

MAYOR AND CABINET			
Report Title	Response to the Comments of the Safer Stronger Communities Select Committee on the performance of the National Probation Service and the Community Rehabilitation Company and concerned at the results of their recent HMIP inspection		
Key Decision	No	Item No.	
Ward	All		
Contributors	Head Of Crime Reduction and Supporting People		
Class	Part 1	Date: 21 June 2017	

1. Purpose

- 1.1 This report sets out the response to the views and comments arising from the Safer Stronger Communities Select Committee, about discussions held on the officer report entitled National Probation Service (NPS) and Community Rehabilitation Company (CRC) update in March 2017.

2. Recommendations

It is recommended that the Mayor:

- 2.1 Approve the response from the Executive Director for Community Services to the comments from the Safer Stronger Select Committee.
- 2.2 Agree that this report should be forwarded to the Safer Stronger Select Committee.

3. Background

- 3.1 The Safer Stronger Select Committee last received a report from the National Probation Service and the CRC at its meeting on 14 May 2015. At that time they were less than a year on from the Transforming Rehabilitation (TR) Programme and were still going through a period of stabilisation following the change where Probation services were split. Until June 2014 Probation services in London were delivered by the London Probation Trust. Following TR, the service was divided, with the management of low and medium risk offenders being delivered by a Community Rehabilitation Company and the remaining work being undertaken by the National Probation Service.
- 3.2 The purpose of the report provided at the Safer Stronger Select Committee in March 2017 was to give a general update on the service regionally and locally, with a specific focus on the findings from the HMIP inspection that was undertaken in September 2016.

4. Referral

- 4.1 Safer Stronger Select Committee received a report on 8 March 2017 which updated them in relation to the NPS and CRC.

4.2 At their meeting on 8 March 2017, the Select Committee made a referral to the Mayor and Cabinet. This was considered by Mayor and Cabinet at their meeting on 22 March 2017. The Committee resolved to advise Mayor and Cabinet of the following:

4.2.1 That the Committee were very concerned about the performance of the National Probation Service and the Community Rehabilitation Company and concerned at the results of their recent HMIP inspection.

4.4 Response

4.4.1 Over two weeks in September 2016, HMIP conducted a Quality and Impact inspection, looking at work undertaken by the NPS and CRC in the London boroughs of Barnet, Brent & Enfield; Camden & Islington; and Haringey, Redbridge & Waltham Forest.

4.4.2 Both London CRC and the NPS were inspected on their effectiveness against three criteria:

- Protecting the public
- Reducing reoffending
- Abiding by the sentence

4.4.3 The quality of practice undertaken was inspected in a sample of 21 cases, nine months after commencement or release. The main focus of the inspection was the quality of work with individuals who have offended, but with a particular emphasis on the impact that this work has had on individuals. The Final Report has now been published:

<https://www.justiceinspectors.gov.uk/hmiprobation/wp-content/uploads/sites/5/2016/12/North-of-London-QI-Report.pdf>

5. Findings

5.1 **Protecting the public**

5.1.2 CRC effectiveness

- Overall, performance was poor. The proportion of work carried out to a sufficient standard did not meet our expectations and was low when compared to our findings to date in other parts of the country.
- Assessment, planning and interventions were not carried out well enough. Significant information was not always recognised as such and there was a lack of awareness of domestic abuse and child safeguarding issues.
- Individual caseloads varied significantly. Some were, in our view, unreasonable and unmanageable. Low levels of contact with service users, coupled with inadequate systems to monitor the frequency of contact inevitably and materially affected the quality of work to protect the public.
- The inexperience of some staff coupled with a lack of management support made this problem more acute in some cases. Senior management appreciation of these difficulties, and plans to resolve them were either absent altogether or else inadequate in our view.

5.1.3 NPS effectiveness

- NPS performance was mixed.
- Overall, most public protection work was carried out sufficiently well but the quality of assessment, planning and interventions was mixed.

- Attention needed to be focused more sharply on public protection and in particular on the formal review of cases, and recognising and responding to significant changes in individuals' circumstances.

5.1.4 The CRC and NPS working together

- There were some obvious tensions between the CRC and the NPS. The quality of case allocation forms and risk assessments prepared at court by the NPS was acknowledged to be variable at best and poor at times. Failure by the NPS to provide detailed information caused difficulties for responsible officers in both organisations but particularly in the CRC. The NPS was working hard to improve this but felt that expectations of what could be achieved within the court timescales were unrealistic.
- Risk escalation was another area of work that had required ongoing management attention to make sure that relevant cases were escalated and accepted. Efforts were being made to resolve this issue by close liaison between the two organisations.

5.2 **Reducing reoffending**

5.2.1 CRC effectiveness

- Overall, performance was poor. The proportion of work carried out to a sufficient standard was low. There was an alarming lack of contact in too many cases: assessments had not been carried out, planning had not taken place and little work to reduce reoffending had been delivered.
- Most service users had not received a service that met their needs or was likely to help them to stop reoffending.

5.2.2 NPS effectiveness

- Performance in the NPS was mixed. The majority of offending behaviour work was done to an acceptable standard but a noticeable proportion was not.
- Not all pre-sentence reports were of good enough quality and a small number did not include relevant safeguarding information, leaving sentencers ill-informed. Sentence planning and reviewing progress also needed to improve. The delivery of work to reduce reoffending was not always focused on the relevant factors.

5.2.3 The CRC and NPS working together

- The NPS found obtaining information from the CRC about their service users in court difficult because of a mismatch between the two organisations' operating models.
- The NPS grouped cases by geographical location, whereas the CRC allocated work according to the category of service user (older male, young adult male etc.), making it difficult for the NPS to identify the relevant CRC office for supervision.
- The delay in implementing the London CRC 'rate card' had caused difficulties for the NPS in obtaining some services.

5.3 **Abiding by the sentence**

5.3.1 CRC effectiveness

- Overall, performance was poor. Fewer than half of the service users in our inspection sample had complied with their sentence.
- Delivery of the legal requirements of the court orders and licences, procedures relating to non-compliance and the number of appointments offered were all unsatisfactory.

5.3.2 NPS effectiveness

- NPS performance was generally good, with work to encourage engagement and to enforce non-compliance carried out well. Individual diversity was largely taken into account and most service users were meaningfully involved in planning.

5.3.3 The CRC and NPS working together

- Working relationships were strained. So for example, CRC breach action requires the preparation of information by the CRC for presentation by the NPS, and there were tensions when NPS enforcement officers considered the information provided inadequate, or CRC staff considered a rejection pedantic, unhelpful or unnecessary.
- The organisations were working together to try and resolve issues.

5.4 **Recommendations**

5.4.1 The Community Rehabilitation Company and National Probation Service should:

1. Produce easily accessible information to enable all staff to make swift contact with relevant colleagues in each organization.
2. Require all staff to work together to solve individual problems and focus on the desired outcome.

5.4.2 The Community Rehabilitation Company should:

3. Make sure that all functional departments prioritise the operational delivery to Service users.
4. Obtain and regularly scrutinise relevant management information to support effective operational delivery.
5. Make every effort to reduce caseloads to manageable levels, setting clear priorities for casework activities.
6. Manage the impact of sickness absence effectively.
7. Provide all staff with supervision and support in accordance with experience and workload.
8. Procure sufficient resource within the supply chain to deliver consistent services to all service users.
9. Provide the rate card to the NPS without further delay.

5.4.3 The National Probation Service should:

10. Make sure that all work is sufficiently focused on public protection
11. Improve the quality of information at allocation from the NPS court staff to the CRC.

6. **Actions to date**

6.1 The NPS London and CRC have put a number of measures in place to improve practice. These measures include the delivery of quality assurance and improvement initiatives through the divisional business plan. The objectives of the business plan translate into action plans overseen by various sub groups accountable to the Senior Leadership Team.

6.2 The CRC have changed their original model of cohort working and recognised that this was not going to deliver the kind of service that was required to improve services. They have also re engaged with stakeholders and key partners recognising that this aspect had been lost in the changes but was a critical aspect of partnership working.

6.3 For Lewisham, there is a critical role for the Community Safety Partnership and all statutory partners to support and provide critical challenge to both the CRC and NPS in improving services. This will be done through regular reporting to the Safer Lewisham Partnership and ongoing working with the Link senior officers in both the CRC and NPS. It is recognised that this is not a satisfactory position, and a focus on improvement is in place whilst recognising the challenging resource landscape within which all Criminal Justice agencies are operating in.

7. Financial Implications

7.1 There are no direct financial implications for the Council, however improvement actions required may have financial implications for the CRC and NPS.

8. Legal Implications

8.1 There are no specific legal implications arising from this response, save for noting that the Council's Constitution provides that the Executive may respond to reports and recommendations by the Overview and Scrutiny Committee.

9. Crime and Disorder Implications

9.1 There are no implications of specific reference to the referrals made.

10. Equalities Implications

10.1 One of the Partnership's key outcomes is to ensure equity in representation and that equality and diversity issues are followed in the work of the partnership.

11. Environmental Implications

11.1 There are no implications noted.

Background papers

Referral to Mayor and Cabinet – XXXXX

HMIP inspection report

<https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2016/12/North-of-London-QI-Report.pdf>

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