

Employment Relations and Working Conditions in Probation after *Transforming Rehabilitation*

With a special focus on gender and union effects

undervalued
work overload sleeplessness
feeling worthless
anxious unrealistic targets
long hours working
fearful
powerless
no clear workplace leadership
no control loss of professional identity
insecure
no communication
no voice
uncertainty
poor health
no workplace support stressed
deskilled

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1. Background

In May 2013, amid much consternation and criticism from criminal justice academics among other commentators (including Napo national officers/officials¹ and senior figures in some of the Probation Trusts), the then Justice Secretary, Chris Grayling, publicly unveiled *Transforming Rehabilitation* – a programme of restructuring and outsourcing, which would split the probation service that had been in existence for over 100 years, into. The word cloud on the front cover of this report captures the reactions of probation staff to the restructuring and outsourcing programmes.

Under TR, supervision and management of high-risk offenders were to remain in the public sector by way of a new National Probation Service within the Civil Service apparatus. Work with offenders described as low to medium risk (the latter amounting to an estimated 70% of the work carried out by 35 probation trusts across England and Wales) was to be outsourced to the private and third sectors. *Transforming Rehabilitation* followed in the wake of a turbulent recent history in the probation service involving two major structural reforms that proved contentious and profoundly altered the working lives of probation practitioners. In the first of these reforms in the mid-1990s, probation was removed from the social work apparatus. This brought with it fundamental changes to probation practitioner training and heralded emergent changes in the traditional values and ethic of care at the heart of probation work. In the second major reform in 2004, probation was relocated to the National Offender Management System (NOMS), which combined the prison and probation services and again further distanced probation from the ‘assist, advise, befriend’ orientation to offenders within the social work model of formerly.

Napo was opposed to both these major reforms, and the union believes that subsequently working conditions, careers and client service provision in probation all suffered. However, Napo was relatively unscathed with union density in probation work remaining high (it was approximately two-thirds at the time of the probation split in February 2015). Despite a recent history of reforms, *Transforming Rehabilitation* posed unprecedented challenges to both probation and Napo. Over 2013-14, in a bid to save a unified public probation service, Napo mounted a campaign of opposition to the proposed restructuring/outsourcing (including launching a Judicial Review). While the campaign was ultimately unsuccessful in its aim of preventing *Transforming Rehabilitation* from going ahead, the union did succeed in achieving previously unmatched mobilisation of the membership in support of strike action, lobbying and protests, all of which demonstrated the depth of probation workers’ opposition to the probation split and outsourcing.

The implementation of *Transforming Rehabilitation* was rapidly executed: it started in summer 2014 and by February 2015, staff were either outsourced to the new Community

¹ In Napo, ‘national officers’ refers to elected, lay people; ‘national officials’ refers to appointed, paid people.

Rehabilitation Companies (CRCs) working with low-medium risk offenders, or placed in the National Probation Service (NPS) working with high risk offenders. This research has investigated the effects of *Transforming Rehabilitation* on the working lives and conditions of main grade probation practitioners, and on the operations/activities of the specialist union/professional association representing those practitioners (Napo).

Earlier studies of privatisation and outsourcing in other industries/occupations have shown that there are both adverse worker and union effects that flow from marketisation /commercialisation. In respect of effects on work/careers/working conditions, these can end up being particularly deleterious for women workers and for feminised occupations (such as probation). When it comes to union effects, previous privatisation/outsourcing programmes have revealed the potential for negative impact on a union's ability to represent members effectively, bargain on behalf of members, and recruit and retain members in the newly created multi-employer context. The concern about negative union effects, is likely amplified in the case of a small independent union (such as Napo) where there are bound to be concerns about its future viability.

In the case of probation, where the main union doubles up as a professional association, Napo not only fears that the probation split and privatisation/outsourcing will have adverse impact on staff terms, conditions and welfare, and on training and career prospects, but also on the service provided to 'clients'(offenders) and on the risk to the public. Much of the academic debate so far about *Transforming Rehabilitation* comes from criminal justice scholars and typically focuses on the impact on purposes and values of probation, on delivery of probation services and on clients (e.g. Deering and Feilzer 2015). While this debate is obviously extremely important, it is equally important to consider the effects on employees and unions in order to keep them firmly at the centre of the post-TR picture as key probation stakeholders. Therefore, in contrast to the debate so far, this report is concerned with the impact of *Transforming Rehabilitation* on employment relations in probation, on the main probation union (Napo) and on probation practitioners' working conditions/careers. In addition, we take a gender and equality lens to our research and analysis confronting the fact that as an occupation, probation, like some other public services, has comprised a predominantly female workforce for more than 20 years.

2. Introduction

Prior to the *Transforming Rehabilitation* (TR) programme, the probation service of England and Wales was responsible for supervising around 225,000 medium and high risk offenders. Similar to other privatisation/outsourcing programmes, the TR programme had the stated aim of opening up the ‘market’ to a diverse range of new rehabilitation providers, with the intention of providing value for money for taxpayers. The outsourced component was to create new payment incentives (including a payment-by-results element), for market providers to focus on reforming offenders (NAO 2014). Against this positive rhetoric, latest available research finds that there is no empirical evidence that the private sector is intrinsically more efficient, and that lowering costs may simply mean a lower quality of service (not the same as value for money) (EPSU 2012). We therefore cannot ignore the ideological and political dimensions of outsourcing including the desire to redefine the role of the state, the desire to control and discipline unionised public sector workers, the desire to shift politically sensitive services to the private sector (Burgess and Macdonald 1999). All of these dimensions can apply to probation.

The new structure for probation services is complex (see Figure 2.1) and surely constitutes an example of what has been termed ‘privatisation by stealth’ in so far as ultimate ownership and decision-making responsibility remains in the public sector, while a significant component of provision has been relocated to providers outside of the public sector (Burgess and MacDonald 1999: 38). TR saw probation services split between two separate structures.

In June 2014, 21 Community Rehabilitation Companies (CRCs), originally owned by the Ministry of Justice, were created to handle low to medium risk offenders, while a National Probation Service (NPS) remaining in the public sector was created to supervise high risk offenders. The CRCs were sold on 7-year contracts to private and third sector bidders as of 1st February 2015 (see Appendix 1) and combined they now supervise some 237,000 offenders (including low risk offenders not previously supervised). One point worth noting is that despite much Ministry of Justice rhetoric in the media, around the potentiality for the voluntary sector to be involved in delivering probation services, the bulk of the CRC share sales were to large for-profit companies. Voluntary sector organisations involved are mostly minor partners or subcontractors to the large private companies – Durham Tees Valley is in fact the only CRC where no major private or multinational company is involved. Frances Crook, chief executive of the Howard League has stated:

“As we expected, the big winner of the probation sell-off is not the voluntary sector but large private companies run for profit. The Ministry of Justice will claim it has created a diverse market, but Sodexo and Interserve are the companies running half of all the contracts. A public service is being destroyed without any evidence that the fragmented landscape created will perform any better or help make communities any safer.” (Gay and Grimwood 2014)

Figure 2.1 shows the responsibility structure of probation services after 1st February 2015: the state was responsible for setting up the new apparatus for the operation and delivery of probation services and it retains a role in the governance of the CRCs. Therefore, this is not a case of privatisation in a pure form and to this extent the full employment relations ramifications are difficult to predict and will unfold only over time.

Figure 2.1: Responsibility structure of probation services after 1st February 2015

<p>Ministry of Justice (MoJ)</p> <p>The government office with responsibility for probation, prisons, courts and reducing reoffending</p>
<p>National Offender Management Service (NOMS)</p> <p>NOMS is an executive agency of the Ministry of Justice. It includes the prison service, National Probation Service and the 21 probation Community Rehabilitation Companies across England and Wales.</p> <p>NOMS is responsible for the rehabilitation of offenders and reducing reoffending and therefore responsible for overseeing the activities of both the NPS and CRCs.</p>
<p>National Probation Service (NPS)</p> <p>The NPS is a public sector organisation within the Civil Service with responsibility for probation work in courts, victim liaison, risk assessment of offenders, and the management of high-risk offenders.</p> <p>Probation practitioners located in the NPS are civil servants.</p>
<p>Community Rehabilitation Companies (CRCs)</p> <p>The 21 CRCs cover England and Wales and supervise low to medium risk offenders in the community.</p> <p>The CRCs were sold to companies/organisations in the private and third sectors as of 1st February 2015 as part of the government’s <i>Transforming Rehabilitation</i> programme. The CRC ownership contracts are for seven years, renewable.</p> <p>CRCs are responsible for supervising low to medium risk offenders and for running some offender programmes.</p> <p>Probation practitioners located in CRCs are employed by the CRC rather than by the share owner.</p>

Before the split of probation services into the NPS and CRCs, the probation service had a workforce of around 16,000 (full-time equivalent). In various practitioner roles (below Assistant Chief Officer) – the main ones represented by Napo – from Probation Service Officer up to middle managers, there were approximately 10,000 employed (NOMS 2014).

Members of staff were allocated either to the NPS or to their local CRC by 1st June 2014 before the sale of CRC contracts such that they were in place when the new owners took over on 1st February 2015. Employees were invited to express a preference for either the NPS or CRC, but individual allocation decisions were largely based on an evaluation of tasks/work performed on a single day in November 2013. The majority of Probation Officers (POs) were allocated to the NPS and the majority of Probation Service Officers (PSOs) to the CRCs.

The Ministry of Justice decided that transfers of employment were to be undertaken by way of the statutory Staff Transfer Scheme(s), supported by the Cabinet Office Statement of Practice on Staff Transfers in the Public Sector (COSOP), rather than by transfers under the Transfer of Undertakings Protection of Employment Regulations (TUPE). The COSOP framework secured existing terms and conditions until October 2015 and an enhanced voluntary redundancy scheme should redundancies be proposed post-TR implementation (for both NPS and CRC staff). In addition, a National Agreement negotiated with Napo stipulated (Napo 2014):

- A guarantee of employment for all probation staff, employed by a Probation Trust at 31 May 2014, in either the NPS or appropriate CRC
- No compulsory redundancy in either the NPS or CRCs for a period of seven months post share sale
- Prior to transfer, ongoing local meaningful consultation, informed by information provided by the MoJ/NOMS, to deal with any proposed post-transfer changes to employees' working arrangements, for example, changes to roles and responsibilities
- Fair and equal treatment of all staff
- Transparent, equitable and straightforward processes relating to re-organisation
- Compliance with relevant employment legislation
- Information for and consultation with staff

Towards the end of the implementation of TR, official figures estimated that nationally around 46% of staff would end up transferred to the NPS and 54% to the CRCs (NAO 2014). This estimate is borne out by the latest available CRC Workforce Report (NOMS 2015), which shows that just over 8,600 out of around 16,000 (FTE) jobs were transferred to the CRCs (see Appendix 1).

In response to TR, Napo restructured its branches to mirror the CRCs' geographical structure: 21 branches were formed from the previous 35 (which had mirrored the 35 probation trusts in existence prior to TR). This new branch structure aims to meet the challenge of delivering effective bargaining and representation on behalf of members in the new multi-employer context. The National Agreement (Napo 2014) underpinning the new branch structure provides for:

- Continuation of Trade Union Recognition
- Continuation of National Collective Bargaining
- Maintenance of existing funding levels for national and local facility time

The next section of the report provides a broader and brief overview of the changing employment relations in the public sector in the context of restructuring and outsourcing.

3. Employment relations effects of restructuring and outsourcing of public services: summary literature review

3.1 Introduction

This literature review merely provides a summary of key issues that are particularly pertinent to the restructuring/outsourcing of probation. Much of the literature on public sector restructuring, and specifically on outsourcing, is now quite old, it being in response to earlier phases. This section of the report seeks to put TR within a wider employment relations context and debate about the impact of public sector restructuring on employees and unions. While we will not necessarily see probation experiencing all the issues and challenges in the same way or to the same degree as other restructured/outsourced public services, existing research and evidence points to some areas of commonality.

To begin with, it is worth noting that the public sector has undergone so many trenchant reforms over a period spanning more than two decades that it is now more difficult than ever to talk about UK public sector employment relations as a system or model in itself. It has been many years now since it was safe to assume that the state sought to occupy the position of ‘model employer’. Further, Bach states that ‘the erosion of longstanding conditions of employment, in particular pensions, poses a significant risk to public sector ethos’ (2011: 16). Since 1997 (starting with a Labour government), in the UK, we have seen outsourcing of welfare state activities (e.g. in hospitals, schools, residential care), defence activities (e.g. barracks, transport), and criminal justice activities (e.g. in prisons, courts, police stations) (Whitfield 2002). This trend has had far-reaching implications for employment relations, union organising and working conditions in public services. The academic literature focuses largely on the experiences of outsourced low-skill, low-paid workers in peripheral activities such as cleaning services and in core activities performed by ancillary staff in the NHS or home care workers in local government. Thus, there is less known about the creeping trend for professional and highly qualified services/workers located in welfare state/criminal justice activities to be outsourced.

Yet, it is quite clear that outsourcing is not abating and that it has in fact most likely entered a new phase in the UK, which is likely to affect more groups of highly skilled/professional workers as well as continue to affect low skill jobs. The Conservative-Liberal Democrat coalition government (2010-2015) gained power in the wake of the global financial crisis with a manifesto commitment to a programme of public spending cuts and so-called austerity measures to reduce the deficit. The Prime Minister, David Cameron, also championed the narrative of the ‘Big Society’ with its objective that some services hitherto provided by the welfare state would be delivered via non-profit organisations and volunteers in the third sector (Dominey 2012). The new Conservative government elected May 2015 appears to

remain committed both to public sector reform in general and austerity measures in particular.

As stated, there has been some debate in the employment relations literature about what the trend of outsourcing of public services and welfare state/criminal justice activities in particular means for the working conditions/lives of certain groups of outsourced workers. We go beyond a focus purely on outsourcing to consider the impact of public sector restructuring exercises (that have outsourcing as a component) more broadly on public service unions and employment relations. This is vitally important in the case of probation, because as we will show in the findings sections it is not simply outsourced workers who have experienced adverse effects from the restructuring or probation. The case of probation demonstrates that public sector restructuring programmes can in fact have far-reaching ramifications for workers remaining in the public sector following restructuring and for the unions representing them.

3.2 Overall effects of restructuring and outsourcing on employment relations

Changes in the employment relationship

Rubery et al. (2002) highlight the complexity of the employment relationship in outsourcing contexts where there is an absence of a single employer. They note that many outsourcing arrangements rely for successful operation on cooperation and exchange of information between the organisation ultimately responsible for the service and the contractor(s). However, this cooperation may not exist or may break down and this in turn may affect employees' ability to achieve performance targets and managers' assessments of employee performance. Rubery et al. identify several areas of ambiguity in key employment issues; relevant areas for our purposes are summarised in Table 3.1.

Table 3.1 Main areas of ambiguity in employment relationship in outsourcing contexts

Employment issue	Ambiguities in the employment relationship
Supervision and control	Employer not present at workplace or more than one 'employer' present.
Discipline	Differences in rules between 'employers'; who is responsible for monitoring performance, identifying disciplinary issues
Grievance	For example, can employees have a grievance against employer if harassed by manager/employee of another organisation?
Legal/statutory obligations	Main employer may have responsibility for overall delivery of service; responsibilities indirectly enforced on non-employees through performance-related contracts with other employers

Added to these ambiguities, although transfer regulations (such as TUPE more generally, and COSOP in the case of probation) and national union agreements may provide some protection of basic terms and conditions, there are many informal (as well as some formal) aspects of the employment relationship which are not necessarily covered, or at least not explicitly. In a study of transfer of undertakings from the NHS and local government to the

private sector, Cooke et al. (2004) found employees subject to numerous local changes. These included introduction of new working time arrangements, alteration of work/job tasks, work intensification to meet new targets, squeezes on local budgets, growth in paperwork especially for supervisors, stricter operation of disciplinary procedures (including dealing with sickness absence). The outcomes of many of these changes included increased performance pressure, loss of autonomy, increased monitoring of staff, lower job satisfaction.

Deterioration of working conditions

Overall, the evidence shows deterioration of working conditions following outsourcing (e.g. The Smith Institute 2014). A recent TUC report on outsourcing of public services identifies 10 occupations that have experienced significant outsourcing accompanied by significant deterioration in working conditions in recent years (TUC 2015):

- Residential care workers
- Senior care workers
- Nurses
- Youth and community workers
- Nursery nurses and assistants
- Cleaners and domestics
- Prison officers
- Security guards and related occupations
- Kitchen and catering assistants

These occupations have experienced:

- Excessive hours
- More and worsening insecure working arrangements
- Lower pay

In addition, the TUC found that workers who deliver public services via private sector providers are likely to have shorter job tenure (suggesting high turnover) and be lower qualified (suggesting deprofessionalisation). Despite TUPE (and allied) provisions affording protection for workers transferred to the private sector, there remains great risk of emergence of two-tier workforces where newly hired workers get worse terms and conditions or they are hired via agencies on a casualised basis. These trends not only adversely affect the workers concerned, but they also fragment the workforce as a whole, posing challenges for trade unions (The Smith Institute 2014; TUC 2015).

Although existing research confirms the dangers for outsourced workers, evidence from beyond the UK also shows that staff remaining in the public sector can also experience a worsening in their working conditions and significant work intensification, which can result in an increase in work-related stress and illness (e.g. Burgess and Macdonald 1999). Further, the TUC report on outsourcing found that a high proportion of public sector workers in seven of the 10 occupations they examined (see above) reported having to do unpaid overtime and

in five of the 10 occupations workers were underemployed (meaning that they wanted to work more hours than offered under their current job/contract) (TUC 2015).

3.3 Union effects

Public sector unions have remained relatively resilient in a context of three decades of considerable upheaval, but the unions are undoubtedly vulnerable and they have arguably necessarily taken a defensive stance. All the evidence suggests that outsourcing creates a fragmented environment in which unions find it extremely challenging to represent their members and to continue to engage in meaningful consultation and bargaining with employers (The Smith Institute 2014). In essence, outsourcing has weakened the public service trade unions, although they remain relatively strong in certain parts of the public sector and even in some privatised organisations/activities. Following on from privatisation and outsourcing, unions can find themselves operating for the first time in a multi-employer context, which, as well as creating the ambiguities described above, poses challenges for local branch officers. Local branch officers in public sector workplaces are typically accustomed to recruiting and representing members in a single employer; in addition, national negotiators may struggle to maintain national terms and conditions across employers (e.g. Colling 1995; Foster and Scott 1997).

Colling's (1995) research was about the union effects of Compulsory Competitive Tendering (CCT) in local authorities in the 1980s and early 1990s. CCT is where outsourcing is imposed upon government agencies through legislation and therefore the earlier experiences of CCT may yield lessons for unions currently dealing with new outsourcing arrangements in other parts of the public sector. Colling found that the newly competitive market-oriented environment fuelled management bargaining leverage over terms and conditions as unions sought to mitigate the jobs losses that accompanied CCT. Substantive employment conditions became fragmented over time even with the existence of a national agreement, which risked becoming a mere façade behind which employment relations and working conditions gradually became decentralised. Branch activists and paid officials faced big increases in the demands made of them. Increased branch activity was deemed necessary to tackle the decentralised context, but with co-ordination and servicing from national level. Even strong branches became reliant on advice and input from national paid officials in the complex and uncertain environment. One significant problem Colling identified was that distribution of paid official services risked becoming driven by demand rather than by need, such that strong branches got stronger and weak ones weaker. Another study reported that union membership suffered substantial loss after CCT was introduced and the unions did not always succeed in recruiting new employees in the outsourced functions, especially female dominated ones (EOC 1995).

Cunningham and James' (2010) study of outsourcing of social care work reveals how Unison in particular among public service unions, has had to accommodate and adapt to the realities and challenges of outsourcing. Challenges have included how to structure branches to include

members located in a variety of geographically dispersed workplaces where it can be difficult to create self-sustaining groups of activists. In addition, how to deal with union-hostile employers, a situation that public sector unions are historically unaccustomed to. Linked to this, unions often face for the first time a situation where private employers refuse to negotiate with officers who are not their employees. For some union branches, this might mean recruiting new workplace reps and branch officers from within the outsourced areas of the service; this in turn can be challenging because staff can be more reluctant to get involved with their union when faced with hostile or at least uncooperative employers (Whitfield 2002).

The Unison experience also highlights the importance of facilities agreements that give access to new starters at induction events, of mobilising member perceptions of the union contribution to resolving common concerns such as changes to terms and conditions, and of sustaining a pool of branch activists ready and able to service individual members at the workplace. In the more pressurised context, this can be difficult and members are often reluctant to take on, or they may even want to give up, a union role because of an intensified workload combined with family responsibilities. This especially affects women activists. The Unison experience also provides some evidence that in an outsourced environment union membership may become more fluid with losses and gains occurring in the same short time period as workers come and go. Further, for those involved in care occupations, the willingness of union members to take collective action may be weakened by the deep commitment to the job and to clients, who are also seen as under assault by the changes associated with restructuring and outsourcing (Cunningham and James 2010).

3.4 Gender effects

It is well known that the public sector is a significant employer of women and it is also the case that there is a significant public sector pay premium at the median wage level, which is greater for women. Thus, any scaling-back of the public sector risks eroding the overall progress on gender equality in employment achieved over the last couple of decades particularly for highly qualified women. The public sector, with its longstanding gender equality policies and more recent equality duty, provides a relatively enabling context for women to pursue careers and to balance work and family responsibilities. Specific examples of common positive gender policies include the additional maternity leave pay offered by 31% of public sector organisations compared to 11% of private; the greater availability of employee (rather than employer) oriented flexible work arrangements in the public sector (Grimshaw et al. 2012).

Naturally, these positive conditions cost and they may create an incentive for government to outsource, but in any case, privatisation and outsourcing are likely to have a particularly harmful effect on women's jobs and opportunities and on overall gender equality in the labour market. There is also a concern that in the longer term, the lack of transparency in private sector pay setting (compared with the public sector) may have the effect of widening the gender pay gap in occupations where the gap has hitherto been relatively narrow (The Smith Institute 2014). An earlier study of the gender impact of Compulsory Competitive

Tendering (CCT) in local government reported the following gendered findings: increased use of temporary workers in the services affected by CCT especially female dominated areas; emergence of a two-tier workforce accentuating differences between male and female employment; limited application of equality policies in the private companies (EOC 1995). However, there is little research available on the qualitative effects of recent public sector restructuring and outsourcing on women's working conditions/lives.

There can also be no doubt that the pressures and challenges associated with public sector restructuring/outsourcing compound the well documented challenges already facing women union activists and those facing unions seeking to get more women involved. These issues are particularly apposite in female dominated unions (such as Napo), where female involvement and activism are relatively healthy (compared with some other unions) but where the restructuring programme has potentially profound and far-reaching implications. In situations where people feel 'under siege' at work, they often cite lack of time, pressure of work, fears about career progression and 'putting your head above the parapets' as reasons for not getting involved in or withdrawing from union activism. Previous research on women's representation in leadership and decision-making in Napo highlights the fragility of specifically women's participation, especially in the light of the domestic responsibilities many have. In a recent survey of Napo women members, 57% cited lack of time and 43% pressure of work as barriers to union office holding – this was *prior* to TR and the time and work pressures that it has brought (Kirton 2012).

3.5 Summary

From an employment relations perspective, existing evidence already highlights the fact that public sector restructuring and outsourcing programmes typically have adverse effects on employees, working conditions and unions. However, these may very well play out differently in different sector, occupation and union contexts; therefore, while certain lessons may be learnt, it is obvious that union strategies for defending and moving forward need to be context sensitive. While the literature often focuses on the effects on low paid workers in low skill jobs, we are starting to see evidence that the restructuring and outsourcing of professional welfare state and criminal justice activities is equally deleterious for employees and their unions. The immediate effects and longer-term ramifications also have gendered dimensions, which in the broader picture threaten the progress made on gender equality in public sector employment and in public sector unions.

4. Research questions and methods

4.1 Research questions

The main research questions were:

1. With regard to working conditions, what are employee (practitioner) experiences so far of TR, the probation split and outsourcing?
2. What has been the impact so far of TR, the probation split and outsourcing on Napo and employment relations in probation?

In this research, we are interested in the impact of TR on probation workers and workplaces as a whole. However, in addressing these questions, we are mindful of the fact that probation is a feminised occupation comprising around 70% women and that Napo's gender composition is similarly approximately 70/30 female/male. The gender and organisations literature tells us that gender (and specifically feminisation) matters for all kinds of issues related to employment relations, including pay and conditions, flexibility, union-management relations, union organising, union activism and union objectives/priorities, etc., etc.. We therefore view our findings through a gender lens seeking to uncover gender specific issues and differences in experiences and perspectives across the genders. Equally, we are aware of the diversity of the probation workforce and the Napo membership beyond gender and we therefore seek to do justice to the diversity of probation and Napo voices.

4.2 Research methods

The primary research was carried out early on after implementation of TR had been completed, between January and July 2015. Multiple methods were used, including quantitative (a Napo membership survey), and qualitative (i.e. Napo interviews, focus groups, observation of union events). The survey findings allow us to include the experiences and views of a larger population of probation workers beyond those most active in the union and to give a strong sense of the magnitude of particular problems and challenges. The qualitative methods give us a chance to delve deeper into significant issues and therefore the analytical emphasis is on the qualitative interviews with Napo officials/officers. We believed the multiple methods provide a comprehensive understanding of the current state of employment relations and working conditions in probation and of Napo member experiences of TR and privatisation. The methods this report draws its information and analysis from are:

1. Interviews with selected national officials, national officers, and branch officers (January – June 2015).
2. Branch case studies involving attendance at branch meetings, roundtable discussions and/or multiple interviews with branch activists in four regions, including those positioned in both the CRCs and the NPS (May – June 2015).
3. National membership survey (June 2015).

4. Attendance at Women in Napo (WiN) conference June 2015, where we facilitated two workshops on the effects of TR on working conditions.
5. Examination over the period of the research of relevant documents on websites of: former Probation Trusts; CRCs; MoJ; and NOMS.
6. Examination of selected relevant union documents and briefings.

4.3 Interview sample

In order to get a picture of national union activity, we carried out interviews with four national officers (lay elected) and four national officials (paid appointed). The main aim though was to hear from Napo branches about their experiences and those of the members they represent. We set out with the aim of interviewing at least one officer from each of the 21 Napo branches, but practical constraints meant that in the end, we managed to conduct 29 interviews across 17 branches (see Table 4.1). This sample gave us a cross section including female and male Napo branch officers (63/37% split), CRC and NPS (52/48% split) workers, and different grades of probation practitioner represented by Napo. We assured all research participants of anonymity and therefore we do not name individuals or their branches in the findings sections.

4.4 Branch case studies

The regions selected for the branch case studies were: Greater London (CRC owners MTCNovo); Kent, Surrey, Sussex (CRC owners Seetec); Northumbria (CRC owners Sodexo); West Yorkshire (CRC owners Purple Futures). Combined, these branches provided geographical spread across the country, different CRC owners, and different offending/client profiles. In three cases, we attended branch meetings (where we had the chance to listen to members articulate their concerns about the post-TR environment) and in one, we held two roundtable discussions that specifically addressed the current challenges and concerns post-TR. Those in attendance at these branch events were a mix of NPS and CRC employees.

Table 4.1: Branch officer interviews

Branch	Approx. m'ship	Interviewees	Male/female	CRC/NPS	SPO/PO/PSO
Cheshire and Greater Manchester	750	Branch Secretary	Male	NPS	PO
Cumbria and Lancashire	240	Chair	Female	NPS	PO
Durham Tees	160	Chair	Female	CRC	SPO
East Anglia		Chair	Male	CRC	PO
East Midlands	350	Chair; Membership Secretary	1 x male; 1 x female	1 x NPS; 1 x CRC	2 x PO

Essex	140	Chair, Membership Secretary	1 x male; 1 x female	2 x NPS	2 x PO
Greater London	1000	Chair; Vice Chair; Membership Secretary; CRC Convenor	4 x Female; 2 x male	4 x NPS; 2 x CRC	5 x PO; 1 x case admin.
Hampshire		Chair	Female	CRC	PO
Kent, Surrey, Sussex	350	Chair; Vice Chair; CRC Convenor	1 x female; 2 x male	2 x NPS; 1 x CRC	1 x SPO; 2 x PSO
Mercia & Warwickshire	250	Chair	Female	NPS	PO
Merseyside		Chair	Male	NPS	PO
Napo Cymru		Chair	Female		
Northumbria	350	Chair; Convenor	2 x female	1 x NPS; 1 x CRC	2 x PO
Staffordshire and West Midlands	700	Vice Chair	Male	CRC	PSO
Thames Valley		Co-Chair x 2	2 x female	2 x CRC	1 x PO; 1 x PSO
Western	500	Vice Chair	Female	CRC	PSO
West Yorkshire	360	Chair; CRC Convenor; Membership Secretary	1 x male; 2 x female	2 x CRC; 1 x NPS	1 x PO; 2 x PSO
17 branches		29 branch officers	11 x male (37%); 18 x female (63%)	15 x CRC; 14 x NPS	2 x SPO; 19 x PO; 7 x PSO; 1 x case admin.

4.5 The survey

Survey questions were designed according to the research themes described, but were also based on issues identified once the research got underway, specifically in the interviews and roundtable discussions. One Napo national officer and one national official had input into the survey and it was approved by the General Secretary before its launch in June 2015. The survey questions are in Appendix 2 – most substantive questions required respondents to select as many or as few options as they wished from a range of positive and negative statements on the post-TR environment. No questions were compulsory and not all questions

were answered by all respondents. The free text question at the end of the survey was completed by about a third of respondents.

The survey enabled us to collect a larger pool of experiences of TR and the split of the probation service, and to hear directly from a significant number of Napo members as opposed to officers. The survey attracted 991 responses, representing a 17.5% response rate of those eligible to take part. Respondents were distributed across the 21 Napo branches – see Table 4.2. Selected characteristics of respondents are in Table 4.3. Table 4.4 shows how long respondents have worked in probation, with the vast majority being relatively long serving.

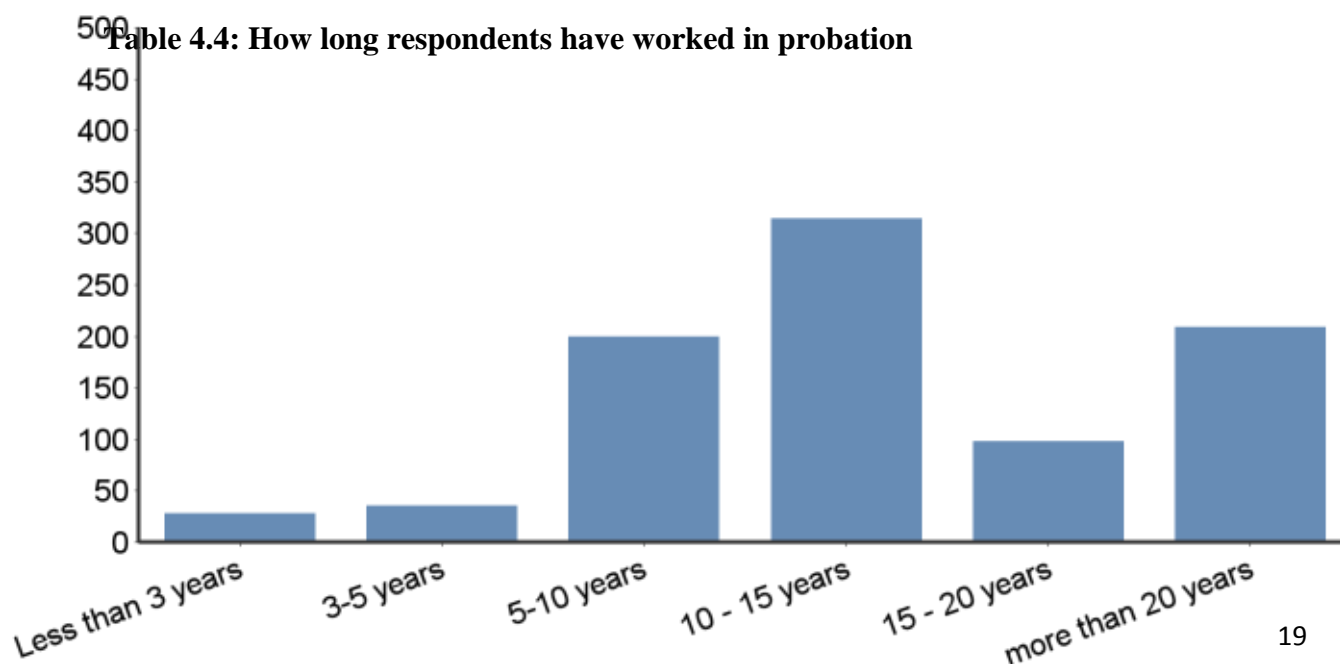
Table 4.2 Survey respondents’ branches

Branch	Number of respondents	%
Cheshire and Greater Manchester	51	6.97%
Cumbria and Lancashire	44	6.01%
Durham Tees Valley	18	2.46%
East Anglia	34	4.64%
East Coast	14	1.91%
East Midlands	32	4.37%
Essex	15	2.05%
Greater London	79	10.79%
Hampshire and Isle of Wight	24	3.28%
Kent, Surrey, Sussex	38	5.19%
Merseyside	31	4.23%
Napo Cymru	25	3.42%
Northumbria	46	6.28%
South Western	52	7.10%
South Yorkshire	22	3.01%
Staffordshire and West Midlands	74	10.11%
Thames Valley	28	3.83%
The Four Shires	26	3.55%
Mercia	27	3.69%
West Yorkshire	39	5.33%
Western	13	1.78%
Total	732	100.00%

Table 4.3: Selected respondent characteristics

	Number of respondents	Proportion of respondents (%)		Number of respondents	Proportion of respondents (%)
Gender			No. of children < 16 years		
Male	310	31.79	0	668	69.80
Female	664	68.10	1	147	15.36
Covered by gender assignment definition of EqA 2010	1	0.10	2	118	12.33
			3	19	1.99
			4	4	0.42
			>4	1	0.10
Age			Other caring responsibilities		
18-25	9	.94	Yes	281	29.49
26-35	139	14.45	No	672	70.51
36-45	194	20.17	Work hours		
46-55	404	42.00	Full-time	743	79.98
56-65	166	17.26	Part-time	186	20.02
65+	43	4.47	Employer		
			NPS	465	57.06%
Race/ethnicity			CRC	350	42.94%
White	857	88.35	Role		
Mixed	28	2.89	PO	480	49.64
Indian	10	1.03	PSO	266	27.51
Pakistani	1	0.10	Probation Manager/SPO	140	14.48
Bangladeshi	0	0	Admin	51	5.27
Black Caribbean	31	3.20	Other	30	3.10
Black African	15	1.55			
Other Black	6	0.62			
Chinese	0	0			

Table 4.4: How long respondents have worked in probation



5. Findings: Employment relations and working conditions after *Transforming Rehabilitation*

5.1 Introduction

To begin with, it is worth stating that we found an almost total lack of support for TR and the probation split. Just one or two Napo officers (branch and national) were of the view that in principle opening up a space for more providers (especially third sector) to be involved in delivery of probation services might create more innovation. However, we found an unequivocal lack of support for private sector company involvement. The split was often described using highly emotive metaphors – ‘a train crash’, ‘a messy divorce’ – that conveyed the strength of feeling in opposition to TR. Similarly, referring to the aftermath of TR people frequently talked about ‘grieving’, ‘mourning’ and feeling ‘loss’.

The findings section of this report considers employment relations and working conditions after TR with a special focus on gender and union effects. While our discussions with Napo (national and branch) officers, activists and members could not help but touch on the impact of TR on clients, this was not the focus of our research and this topic is therefore not considered in any depth in this report (see Deering and Feilzer 2015 on this aspect of TR).

Prior to TR employment relations operated, and basic terms and conditions were set, within a national agreement with Napo. However, a variety of formal and informal arrangements not covered by the national agreement, many negotiated by Napo branches, existed in the 35 Probation Trusts and across different probation workplaces. Following restructuring and outsourcing, one significant question, as yet unanswered, is how/if the locally based formal/informal arrangements that staff might have benefited from (e.g. flexible work) have transferred to the new structures of the NPS and CRCs. We also consider whether new, possibly detrimental, formal/informal practices have emerged.

The motivation to reduce labour costs (the greatest overhead) will obviously be particularly strong in the CRCs as a means of creating the profit margin sought by the private owners. Previous restructuring, privatisation and outsourcing programmes suggest that savings might be achieved by not replacing leavers and increasing workloads, cutting training opportunities, using PSOs to do some aspects of PO work, and of course redundancies cannot by any means be ruled out (note Sodexo’s May 2015 announcement of an impending redundancy round). Our findings provide compelling evidence that all of these apply in outsourced probation. Equally, in the current environment government austerity measures are bound to impact eventually on the NPS, now part of the Civil Service.

Fundamentally, TR has disrupted a well-functioning public service and apart from the immediate fall-out for staff working conditions, there are medium-long term employment relations ramifications suggested by experiences so far among probation staff and national and branch union officers.

5.2 Experiences of the probation service split

Before we start talking about what have been overwhelmingly negative staff and union experiences of TR so far, it is worth reiterating the point made earlier in the introduction to this report that longer-serving probation practitioners are familiar with organisational and occupational restructuring, but this has become more significant over the last decade or so (see Deering and Feilzer 2015). Many of the people we spoke to talked about the historic resilience of probation staff in the face of regular change – in other words, these are not people who habitually complain about the slightest change to working practices, but rather they are people who get on with the task of doing their best for their clients. Further, many probation workers do not oppose change *per se* and some supported the principle of introducing greater scope for innovation in probation work if it is for the benefit of clients. However, we did not speak to any national and branch union officers who believed that this was the aim or outcome of TR and the survey gave no indication that the wider staff population generally believes this to be the case.

Aside from the widespread in principle opposition to the split of probation services, negative employee experiences with TR began with the processes for deciding who would go where. Some branch officers even felt that pressure on staff (e.g. to work with tighter deadlines and fewer resources) started building soon after TR was announced as the employers (the Probation Trusts), themselves under pressure from the MoJ, wanted probation to look like it was meeting its performance targets in order to attract ‘high calibre’ bidders.

In the course of our research, we talked quite extensively to Napo national and branch officers and activists about experiences of the implementation of the split and in addition, the survey asked questions about this. Despite the fact that staff could express a preference for either the NPS or the CRCs, a common view was that people did not have sufficient information about what would become the two distinct parts of probation on which to make a considered choice.

The allocation methodology used – based on an assessment, against guidelines issued by the MoJ, of work undertaken on a single day in November 2013 – caused much consternation, dissatisfaction and bewilderment among probation staff. Many practitioners felt that what was widely seen to have been an extremely simplistic methodology, did not properly acknowledge their probation experience, qualifications and skill sets. Although Napo branch officers acknowledged that managers found the guidelines complex, they did feel that the guidelines were in the main applied fairly and transparently – ‘it was what it was’ was a phrase often used. Generally, it was with the guidelines, and with the fact that there was a prior government-set agenda to outsource 70% of probation workers, that Napo national officials, most Napo national and branch officers and members took issue.

There were though one or two reports of random allocation in order to meet the target numbers and even one instance of literally pulling names out of a hat! We also received reports from some individuals who felt they had been allocated to the CRC as a punishment

for having taken a grievance against the Trust or having stood up to senior managers in the recent past. Some people reported blatant errors in individual cases and there was one region where newly qualified POs were automatically assigned to the CRC which branch union officers considered grossly unfair. This all caused a lot of uncertainty and stress for the individuals involved even if errors were rectified, transfers made or appeals upheld.

According to the survey, those placed in the NPS were more likely to agree with their allocation (87%) compared with those placed in the CRCs (52%). There were no significant differences here across grade or gender. The general preference for the NPS reflects most probation workers' desire to remain in the public sector and a quite common perception that allocation to the CRCs symbolised professional failure. Some people did however express a preference for the CRC, usually because they thought there would be more opportunities for innovation. One survey respondent explained that she was told that the CRC would offer more scope to work in the local community and with clients' families, which was something she valued. She said that she had been naïve to believe this and that such opportunities had not materialised; instead, she spent most of her day in front of a computer.

Despite high-level dissatisfaction with allocation to the CRCs, of survey respondents, only 15% appealed. This likely reflects a degree of fatalism, but it is largely a function of the fact that challenges to decisions were only accepted if there had been an error in applying the criteria. The criteria were very narrow and therefore very difficult to challenge, as some branch officers explained.

I know one probation officer that volunteered to go and work for the CRC and I know one that was transferred who was happy. Other probation officers ... have spoken to me ... because they were unhappy... they all appealed the decision for them to be transferred to the CRC and they all lost their appeals because there was only a three- stage appeal and you had to meet certain criteria and they didn't ... And there were people that were off on maternity leave at the time that the shift was done and they were transferred because they didn't happen to be in a team at that time. So if you were in a team that time managing high risk offenders or sex offenders then you would have got transferred as probation officer because that's the cases that went. But if you were off sick or maternity leave and there were two women that were on maternity leave at the time, they both got transferred into the CRC. And before they went on maternity leave they was dealing with high risk cases. (Branch officer)

Oh, you could express preference. Basically the way it happened is, some decisions were made for you in the sense that some people were put in one or the other and then people who were left were given the opportunity to choose, but the people who were given the opportunity to choose were a very small number compared to the overall ... So if you worked in a hostel you were in the NPS, if you worked in support services you were in the CRC, if you worked in a prison you were in the NPS but if you worked in programmes you were in the CRC ... some things you were just automatically put into one or the other without any negotiation. But that was the decision taken by central government, by the ministry and by NOMS. (Branch officer)

Reinforcing this, some survey respondents commented that in their Trust the Chief Probation Officer made it perfectly clear that appeals would not be 'allowed' and others saw the appeal process as too stressful to pursue. Branch officers' view of the relatively small number of appeals was that many people chose to leave probation altogether rather than go through the appeal process.

The relatively low number of appeals does not indicate satisfaction with the whole process; quite the opposite as the following story shows:

In my experience, sifting did not reflect the impact of part-time work or the gender imbalance in the number of colleagues working part-time. NB: I withdrew my appeal on the day of appeal having explained that I felt there was inherent discrimination in the equality impact assessment undertaken by the Trust. Also, that the written response to my individual appeal was insulting of my previous performance and commitment as both a practitioner and SPO. (Survey respondent)

The above account highlights some of the equality issues that arose in the allocation process (apparently, an Equality Impact Assessment was never published or made available to the union).

According to Napo branch officers, most of the appeals concerned absence on the day of assessment – due to sickness, maternity leave, or it being a non-work day for part-timers, etc. For some, the outcome of the split, whether allocated to the NPS or CRC, has been a new workplace, which can be problematic particularly for those with caring responsibilities or disabilities as the following account makes clear:

I was allocated to CRC when I had opted for NPS. I have now moved to NPS, but was allocated a post miles from where I live. I am not allowed to transfer nearer to home, despite the fact that there are vacancies. I have been heavily disadvantaged by TR process. My travel has increased; my costs have increased; my disposable income has decreased significantly. I have always tried to be a diligent worker, but this counts for nothing. I have children 16+. Please do not assume that childcare stops at 16. I still have parental responsibilities and am saddened and stressed by the impact of my work responsibilities, and the sheer effort I have to make to meet these, on my work-life balance. (Survey respondent)

5.3 Current probation workforce picture

The quarterly workforce statistics collected by NOMS previously on the Probation Trusts are now separated between the CRCs and the NPS. In summary, the data reveal a declining CRC workforce, but a slightly larger NPS one since the split of probation in June 2014. Further, the balance between CRC/NPS pay bands and therefore of PO/PSO roles is markedly different, with a disproportionately lower grade, lower paid CRC workforce. This was an expected outcome of the split given the CRC responsibility for low and medium risk offenders and the fact that PSOs are qualified to supervise them.

The CRCs

For the CRCs, data is published on staff in post by region, staff numbers in the various pay bands, distribution of staff by function, changes in staff numbers by CRC and region. Demographic/protected characteristic data are not available, although some CRC websites state that they will collect and publish such data in future. This is disappointing in view of some information from our study and from another Napo survey (Napo 2015) that BAME staff had been disproportionately allocated to the CRCs. Further, data on working patterns (e.g. full- versus part-time) are not currently published.

The current CRC workforce stands at 8290 (FTE); the largest workforce is in London (899) and the smallest in Norfolk and Suffolk (190) reflecting different size offending populations (see Appendix 1). Compared with the previous quarter, 17 CRCs saw a decline in workforce numbers averaging 1.84%, but with significantly larger than average decreases in Derbyshire, Leicestershire, Nottinghamshire (4.76%, equivalent to 29 FTE), Durham Tees Valley (4.72% or 10 FTE), and Warwickshire and West Mercia (4.67% or 10 FTE) (NOMS 2015). Workforces in the CRCs are likely to contract further as redundancies are implemented (in Sodexo owned CRCs) and as leavers are not replaced. A brief review of vacancies on CRC websites in July 2015 revealed that many of the CRCs had no current vacancies and the most common type of vacancy was for sessional programme tutors or casual community payback supervisors. All of this signals not only the possibility of future contraction of workforce size, but also of increasing casualisation.

Latest available quarterly data show that approximately 85% of staff work in offender related functions. Of these, about 66% are located in (the lowest) pay bands 1-3 (mostly admin grades) and 32% in pay bands 4-6 (below the management bands, including senior probation officers, probation officers and probation service officers) (NOMS 2015).

Among our survey respondents, 44% of SPOs, 32% of POs and 59% of PSOs were allocated to the CRCs. The PO/PSO division is anticipated, and assumed to be broadly representative, given that PSOs are able to supervise the low to medium risk offenders now the responsibility of the CRCs. When it comes to gender, 45% of female respondents were allocated to the CRCs, compared with 40% of male. No data are available to confirm whether this gender differentiated figure is representative of the division of staff overall. Our survey findings cannot shed much light on the allocation of BAME staff because only 46 BAME respondents answered the question on current employer. Of these 71% were in the NPS and 29% in the CRCs.

The NPS

As of 31st March 2015, the NPS workforce stood at 8,730 (FTE) making up just below 20% of NOMS staff. Of these, there were 3,220 Probation Officers (36.5% of NPS staff), compared with 3,060 at 30th June 2014 (shortly after the NPS was created). Overall staff numbers in the NPS have increased by just below 5% since its creation on 1st June 2014 as joiners have outweighed leavers (860 to 480 FTE). Napo officers report large numbers of vacancies all around the country indicating that the original allocation of staff did not actually match up to the work/operational demands (i.e. too few practitioners were allocated to the NPS). There has been a recent recruitment drive of both qualified and trainee POs.

Some of the NPS data are now subsumed within NOMS workforce data. Data on protected characteristics (other than gender and age) of probation staff have apparently not migrated to the new system. In addition, disaggregated data covering the full range of NPS roles is not available – the only role specifically identified is Probation Officer. However, data on pay is available and shows that 48% of NPS staff are located in (the lowest) pay bands 1-3 and 52% in pay bands 4-6.

Women make up just below 75% of NPS staff and the most common age group is 30-39 (with about 29% of staff within that range). NPS has seen a reduction in staff working part-time: 25% work part-time (compared with 31% as at 30th June 2014). The reasons for this are unclear, but it is likely that as part-time workers have left, they have not been replaced with part-timers. Data on other working patterns is not available as flexible work arrangements are typically handled at local level (MoJ 2015).

Among our survey respondents, 56% of SPOs, 68% of POs and 41% of PSOs were allocated to the NPS. As above, this grade division is likely to be broadly representative given that POs supervise the high-risk offenders who are now the responsibility of the NPS. When it comes to the gender split, 55% of female respondents, compared with 60% of male were allocated to the NPS. No data to confirm whether this figure is representative are available.

5.4 Working conditions and employee experiences in probation post-TR

The evidence from this research indicating that working conditions and employee experiences in probation post-TR and the split of the service have deteriorated is compelling for both parts – the NPS and the CRCs. The section considers the evidence from our research in three parts: workplace culture; working conditions; probation careers. Where we found significant differences across the dimensions of gender, race/ethnicity, age, grade, public/private, we highlight these. When it comes to gender, it is important to underline the fact that probation is more than 70% women and therefore the experiences described below are predominantly women's experiences of public sector restructuring/outsourcing.

Workplace culture

When it comes to workplace culture, the recurrent themes were lack of inclusion, staff feeling unvalued, uncertainty, lack of consultation and low morale – these were all sources of stress and anxiety affecting both the NPS and CRCs, women and men, and all age groups. These themes arose in interviews, roundtable discussions, WiN workshops and are confirmed by the survey (see Table 5.2).

At the time of the fieldwork (January – June 2015), most probation workplaces still housed both NPS and CRC workers, although typically workplaces had been physically divided by use of different floors or parts of floors for NPS and CRC staff. Many branch officers talked about how divisive the split had been for staff groups who had previously worked together in an integrated fashion, but who now experienced tension, resentment and other negative emotions across the divide. A substantial number of survey respondents echoed this view (see Table 5.2). The following quote from one branch officer is a typical example of people's experiences:

Some people were sort of like oh, I've got NPS because I'm a good probation officer ... everyone was highly emotive at that time, emotions were high. And so I think that affected things, so people thought "they think they're better than us" ... So you had this office where people worked with clients, I mean, it wasn't perfect but then when the split came, it was literally like someone took an axe to the office and smashed it in half. And I don't think it's got better since then.

Everyday signs of the split included separate stationery cupboards, separate fridges, all the way down to separate tea bags. While research participants laughed about these trivial symbols of the split, they also identified serious consequences of the separation of functions/tasks for service delivery and by extension for their own professional ethics. The consequences included: CRC staff not being able to access offender records they had written after an offender transferred to the NPS; no lines of communication between CRC and NPS staff about individual cases; clients being kept waiting for unreasonable amounts of time because there was no available NPS/CRC worker to deal with them; longstanding complex cases being reallocated a PO several times as a succession of people transferred from the CRC to the NPS. One quote from a branch officer interview expresses the sentiments of many research participants:

People felt sort of processed and undervalued and there's this split so colleagues that you worked with very closely are suddenly in this other organisation and there are tales that if you go up on the fourth floor where the NPS are, they're supposed to turn their screens off if you go up to talk to them. You know, we've always shared information.

This new division of work, and the isolation of people it brings, is seen as very detrimental to the capacity professionals have to face their daily work challenges:

I don't think this is a job you could do if you did kind of isolate yourself from your colleagues because you have to be able to cope with the things that you hear and you read and there's stuff that you have to talk about ... I can't tell you how difficult it is doing some of the things we have to do in our job. And being able to get support from your colleagues in doing that and even just the feeling of they know what I'm going through because they have to do it too, that helps. And so we work in an open plan office, some of our offices are smaller, but shared between a couple of people and you form close bonds with people that you sit close to because they're the ones that overhear you when you have difficult phone conversations and you put the phone down and they'll be the ones putting the kettle on and, 'do you need to talk about it?'. Or they're the ones that at four o'clock on a Friday afternoon where suddenly you have to complete a recall who rally round and keep you going. (National officer)

The options survey respondents chose to describe their workplace culture since TR were overall very similar among female and male, white and BAME and across age groups. However, Black Caribbean respondents were more likely than white and other minority ethnic groups to feel undervalued by managers, to see the workplace as not inclusive. The greatest differences though were between the NPS and CRC respondents – almost all the positive statements were disproportionately selected by NPS workers and all the negative statements were more likely to be selected by CRC workers. This indicates a somewhat more negative workplace culture in the CRCs, particularly when it comes to fear, uncertainty and low trust – see Table 5.2. One branch officer speaks about workplace morale in the following interview extract:

I'd say the NPS is better than the CRC, slightly. CRC at the moment, I think the way I describe it is the NPS have been through their biggest change, they were created, that was a huge change. But a lot of the work that we do as practitioners is the same, we're doing court reports, we're doing supervision, we're dealing with high risk offenders. That's not new to us. The CRC however, not only are they going to be a new company, they've had to take on new shareholders/stakeholders, they've got to learn that company's way of working. And equally that's not yet finished. They're not set up yet. They don't know what the future looks like. And I think for the CRC at the moment it's quite an uncertain place to be, speaking to friends and colleagues that work there, they don't know what the future holds. And I think morale has taken a huge, huge hit in the CRC. You walk through it every day there is somebody that's leaving or a new temporary member of staff coming in to fill a space and I don't think that ever does anything good for morale when you are seeing people coming in and going out so quickly. NPS things are slightly better. We've now probably come through the darkest points where people weren't sure what was happening. It's by no means over, there is a lot of stuff going on with workload and we are still understaffed, but it's probably a more desirable place to be at the moment I would have imagined than being in the CRC.

Table 5.1: Perceptions of workplace culture

Statement	Female N/%	Male N/%	NPS N/%	CRC N/%
My workplace feels inclusive	125 19.75	57 19.59	92 20.63	55 16.37
I feel valued by managers	125 19.75	71 24.40	93 20.85	61 18.15
There is a culture of fear at my workplace	188 29.70	91 31.27	126 28.25	121 36.01
There is a culture of uncertainty at my workplace	470 74.25	212 72.85	310 69.51	281 83.63
My workplace is consultative and management values staff opinions	61 9.64	32 11.00	44 9.87	31 9.23
My workplace feels divisive	192 30.33	95 32.65	140 31.39	111 33.04
There is a bullying culture at my workplace	62 9.79	42 14.43	49 10.99	45 13.39
There is low morale at my workplace	406 64.14	182 62.54	292 65.47	226 67.26
There is high morale at my workplace	19 3.00	9 3.09	8 1.79	11 3.27
There is a culture of surveillance at my workplace	64 10.11	48 16.49	53 11.88	46 13.69
There is a culture of low trust at my workplace	170 26.86	77 26.46	110 24.66	106 31.55
There is a culture of high trust at my workplace	18 2.84	8 2.75	12 2.69	9 2.68

There can surely be no doubt that the national situation in the CRCs has a lot to do with the Sodexo announcement in May 2015 of impending large-scale redundancies in the CRCs it owns and with Purple Futures also apparently indicating that redundancies might be in the offing. Combined, Sodexo and Purple Futures own 11 of the 21 CRCs and the sense of insecurity staff feel is bound to reverberate even among the CRCs with different owners. In fact, among the eight CRC owners, the survey indicates that the workplace culture of Sodexo owned CRCs is particularly problematic. In three branches with Sodexo owned CRCs, workers experienced particularly high levels of uncertainty (85%), and in four particularly

high levels of low morale were reported (76%). On Sodexo, two participants' comments mirror those of other people we spoke to in Sodexo owned CRCs:

I feel that Sodexo have lied to me, have tried to cheat myself and colleagues out of redundancy packages and have created total uncertainty in many areas of my working and private life. I have increased stress and anxiety since the TR and Probation split. (Survey respondent)

I retrained to come into this. And I'm not in it for the money, I came into it because I wanted to do the job and I believed in the job. I've never felt in twenty-odd years that I didn't want to come into work, but it's pretty soul destroying at the moment. And I think everywhere you go people are very flat. We just had the whole redundancy scenario explained to us and again you know, it's affected everybody's morale. (Branch roundtable participant)

Participants in the WiN workshop also felt that different CRC owners had different cultures – ranging from purely profit driven to mission driven – and that the full implications of this for probation staff would unfold over time. Participants thought, for example, that profit driven owners would attempt to drive down labour costs by various means in order to extract more profit, while mission driven owners would seek to enlist volunteers to deliver some probation services within budget. Practitioners now working in CRCs who were specialised in delivering programmes and working with the community before the split mentioned the effects that the restructuring had already had on the delivery of programmes with some activities designed to support clients disappearing or being diluted. Both models – the profit driven and mission driven – would result in an adverse climate for the probation workforce and the future of training and development and long-term careers would surely be put in jeopardy.

Against this discussion of the CRCs, it is important to stress, however, that our research in general and the survey results in particular hardly suggest a positive workplace culture in the NPS either, with widespread perceptions of uncertainty, feeling undervalued, lack of consultation, lack of inclusion and low morale in both parts of probation. In addition, on the NPS side, many branch officers and survey respondents felt frustrated by the more bureaucratic culture of the Civil Service compared to their experience of Probation Trusts. One branch officer, an SPO managing approved premises, spoke about the operational difficulties he was now facing especially when an unforeseen event or crisis occurred. Getting authorisation to make necessary expenditure had become more complex especially outside of normal office hours. He described a situation where unexpectedly he had to move 18 high-risk offenders released from prison on licence, which required spending on accommodation, food and transport. His story and the manner of its telling was one of palpable frustration.

Working conditions

Although prior to TR the probation service operated within a national agreement for terms and conditions, local and individual arrangements for things such as sickness absence, capacity issues, flexible work arrangements, etc, also existed. The general view was that most Trusts were quite flexible and accommodating of people's individual needs. The split has

thrown these informal arrangements into uncertainty – in the CRCs the picture was mixed, with some honouring individual locally agreed flexible work arrangements for the moment and others withdrawing them:

You have flexible time. So maybe you work earlier in the day rather than later and you move your hours around to accommodate your ... Or you take unpaid leave. So if you've got young children you say, half term, I can't find cover, I want unpaid leave for ... All of this is now being refused. (Branch officer talking about a CRC)

Staff in the NPS are now subject to Civil Service policies and the general view was that these policies are more rigid and more strictly applied, which people were already finding has implications for TOIL, use of union facility time, sickness absence, as well as flexible work arrangements.

The concerns about flexible work arrangements and caring responsibilities are often interlinked with the near future possibility (and for some the reality) of having to move to a workplace in a different location further from home. Some of the CRCs are proposing to move to alternative premises, introduce biometric kiosks or work hubs. The following quotes illustrate how flexible work arrangements and workplace location are inseparable concerns affecting CRC and NPS staff, especially women:

Often the feedback I've had, it's people with caring responsibilities who are uncertain about where they're going to be working and often it's the women that end up having to drop the kids off at school, pick them up and have caring responsibilities, older relatives. And they find uncertainty very difficult to deal with ... (Branch officer)

I was allocated to CRC when I had opted for NPS. I have now moved to NPS, but was allocated a post miles from where I live. I am not allowed to transfer nearer to home, despite the fact that there are vacancies. I have been heavily disadvantaged by TR process. My travel has increased, my costs have increased, my disposable income has decreased significantly. I have always tried to be a diligent worker, but this counts for nothing. I have children 16+. Please do not assume that childcare stops at 16. I still have parental responsibilities and am saddened and stressed by the impact of my work responsibilities and the sheer effort I have to make to meet these on my work life balance. (Female survey respondent)

Some branch officers anticipated that workplace closures in the CRCs might be used as a means of reducing staff numbers by 'natural wastage' of those who could not or would not relocate. Staff reductions would obviously put even greater pressure on working conditions, particularly long hours, work overload, etc and this was another source of anxiety.

A recurrent topic connected to workload issues was the accrual of TOIL. Branch officers had advised and represented many members in cases where TOIL accumulated because of understaffing and work overload, but there was no opportunity to take it because of understaffing and work overload! In some cases TOIL leave was refused or lost because the CRC and NPS policy of not allowing more than two days (14 hours) to accrue was being more strictly applied than under the former Trusts:

I have consistently been over on the WMT (workload management tool) and have built up 60+ hours of TOIL with no chance of taking this. My manager has stopped asking for timesheets to demonstrate how much TOIL I have. (Survey respondent)

The survey revealed worsened working conditions across a number of measures (Table 5.2) for a significant proportion of probation staff. Overall, as can be seen in Table 5.2 women's perceptions are somewhat more negative than are men's; the differences across age groups were minimal. The greatest differences in perceptions of working conditions post-TR are between POs and PSOs. POs disproportionately report experiencing bigger caseloads, unrealistic targets, inability to cope with workload, work-related stress, long hours working and inability to take TOIL, deterioration in work-life balance. However, it is also important stress that large numbers of PSOs also experience poor working conditions though, particularly unrealistic targets, insufficient staff, lack of cover for staff absences, work-related stress and long hours working. All this is compounded by what Napo national and branch officers regard as flawed arithmetic in terms of the proportion of staff allocated to NPS (too small initially) versus CRCs. Staff shortages are reportedly particularly acute in the NPS and there is a national recruitment drive especially for urban areas. At the same time, some CRCs lack POs to oversee PSOs' work and this is also a cause of stress both for POs who feel they have too many cases to oversee and for PSOs who feel they lack support.

Table 5.2: Perceptions of working conditions

Statement	Female N/%	Male N/%	PO N/%	PSO N/%
Bigger caseload	195 30.23	98 33.33	194 41.54	68 26.77
Unrealistic targets	333 51.63	146 49.66	280 59.96	122 48.03
Regularly unable to cope with workload	259 40.16	103 35.03	220 47.11	80 31.50
Regularly suffer from work-related stress	246 38.14	104 35.37	202 43.25	98 38.58
Insufficient staff at workplace	360 55.81	155 52.72	284 60.81	120 47.24
Often no cover for annual leave/training/sickness absence	322 49.92	132 44.90	236 50.54	115 45.28
Regularly work hours over and above contract	302 46.82	125 42.52	239 51.18	95 37.40
Work-life balance has deteriorated	184 28.53	79 26.87	157 33.62	59 23.23
Unable to take TOIL	127 19.69	56 19.05	109 23.34	37 14.57

As with workplace culture, on some of the working conditions of greatest concern – stress, workloads, closures and relocation – branches with Sodexo owned CRCs consistently appear to fare among the worst. The highest stress levels were reported in four branches with Sodexo owned CRCs (56%); there was a higher than average inability to cope with workload in two

branches with Sodexo owned CRCs (48%); there was higher than average fear of workplace closures and relocation in four branches with Sodexo owned CRCs (74%).

When it comes to targets and deadlines, at least one CRC that we are aware of is considering ‘naming and shaming’ individuals who do not meet targets (for example, completion of OAsys reports). Completing OAsys reports is widely seen as laborious and onerous and target deadlines too short. One issue that cropped up is that deadlines are unadjusted for part-timers, so they experience particular pressure with completing this task on time – while admittedly this has been the case for some time part-timers are apparently feeling the pressure far more keenly in the current stressful and insecure environment. For many full-timers the unrealistic deadlines result in long hours working – and attendant accumulation of TOIL already discussed. Added to this, nearly half of survey respondents reported that there is no cover for staff absences (sickness, annual leave, TOIL etc) and work simply accumulates or is redistributed to already overloaded staff. For many, work overload was resulting in poor health, but there was also fear (apparently unprecedented in probation) of taking sick leave in case sickness records are used against individuals in a future redundancy situation in the CRCs. There were also some reports of managers advising individuals to use annual leave instead of sick leave to avoid getting a warning. The following survey respondents described their experiences:

I am frightened to take sick time off from work, even though it is stress related. Really have to work hard so can take TOIL off. Targets and workload are too high. I co-work cases that really should belong to POs. There isn't any time most times to say hi to other colleagues, always rushing around.

I rarely take time off on sick but I have recently taken two weeks off with stress and anxieties. Due to my work, it has been affecting my already high blood pressure, which I am treated for and I constantly suffer from heart palpitations and chest pains. I am concerned about my physical health on the back of this, as well as my mental health. I have come back after two weeks off sick because I was concerned for my colleagues who already in a very small team, and the fact they were having to cover my cases in my absence, I did not return because I felt better.

Targets have become a highly contentious issue in some CRCs and in some NPS workplaces. One branch officer explained that in his office (which contains both CRC and NPS staff) every offender manager is on the first stage of the disciplinary process (action plan) for failing to meet targets caused by severe understaffing. He believed that staff would be unlikely to meet the action plan requirements because they are still getting additional cases.

For many practitioners, work overloaded was not simply about the volume of cases – which is typically the greater problem on the CRC side. NPS practitioners are also overloaded in terms of the intensity and complexity of high-risk cases as one roundtable participant explains:

I mean literally my workload has virtually doubled as a result of TR. But not only doubled, it's jumped in intensity because you don't have those minor offences, you don't have the six month orders, the twelve month orders. The large majority of my cases at the moment won't terminate until 2018, 2019. I've got offenders that I will be supervising until 2027. Now they're telling me your caseloads are going to get better and only literally over the last two weeks have I seen any kind of respite. But no one seems to be able to tell me what's going to happen to all the cases that are going to need to

be allocated between now and 2027 because my caseload isn't going anywhere. There isn't the natural tail-off anymore because we're getting such beefy sentences because we're dealing with the higher risk.

Many Napo branch officers put the widespread stress in the NPS down to the change in the nature of POs' workloads, who formerly would typically have had a mix of high and medium risk clients providing some balance to their working week. They are now dealing with *only* highly complex high-risk cases often involving some harrowing crimes and these clients require a lot of individual attention and multiple strategies, which can prove physically and emotionally exhausting for offender managers.

Apart from stress, other health and safety concerns also emerged in interviews, roundtables and workshops. There are concerns about safety, especially for female staff, when meeting clients outside of the workplace; when supervising domestic violence cases with only the most basic training; when running programmes with larger numbers of male participants than previously; about planned removal of screens from offices and installation of hot drinks machines in reception areas. Branch officers reported that health and safety seem to have slipped off the employers' agenda and there is no risk assessments conducted. One female branch officer's experience illustrates the potential health and safety consequences of not sharing information across the NPS/CRC divide as well as those that might flow from an artificial hierarchy of offender risk:

I ran a [domestic violence] group on one occasion where the men were disclosing some of their offences and I was really aware being a tutor in that room that I did not know the background of all these men who I was tutoring. So I didn't know their risk because I didn't have access to their information. And there was one guy on there and he turned round and he said, "I was in prison, I'm out now, I was done for stabbing my partner". And you just sit there as a tutor and you think this is information I shouldn't be having to be grappling around for, or not having access to. This should be information that I should have access to because potentially there is a risk to me ...

Practitioners fear new risks for themselves, but also less efficiency in dealing with offenders. The implementation of new IT systems by the private companies that do not combine with the NPS system was raised repeatedly as a major communication problem, but it also constrains communication with other agencies and the police. In the NPS, many participants underline the complete organisational chaos in which they operate and emphasise the fact that if the service is still functioning, it is thanks to professionals' good will and dedication.

In addition to the general concerns about working conditions expressed across gender and grade, disability-specific issues also cropped up. Some staff with disabilities experienced problems in the NPS with retaining the 'reasonable adjustments' provided by the Trusts:

Since the split, virtually every person who has a disability, and asked for reasonable adjustments, has seen either their admin support has been removed without anything replacing it or their workload relief has been cut without anything replacing it. Their assisted technology, if it isn't working well managers have been encouraged to say well don't use it. But they're not making other adjustments instead and we're having a devil of a time in [the region] at the moment because we have quite a strong minded equalities lead for the NPS side who is absolutely determined that you shouldn't be given workload relief as a matter of course if you're an assisted technology user. You should be able

to be up to speed as soon as you've had the training and it doesn't work like that because assisted technology packages are rubbish, they don't work. (WiN workshop participant)

I am disabled and my reasonable adjustments have not been provided/honoured post-split. I have been informed or 'threatened' that intermittent disability leave can result in dismissal by HR - despite only having one day off - evidence of a 'bullying culture' and a lack of respect for disability issues within the NPS. This has been echoed by other Napo colleagues. (Survey respondent)

One of the things that they announced a few months ago is that all our staff with assisted technology, and some of them have got 30% workload reductions and they said well, that's got to go. That you've got the assisted technology and you work at 100% or as close to 100% of your colleagues. Well, I mean, all our staff with assisted technology in NPS have all put grievances in. They're up in the air and they're all majorly worried that they're suddenly going to be taking competency measures out against them. (Branch officer)

As stated previously, working conditions in probation have never been entirely consistent across Trusts, but Napo branch officers did not regard such inconsistencies as existed as a major problem; it was more likely that some branches had been able to negotiate with the local employers to improve on national conditions for the benefit of members. In the current environment, the concern is that deleterious inconsistencies in working conditions are emerging, especially across the CRCs.

Probation careers

All the Napo branch officers and members we spoke to described feeling disillusioned about the future of probation and their own career within it. There were both immediate concerns such as job loss and workplace closures, and longer-term ones, which intersected with the low morale and negative probation climate discussed above as well as with issue of professional identity.

Table 5.3 shows that across the NPS and CRCs, three quarters of survey respondents feel less secure post-TR and more than two thirds are worried that pay will worsen. Perceptions of certain concerns are differentiated by gender. For example, women are slightly more concerned about lack of training opportunities, losing their jobs and the prospect of workplace closures and relocation; men are more concerned that pay will worsen and about future career prospects. The differences across age groups were once again minimal. However, once again, the greatest differences are between NPS and CRC workers. CRC workers feel far less secure, they have greater fear that pay will worsen, they are more afraid of losing their jobs, and are more worried about workplace closures and relocation. Meanwhile, NPS workers are concerned about the lack of training opportunities, and they feel generally more pessimistic about the future of probation.

Training and development emerged as a significant concern across probation. Firstly, there were concerns about the quality of training and support that new entrants are getting:

When I trained you had a caseload of between 10 and 15, you never went beyond that, you have a varied experience, you did court duty for three months, you did approved premises for a period of time, you did everything, every aspect of probation you could have a chance and an opportunity to do that. It wasn't until you qualified, post-qualification that first year, you were allocated cases and you

built up to a full caseload by the end of that year. So the comparison, we were totally protected, totally protected which is the way it should be I think. The comparison to the type that these two or other trainees are experiencing is just, I don't know how they do it, I just really don't. I admire them. I don't know how they're doing it because they haven't got the support that we had. (Roundtable participant)

The concerns expressed in the above quote were about NPS PO trainees, but there was also concern about how the CRCs will sustain a trained workforce of PSOs (and other grades) as people start to leave and new (unqualified) entrants come in. Some branch officers reported that the pool of collective experience had already reduced in many probation workplaces, which was creating extra pressure on more experienced practitioners to oversee an increasing number of less experienced colleagues.

Another concern for future careers was the closing of the career path from admin/PSO to PO. Probation entry requirements were previously flexible and staff could study for probation qualifications (admin to PSO or PSO to PO) while in service. Entry to practitioner grades is now restricted to those with one of four pre-requisite degrees in the criminal justice field. There are many long-serving practitioners, who followed the route from admin/PSO to PO out of deep interest in and commitment to probation. Many lament its loss. They argue that probation is the type of service enriched by a variety of life experiences and backgrounds.

Table 5.3: Concerns about future career in probation

Statement	Female N/%	Male N/%	NPS N/%	CRC N/%
I feel less secure	460 76.54	204 74.45	289 69.64	268 83.49
I feel I have fewer career prospects	324 53.91	153 55.84	228 54.94	172 53.58
Worried that pay will worsen	408 67.89	203 74.09	265 63.86	250 77.88
Lack of training opportunities	272 45.26	106 38.69	234 56.39	88 27.41
Afraid of losing job	292 48.59	124 45.26	167 40.24	182 56.70
Optimistic about future of probation	14 2.17	7 2.34	7 1.55	9 2.65
Pessimistic about future of probation	419 64.86	189 63.21	315 69.69	209 61.65
Worried about workplace closures and relocation	344 53.33	147 50.00	215 47.99	216 64.09

There were also worries about training and development for qualified practitioners. Probation careers typically comprise a variety of horizontal moves (e.g. into different specialisms) over time. Traditionally, training, both on and off the job, underpinned these career transitions. Most of our research participants detected less commitment to training (of any substance beyond one-day courses) and support structures (such as mentoring and shadowing) in both the CRCs and NPS. In the longer term, there were already signs that this would all amount to

less interesting and fulfilling careers, which in all likelihood will lessen motivation to stay in probation through this difficult transition.

Indeed, for many, concerns about what the future holds for careers in probation translated into a desire to leave altogether. Table 5.4 reveals some small differences between the intentions of female and male survey respondents with regard to future employment in probation. More men than women were looking for a job outside of probation or intending to take voluntary redundancy if offered. The differences between NPS and CRC workers are greater though than gender differences and the differences across age groups were minimal. The survey indicates that more than 40% of CRC workers, compared to 24% of NPS workers, would take voluntary redundancy if offered it and nearly 30% of CRC workers, compared with 24% of NPS are already looking for a job outside of probation. These are substantial proportions of staff and obviously reflect a weakening commitment to probation after restructuring and outsourcing. Despite some stressful conditions discussed above, far more NPS workers plan to stay in probation (33% compared to 20%), but still the proportion who definitely see their future in probation is small. Some Napo branch officers conjecture that more people would like to leave, but many regard their skills and qualifications, that they have invested hugely in, as non-transferable. Especially in many rural regions, POs fear that they will not be able to find another job outside of probation (at their current salary at least) because of funding shortages in social work and the voluntary sector.

Table 5.4: Future intentions

Statement	Female N/%	Male N/%	NPS N/%	CRC N/%
Looking for a job outside of probation	163 25.23	83 27.76	110 24.34	99 29.20
Intending to take voluntary redundancy if offered	182 28.17	98 32.78	107 23.67	136 40.12
Intending to stay in probation	179 27.71	85 28.43	150 33.19	69 20.35
Hoping to transfer from CRC to NPS or vice versa	13 2.01	8 2.68	2 0.44	16 4.72

Table 5.5 shows survey responses to statements related to professional practice and identity post-TR. The results paint a picture of severe pressures leading to substantial numbers of practitioners lacking time for reflection, to confer with colleagues and to spend with individual clients. This environment was a major source of distress and worry for many practitioners who have high personal standards for professionalism. Given their greater investment in probation qualifications, it is hardly surprising to find that according to the survey, POs are more likely than PSOs to perceive their professional practice and identity negatively affected by TR. As Table 5.5 shows, differences across gender were not accentuated on most measures, and similarly the differences across age groups were minimal.

Deprofessionalisation and deskilling were words frequently used by Napo national and branch officers and activists to describe the assault that TR has perpetrated on probation

practitioners' everyday practice as well as professional identity. The branch officers below are all speaking about this from a CRC perspective and the fact that CRC staff cannot supervise high-risk offenders nor do court-related work:

The big thing for the people left behind [in the CRCs] is the deskilling. One of my colleagues had been a probation officer forever, she's not allowed to go to a normal hearing anymore without having someone from the NPS accompanying her and when they rang up they said it could be anybody, it didn't really matter, it just had to be somebody from the NPS to tag along. (Branch officer)

One example, one of our people went to a parole board hearing and the parole board judge said, "I need somebody from the NPS". And it's like, well, I'm a probation officer, yeah, you're not ... Almost like you're not a proper one, I need a proper one from the NPS and that is the sort of sense that people are getting. That sort of thing is getting out there, it is like the NPS is the professional part of probation. The CRC isn't because NPS have kept all the high risk and dangerous offenders, they kept all the report writing so they do all the court work, all the parole work. So it is all that stuff that probation officers are trained to do and they're pretty good at it most of them. But the ones who are in the CRC are no longer allowed to do those key core tasks that was always the job of a probation officer. And I think that's where the sense of deskilling, deprofessionalisation you've got examples where somebody has just qualified and they're in the NPS and they've been a probation officer for like, a few weeks. But they are allowed to make a decision that somebody who's been a probation officer for fifteen years is no longer allowed to make purely because of where they ended up. (Branch officer)

The deskilling and the deprofessionalisation for me were almost immediate. You need to hand your lifers over and I was really angry about that because one in particular I'd had for I think about eleven years. He's in a special hospital and the only outside contact this man has is with his probation officer and he had a relationship with his previous probation officer that was quite productive and he passed him on to me and then I spent quite a long time working on having a productive relationship with this man who's got some fairly significant illnesses and then just to have that removed. Oh, he's got to go to somebody else now because you know, you're no longer ... And nobody actually said you're no longer qualified but that's how it feels. (Branch officer)

CRC practitioners find it demeaning and an insult to their professional knowledge and expertise that they can no longer perform certain tasks or supervise high-risk offenders. It also makes them conscious that certain career choices are no longer available to them (e.g. to transition to high-risk cases). There has also been a negative impact on professional identity experienced by NPS staff:

The whole thing about professional identity I feel has gone and you can't measure that, can you. You can't quantify what that means to you as a practitioner, what you see going on around you. But it just feels like a series of tasks, every day you have a to-do list and a set of targets to meet. You are making decisions and somewhere in the middle, you might exercise your professional judgement. It doesn't actually feel that way because all the time it's about a process rather than about looking at anything, having the capacity to reflect on what you're doing and look at the bigger picture and understand what's going on and have time to talk to anybody about what it is you're trying to do at any point in time. (Branch officer)

While people recognised that many of the professional challenges with which they are now grappling existed prior to TR (e.g. unrealistic targets, poor IT infrastructure, changes to training and development, poor practice tools, etc), the almost universal view is that TR has only served to exacerbate the problems. CRC practitioners, but also some in the NPS, underline the fact the new owners do not understand probation work and are making

unreasonable proposals to restructure the organisation of work that practitioners predict will fail. Overall, TR seems to have had a negative impact on professional identity and it also seems to have removed from many the sense of pride they took in being part of probation:

The whole thing about professional identity I feel has gone and you can't measure that, can you. You can't quantify what that means to you as a practitioner, what you see going on around you. But it just feels like a series of tasks, every day you have a to-do list and a set of targets to meet. You are making decisions and somewhere in the middle, you might exercise your professional judgement. It doesn't actually feel that way because all the time it's about a process rather than about looking at anything, having the capacity to reflect on what you're doing and look at the bigger picture and understand what's going on and have time to talk to anybody about what it is you're trying to do at any point in time. (Branch officer)

We're proud workers, you know. When I qualified to become a probation officer, it was like wow, and all my family and friends were like really pleased. And you take pride in your work and when you see people change for the better, you know, someone that gets a job that finds it difficult that outweighs all the crappy days and now that's all gone because the cuts that the government are implementing, have implemented, and the rest that are going to come, means that there isn't much you can do (Branch officer)

The above branch officer went on to lament how a lot of POs were now taking a tougher stance with offenders (and for example instigating formal breaches more frequently) because the scope had shrunk for using professional judgement without risking reprimand or formal disciplinary proceedings starting.

Table 5.5: Professional practice and identity

Statement	Female N/%	Male N/%	PO N/%	PSO N/%
TR is detrimental to probation service provision	477 73.84	208 69.57	361 76.81	167 65.49
TR is detrimental to probation careers	373 57.74	170 56.86	291 61.91	133 52.16
Profit motive will corrupt traditional probation values	440 68.11	205 68.56	340 72.34	165 64.71
Too little time for personal reflection	361 55.97	155 52.72	314 67.24	103 40.55
Too little time to discuss work/cases with colleagues	202 31.32	80 27.21	180 38.54	60 23.62
Regularly required to carry out tasks/duties above my grade	82 12.71	47 15.99	40 8.57	55 21.65
Regularly required to carry out tasks/duties below my grade	93 14.42	61 20.75	101 21.63	19 7.48
Practice tools unfit for purpose	204 31.63	94 31.97	180 38.54	77 30.31
Unable to spend enough time with clients	205 31.78	91 30.95	206 44.11	82 32.28
Regularly cut corners/compromise professional standards to meet targets	218 33.80	99 33.67	208 44.54	66 25.98
Poor communication between NPS and CRC	349 54.11	161 54.76	260 55.67	139 54.72
Increased blurring of boundary between PSO and PO	267	130	223	118

work	41.40	44.22	47.75	46.46
Too many agency workers being employed	182 28.22	78 26.53	143 30.62	63 24.80

Another issue that cropped up regularly in discussions was the creeping blurring of the boundaries between PO and PSO roles, which had started prior to TR, but which had escalated such that it had become a major concern especially in the CRCs. The fear is (and all the signs suggest) that the CRCs will employ as few POs as possible whose main role will end up being to supervise/oversee/sign off the work of PSOs. As the branch officer below observes, this could be a money saving exercise for the CRC owners:

You've got probation officers in the CRC managing the same cases as probation service officers so in reality why would you pay them £7,000 a year more, why would you do it? So I think at some point there's going to be that deprofessionalisation where they just get rid of the qualified people because they don't need them. The model requires that you might keep one or two around to like oversee but really and truly I think there's going to be a move to deprofessionalise the CRC. I don't think long term they'll have the qualification there because why ... The qualification is really expensive and if you don't need to put people on it why would you? Also in reality you probably put them on a qualification, eventually they'll leave to go to the NPS anyway because if they're qualified to work with high risk offenders why would they not work with high risk offenders?

They're talking about removing the PO/PSO boundaries. Up to now there have been quite clear divisions that certain parts of the work are done by POs and for that they got paid a PO grade. And certain other tasks were done by PSOs who hadn't been through the training and weren't paid as much. I think there's been pressure over the past few years for the PSOs to do more of the work that was previously done by the POs and that's something that as a union we've been against because we think that people should be trained to do the job they're doing, paid for the job they're doing. And I think at the briefing [by the CRC owners] they said, we're going to remove these boundaries. So the concern is OK, so if you're going to get a PSO to do that work are they going to be paid the same rate? People worked hard to get their qualification, they want it, and it's part of your identity.

Whereas previously, the blurring of role boundaries was part of the professional group dynamics, allowing learning processes and flexibility, many Napo officers fear that the CRC owners will use it as an argument to re-band and rebrand PSO grades:

... there is a total blurring of boundaries, but that's been constant ever since I've been in probation... blurring the boundaries all the time because they [case administrators] are doing more of the stuff that a PSO might have previously done... They've piloted it here of having administrators in court taking all the court results and someone just gets sentenced to 100 hours of unpaid work, they don't need a probation worker to do that, you can just have an administrator, just see them outside the court room... that's happening already and I think that will happen more and more. Because if you're a private company you want to get the best deal you can. (Branch officer)

Post-TR and the probation split, probation careers appear overall to offer less satisfaction and fulfilment and fewer opportunities to make a difference – and this is what attracted many practitioners in the first place. Overall, the deskilling and downgrading of jobs, the end of career progression and the conversion to market forces (in the CRCs) symbolises the deterioration of a professional space that had attracted many women who found probation offered non-discriminatory working conditions and career prospects.

5.5 Impact so far of restructuring and outsourcing on Napo branches: current challenges and concerns

The evident deterioration of working and employment conditions and the attack on professional standards result in increasing union members' expectations and pose multiple challenges to Napo.

The challenge of a split representation

Contrary to other bigger unions, Napo benefits from a large network of local activists involved in the representation of members. Because very few local convenors or branch officers have more than 50% of facility time, they are well aware of working realities and are able to keep a close connection with members. This “repping” competence is seen as a major strength for the union and was very useful when Napo needed evidence for the Judicial Review.

So what the lawyers said to us in TR for the judicial review, they said we need the examples of what's going wrong on the ground, if we're going to run a health and safety based legal challenge we need to speak to the people who have been put at risk. We can't speak to the person who knows somebody who knows somebody that it happened to. They actually said the problem is we don't think most unions would be able to do this because your branch rep will be on facility time and they won't have worked with these people on a day-to-day basis and it will be somebody who knows somebody who knows somebody that it happened to. What we got was them having more examples than they could cope with because we were able to go straight to the frontline and at our AGM these were the people who do the job. And even our reps only ever work 50% if that, most of them are on a bit of facility time here and there. So we had that connection. And that makes a big, big difference. (National official)

Table 5.6: Reasons to stay in Napo

	Female N/%	Male N/%	Total	NPS N/%	CRC N/%	Total
To provide advice and to support me in case I have a problem at work	482 67.89	228 32.11	710 100	338 56.24	263 43.76	601 100
To provide legal representation in case I have a problem at work	449 66.92	222 33.08	671 100	319 56.96	241 43.04	560 100
I believe in trade unions	400 64	225 36	625 100	313 59.85	210 40.15	523 100
I believe Napo negotiations with the employers improve my terms and conditions	259 64.75	141 35.25	400 100	204 59.48	139 40.52	343 100
I believe Napo gives staff a voice in probation	245 64.14	436 35.60	381 99.74	193 58.48	137 41.52	330 100
Napo fights for fairness at work	230 64.43	127 35.57	357 100	175 56.27	136 43.73	311 100
Napo provides me with important information	223 69.69	97 30.31	320 100	165 59.78	111 40.22	276 100

about professional issues						
Napo is the most important voice of probation	128 58.18	92 41.82	220 100	128 65.31	68 34.69	196 100
I want to take part in the union	132 62.26	80 37.74	212 100	106 59.22	73 40.78	179 100
Subscription to Probation Journal	130 64.36	72 35.64	202 100	121 69.54	53 30.46	174 100
I believe Napo can fight against redundancies	122 64.21	68 35.79	190 100	88 53.99	75 46.01	163 10

In a context of high turbulence, this “repping” ability is more than ever expected from Napo reps. Table 5.6 shows survey statements related to reasons for staying in Napo post-TR. Among the possible reasons for staying in Napo, advice, support and legal representation are well ahead of other motives, for both men and women, CRC and NPS employees.

When split by age group, the survey shows that young members have even higher expectations of Napo to provide advice and support – 89% of the 18-25, compared with 75% for the 56-65 age group. The branch officers interviewed are well aware of these “repping” expectations and identify servicing members as the core of their union activity.

We still have to represent our members. Still have to do if you like the bread and butter, representing our members say in grievances, sickness absence reviews or sickness meetings. We have to support our members the best way we can. (Branch officer)

Locally we provide, and always have done, an excellent service to members. We’ve got an excellent reputation in this area. In Northumbria itself, I know we’re now North East NPS, but in Northumbria our branch has got an excellent reputation for providing tip top service. Hands-on representation, you know. So we’re living on that. (Branch officer)

The state of uncertainty about working and employment conditions was so high following TR that branch officers and convenors had to work overtime to advise members and reassure them. With the decrease in facility time, some branch officers have found it very hard to address all their members’ demands.

Morale has been a bit low sometimes too because you’re thinking like there’s a lot of work to be done that members have been doing all this time and then along comes TR which disrupts the union. It disrupts what members are doing in their offices and then that has a knock-on effect all the way down, all the way down through the offices. You can see it when people phone up so basically with TR I had a lot of anxious members who were phoning up, needing advice, so that means the branch had to work like overtime, double the time getting information out to members to reassure them but also keeping them up-to-date all the time. (Branch officer)

The instructions now from the MoJ are that no one individual union rep, whatever their role, can claim up to 50% but no more than 50% or as a branch you cannot claim more than 50% of a full-time role. So that is straining us, that is limiting us incredibly. Where we had a whole role to play with, we’ve now got half a role. And it’s just, it’s not possible. With the amount of stress that’s going on and

consequences of stress and staffing capability, disciplinary, you know we need a lot of time for the reps to help those members. (Branch officer)

The foreseeable diversification of the membership’s terms and conditions, depending on the employers’ policies and individuals’ employment status (including agency workers), will make union representation work more complex for existing well-trained branch officers, but even more so for new reps. One of the main issues for Napo is that it largely relies on a small pool of older, more senior activists who disproportionately take on the representation role. Table 5.7 shows that only 15% of responding members declare holding a Napo branch or national position and even less for those who are now working in CRCs. If the level of union density is quite high and used to be very stable, typical Napo activists are more likely to be middle aged, experienced male probation officers. 50% of the members who hold a branch level position belong to the 46-55 age group and 25% to the 56-65+ age group. Only 25% are less than 45 years old. Among survey respondents, only 12% of women hold a branch or national position, compared with 21% of men.

Table 5.7: Holding branch or national level position

	Female N/%	Male N/%	Total	NPS N/%	CRC N/%	Total
No position	545 69.96	234 30.04	779 100	369 57.12	277 42.88	646 100
Branch	63 57.80	46 42.20	109 100	58 58.59	41 41.41	99 100
National	9 39.13	14 60.87	23 100	16 80	4 20	20 100

Following TR, the concentration of Napo activists within NPS – either because they were initially sifted to NPS or because they managed to transfer post TR – created concerns in terms of branch organisation. With few exceptions where branches were historically led by PSOs (now mostly sifted to CRCs), some branches are struggling to identify CRC activists.

From the union point of view, it’s been very tricky. In our branch less than in others, but here it’s getting more and more tricky. Because again, it varies but in most branches most of the activists were probation officers and most of them are in the NPS. And some branches have been left with virtually no activists in the CRC. We were really lucky initially because we had a very even split but then two of our key people joined the NPS. Managed to get a new team together who are very good, but two of them have now got interviews for the NPS and so it’s always, you know, it’s a struggle, it’s a struggle. (Branch officer)

This lack of CRC reps reveals the implicit predominance of fully qualified grades among Napo branch officers (with a few exceptions) and is quite concerning for the future of Napo since CRC owners do not accept cross-representation anymore. In most branches, Napo officers located in NPS are now prevented from representing their CRC colleagues.

In terms of local structure, it's a mess at the moment because we are being told that NPS staff cannot represent members of the CRC and yet our branch *has* unsurprisingly and this is something I was quite interested in looking at when I get a chance; the branch executive predominantly is NPS. And I think the history of that is interesting in that regard because it was a part union and part professional association. It always had a problem with the predominance of qualified grades being you know members of the union and not enough of the other people. So what we have in [our region] is a branch that is very experienced, very strong, quite active and quite resolute, but dominated by people from the NPS. And officially we are now being told that you can no longer represent CRC members, we don't have enough personnel to do the representation if that's the case. (Branch officer)

This new rule is seen as beneficial to the employers, as very junior union activists have been obliged to fill some branch positions with very little experience.

I think the key thing for me is that obviously we have staff side meetings where the unions meet with the employers. But you know, the experience, able to pick up on things that really needed following up or, you know, sort of really needed challenging, I mean, that comes with experience, doesn't it ... Whereas now that experience has gone so I'm, you know, I go to those meetings with UNISON colleagues and another Napo colleague but we're still finding our feet Although, I'm starting to get more of an idea and challenging, being able to see where things need challenging and challenging them... So that makes it quite difficult really. You're having to come back from meetings and then maybe I'm having to speak to [other branch officers] and saying this is what we're getting, ... So everything is a longer process and it's about coming back and having to go back again for the meeting the next month and nothing ever seems to get resolved or moved any further forward. Which I think at the moment, that probably is a benefit to the employers' side. So it is quite frustrating and disheartening. (Branch officer)

Consequently, these branch organisation issues put a lot of stress on national officers and officials who try to overcome branch deficiencies by representing individual members on top of their other union roles.

I: And are you seeing differences in those regions, in their ability to cope with what they're facing right now?

Yeah, inevitably a lot of it actually depends on where the activists fell when they were assigned back in June. So we are in certain areas of the country, we are struggling to have reps either on the CRC side or the NPS side because all the activists went that way or the other. And there's no consistency in where people went. So yeah, we're literally at the point where officials are coming under pressure to start representing individual members which I don't mind doing. (National official)

Recruitment and participation

This situation emphasises the urgency for Napo not only to recruit members, but also to train new activists. All branches seem well aware of the importance of recruiting members. Most of them have completed their mapping exercise, even if it was a "painful exercise".

It was difficult, but we sat down together in the beginning to do the percentages on calculators and things like that. But it was difficult this time, most difficult ever because in the past you had NPS and CRC in front of you so we had all the information, but this time because of the split a lot of information we want to do with NPS we've got, but with CRC we haven't. So it was completely different, because before all the information was there, and we could just go on the system, type in names, track them, where they were, look up offices. We had a book that had all the offices in there and where people were and we could obviously look at the mapping and see, look at it that way, the probation directory, but that's useless now because everything has changed. So it's been a nightmare task, a task that I must admit that we kind of think we can't do that right now, we're really busy. (Branch officer)

Apart from the few activists who are known to have left Napo because they disagreed with the union strategy and felt betrayed by the outcomes of the Judicial Review, branch officers report that their members have not left Napo in large numbers. They also report that losses are mainly due to members retiring or leaving probation in the wake of TR.

But I think realistically, if you look beyond that active layer which is quite a thin layer of people really, key activists within branches may be only, you know, a few dozen people really. But wider membership I found are far more realistic about what our prospects were ... and what the long term prospects are, the fact that we have to keep defending their terms and conditions. We haven't had this huge haemorrhaging of membership that some were anticipating. We've had people leave but I think that is, it's been in the dozens, not the hundreds. And you know, we need to analyse the data but it seems that most of those people who have left are because they are retiring or they are moving on because they don't like what is happening. We haven't had a sort of a backlash against the union in that sense. So there is a bit of a wait and see attitude amongst the membership as to whether we're going to stem the tide and continue to have an influence within both the NPS and the CRCs. (National Officer)

We have lost members through mainly through just natural wastage of people retiring. People have left, people are so fed up that I've had people who've said to me I've had enough, I've got no other job to go onto but I can't stand it anymore, I'm leaving and they've left. People have resigned. All sorts going ... And it's a really unhappy place. (Branch officer)

Branches seem well used to the process of recruiting trainees during their induction programme. Table 5.8 shows that Napo has been so far quite capable of renewing its membership – among survey respondents, 28% of members have more than 10 years of membership, 20% have less than 5 years. The survey also points out that new members are both predominantly female – which can be explained by the higher level of feminisation amongst young employees – and located within CRCs. 25% of the members who joined less than 5 years ago are in CRCs compared with 17% within NPS. This is a trend, which needs to be monitored because it has obvious representation and organisation implications for the union.

Table 5.8: Napo membership

	Female N/%	Male N/%	Total N/%	NPS N/%	CRC N/%	Total N/%
Less than 3 years	86 78.18	24 21.82	110 100	44 44.00	56 56.00	100 100
3-5 years	45 78.95	12 21.05	57 100	27 56.25	21 43.75	48 100
5-10 years	128 69.19	56 30.27	184 99.46	96 57.14	72 42.86	168 100
10-15 years	162 70.74	67 29.26	229 100	126 62.69	75 37.31	201 100
15-20 years	60 70.59	25 29.41	85 100	41 51.25	39 48.75	80 100

More than 20 years	74 52.48	67 47.52	141 100	77 63.11	45 36.89	122 100
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Union recruitment practices are now undermined by the restructuring of the HR function in NPS. Previously, branch officers could easily liaise with HR officers with whom they had good relationships to organise Napo input during trainees’ induction programs, whereas they are now confronted with remote HR shared services (and the possible shortage of new cohorts of trainees).

The chair has been pushing and pushing with HR for them to let us know if new staff are there and invite us to meet them, haven’t been inviting us but we’ve been assured that’s going to happen now.

I : Is that on the CRC side?

Both.

I : So even HR on the NPS side hasn’t been that helpful in that direction?

No. Worse so I think because it’s, they’re shared services and they’re all based in Wales and our HR is in Nottinghamshire so it’s easier for us to liaise with them (Branch secretary)

All the same, the prospect of check-off ending in NPS and possibly in major CRCs is particularly alarming in a context where the higher instability of the workforce, especially amongst young employees, will require constant recruiting efforts. Previously recruitment was described as “easy”, but it may now represent a real worry for a small union that relies mainly on volunteers and has few resources.

So it looks likely that Napo are going to have to set up direct debits payments for all the members which is quite major. And it’s seen as a sort of union bashing thing by the government doing it through the NPS because there will be a percentage that won’t get round to doing it. There will be a drop-off. Having said that, we’ve had a number of people, new joiners because of the changes, because of this business about being asked to move from one function to another without it being properly explained and sort of realising that, well, you know, maybe I do need some sort of collective. (Branch officer)

The other big issue for branches is to encourage new joiners to participate. In most branches, positions are not all filled (or are filled by the same people having multiple union roles) and branch officers are struggling to organise branch meetings. The level of members’ participation seems quite low as shown in Table 5.9. Even branches described as very active have difficulties organising quorate branch meetings.

Very active branch in terms of the exec, the exec is very active, very proactive and we used to have quorate branch meetings, but we haven’t had quorate branch meetings now in quite some time ... And so the way it’s gone locally I think reflects massively how it’s gone nationally to try and get people to meetings. Initially it was said to us, it was pressure of work, because bear in mind we negotiated that people could have that time off, it could be in work time, and then we were told it was pressure of work. Then we were told ... a number of different reasons. But my view that the amount of work that people were expected to do it was disproportionately high in relation to the hours that they got to do the work in, so they were always putting the Napo meetings to one side which is a shame but it is a fact. (Branch officer)

Table 5.9: Napo branch/workplace meetings attendance

	Female N/%	Male N/%	Total	NPS N/%	CRC N/%	Total
Yes	181 66.06	93 33.94	274 100	128 55.17	104 44.83	232 100
No	474 68.90	213 30.96	687 99.85	330 57.59	243 42.41	573 100

Explanations for this low level of participation can be found in work time pressures and the increase of workload, but branch officers also mention members' apathy and lack of commitment. Depoliticisation is sometimes cited to explain the lack of young (female graduate) employees' participation. The only indicator of political values/views suggested by the survey is the statement "I believe in trade unions" in Table 5.6. If the results clearly indicate a correlation with age group (and gender), the main variation occurs after 45 years old when the percentage rises from 56% to 70%. Even for younger generations (and female), this motive for staying in Napo remains the third one, but of course those who responded to the survey may be among the most interested in the union. Branch officers have mixed views on this question.

The majority of members literally take out an insurance policy, you know, they've become a member of a union because if anything should go wrong at least they'll be able to get representation. So there is a fair proportion of our members that aren't interested in being active or getting involved in campaigns. So it's quite a small percentage of those people. (Branch officer)

I mean, you know, I don't know what it's like but I know it's different in different areas but I find myself having been an activist for, whatever twenty years, that kind of the commitment of individuals to the union, to the idea of the union is waning all the time. And like I say it's to do with ownership and people have mortgages to pay and I think well, we always had mortgages to pay, why is it different now. But there seems to be a lot less commitment to trade unionism now than I've seen. Like young people don't care. It's almost like they've never known anyone who suffered, you know, in the world that existed before the NHS and welfare and all that kind of thing. And they're too far removed from it. It's almost like they need to suffer again before they realise that ... (Branch officer)

Table 5.10: Member expectations of Napo branches

	Female N/%	Male N/%	Total	NPS N/%	CRC N/%	Total
Hold meetings at more convenient times	126 74.56	43 25.44	169 100	81 53.64	70 46.36	151 100
Hold more workplace meetings	278 70.56	115 29.19	394 99.75	188 55.13	153 44.87	341 100
Hold meetings in more accessible places	198 74.72	67 25.28	265 100	141 61.04	90 38.96	231 100

Stand up more to the employers	160 61.30	101 38.70	261 100	132 58.15	95 41.85	227 100
Consult more with members about local union priorities	154 66.67	77 33.33	231 100	123 62.12	75 37.88	198 100
Keep members better informed of local probation issues	140 68.29	64 31.22	204 99.51	104 58.43	74 41.57	178 100
Provide more support/help to individual members	123 67.58	59 32.42	182 100	89 57.42	66 42.58	155 100
Get more people involved in the branch	103 63.19	60 36.81	163 100	106 73.61	38 26.39	144 100

More explanations for low participation can be found in location and time issues. Many branches have merged – and some of them had merged before – and are now covering large regions. Most branch meetings still happen after work and sometimes in remote locations, especially in rural areas.

Well, the region just in terms of geography ... goes from South Cheshire, so touching like Stoke, Staffordshire, so just North of Birmingham across to the Scotch Borders on that kind of Western side. That's the size of the NPS region. So it's, you know, it's massive and obviously when you get up to Cumbria Kendall, Workington, Carlisle that's almost a different country as opposed to Manchester-Liverpool being 30 miles away from each other, Preston another 30 miles so in the North and then probably 100 miles up to Carlisle. Maybe 70, 70/80 miles up to Carlisle. So it's a very, very big area. If you've just got to do one grievance from here to Carlisle, that's a day out. (Branch officer)

As shown in Table 5.10, when asked what the branch could do better, issues about organising meetings in more accessible places and at more convenient times are frequently cited. Women and CRC employees, especially, expect union meetings to be held at the workplace.

Many branches have tried to address these issues by organising the branch differently. Most of them have chosen to elect two Vice-Chairs, one for NPS and the other for the CRC. However, the reorganisation of branches has resulted in the fact *“that the thin layer of activists has gone down to a very thin layer of people that are in the right place”*, as one national officer puts it. Many branches are trying to alternate the venues for the branch meetings within the region and a few organise workplace meetings. Video conferences and e-mails are used when possible, but meetings remain not very well attended. Branches' existence still depends on a very small pool of activists and the survival of the smallest ones is put at risk in cases where present branch officers retire or leave probation.

It actually damaged the branch meetings because wherever you have them people would complain, so we do, we have done workplace meetings. We don't get, we never actually got massive turnout for our branch meetings, that was never our expectation. But we have an active Email system... And our last team meeting was very well attended, our branch meeting very well attended. See for us we had about eight or nine people at branch meetings (branch officer)

Recognition and bargaining issues

Branch and national officers are now exposed to a new multi-employer context that triggers multiple organisational issues. Instead of 35 Trusts and 35 branches, Napo now has 21 CRCs and 21 branches. The NPS is managed as seven divisions and NPS members belong to the branch that they geographically fall into. This organisation means that one NPS division can cover up to four (CRC) branches like in the North East division for instance. Besides, different CRCs can now have the same owner in different parts of the country. Sodexo owns 6 CRCs, 3 in the north, 3 in the south. To address this new industrial structure, each national official has been allocated one main CRC owner and liaises with all the branches that fall under that owner.

In terms of bargaining and consultation, Napo is now faced with a multitude of structures and representatives. Previously, informal and locally determined aspects of the employment relationship prevailed, but the new industrial framework now seems more formal and bureaucratic, with a multiplication of local and national meetings.

We're used to having more of an informal process as well with HR colleagues and senior managers, you know, and you could deal with stuff by phone and people or there's policy issues, you know, you could deal with stuff. That's no longer an option for us, everything is more formal and bureaucratic now, so it's felt in the last twelve months.

I: On both sides, CRC and NPS ?

Well, more on the NPS side I would say. Because that in itself is a different structure because in the NPS I go to the monthly meetings with the Assistant Director for the South East and Eastern Region of the NPS and that reaches down to Sussex, so we go to those meetings, regional meetings and in that you've got the Assistant Director chairing it and you've got all the chairs from the branches, so you've got the BENCH branch, it's like Bedfordshire and Northamptonshire, and Norwich and Essex, so four or five branches have to go that meeting. So I have to go to those meetings for the NPS... And then you've got the CRC meetings which are still Kent, Surrey, Sussex. So it's all a bit weird, you know, as a union I feel we've got to really look at ourselves and think about how we structure ourselves. It's just so new to us and so different because we're such a small organisation in the first place, Napo is a small union and we're just used to our way of doing things, you know. And all of a sudden it's all been thrown out of the window and suddenly you've got to think again, you've got to do things differently. (Branch officer)

Because conditions for the transfer of employees were nationally negotiated under Cabinet Office Statement of Practice (COSOP) guidance on Staff Transfers in the Public Sector, the harmonisation of terms and conditions looks like a big challenge, as the whole process of TR revealed many disparities in the local interpretation of national policies regarding grades, working practices and role boundaries.

Well, there are national rates for the grades, there are national pay bands but there's a different interpretation of what that means depending on where you are and the trusts have been able to vary that in negotiation with local trade unions. And so we've got this huge variation across the country where some parts of the country you've got PSOs who don't write reports, for example, and then you've got some parts of the country where PSOs not only are writing reports but they've had caseloads which have included domestic abuse and some sex offenders. And that variation is enormous. Now within the NPS, you've got that huge variation but now we've got this top-down management centralised service and so how do you reconcile that. Well, that has to be negotiated nationally and that is our view as a union; that's got to be negotiated nationally, but underneath that operationally we've got all sorts of problems because we've got deputy directors who are overseeing

the staff within the NPS within their area and they've got some staff jumping up and down [about their grading]. Previously when they were trusts that information was not cross-fertilised, you see, but now it is. So those things will have to be dealt with nationally but we've not been able to get harmonisation or actually get any progress nationally on that at all. (National Officer)

Whereas many policies and procedures need to be renegotiated, very little seems to have been achieved even on something as simple as the travel and subsistence policy.

I think we're at sixty probation instructions since beginning of last year, giving us new policies and procedures on everything. So making sense of that, I mean, there's a national negotiation going on at the moment for something as simple as the travel and subsistence policy. And the document they've produced, I took a day to try and read it and I still at the end of one whole day didn't understand some sections of the document because it was incomprehensible. And so it's those kind of things that we're also focused on by making sure that within the CRCs we don't lose any of the built-up rights that we've got. There's a huge challenge... the staff transfer agreed national negotiating rights, preserved the national negotiating council for both NPS and CRCs, and there's a huge challenge in making sure that actually works. (National Officer)

Besides these shared provisions, new public sector policies are to be implemented in NPS, as employees are now civil servants. Whereas CRCs continue to function with the existing HR policies, NPS employees seem to be navigating in complete chaos, not knowing under which policies that are able to go on maternity leave or even get paid.

At the national level, they have not yet managed to harmonise all the terms and conditions into creating a national service; they've got a national service to create from 35 trusts, there is not yet harmonisation. So for example, I mean the one that I get a lot of members asking me about the National Probation Service to the extent that it's part of NOMS, NOMS policies, NOMS has better maternity policies, are we part of NOMS? So I've got women going on maternity leave, whose terms I'm wondering? Sorry, you're still under the old London Probation Trust terms because they haven't yet managed to harmonise. So people who are asking, "now that I am a civil servant am I entitled to this and that", it's not been negotiated, it's not been harmonised. (Branch officer)

Eventually, many national and branch officers think that the number of companies involved and the co-existence of a commercial logic and a public sector one will threaten the national negotiating council that still prevails for NPS and CRCs. Many interviewees foresee the collapse of national bargaining and consultative structures, as CRCs will develop their own policies and NPS "*will expand and become this centrally organised bureaucratic balloon*" as one branch officer put it. Sodexo has already tried to challenge the provisions that were part of the national transfer agreement when announcing 700 compulsory (and not voluntary) redundancies. Napo has challenged this decision with the MoJ as this is a contractual requirement that has been broken, but Napo expects many more infringements from CRC owners.

The other thing that's complex is the national terms; the idea of national bargaining and national pay and conditions is a difficult one to sustain anyway. It still exists but it's very difficult to sustain. It's sustained itself previously on a relatively informal basis because none of the probation trusts, one or two of them did, but very few of the probation trusts varied the national terms because it wasn't worth it and they weren't interested and it was a reasonable deal so they just held the line. There was a lot more scope for the probation trusts to do their own thing if they wanted to previously. But once you introduce the commercial element into that and a motivation of profit then even within the old structures we had the capacity and scope which we've held onto, even within that the capacity and scope for these commercial operations to do their own thing is there. And so they'll be looking at that.

Add that part of the motivation behind the whole process was austerity and the aim and intention of the government to spend less on the whole process so that a real motivating reason for this is an idea of spending less and cutting back on terms and conditions; it's very, very difficult to counter that. So it will be very challenging and we will expect that ...

At the local level, Napo still benefits from the very good relations that were built up with local managers and the remaining HR departments, but consultation has replaced negotiation.

I mean up until the trust dissolved last year, the trust did everything they could to communicate what they knew and they kept meetings with the unions as they always had done. We were lucky that our relations, our local relations with the trust were good; there was good reception from our chief exec. And she encouraged the existing staff, when she came in and took over she encouraged all the HR staff to remain in contact with the unions and have a good working relationship. (Branch Officer)

There is no negotiation anymore that happens locally, doesn't exist. It's consultation. And I had the head of HR for NOMS in our divisional meetings with the deputy director said that on several occasions, you do not negotiate, you consult. So our JNCC now, which was our local negotiating committee with the old chiefs in the NPS is now done at a national level. (Branch officer)

In most CRCs and some NPS regions, senior managers have not changed and/or they come from the profession. Many branch officers stress their support for Napo's concerns, but also the fact that they now have to work under a different agenda. They are not able to solve issues at the local level anymore and are obliged to implement new policies that they know will harm professional standards.

They have a different agenda now. They're the same people, they believe the same things but they are being forced down roads they would rather not go down and they're actually quite candid about it, they're quite willing to say, off the record as it were, that they are embarrassed by some of the things they're being asked to do. They're uncomfortable with it, they don't agree with it but they sort of feel that if they don't stay and do it that they'll just bring someone in who doesn't know what they're doing and make it even worse than it could have been. (Branch officer)

Although local CRC managers are usually described as sympathetic to Napo, executives representing CRC owners are not always willing to interact with Napo. Many branch officers have never met anyone from the parent company or only transition managers sent to organise one-day information meetings. Some national and branch officers even think that the parent company is avoiding any interaction with Napo.

It is strange because at the briefing one of the questions I asked was under the new ownership will management engage with the unions. And one of the HR directors said "of course we will carry on like that". We've got a meeting scheduled for later this week which was then cancelled because Seetec directors apparently wanted to be there. And so there was a few Emails went round about rescheduling it and if they couldn't reschedule it, they'd go to the next one which was scheduled for Tuesday of next week. In the meantime, our link officer from Napo was arranging a meeting with the Seetec directors which happened earlier this week, and when we spoke to them they had no knowledge of any meeting happening that they were being invited to and it all seems to have petered out. So you know, we were getting this feeling that engagement with the union was just sort of not happening and while they weren't talking to us, they were asking staff to make these changes as to which section they wanted to be in, which function, without giving them the sort of information that they really needed. So I'm still waiting to hear whether this meeting is taking place on Tuesday. Which would be the first one that we've had since the share transfer. They're saying they're not aggressive and anti-union, but on the other hand I don't trust them further than I can throw them. (Branch officer)

The CRCs are presently still functioning with the old policies of Probation Trusts, but many branch officers are concerned that progressive policies, such as equality, capacity or flexi-time policies, will disappear. Many interviewees foresee that things are going to change very fast when the owners and the new managers they hire get hold of the day-to-day operations.

I think one of the most destructive elements for me of TR, and it was because of the pace of it as much as anything, was that the harm it's done to industrial relations, the harm it's done things like equal opportunities. We used to have equal opportunities policies that meant that if ever a job vacancy came up, it would be advertised in a certain way and people would be given the opportunity to apply for it and so on and so forth. Now, it's just like, "oh, you go and do that job, you go and do that job", you know, and it's very quick but very lacks all integrity. (Branch officer)

Within NPS, senior managers' autonomy seems even more limited by the amount of centralisation and bureaucracy that characterises decision-making processes, even on trivial matters.

NPS is a whole other kettle of fish because I mean I talk to the deputy director of the London NPS, I mean, she also used to be a probation officer. I have no problem in talking to her. Her problem is the extent to which she can do anything. She can't order toilet paper without checking with the centralised bureaucracy. I over exaggerate to make the point. (Branch officer)

In some NPS regions, industrial relations have been quite difficult since the beginning of TR. Apart from a few executives who come from the profession, many NPS executives are not aware of the needs of probation work. Probation is not well represented within NOMS either, as most senior managers have a prison officer background. Overall, in the NPS, but also in CRCs, Napo national and branch officers do not underestimate the intention of the government and the new owners to restrain union rights, whether through a cutback on facility time or the end of check-off. This situation opens up many questions for the future of Napo, but also raises high expectations of the national team of officials and officers.

National Napo and Napo's future

When asked about expectations of National Napo, members clearly identify the need for Napo to stand up more to the employers. As shown in Table 5.11, this statement comes well ahead of other expectations related to professional issues, communication or training. As shown in Table 5.10, this demand is also made of the branches, but less so. Only 32% of the respondents chose this statement when asked what their branch could do better (38% for men). It seems that members are well aware of the fact that most bargaining happens at the national level and that room for manoeuvre is quite limited at the branch level.

Table 5.11: Expectations towards national Napo

	Female N/%	Male N/%	Total	NPS N/%	CRC N/%	Total
Stand up more to the employers	288 65.31	152 34.47	440 99.77	225 58.44	160 41.56	385 100

Keep members better informed of professional issues	194 72..93	72 27.07	266 100	145 62.50	87 37.50	232 100
Use the website more effectively to communicate more with members	117 64.64	64 35.36	181 100	109 64.88	59 35.12	168 100
Communicate more with members by email	111 66.47	56 33.53	167 100	83 55.33	67 44.67	150 100
Hold more union training courses to encourage members to get active in Napo	104 69.33	46 30.67	150 100	81 61.83	50 38.17	131 100

However, when looking at Table 5.6, we also understand that members are not naive about the possibilities Napo has to maintain good terms and conditions and/or fight against redundancies. Only 42% and 20% picked these statements when asked why they remain in Napo. Members are hoping that Napo is able to stand up more to the employers, but they are also quite realistic about its bargaining power. Memories of the two strikes organised by Napo in 2014 confirm the fact that members are not ready to switch to a stronger union stance. Although the first one-day strike was relatively well supported, the second strike revealed the members' lack of appetite for strikes, for political and professional reasons. Like many other qualified professionals, probation officers are reluctant to let their clients down.

The second strike was a hard sell. People are loath to take strike action. That's the nature of the membership. I mean, it's a commitment to the job. You see, the truth of the matter is, if you're a probation officer and you take a day's strike, basically you do five days' work in four days ... It's very hard to sort of say to people actually, the purpose of the strike action is that you should book your clients in... I mean, people would rearrange their work to enable them to go on strike. (Branch officer)

Some older members come from working-class backgrounds, but generally, professionals do not share leftist political orientations. Many national and branch officers and national officials are aware of the risks involved in Napo being seen as too "political" by its members.

Well, Napo isn't the National Union of Mine Workers; it hasn't got that kind of energy and you know, I've been on strike four times I think with Napo and every single time I've been on strike, Napo members have been just as likely, more likely to cross the picket line than not. And you know, if your union doesn't stand united then what can you do, what are your options. You threaten your employer with a strike and he knows only a quarter of the membership are going to go on strike then you've got no power. You need that sense of a collective and Napo membership, not the executive, not the officers, but the membership are actually just unwilling to commit. (Branch officer)

And we'll have the left, the union will always have a significant proportion who are but you wouldn't be able to assume that automatically. And a lot of our members won't be interested in party politics at all... that's why strike actions are very difficult; Napo has had five days strike action in 105 years. Three of those have been in the last three years. We've actually had more days strike action under this Coalition than in the previous 105 years. (National officer)

The whole question for Napo seems to be how to act as a union, as opposed to or in addition, to being a professional association. This debate about being both a trade union and a

professional body is not new, but the balance between the two parts seems to have changed over the years, as one national officer argues:

Some of the challenges that we're facing is because at some stage in the past and I think I can say it was probably about fifteen, twenty years ago, Napo decided to get more involved in the TUC, feeling the need to champion probation more. Probably in the run-up to the end of Thatcher or the end of the Major government and that they decided when they wanted to become more of a political force, they decided to be a union. So until then my impression is Napo was kind of a champion of probation, a professional body that did some union stuff. And then it decided to be a union that did some professional championing.

I: And why is that?

I think it was probably because to do the championing of probation you needed to be involved in the political work ... And I think it was a trend, I think around that time it would definitely have been a trend. There was some of the other craft unions were doing it as well... there was a whole range of small unions joining, getting involved in the TUC. It's interesting, it was also around that time that some of the bigger unions were merging. (National officer)

Although Napo is still valued as the "voice of probation", members ranked professional motives far behind union motives, when stating why they stay in Napo. As shown in Table 5.6, the fact that Napo gives a voice to probation and provides members with important information, professional issues rank 5 and 7 as reasons to stay in Napo. Further, subscription to the Probation Journal ranks 7 out of 9 possible answers. Napo publications only get the support of 11% of respondents.

Some branch officers highlight the professional side of Napo as a good lever for recruiting but many also fear that the creation of the Probation Institute will undermine the role of Napo as the protector of professional standards. Some branch officers also acknowledge that Napo might not be able to keep up with these two demanding and conflicting roles.

I've always been a bit anxious about it and you know, people say it's competition for Napo as a professional association. And I would say that as much as anybody, but as things have gone on we looked into it and I think there is room to have more than one professional body within a profession and it's not unusual to have more than one professional body. And I think frankly it's becoming increasingly difficult for Napo to operate as a union and a professional association at the same, you know, there are conflicts of interest between those two roles. (National officer)

However, members, branch and national officers clearly associate Napo with probation. Many think that Napo's legitimacy and efficiency is intrinsically rooted in the fact that union reps are professionals. For that reason, many do not want Napo to merge with a bigger union (especially not UNISON), but some interviewees also stress the need for Napo to extend its recruitment efforts towards PSO and admin employees for fear of becoming the NPS union, only representing POs. They also point out the difficulties such a small union will have in taking on both representation and professional roles in a context of limited resources and multiple organisational challenges.

Yes, if Napo went to a large union... The problem being that if you do that you lose the specialism of Napo because we're about the probation staff. We are the probation service. If I was to change to another union for whatever reason, I wouldn't get the same representation... say for instance, as an employee I got into a difficult situation and I needed a rep to help me with capability or disciplinary, they would come at it from a generic point of view, they would not understand the intricacies of the probation service and our practice. And to be quite honest as a rep myself when you're facing HR and management and you're trying to point out the reasons why they've gone about it the wrong way, it's

because I know the intricacies, because I know about how the practice should work, you know, what is best practice. (Branch officer)

5.6 Summary and conclusions

Working conditions

Existing research on public sector restructuring/outsourcing focuses largely on low-skill, low-paid workers in peripheral activities. There is less known about what restructuring/outsourcing means for professional and highly qualified services/workers located in welfare state/criminal justice. What we can see from this study of probation is that many of the negative experiences are reproduced in this professional service in ways that we doubt will remain unique to probation. The evidence from this research indicating that working conditions and employee experiences in probation post-TR and the split of the service have deteriorated is compelling for both parts – the NPS and the CRCs. Table 5.12 summarises the immediate, medium and longer-term concerns we have identified. These have many interconnecting causes, which we have discussed in this report. We have shown where we found differences in perceptions and experiences across gender, race/ethnicity and age, but for the most part the differences were greater across grade (especially PO/PSO) and across the NPS/CRCs. Nevertheless, we should not forget that probation is female dominated and therefore that the profession is in itself strongly gendered. The worsening of conditions in, and bleak prospects for this feminised profession is particularly troubling for anyone concerned with labour market gender inequalities.

Table 5.12: Probation staff main concerns post-TR

Immediate concerns	Heavy workloads Long hours working Stress
Medium term concerns	Blurring of role boundaries Redundancies Workplace closures and relocation Changes to flexible work arrangements Changes to job descriptions Health and safety
Longer term concerns	Career paths and development opportunities Pay erosion Deskilling Deprofessionalisation Lack of job satisfaction

Future challenges facing Napo

Similar to other restructuring/outsourcing programmes mentioned earlier in the report, TR is something that has been ‘done to’ probation staff without proper consultation with those most affected and without practitioners’ collaboration. This has proved particularly demoralising

for this group of professional workers trained to and committed to working in the interests of clients and the general public. Furthermore, as with other restructuring/outsourcing programmes, the unions were marginalised throughout the process leading up to the implementation of TR. Nevertheless, we witnessed organised resistance in the form of strike action by Napo members and other protests, but the government disregarded the voice of opposition and implemented TR regardless.

A withdrawal from outsourcing arrangements is extremely unlikely especially under the current government. Therefore, as previous experiences of restructuring/outsourcing demonstrate, the future challenge for Napo will be to identify ways of harnessing the deep and widespread discontent to push back at erosion of working conditions and broken promises on terms and conditions. Sustaining some forms of collective bargaining and harmonised pay and conditions will be crucial to this project.

Studies show that privatisation contributes to the deterioration of employment conditions, especially for feminised professions. As in other examples, the gender pay gap is likely to increase in outsourced probation work and TR has already caused an erosion of the overall progress on gender equality. The fragmentation of representation and the uncertain recognition of Napo by the new CRC owners is another issue. If sustaining national bargaining may be impossible due to the multiplicity of private and public employers, the renegotiation of new HR policies in CRCs will be critical to avoid the gradual establishment of two-tier workforce and to make sure that CRCs employees have an equal stake within Napo.

At the local level, Napo can rely on its network of activists and its representation ability to address the growing demands of members, especially those newly hired. Sustaining branch activism with branch officers in both CRC and NPS will represent a big challenge though because activists are disproportionately POs and therefore now disproportionately allocated to NPS. However, most branches are conscious of the need to address this and to proactively ensure representation from both ‘sides’. However, the possible and actual reduction in facility time does question the “rank and file” organisation of Napo and poses new questions in terms of union organisation between branch and national levels.

If some big branches like London are currently leaning towards a more typical “full-time officers” model, most branches are too small to be organised that way, unless further regional or sector based reorganisation is envisaged. Recruitment and participation is probably the biggest challenge for the future of Napo. The higher instability of the workforce will require constant efforts. Branches are already struggling to find new solutions to include members located in a variety of geographically dispersed workplaces. The growing number of young female recruits with childcare responsibilities (but also ageing members with eldercare responsibilities) accentuates these time and location issues for the organisation of branch meetings.

Napo’s future depends on its ability to keep enough resources to balance its two professional and union roles. Napo’s legitimacy has been tied intrinsically to being the “voice of

probation”, but its efforts to attract and respond to the demands of a growing number of lower-qualified employees in CRCs and newly hired professionals with a different background and occupational identity (Mawby and Worrall, 2013) is critical. In the main, Napo is led (in the lay structures) by a generation of probation officers who share the same “social worker” identity and who, 1) will retire soon, and 2) may find it difficult to address a wider spectrum of demands and expectations. Although there can be no doubt that Napo faces challenging times, it has been observed that adversity can force unions to develop more strategic responses to the challenges they and their members face (Bach 2011). If Napo can capitalise on its dedicated network of activists and at the same time organise new members and mobilise new activism, then this small professional union’s future can be secured. The study provides evidence that an independent collective voice for probation practitioners is needed more now than perhaps ever before.

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7. Appendices

Appendix 1: Community Rehabilitation Companies

CRC	CRC owners	Approx. no. of Offenders	Size of CRC workforce (FTE)
1 Cumbria and Lancashire	Sodexo (for-profit company)	10,000	337
2 Cheshire and Greater Manchester	Purple Futures led by Interserve (for-profit company)	20,000	586
3 Merseyside	Purple Futures led by Interserve (for-profit company)	8,000	279
4 Staffordshire and West Midlands	The Reducing Offending Partnership (private-charity partnership)	19,000	698
5 Wales	Working Links (public, private, voluntary partnership)	16,000	586
6 West Mercia and Warwickshire	EOS Works (public, private, voluntary partnership)	6,000	210
7 Thames Valley	MTCNovo (joint venture with 3 rd sector partners)	7,000	290
8 Gloucestershire, Avon and Somerset and Wiltshire	Working Links (public, private, voluntary partnership)	9,000	386
9 Dorset, Devon and Cornwall	Working Links (public, private, voluntary partnership)	7,000	275
10 Hampshire	Purple Futures led by Interserve (for-profit company)	7,000	273
11 Kent, Surrey and Sussex	Seetec (for-profit company)	14,000	468
12 London	MTCNovo (joint venture with 3 rd sector partners)	33,000	899
13 Northamptonshire, Bedfordshire, Hertfordshire and Cambridgeshire	Sodexo (for-profit company)	12,000	385
14 Essex	Sodexo (for-profit company)	6,000	279
15 Derbyshire, Nottinghamshire and Leicestershire	The Reducing Offending Partnership (private-charity partnership)	14,000	581
16 Norfolk and Suffolk	Sodexo (for-profit company)	5,000	190
17 South Yorkshire	Sodexo (for-profit company)	7,000	233
18 West Yorkshire	Purple Futures led by Interserve (for-profit company)	12,000	456
19 North Yorkshire, Humberside and Lincolnshire	Purple Futures led by Interserve (for-profit company)	10,000	354
20 Durham Tees Valley	ARCC (public, voluntary partnership)	8,000	208
21 Northumbria	Sodexo (for-profit company)	7,000	317

Totals		237,000	8,290 ²
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Sources: NAO (2014); NOMS (2015)

Appendix 2: Napo Survey June 2015

1. How long have you worked in probation?

- Less than 3 years
- 3-5 years
- 5-10 years
- 10 - 15 years
- 15 - 20 years
- more than 20 years

2. Who is your current employer?

- NPS
- CRC

3. What is your current grade?

- Probation Officer
- Probation Service Officer
- Probation manager/senior probation officer
- Admin
- Other

4. Are you employed full- or part-time in probation?

- Full-time
- Part-time

5. Did you agree with your allocation during the split?

- Yes
- No

6. Did you appeal against your allocation?

- Yes
- No

7. Were you helped by Napo?

- Yes
- No

8. Was your appeal successful?

- Yes
- No

9. Which Napo branch do you currently belong to?

² 85% of the total number work in an offender-related function.

- Cheshire and Greater Manchester
- Cumbria and Lancashire
- Durham Tees Valley
- East Anglia
- East Coast
- East Midlands
- Essex
- Greater London
- Hampshire and Isle of Wight
- Kent, Surrey, Sussex
- Merseyside
- Napo Cymru
- Northumbria
- South Western
- South Yorkshire
- Staffordshire and West Midlands
- Thames Valley
- The Four Shires
- Mercia
- West Yorkshire
- Western
- Don't know

10. How long have you been a Napo member?

- Less than 3 years
- 3-5 years
- 5-10 years
- 10-15 years
- 15-20 years
- more than 20 years

11. Post-TR and the probation split, what keeps you motivated to stay in Napo? (Click as many options as you wish)

- To provide advice and to support me in case I have a problem at work
- To provide legal representation in case I have a problem at work
- I believe in trade unions

- Subscription to Probation Journal
- Napo publications interest me
- Napo provides me with important information about professional issues
- I want to take part in the union
- I believe Napo negotiations with the employers improve my terms and conditions
- I want to take part in Napo conferences and the Annual General Meeting
- Napo is the most important voice of probation
- I believe Napo gives staff a voice in probation
- Napo fights for fairness at work
- Napo courses interest me
- I believe Napo can fight against redundancies
- I want to take part in Women in Napo
- Other

12. Would you describe yourself as active in Napo?

- Yes
- No

13. Has your involvement in Napo changed since TR and the probation split?

- No, about the same
- Yes, now more active
- Yes, now less active

14. Since TR and the probation split, do you regularly attend Napo branch/workplace meetings?

- Yes
- No

15. Post-TR and the probation split, what could your Napo branch do better? (Click as many answers as you wish)

- Provide more support/help to individual members
- Communicate more with members by email
- Consult more with members about local union priorities
- Hold more workplace meetings
- Hold meetings in more accessible places
- Hold meetings at more convenient times
- Keep members better informed of local probation issues
- Keep members better informed of national probation issues
- Make more effort to recruit more members
- Be more cooperative with the employers

- Stand up more to the employers
- Get more people involved in the branch
- Get more women involved in the branch
- Get more black and ethnic minority people involved in the branch
- Get more CRC representation on the branch executive
- Get more NPS representation on the branch executive
- Other

16. Post-TR and the probation split, what could national Napo do better? (Click as many answers as you wish)

- Communicate more with members by email
- Keep members better informed of professional issues
- Be more co-operative with the employers
- Stand up more to the employers
- Hold more union training courses to encourage members to get active in Napo
- Use the website more effectively to communicate more with members

17. Have you ever held a Napo branch or national level position?

- Yes
- No

18. At what levels of Napo do you currently hold positions?

- No position
- Branch
- National

19. In the current environment, what would stop you standing for a branch level union position? (Click as many answers as you wish)

- I already hold a branch/national level position
- Lack of time
- Childcare commitments
- Eldercare commitments
- Other care commitments
- My career would suffer
- Not interested
- Napo leadership is male dominated and I wouldn't fit in
- Women don't seem to stand much chance of getting elected
- Nobody would support me
- People prefer men in leadership roles
- Too much travelling would be involved

- Too many meetings would be involved
- Unsupportive partner
- I don't agree with the union's objectives
- lack of confidence
- I don't know what would be involved
- Black and minority ethnic people don't get elected
- I wouldn't be able to get time off work for union duties
- Management would not be supportive
- Pressure of work
- My branch seems cliquy
- Other

20. Post-TR and since the probation split, how would you describe your workplace culture? (Click as many answers as you wish)

- My workplace feels inclusive
- I feel valued by managers
- There is a culture of fear at my workplace
- There is a culture of uncertainty at my workplace
- My workplace is consultative and management values staff opinions
- My workplace feels divisive
- There is a bullying culture at my workplace
- There is low morale at my workplace
- There is high morale at my workplace
- There is a culture of staff surveillance at my workplace
- There is a culture of low trust at my workplace
- There is a culture of high trust at my workplace
- Other

21. Post-TR and since the probation split, how do you feel about working in probation? (Click as many answers as you wish)

- I am proud to work in probation
- I no longer like working in probation
- I intend to stay in probation
- I am looking for a new job outside of probation
- I am hoping to transfer from the CRC to the NPS or vice versa
- I am happy working the CRC/NPS
- I intend to take voluntary redundancy if offered

- I feel happier and more valued at work
- I feel demoralised and disillusioned
- I believe that TR is detrimental to probation service provision
- I believe that TR is detrimental to probation careers
- I believe the profit motive will corrupt traditional probation values
- I believe TR is improving probation service provision
- I believe TR is improving probation careers
- I feel optimistic about the future of probation
- I feel pessimistic about the future of probation
- Other

22. Post-TR and since the probation split, do you have any worries or concerns about your work? (Click as many answers as you wish)

- I have a bigger caseload
- Targets are unrealistic
- I regularly feel unable to cope with my workload
- I regularly suffer from work-related stress
- There is not enough staff at my workplace
- There is often no cover for annual leave/training/sickness absence
- I have little time for professional reflection
- I have little time to discuss my work/cases with colleagues
- I regularly work hours over and above my contract
- I regularly take work home
- I regularly go into work at weekends
- My work-life balance has deteriorated
- I am regularly required to carry out tasks/duties above my grade
- I am regularly required to carry out tasks/duties below my grade
- The IT-system is not fit-for-purpose
- Practice tools are not fit-for-purpose
- I am unable to spend enough time with individual clients
- There is a lack of privacy for meetings with clients
- I am concerned that abuse from clients is increasing
- Poor communication between NPS and CRC
- The possibility of workplace closures and relocation
- I find my job less satisfying

- I regularly have to cut corners/compromise professional standards in order to meet targets
- I am unable to take TOIL
- I am worried about the increasing blurring of the boundary between PSO and PO work
- Too many agency workers are being employed
- Other

23. Post-TR and since the probation split, do you have any worries or concerns about your future career in probation? (Click as many answers as you wish)

- I feel less secure
- I feel I have fewer career prospects
- I am worried that pay will worsen
- I am not getting enough training opportunities
- I am afraid of losing my job

24. Since TR and the probation split, have you taken a grievance, been put on the capability procedure, or been disciplined?

- No
- I have taken a grievance
- I have been put on the capability procedure
- I have been disciplined

25. Since TR and the probation split, have you taken any work-related sick leave?

- Yes No

26. What is your gender?

- Female Male I am covered by the gender assignment definition in the Equality Act 2010

27. What is your age?

- 18-25 26-35 36-45 46-55 56-65 65+ Don't wish to answer

28. What is your race/ethnic background?

- White Mixed Indian Pakistani Bangladeshi Black Caribbean Black African Other Black Chinese Don't wish to answer

29. How many dependent children do you have (below 16)?

- 0 1 2 3 4 More than 4

30. Do you have any other caring responsibilities?

- Yes No

31. Is there anything else you would like to tell us about your experiences in probation or your views on Napo post-TR and the probation split?