance over time. By paying attention to the way we engage with respondent organisations we aim to maximise the likelihood of them 'coming with us' down the path of pursuing steady continuous improvement in the quality of their management of offenders and young people.

With this approach, what we therefore do is:

- Help to Improve ...** By maximising the likelihood of respondents 'coming with us' to pursue steady continuous improvement
- ... Effectiveness ...** As measured by our scores for Quality of supervision
- ... (in the) ...** The NPS/NOMS and YOTs not only in their own right, but as contributors to the overall effectiveness of the whole CJS.
- ... Criminal Justice System**

This is a long-term approach, which can be described as "Quietly Improving Quality"

Chart 1: How HMI Probation contributes to improving Quality of supervision



PART TWO: Our plan of work 2004 – 2005

It is therefore clear that our needs for the year ahead are to keep our core work on the road, to ensure that we are promoting joint inspection practice, and to prepare for our future world.

Accordingly, our work for the coming year has three themes:

- **1. Mainstream work:** Implementing on time and to a good standard our schedule of inspections of the NPS and YOTs, and other mainstream duties; this includes a range of certain 'joint inspectorate' work
- **2. Joint CJS inspections:** Undertaking inspections jointly with one or more of the other CJS Inspectorates, especially HMI Prisons, using the resources that we have specifically allocated for this purpose
- **3. The 'Change programme':** Planning positively for the future. Part of this is working jointly with HMI Prisons, in a process led by Anne Owers, to plan a proposed design for the inspection arrangements for the future world of a NOMS. The other part is liaising closely with the developing NOMS, both centrally and in the regions, to ensure that our planning continues to be appropriate for that future world.

Most of our resources are our people, and broadly speaking they can be divided into three: Inspection staff, support service staff, and managers. For us as an Inspectorate, the first group is our 'front line' - the people who go out and directly deliver our service. Our projections are that for the year ahead our Inspection staff can provide in total about 35,000 'deployable hours' of service. This means that after deducting from their total contracted hours a number for what we call various 'overhead' activities we have this number of hours (35,000) to deploy directly towards our planned activities for the coming year. We are projecting an allocation of these hours to each of the inspection programmes and other related work under the first two themes.

Each of these inspections and other work programmes will be managed by a named Assistant Chief Inspector – either Liz Calderbank, John Hutchings or Alan MacDonald. Support services for each programme (including information and ICT support) will be managed by Peter Ramell, who will also support the task of Andrew Bridges to lead the business management of HMI Probation as a whole.

1. Mainstream work:

We have scheduled a wide range of mainstream inspections for the coming year. It should be noted that some of these are inspections that we undertake jointly with other regulatory bodies, but with the special exception of the YOT programme they do not fit our definition of 'Joint CJS inspections.' To each

programme we have allocated a projected number of deployable hours by our Inspection staff, and a responsible lead Assistant Chief Inspector.

- **1. Youth Offending Team (YOT) inspection programme:** We are the lead Inspectorate among nine regulatory bodies that embarked in July 2003 on an innovative and complex programme to inspect all of the 155 YOTs in England and Wales over a five-year period. The first phase of the programme, to establish benchmarks, is nearly complete. The second phase, currently being designed to complement the programmes of Ofsted and the Audit Commission, will start in September 2004, and proceed at a greatly increased pace. Hence although we have only scheduled four inspections during the first four months of the year we expect to visit 18 YOTs from September 2004 to March 2005, making 22 visits in the year altogether. Despite the labour intensive nature of the methodology, this pace means that 30 could be completed in a full 12-month period. We have therefore allocated 11,250 hours to this work, plus the capacity to purchase certain work externally, and the whole programme will be led by Liz Calderbank.
- **2. Effective Supervision Inspection (ESI) core programme:** Over a three-year period that started in June 2003, we are inspecting the quality of supervision delivered to offenders by all 42 areas of the NPS. The design and Criteria for the ESI programme are available on our website, where it can be seen that the methodology is quite labour intensive. In 2004/5 we are scheduled to visit 15 Probation areas: West Midlands, Norfolk, Suffolk, Greater Manchester, Merseyside, Cumbria, Northumbria, Gloucestershire, Wiltshire, Dyfed-Powys, North Wales, North Yorkshire, West Yorkshire, South Yorkshire, and Lincolnshire. There will also be the occasional follow-up inspection where the need arises. We have allocated 8,750 hours to this work, which will be led by John Hutchings.
- **3. ESI Thematics:** While visiting each of the 15 Probation areas listed above, we will also collect evidence for a scheduled Thematic inspection. For the first seven of these areas the inspection will be on racially motivated offenders. For 2004/5 as a whole we expect to complete two ESI Thematics in all, and we have allocated 2,250 hours to this work, which will be led by Alan MacDonald.
- **4. Other Thematic inspections:** One of the effects of our changing focus is that we will be doing fewer 'stand-alone' thematic inspections than in the past, but we have allocated the resource to undertake one in the year ahead. Alongside this, we are already committed to contribute to a joint review to follow up the earlier Children's Safeguards review led by SSI. We are allocating 2,000 hours for these pieces of work, which will be led by Alan MacDonald.

- **5. Supporting People:** HMI Probation is a contracted partner to the Audit Commission's programme of inspections of the new Supporting People arrangements managed by some 150 responsible local authorities. Our contribution is to focus on how effective the partners are in each area in meeting the housing needs of offenders. The schedule is rigorous but not labour intensive. We have been recently advised that the AC plans to increase the pace from 30 to 40 inspections in the coming year. Accordingly we have allocated 1,800 hours plus some financial resources to this work, which will be led by Alan MacDonald.
- **6. Northern Ireland:** We have been invited to contribute to the first year of inspection work planned by the Criminal Justice Inspectorate in Northern Ireland. We have allocated 600 hours to this work, which will be led by John Hutchings.
- **7. Isle of Man:** We have been invited to undertake an inspection of the probation service on the Isle of Man, which is scheduled for May 2004. We have allocated 350 hours for this work, which will be led by John Hutchings.
- **8. Quality Assurance and Validation:** This covers two needs:
 - Validation of NPS data – so that there is an element of independent analysis of NPS performance information.
 - QA of our own methodology – so that we can review and improve how we work, being accountable for our standards of practice and be able to respond properly to challenge.
 We have allocated 2,000 hours to this work, which will be led by Alan MacDonald.
- **9. Investigations and other work:** Periodically, we are asked to undertake investigations and other one-off inquiries. By definition it is not possible to plan this work at the beginning of the year, but for these and other contingencies we have allocated 2,000 hours, and the lead person for each task will be allocated as it arises.

Allocations from the Travel and Subsistence budget will also be made to each of the items above so that costs can be monitored against projections.

2. Joint CJS Inspections

During the year ahead, we plan to undertake a number of inspections jointly with one or more of the other CJS Inspectorates. The specific plans for such work will arise from planning undertaken under the auspices of the Criminal Justice Chief Inspectors' Group (CGJIG). Special attention will be given to opportunities to work jointly with HMI Prisons, and we will also use this year to learn more about each other's work as part of our third theme (see below).

Prospective Joint CJS inspections for the coming year to date include on Resettlement with HMI Prisons, on Public Protection and at least one joint area inspection. Other plans are currently under discussion.

We have specifically allocated for Joint CJS Inspection work, which will be led by Alan MacDonald, a total of 4,000 deployable hours for 2004/5.

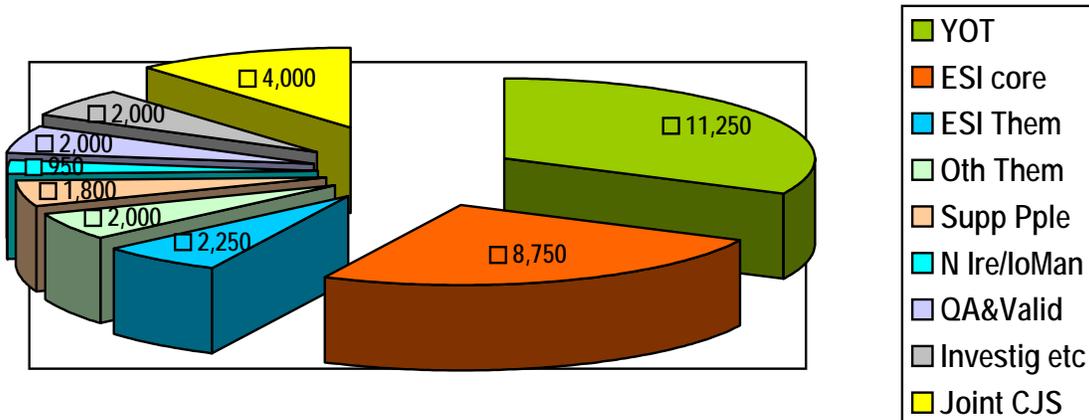
3. The ‘Change programme’:

We have been asked by Ministers to work jointly with HMI Prisons, in a process led by Anne Owers, to plan a proposed design for the inspection arrangements for the future world of a National Offender Management Service. This work will be the subject of a separate planning process undertaken by the two Inspectorates together.

As an integral part of this work, we will also need to maintain good quality liaison with the developing NOMS, both centrally and in the regions, so that we can be sure that our planning continues to be appropriate for the future world that NOMS brings.

For us, this theme will not require a specific allocation of hours by Inspection staff, as most of our work will be done by the managers together with our support service staff. Accordingly Andrew Bridges will lead, with Peter Ramell leading on the support service dimension of the task.

Chart 2: Projection of how our budget of 35,000 Inspector and Inspection Officer hours will be spent:



Staffing:

We are re-profiling both the establishment and the skillset of our Inspection and management staff in the coming year. Our YOT and ESI programmes are labour intensive, for sound reasons, with a heavy emphasis on detailed assessment of the case management practice experienced by identified samples of offenders and young people in each Probation area or YOT that we visit. We therefore need a small group of Inspection staff who specialise in assessing practice, and who have demonstrated their ability to do this

consistently well. Accordingly, during the course of the year we will recruit up to six Practice Assessors, whose main duties will be to assess the quality of case management practice in individual cases under our main two area inspection programmes. Recruitment for these posts will mainly depend on the nature of staff turnover during the year.

However, we still need the great majority of our Inspection staff to have maximum flexibility of deployment, and so we have already resolved to move towards a position whereby all the remaining Inspection posts will be for HM Inspectors. This will also allow for maximum flexibility of deployment during the probable period of organisational change in 2005/6. The programme for this reprofiling of our establishment is already under way.

The other change in our establishment, which we have already made, is that when, on the departure of Rod Morgan, Andrew Bridges becomes Chief Inspector, we will not be filling the Deputy Chief post. The money is being redeployed into the front-line Inspection establishment, as part of the process outlined above. This will make us better resourced to undertake the demanding programme already outlined, notably for the increased pace of the YOT inspections scheduled to start from September 2004.

As for our skillset, we are positive without being complacent. We have said that our Inspection staff have to be skilful at both:

- Measuring accurately, on the basis of a fair assessment of the evidence, and
- Engaging well with the respondent, to maximise the likelihood of enabling performance improvement

We will review our practice, and ensure that our Inspection and management staff continue to develop their skills in both these areas.

But this is in fact relevant to our support service staff too. Every member of HMI Probation staff can have an impact on the organisations we inspect by behaving constructively and by the quality of the way we engage with them. Hence we will place a high importance on the interpersonal and influencing abilities of all our staff.

Our support services staff include colleagues who are also skilled at administration, information and ICT management, finance, publications and other relevant areas. Our plan for the coming year is that they will continue to be located as they are now, with the majority in our new Manchester premises in Trafford House. Peter Ramell will manage the overall profile of the service they provide, and also aim to meet any identified collective skill development needs.

We will aim to integrate the best principles of diversity into the management of our staff, as well as into our inspection practice.

When facing the prospect of major organisational change people will naturally have concerns. Our aim is that all our staff will be able to experience that we are delivering our programme of work effectively during the coming year, and are preparing positively for the future too. That is the best platform that we can

have, both collectively and individually, for making a success of ourselves in that future world.

Summary

By the end of March 2005, we will have:

- a) Completed our schedule of inspections, including a number of Joint CJS inspections, on time, to budget and to a good standard,
- b) Jointly with HMI Prisons, proposed new inspection arrangements for the future world of the NOMS, and prepared positively for the necessary organisational changes

In doing so, we will have both maintained and developed our continuing long-term contribution to improving effective work with offenders and young people.

Appendices (reference material):

Our statutory role:

HM Inspectorate of Probation (HMI Probation) is an independent Inspectorate, originally established in 1936 and given statutory authority in the Criminal Justice Act 1991. The Criminal Justice and Court Services Act 2000 formally renamed HMI Probation 'Her Majesty's Inspectorate of the National Probation Service for England and Wales'. HMI Probation is funded by the Home Office and reports directly to the Home Secretary. It is a fundamental principle that the Inspectorate retains its independence from both the policy making and operational functions of the National Probation Service for England and Wales.

HMI Probation's purpose is to:

- report to the Home Secretary on the extent to which the National Probation Service for England and Wales is fulfilling its statutory duties, contributing to the achievement of Home Office and Criminal Justice Aims and meeting performance and efficiency targets as required.
- demonstrate that inspections contribute to improved performance in the National Probation Service and Youth Justice Teams.
- contribute to sound policy and effective service delivery by providing advice and disseminating good practice, based on inspection findings, to Ministers, Home Office, the YJB, and National Probation Service staff and probation boards/areas.
- promote actively race equality and wider diversity issues in the National Probation Service and in Youth Offending Teams.
- promote the overall effectiveness of the Criminal Justice System.

Hence our work aims to contribute to the current Home Office strategic plan, and to its plans to improve the way in which offenders are managed. The relevant extracts follow:

Extracts from Home Office Strategic Plan 2004 - 2008

The purpose of the Home Office: Our purpose is to build trust and security by promoting active citizenship and cohesive communities and by effective enforcement of our laws and borders ...

OBJECTIVES

- *People are and feel more secure in their homes and daily lives*
- *More offenders are caught, punished and stop offending*
- *Fewer people's lives are ruined by drugs ...*
- *... Communities and the voluntary sector are more fully engaged in tackling social problems, and there is more equality of opportunity and respect for people of all races and religions ...*

For each of these objectives the Plan sets out a limited number of key outcomes on which we will focus and which will be the measure of our success. Among these we propose ... PSA targets on:

- *reducing crime overall and by more in high crime areas;*
- *increasing the number of offences brought to justice;*
- *reducing the fear of crime and building confidence in the Criminal Justice System;*
- *increasing the number of problematic drug users in effective treatment ...*

To achieve these objectives we will make ... major reforms by 2008

Streamlining our relationships with key local areas so that they are based on agreed priorities, transparency of results, earned autonomy and targeted intervention ...

... Establishing an end-to-end case management system in all high crime areas which directs problematic drug users into treatment ...

Extracts from *Reducing Crime – Changing Lives*, the Government’s response to the Carter report:

A new approach is needed to ensure offenders are punished for their crimes, the public is protected and the appropriate help is available to reduce re-offending. This will ensure the system is focused on the ultimate goals of reducing crime and maintaining public confidence.

We agree with this vision which is entirely consistent with the reform programme we have been pursuing and the new sentencing framework created by the Criminal Justice Act ...

A New Approach to Managing Offenders

A National Offender Management Service should be established, led by a single Chief Executive, with a clear objective to punish offenders and help reduce re-offending. Within the service there should be a single person responsible for offenders. This would be separate from day-to-day responsibility for prisons and probation. This new structure would break down the silos of the services. It would ensure the end-to-end management of offenders, regardless of whether they were given a custodial or community sentence ...

... We will from 1st June this year introduce a new National Offender Management Service (NOMS) with responsibility for both punishing offenders and reducing offending. The new service will provide end-to-end-management of offenders, regardless of whether they are serving their sentences in prison, the community or both.

Government’s Policy on Inspection in the Public Service

HMI Probation has also taken note of the Government’s ten principles of inspection which place expectations on inspection providers and on the departments sponsoring them. We give account of our approach to them as below.

1. **The purpose of improvement.** *There should be an explicit concern on the part of inspectors to contribute to the improvement of the service being inspected. This should guide the focus, method, reporting and follow-up of inspection. In framing recommendations, an inspector should recognise good performance and*

address any failure appropriately. Inspection should aim to generate data and intelligence that enable departments more quickly to calibrate the progress of reform in their sectors and make appropriate adjustments.

We aim to achieve this, not only by measuring fairly against open criteria, but also by our commitment to behaviour that 'maximises the likelihood' that respondents will come with us on the path to improving performance.

2. A **focus on outcomes**, which means considering service delivery to the end users of the services rather than concentrating on internal management arrangements.

Our whole ESI methodology focuses on what has been delivered to the offender in terms of Quality of Assessment, Interventions and initial Outcomes.

3. A **user perspective**. Inspection should be delivered with a clear focus on the experience of those for whom the service is provided, as well as on internal management arrangements. Inspection should encourage innovation and diversity and not be solely compliance-based.

A significant element within our methodology is to interview and listen to the perspective of the offender or young person, and the parents of the latter.

4. **Proportionate to risk**. Over time, inspectors should modify the extent of future inspection according to the quality of performance by the service provider. For example, good performers should undergo less inspection, so that resources are concentrated on areas of greatest risk.

We are conducting follow-up inspections only where an area or YOT falls significantly short of the required criteria.

5. Inspectors should encourage rigorous **self-assessment** by managers. Inspectors should challenge the outcomes of managers' self-assessments, take them into account in the inspection process, and provide a comparative benchmark.

We do this partly by asking managers to submit evidence in advance of the inspection, to demonstrate that they have met the required criteria. Also, the criteria published on our website enable any practitioner or manager to assess his or her own practice at any time.

6. Inspectors should use **impartial evidence**. Evidence, whether quantitative or qualitative, should be validated and credible.

Evidence has to consist of more than hearsay, and our Guidance provides a framework for decision making to enable similar evidence to be interpreted consistently, even by different inspection staff in different locations.

7. Inspectors should disclose the **criteria** they use to form judgements.

Our inspection criteria are published on our website.

8. Inspectors should be **open** about their processes, willing to take any complaints seriously, and able to demonstrate a robust quality assurance process.

Our behaviour is such that we are able to explain at the time the reasoning for the scores we have awarded, and respond to questions to that effect. We have responded to questions and concerns that have been put to us in the last year. We also take the initiative in actively reviewing aspects of our methodology, so that we can be as confident as possible that our judgements are fair and accurate.

9. *Inspection should have regard to **value for money**, their own included:*
- *Inspection looks to see that there are arrangements in place to deliver the service efficiently and effectively.*
 - *Inspection itself should be able to demonstrate it delivers benefits commensurate with its cost, including the cost to those inspected.*
 - *Inspectorates should ensure that they have the capacity to work together on cross-cutting issues, in the interests of greater cost effectiveness and reducing the burden on those inspected.*

We assess whether the interventions with each offender are proportionate both to cost and to the offender's individual need. We recognise that our methodology is (necessarily) labour intensive, and are currently assessing cost to the respondent as well as cost to ourselves. We not only undertake joint inspections with other CJ inspectorates, but we also co-ordinate our other work to avoid, for example, rapidly successive visits by ourselves and an audit body whenever possible.

10. *Inspectors should **continually learn** from experience, in order to become increasingly effective. This can be done by assessing their own impact on the service provider's ability to improve and by sharing best practice with other inspectors.*

We both monitor our own impact on our inspected bodies, and keep our own practice under regular review, both as part of our normal programme, but also in joint work with other inspectorates.

HMI Probation
5 April 2004