

The Impact of “Transforming Rehabilitation” on the Probation Service

A briefing from Napo, the Trade Union and Professional Association for Probation and Family Court Staff, for parliamentarians – January 2015

Overview

On the 18 December 2014 the Secretary of State went ahead with signing the contracts for the 21 Community Rehabilitation Companies (CRCs). This is despite ongoing issues within both the CRCs and the National Probation Service (NPS) and acknowledgement by the MoJ that there were significant concerns regarding the stability of the service and service delivery. During its legal challenge Napo was able to secure evidence from the MoJ that supported its concerns; however, as we are still subject to a confidentiality order from the Court we are at this time unable to share that information in full with MPs.

Along with acknowledging the concerns the Secretary of State assured the Court that these problems will be fully resolved before the contracts are mobilised on 1 February 2015. Again we cannot disclose to you what these resolutions are. Napo is surprised that if the Secretary of State is confident he can fix the ongoing issues, he has not chosen to do so publically and still insists that Napo remains effectively under a gagging order. We believe that this is not only in the public interest to maintain public confidence in the contracts and the new owners but also in reassuring an already anxious workforce. We would urge that these concerns and the subsequent proposed remedies are made public in order for the process to be accountable.

The issues

- ICT continues to be a real problem for both NPS and CRCs. This is hampering staff's ability to work to tight deadlines and targets, duplicate work within an environment of high workloads, work being lost, poor communication between the organisations and at times systems being down for long periods of time.
- Workloads are persistently high in both CRCs and the NPS. This is impacting on sickness levels; to inappropriate case allocation, with cases being allocated to inexperienced staff; to targets being missed and service delivery to the Courts being affected.

- Staff shortages continue to impact on workloads, staff morale, and case allocation. Many areas are reliant on agency staff to maintain the day to day running of the service. A shortage of new staff coming into the service means that individuals are being prevented from moving between the two organisations.
- Safeguarding issues are becoming an increasing concern as the fragmentation of the service has impacted on communication between the CRCs and the NPS as well as with external agencies such as the police and children's services.

Continuing problems with ICT systems

Since the 1 June when the Probation Service was split, Napo has continued to warn the MoJ about the impact of failing IT systems in both the CRCs and the NPS. Despite this there is ongoing evidence that the IT is still not fit for purpose, causing significant delays in completing work, records being lost and duplication of tasks as information is inputted manually by several different people.

Information received by Napo from members working in IT indicates that these problems are not going to be resolved anytime soon. Mainly because the main case records system, NDelius, was never designed to be split in two. As such, temporary "work arounds" are being implemented to ease the problems; but they are not able to resolve them and the system is likely to continue failing in the long term.

- Information received on the 9th January 2015 from members has highlighted the following issues:
- Records of contact with offenders is being inputted to NDelius then being lost.
- Lack of access to the system - in one example staff had no access to the IT systems for four weeks.
- Delays in fixing problems - it took three days for a members password to be reset by Steria (the IT company with the NPS contract).
- IT systems are particularly problematic for Assistive Technology (AT) users and disabled staff; it is inaccessible for AT users putting staff with a disability at a much greater disadvantage to others because the process for them is much more time consuming.
- The Victim Database is currently held with the CRC while Victim Liaison Officers (VLOs) are based in the NPS. This means that they have to request information from the CRC IT staff in order to access their own database. It also means that highly sensitive victim information is being held by the private sector. Victims are not aware that their information is in the hands of none State providers and Napo is very concerned about the appropriateness of this, potential data protection risks and the cumbersome way in which VLOs get access to their records.

- There has been very little training for staff using the new systems and many have simply been given a short briefing. This has led to further delays and problems as staff do not know how to use the IT effectively. Many of the new providers have said they will develop their own IT systems post 1 February 2015. This is yet further change that staff will have to cope with. It will also mean that each CRC could have its own IT system leading to further fragmentation which could have a direct impact on communication and information sharing between areas.

Napo believes that ICT needs to be reviewed as a matter of urgency and be in a steady state. This was also recommended in the HMIP report in December. The NPS in particular will retain the existing IT systems and needs to be able to function effectively in order to manage high and very high risk of harm offenders safely. The existing IT is simply not fit for purpose in either the CRCs or the NPS.

High workloads and staff shortages

Since the Probation Service was split on 1 June 2014, probation staff have seen a significant increase in caseloads and workloads. Many staff in the National Probation Service (NPS) now have 50+ caseloads all of which are high risk and therefore require very intensive work and a high level of supervision, which has a greater psychological impact on staff. In some areas this is as high as 100+ cases. This is due to a greater proportion of the work being transferred to the NPS than originally expected and the significantly high number of staff shortages.

Senior Probation Officers are reporting that over 50% of their time is now spent transferring cases back and forth between the two organisations due to case allocation errors; inputting information onto cases retrospectively, as this has not been available at the point of allocation; breach proceedings and risk escalation. This leaves very little time for them to manage their staff, offer professional and management support and to countersign assessments.

Staff shortages in all grades are affecting all areas of England and Wales in both the NPS and the Community Rehabilitation Companies (CRCs). In the West Midlands, Court teams are heavily reliant on temporary administrators who have little training and understanding of the role. In South Yorkshire administrators have been temporarily promoted to Probation Service Officers (PSOs) with no training so that they can advise the Courts for sentencing purposes. Many areas are asking administrators to carry out the Risk of Serious Recidivism and Case Allocation System which identifies risk of harm issues and determines which organisation the case should go to, despite having no training in risk assessment or offender management. Probation Service Officers are being asked to cover reception due to a lack of staff in some areas. Trainee Officers are being expected to carry high risk of harm cases with little or no experience of working with this complex group.

The shortages are having a direct impact on service delivery with many areas cancelling or postponing offending behavior programmes including those for sex offenders and domestic violence due to a lack of facilitators. Some offices are having to resort to carrying out supervision in a group setting rather than on a one to one basis as there are simply not enough staff to allocate the cases to. Probation Service Officers are now working with cases beyond their training, experience and pay grade including complex domestic violence cases, life sentence prisoners and cases with child protection issues.

There have been significant backlogs in preparing Pre-Sentence Reports (PSRs) for the Courts. To mitigate this, the NPS has increased its use of oral reports to the Court. These same day reports allow no time for officers to carry out vital checks with other agencies such as Children's Services which are critical to identifying risk issues to children and partners. As such the cases are often allocated inappropriately and then have to be transferred back to the NPS once the information has come to light.

Napo is very concerned this will lead to checks not being made, information missing from case records and risk issues not being identified in a timely manner. We are aware the CRCs have been directed to accept all cases from the NPS even if risk assessments and checks have not been carried out.

Standard Delivery Reports (SDRs), normally adjourned for four weeks are now being adjourned by up to eight weeks to allow for the report to be prepared.

There is reliance on temporary staff to keep the service running. Temporary staff are employed on a much higher rate than permanent staff which has a direct impact on staff morale and is an additional cost to taxpayers. By its very nature the employment of temporary staff also has an impact on offender engagement and continuity of supervision. Evidence shows that this in turn will lead to a higher number of breaches of orders, increased use of Courts to prosecute the breaches, increased costs to the public sector and an increased risk of reoffending, placing the public at risk of harm.

The staff shortages are having a direct impact on service delivery, reducing re-offending and ultimately public protection. Napo strongly believes that there is a staffing crisis in Probation which will place the public at risk and prevent meaningful rehabilitation work from taking place. Napo is also concerned that this crisis will not be resolved before the contracts are mobilized and that the new providers have no contractual obligation to employ full qualified staff. Instead we fear that they will cut corners to reduce costs. We are aware that Sodexo for example is planning to introduce "kiosk reporting" where individuals are simply signed in at reception with no one to one work taking place

Safeguarding issues and public protection

One of the critical issues with TR is the impact it is having on public protection in relation to domestic violence cases and safeguarding children. An internal audit carried out by one CRC has already identified that these cases are most at risk of “falling through the cracks” that the fragmentation of the service has caused. The reasons for this are outlined below.

- Same day reports (SDRs) and oral reports at Court do not allow sufficient time to carry out checks with police and children’s services resulting in these particular risk issues going unnoticed until after an offender has been sentenced. This impacts on multi-agency working, integral to managing such risks in the community and potentially inappropriate sentencing and case allocation. It also undermines effective public protection and risk management in the community.
- Staff shortages have led to a number of CRCs having to cancel or postpone the delivery of sex offender programmes and domestic violence programmes. This means that not only are offenders not receiving the right intervention evidenced to reduce risk of harm and reoffending but also victims and child are not being referred to women safety workers for the support they need. In Warwickshire and West Mercia CRC the Building Better Relationships programme has been postponed until June 2015. A letter sent by the CRC to the judiciary is attached.
- As part of the Building Better Relationships programme, risk management meetings are held regularly in order for agencies to share information and intelligence. In some areas these have been cancelled due to a lack of staff. Multi-agency work is vital in managing domestic violence cases safely both pre release and in the community.
- Due to a lack of fully qualified probation officers in the CRCs, domestic violence cases are being allocated to Probation Service Officers who are not experienced or qualified to work with these complex cases.
- The National Probation Service (NPS) in some regions is no longer sending representatives to Multi Agency Risk Assessment Conferences (MARACs). These conferences provide vital information sharing amongst professional and are victim focused.

These are essential for managing the safety of the victim especially where cases involve children and/or where both parents are known to probation. In other areas of the NPS there are not enough senior probation officers to attend meetings including Children and Adults Safeguarding Boards, Multi Agency Public Protection Arrangements (MAPPA).

- Data protection is inhibiting joint working between CRCs and the NPS. An example of such was a case where the mother was being held by the CRC but the father was being held by the NPS. Previously both officers could have shared information easily and quickly within the same office. Now they have to go through a formal process to share information that causes delays and potentially vital information being missed.
- CRC staff holding domestic violence cases are not given sufficient time to carry out regular home visits, attend child protection conferences and core groups.

Napo firmly believes that the evidence we have gathered since the New Year indicates that the probation service is in crisis. These problems highlight significant public protection issues that are leaving victims and children a risk of harm. They are likely to result in further offending which will have a substantial impact on victims but also in the long term on communities and society. There is also a financial cost as offenders are returned to Court and/or custody as well as costs to healthcare services and social services. These issues should be fully addressed before any contracts are mobilised. Napo believes the Secretary of State should publically state how he intends to resolve these issues and by when.

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