

## **Probation Transforming Rehabilitation Concerns**

A briefing from Napo the Trade Union and Professional Association for Probation and Family Court Staff

### **Introduction**

Staff morale in the Probation Service, in both the National Probation Service (NPS) and the Community Rehabilitation Companies (CRCs) is at an all-time low. Staff are extremely unhappy with the way the Transforming Rehabilitation reorganisations (implemented on 1 June 2014) has been conducted. They are struggling to cope with the practicalities of making the new system work while at the same time dealing with a time consuming and cumbersome case allocation process, disproportionately high workloads and inadequate IT systems. All these factors jeopardise service delivery and put both Probation staff and the public at risk of harm.

### **Staff Assignment Process**

Napo is seriously concerned that the staff assignment process imposed on staff earlier this year to effect the split of the Probation Service was not a fair process. Rather than being based on individual staff skills and experience it was largely a random selection process; where in some instances staff names were effectively drawn from a hat!

Whilst Napo acknowledges that there was an appeals process in place, the criteria for an appeal was so narrow that many staff were unable to challenge the decision about their future employment and the rationale behind it. This issue was raised in the House at Justice Questions on 30 June by Toby Perkins MP who had been informed by a constituent that she felt unfairly treated having worked in the service for 20 years but had been assigned to the Community Rehabilitation Company, to deal with low/medium risk of harm offenders, rather than the National Probation Service. A less experienced officer who had been in the service for six months was assigned to the NPS. The Secretary of State rebutted the allegation saying it was absolute nonsense. However, Napo has numerous copies of emails sent by senior management to staff confirming that it was in fact a random assignment process that had been used.

This has left staff feeling extremely demoralised and stressed as they find themselves in new roles with little or no training and feeling devalued as CRC staff can no longer carry out duties such as pre-sentence report writing, for which they are qualified. The Coalition has presided over the creation of a two tier workforce with those in the NPS being portrayed as the 'elite' staff group and CRC staff being made to feel less competent. This has had a severe operational impact on staff in both the NPS and the CRCs.

Napo would ask MPs to seek clarification from the Secretary of State on how staff were assigned; and for a review of the assignment and appeals processes to test whether they have been fair.

## **Ongoing IT issues**

Despite assurances from the MoJ, Napo is aware that there are still ongoing IT issues. Throughout the whole of July OASys (Offender Assessment System) will not be available on Saturdays. This means staff running offender rehabilitation programmes, supervising unpaid work or carrying out Court duty at weekends will have no access to offender's assessments.

Other issues, which the MoJ says are 'localised', include continuing NDelius failures, lack of access to records and bureaucratic systems that are time consuming. Much of the new tools brought in by the MoJ to assess cases at Court and to allocate them to the NPS or the CRC can only be accessed on a computer, yet most Court staff do not have access to computers to do this and are having to travel to an office at the end of the day to complete them.

Napo believes that the issue is not just IT failures but an IT system that is not fit for purpose and this will have an impact on service delivery and public protection.

## **Workloads**

Napo is deeply concerned that these workload pressures will have a negative impact on service delivery, staff wellbeing and public safety. There is no agreed workload measurement tool for the new organisations and this is creating huge disparities around the country. One area has tried to resolve its workload issues by increasing its own workload management tool maximum to 140% for both the NPS and the CRC.

Five day reports (fast delivery reports - FDRs) are only being allocated to officers the day before they are due in Court. This leaves no time for staff to make background checks for child protection concerns, instances of domestic violence or mental health issues. In some cases these reports are in addition to staff writing two pre-sentence reports a week (PSRs); and this leaves less time for staff to supervise their current caseloads effectively.

Some NPS areas are trying to cope with report requests by increasing the number of oral reports given to the Court. In some instances staff have been asked to cut corners and do this for high risk of harm and complicated cases which is wholly inappropriate.

In some areas members have reported having caseloads of 80 plus while others are being expected to write two pre-sentence reports a day (the benchmark agreed time for this task is 6.5 hours for a full report).

Many offices now have just one probation officer allocated to the NPS and one in the CRC. There is no cover for annual leave or sickness and no colleagues to discuss cases with should there be concerns about risk escalation.

Many areas are having to pay staff overtime to cover the backlog of work. This is either being done via sessional work to write pre-sentence reports or in many cases staff working over the weekend for fixed overtime payments.

Senior managers have reported that they have been working 20 hours a week extra for the last three months. The sickness level has increased leaving higher workloads for those that remain at work. In addition to the work created by TR, managers have now had to take on additional tasks that historically would have been carried out by HR departments.

We would ask MPs to seek assurances from the Secretary of State that workloads are being monitored properly. We would also ask them to seek assurances that the impact on service delivery will not negatively affect public safety and to ask what he intends to do to alleviate staff stress and low morale.

Napo believes that the situation described above makes it even more imperative that there should not be a sale of CRC contracts until a 'steady state' of operations has been achieved.

## **Case Allocation**

In order to try to make the new system work the MOJ has introduced a case allocation system that is laborious and time wasting for practitioners. It requires the NPS staff at Court to send newly sentenced clients cases to an e-mail address. That is then checked by NPS staff who decide on the information provided, if the case is to be owned by the CRC or the NPS. If it is a CRC case, low-medium risk of harm, then a transfer request has to be made for each case.

There is a huge and unnecessary amount of paperwork involved in what used to be a simple, straightforward task. In some cases this process has had to be followed for stand-alone curfew cases (these are managed by private providers) that are then immediately terminated as there is no Probation service involvement. As a direct result of this new system it is taking up to a week for offenders to be sent an appointment with an offender manager whereas under the old system they could be given an appointment at Court for the very next day.

Napo is deeply concerned to hear that many cases are being left unallocated. Hundreds of cases are being left with no offender manager assigned to them or in many instances they are being allocated to a senior probation officer in name only. We do not know if these cases are actually being supervised during this time or simply being left. Without regular supervision and risk monitoring these cases have the potential to cause significant risks to the public. Examples include:

- North Yorkshire – 60 domestic violence cases left in a cupboard with no offender manager.
- South West region reports 50 unallocated cases with at least one being high risk of harm.
- South Yorkshire where 291 cases have been allocated to a Senior Probation Officer in name only.

We have also had worrying examples of cases being inappropriately allocated.

- Warwickshire/West Mercia – sex offenders allocated to the CRC when they should be with the NPS due to ‘high risk’ offences and MAPPA (Multi Agency Public Protection Arrangements) being in place. Once the case is in the CRC the tutors for the Sex Offender Groupwork Programme, who are from the NPS, are unable to access the records for the offenders due to IT restrictions. This poses a direct risk to staff and the public as tutors have to be fully aware of a person’s current situation and risk triggers to work with them effectively.
- Probation service officers (PSOs), qualified to work with low and medium risk cases, are being allocated high risk of harm cases such as domestic violence and cases with MAPPA in place. This group of staff have neither the training or experience, nor do they receive appropriate remuneration to work with such cases.

These issues present a high risk to the public as cases go unsupervised, unallocated or simply rest with the wrong organisation. Napo urges MPs to ask the Secretary of State how quickly these issues will be resolved, who is accountable if a serious further offence is committed in the meantime and why has this situation has been allowed to happen?

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