



Her Majesty's
Inspectorate of
Probation

An inspection of probation services in:
Birmingham North, East and Solihull PDU
The Probation Service – West Midlands region

HM Inspectorate of Probation, August 2022

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The role of HM Inspectorate of Probation

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We inspect these services and publish inspection reports. We highlight good and poor practice, and use our data and information to encourage high-quality services. We are independent of government, and speak independently.

Please note that throughout the report the names in the practice examples have been changed to protect the individual's identity.

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Foreword

It is now 14 months since the unification of probation services in June 2021. The implementation of the new operating model took place as the service was recovering from the Covid-19 pandemic which resulted in the implementation of the exceptional delivery model (EDM) arrangements across England and Wales. Birmingham North, East and Solihull (BNES) is one of two Probation Delivery Units (PDUs) in Birmingham. The unification process here was further complicated by the added necessity of shutting down a former central Community Rehabilitation Company (CRC) office, relocating 60 staff and reallocating over 4,000 cases between the two PDUs. To enable this, a structural alignment involving the re-allocation of cases, took place in January 2022. As our case sample for this inspection was drawn from those cases where supervision started in November 2021, many were included in this process. There were clear signs from the inspection of cases that this major upheaval exacerbated the already weak quality of sentence management in BNES PDU.

We recognise that any organisational change programme on the scale of the structural alignment in Birmingham will have an impact on service delivery. However, it is clear, from the inspected cases, that insufficient planning was undertaken to mitigate the impact of this on the supervision of cases. We identified too many cases where the necessary safeguarding checks to protect both victims and potential victims had not been completed and where the frequency of contact undermined any prospect of effective sentence management. Both the quality assurance processes and the management oversight necessary to ensure effective sentence management during the transition period, were evidently not in place. We were disappointed to find that five months after the change, there remained cases where contact levels were insufficient and core tasks, such as assessment, had not been completed. It is a matter of urgency that the PDU's management team ensures that all the cases affected by structural alignment are reviewed and the necessary actions to manage cases safely are put in place.

Unlike some of the PDUs we have recently inspected, the staffing levels in BNES are generally in line with their target figures. However, like other areas it is an inexperienced workforce with six new senior probation officers; 11 newly qualified officers; and 25 learners undertaking the Professional Qualification in Probation. As with the structural alignment, this inexperience has not been helped by the amount of home working reducing the opportunities for collaborative working. The professional knowledge of more experienced staff is not always available to new starters, and the teamwork ethos has been eroded. The Probation Service operates in a complex environment and cannot afford to lose these two pillars of effective practice. Both regional and PDU senior managers must ensure that attendance arrangements in the office are organised both to inculcate teamwork and to ensure inexperienced staff have the necessary support for their professional development.

A feature of the disappointing service delivery we found in Birmingham North, East and Solihull (BNES) PDU was the under-utilisation of services. A range of services are available, including those from the commissioned rehabilitative services (CRS). There was, however, inconsistent knowledge of the availability of, and the pathways to, these services, among the staff groups. This needs to be addressed to ensure people on probation have access to the services they require. The supervision of women from our case sample was also a concern. Across the key areas of sentence management their ratings were generally lower than for men.

This requires immediate attention to address any disproportionality in the level of service provision.

These are disappointing findings and as a result BNES has been rated 'Inadequate' overall. It is a matter of urgency that cases are reviewed, and the shortcomings rectified. The turbulence of structural alignment has now subsided; this provides an opportunity for the management team to put the necessary structures and quality assurance in place both to enable effective sentence management and the development of a more positive working culture.

A handwritten signature in black ink, reading "Justin Russell". The signature is written in a cursive, flowing style with a large initial 'J' and 'R'.

Justin Russell

Chief Inspector of Probation

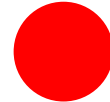
Ratings

Birmingham North, East and Solihull PDU

Score **2/27**

Overall rating

Inadequate



1. Organisational delivery

1.1 Leadership

Inadequate



1.2 Staff

Requires improvement



1.3 Services

Inadequate



1.4 Information and facilities

Requires improvement



2. Court work and case supervision

2.1 Court work

Inadequate



2.2 Assessment

Inadequate



2.3 Planning

Inadequate



2.4 Implementation and delivery

Inadequate



2.5 Reviewing

Inadequate



Recommendations

As a result of our inspection findings we have made a number of recommendations that we believe, if implemented, will have a positive impact on the quality of probation services.¹

Birmingham North, East and Solihull PDU should:

1. urgently review the quality of practice in all cases affected by the structural alignment
2. improve the quality of work to assess, plan, manage and review risk of harm
3. improve the effectiveness of management oversight and quality assurance of all casework
4. ensure that all operational staff undertake safeguarding and domestic abuse training
5. improve the quality of sentence management for women.

West Midlands region should:

6. ensure that management information in relation to CRS referrals is available for PDU managers and analysed effectively to increase the use of available services
7. ensure that smarter working arrangements support effective communication and professional development.

HM Prison and Probation Service (HMPPS) should:

8. review the refer and monitor processes between CRS providers and probation practitioners to improve and expedite information exchange and access to services.

¹ Progress against previous inspection recommendations for the relevant CRC or National Probation Service (NPS) Division are included in annexe one.

Background

BNES PDU is one of nine PDUs in the West Midlands probation region. As of 8 June 2022, the total caseload of the region was 21,054, with 2,819 of the cases managed in BNES.² Eighty-four per cent of BNES PDU's caseload were from Birmingham and 16 per cent were from Solihull. The PDU has two main offices – at Centenary House and Perry Barr. It is also responsible for providing probation support for two courts, Birmingham magistrates' court and Birmingham Crown Court.

The PDU's area is policed by West Midlands Police. Recorded crime rates for Solihull in 2021 was 72 crimes per 1,000 of the population. This is significantly lower than for the West Midlands as a whole. For Birmingham, the rate was 130 crimes per 1,000 people. This is nine per cent higher than the West Midlands rate.³

BNES PDU covers two local authority areas – Birmingham and Solihull. Representation on the Birmingham strategic boards is shared with Birmingham South and Central PDU. The boards attended include the Community Safety Partnership (CSP); Safeguarding Children; and the Youth Offending Board. The police and The Probation Service jointly lead on the CSP priority of serious violence. In line with this responsibility the head of BNES PDU jointly chairs the Gangs, Violence and Serious Organised Crime Board which sits under the CSP. BNES PDU is also represented on the Solihull partnership boards. These include the Solihull CSP; the children and adult safeguarding boards; and the youth offending boards. They are also represented on the regional Integrated Offending Management Board.

In June 2021 the former Staffordshire and West Midlands CRC and the West Midlands National Probation Service were unified. Until January 2022, the legacy operating arrangements essentially remained in place in Birmingham. In January 2022, a structural alignment took place across Birmingham and Solihull. This entailed closing the central former CRC office for major refurbishment; relocating 60 staff to new offices; and moving over 4,000 cases to different offices where people on probation could be supervised closer to their home address. Following the alignment, people on probation are now managed by probation practitioners located within the PDU boundary of where they live in Birmingham.

During the period when the cases which we inspected commenced, November 2021, BNES PDU was operating under the 'national standards lite' position approved by the nationally established Demand Management Risk Board⁴. This paused some national standard requirements, including contact levels with people on probation. Concerns about the Omicron variant, in January 2022, led to the re-establishment of the Exceptional Delivery Model⁵ across much of the country but in BNES PDU, they continued to operate under the national standards lite approach. In April 2022, phase 2 of the Probation Prioritisation Framework (PFF) was launched. This framework assisted regions in identifying areas of flexibility in response to their capacity and workload. BNES PDU was identified as an 'amber' PDU in April 2022

² HMPPS digital workload measurement 10 June 2022.

³ West Midlands Crime Safety statistics. *Crime Rate*.

⁴ An agreed amendment to probation National standards to facilitate contact with people on probation.

⁵ Model of service delivery adopted by the probation service in 2020 in response to the Covid-19 epidemic.

which remained unchanged during the inspection fieldwork week. This enabled flexibility of reduced reporting arrangements if required.

We conducted fieldwork over the period of a week, beginning 6 June 2022. We inspected 48 cases where sentences and licences had commenced between 1 November and 26 November 2021. We also conducted 36 interviews with probation practitioners. Of the 48 cases we inspected, 34 had been directly affected by the changes resulting from the structural alignment in January 2022.

In line with the national target operating model, The Probation Service has commissioned external providers to deliver rehabilitative services in BNES PDU. The services commissioned are: NACRO for accommodation; Maximus for education, training and employment; Changing lives for women; and Ingeus for personal wellbeing.

1. Organisational delivery

Boundary changes to probation delivery implemented across Birmingham in January 2022 have had a considerable impact on the operation of Birmingham North, East and Solihull (BNES) Probation Delivery Unit (PDU). The movement of over 4,000 cases, Birmingham wide, combined with the relocation of over 60 staff was a significant undertaking. As a result of this realignment, the legacy Community Rehabilitation Company (CRC) and National Probation Service (NPS) organisations for this part of the West Midlands are now operationally unified in BNES with staff located in the same offices, managing more blended workloads. The risks of such a large-scale change programme were underestimated and this has directly affected the quality of sentence management in the PDU. It should, however, be emphasised that the inspected cases commenced two months before the structural realignment took place and there was clear evidence of weak practice during this period. A significant amount of remedial work is now required on the affected cases.

Following the tragic murder of Arthur Labinjo-Hughes, the BNES PDU management team responded positively to the recent Ofsted led Solihull Joint Targeted Area Inspection (JTAI)⁶ and operational information sharing arrangements have improved. BNES PDU has positive strategic relationships, and the management team is actively involved in key multi-agency forums. However, this strategic strength is not reflected in operational delivery. Information sharing and multi-agency working in the supervised cases is not at the required standard and this is undermining the effective management of cases.

Staffing levels are in line with the target figures. In terms of ethnicity, the profile of staff is in line with both the caseload and the local community although the gender imbalance seen nationally is evident in the PDU. Despite the adequate staffing levels in the PDU, 75 per cent of the probation practitioners we interviewed believed their workload was either 'not so manageable' or 'not at all manageable'. These pressures may be affected by the number of Professional Qualification in Probation (PQiP) students and newly qualified probation officers in the PDU. Nevertheless, work is clearly necessary to balance the workload following the unification of the legacy teams.

The impact of smarter working⁷ and the Covid-19 pandemic on sentence management should also not be underestimated. During a time of major transition both teamwork and team ethos are fundamental to maintaining service delivery. The irregular office attendance particularly of operational staff meant this was absent during the recent change process. A concerted effort is required to engage with the staff teams to establish both effective working arrangements and a more positive working culture.

⁶ www.gov.uk/government/news/joint-targeted-area-inspection-jtai-of-solihull-published

⁷ Hybrid working arrangements where business need allows. This is an informal, non-contractual, form of flexible working that blends working from an office base and/or from home.

Strengths:

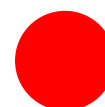
- At a strategic level there are positive relationships between the PDU leaders and senior managers from the key strategic organisations. The BNES PDU leadership team has responded positively to the findings of the recent Solihull JTAI.
- The senior leadership team is active in the key strategic boards such as reducing reoffending and violence reduction.
- The staffing levels for operational and administrative staff are broadly in line with the target numbers. The structural alignment has enabled the adoption of more blended workloads for operational staff.
- Management oversight of administrative staff is excellent and has been the key to ensuring the unified staff group understand their role and the procedures.
- In relation to ethnicity, the workforce is proportionate to both the local community and the caseload. The BNES PDU leadership team is committed to the region's equality roadmap and pro-actively advocated the Promoting Inclusion Staff Mentoring scheme (PRISM).
- Microsoft One note is used effectively as a means of accessing and communicating key service, referral and performance information.
- There is a comprehensive range of services potentially available in BNES; these include services delivered through commissioned rehabilitative services (CRS) and local services.

Areas for improvement:

- The quality assurance processes implemented to oversee cases during major structural change were insufficient. This has resulted in poor sentence management and insufficient attention being given to key risk issues and necessary safeguarding actions.
- Planning for structural change needs to include planning for ongoing staff engagement in the period following the implementation of change. The actions in place for the January 2022 BNES structural alignment were not comprehensive and underestimated the impact of smarter working on learning and collaborative working during the implementation period.
- The processes in place to manage smarter working rely on staff adhering to rotas for being in the office. More robust measures are required to enable the development of a consistent and supportive working culture.
- The working arrangements and lack of face-to-face contact have resulted in the loss of the shared informal knowledge which underpins effective service delivery. This has adversely affected professional development and the induction of inexperienced staff.
- Operational management oversight is inconsistent and there is insufficient quality assurance of medium and high risk of serious harm cases.

- In the absence of Quality Development Officers (QDOs), there was no consistent strategy for ensuring the quality of practice. This currently relies on individual manager oversight.
- Perry Barr office does not have a lift. Disabled staff are therefore unable to access all areas of the office and have to work on the ground floor. In Centenary House there is a lift, but it has not worked for over two months.

1.1. Leadership



The leadership of the PDU enables delivery of a high-quality, personalised and responsive service for all people on probation.

Inadequate

In making a judgement about leadership, we take into account the answers to the following three questions, together with the results of our review of cases against the domain two standards. A key element of leadership is the ability to deliver results in practice and therefore we operate a decision rule which means that if the results from each area of the domain two standards are inadequate or requires improvement then performance against the leadership standard can only be rated inadequate or requires improvement. For BNES PDU that decision rule is in operation which has resulted in a rating for leadership of 'inadequate'. The cases we inspected demonstrate poor sentence management during the period of structural alignment and minimal remedial subsequent action, to improve the management of cases.

Does the vision and strategy of the PDU leadership team drive effectively the delivery of high-quality services for all people on probation?

Strategic planning in the BNES PDU has been driven by the national Target Operating Model (TOM)⁸ and regional directives since the unification of staff from the former CRC and National Probation Service (NPS) in June 2021. The vision and strategy for the region are set out in the West Midlands regional delivery plan. The priority for BNES PDU has been the structural alignment jointly implemented with Birmingham South and Central PDU in January 2022. Some progress has been made following the structural alignment. Caseloads are more blended and staff from the two legacy organisations now work in the same offices. However, the inspection identified serious deficiencies in the level of contact with cases and in the management and review of serious risk of harm.

Responsibility for attending partnership boards across the two local authorities is shared with the head of Birmingham South and Central PDU. Senior representatives from partner agencies in Solihull recognise the expertise BNES PDU's head of service has given to partnership working. A JTAI of Solihull in January 2022 raised concerns in relation to the effectiveness of information sharing between probation practitioners and the Solihull multi-agency safeguarding hub (MASH). Subsequently, consistent processes have been established to ensure there is a timely two-way sharing of

⁸ [MOJ7350 HMPPS Probation Reform Programme TOM Accessible English LR.pdf \(publishing.service.gov.uk\)](#)

information. Although the inspected cases identified some concerns in relation to safeguarding practice, this was not attributed to issues with the efficacy of these arrangements.

There is a Regional Tackling Discrimination Council which oversees a West Midlands pledge and commitment framework. Staff from across the grades can attend and participate. This is a bottom-up approach to tackling issues and concerns. It allows individual staff members to raise issues directly in the knowledge that they will be considered by staff from across all grades. BNES PDU works to the regional Equalities Roadmap. From this plan, the senior management team has prioritised mentoring and recruitment. PRISM, the regional staff mentoring scheme, has been widely promoted and uptake has been strong in the PDU. Three applicants with protected characteristics have been supported in their successful application to this summer's Ministry of Justice (MoJ) leadership school.

Bespoke services for people on probation from a black, Asian and minority ethnic background have been funded by the central commissioning team. The quality-of-service delivery by the PDU has been inconsistent in relation to accessing services and there is no information as to the referral rates or efficacy of these services. There is no separate team to manage women in the PDU but there is a nominated senior probation officer (SPO) lead for women. In each office there are identified probation practitioners to manage female caseloads. There are established links with CRS women's service provider 'Changing Lives' and the aim is to develop a women's team in the next 12 months.

Are potential risks to service delivery anticipated and planned for in advance?

BNES PDU has a comprehensive business continuity plan which details risk impacts on different areas of service delivery. The potential impacts are 'RAG' (red-amber-green) rated and the necessary management actions in the event of an incident are detailed.

The PDU does not have its own service delivery risk register but a service delivery risk register is held regionally. The bespoke implementation plan for the January 2022 structural alignment includes actions in relation to estates; staff; assurance; operations; case transfer; and communication. The areas covered were comprehensive, but the contingency planning underestimated the challenges such a large-scale restructuring would present. This particularly applied to the impact on staff of moving offices and in many cases taking over substantially different caseloads.

We inspected cases that commenced in November 2021. The impact of structural alignment was evident in 34 out of the 48 inspected cases, particularly in relation to case transfer. The risks to sentence management of this process was underestimated and this, combined with a lack of quality assurance, contributed to the poor quality of sentence management in many of these cases. These weaknesses in our view, are not solely attributable to the alignment process as they were also evident in the cases during the period before its implementation.

The necessary training for transferring operational and administration staff following structural alignment, was not consistently available. This had a negative impact on sentence management during this period and undoubtedly influenced the findings of the inspection.

The underestimation of the risk to service delivery is also evident in the planning for the period following the structural alignment. For example, the plan details various people and assurance tasks for SPOs in the days immediately after alignment, but these were insufficient to provide the direction and support that staff needed during this period. It also did not take into account the impact of remote working. This meant that staff were not always present in the office which made it difficult for managers to ensure a consistent approach was taken to the transfer and subsequent management of cases.

Does the PDU ensure the delivery model meets effectively the needs of all people on probation?

BNES PDU operates out of two offices. The North team is based in the Perry Barr office and the East and Solihull teams are based in Centenary House in Birmingham. The structural alignment has generally resulted in an improved level of service accessibility by ensuring people on probation are now managed from offices within the geographical area where they live. In our survey of 64 people on probation being supervised in BNES, 13 per cent (8) of the respondents stated that the location of their appointments was not within a reasonable distance of where they live.

The operation of BNES PDU is in line with the national TOM and adheres to the regional delivery plan. A short sentence team is being developed and a team to manage women is planned to be operational within 12 months. Already in place is a young adult team for the management of people on probation aged 18 to 25. This team focuses on the transition of cases from youth justice teams to adult supervision. There is evidence from partner agencies that this team works effectively on these cases and that constructive relationships are in place with youth justice services.

Since the unification of probation services, PDU staff briefing events have focused on the structural alignment and the subsequent move to new operational structures and blended caseloads. These PDU briefings are communicated via Microsoft Teams by the PDU head and backed up both formally and informally by the SPOs in their management of the teams. The inspection identified different levels of understanding of delivery plans among probation practitioners. In our view, this inconsistency of knowledge and understanding can partly be attributed to the impact of remote working. This restricts both the formal and informal reinforcement of guidance and direction. The current working arrangements do not allow for SPOs to provide consistent face-to-face management oversight to all probation practitioners on a regular basis.

There are currently no forums or feedback processes operating in the BNES PDU to consider the views of people on probation. However, a regional survey of people on probation in the West Midlands was undertaken in November 2021. Also, at regional level, there is a pool of peer mentors engaging with people on probation, but we did not see evidence of such activity in BNES.

1.2. Staff



Staff are enabled to deliver a high-quality, personalised and responsive service for all people on probation.

Requires improvement

In making a judgement about staffing, we take into account the answers to the following four questions. A key element of staffing is whether staff within the PDU are empowered to deliver a high-quality, personalised and responsive service for all people on probation. For BNES PDU, we have identified some inconsistencies which has resulted in a rating for staffing of 'requires improvement'.

Do staffing and workload levels support the delivery of a high-quality service for all people on probation?

The staffing levels in the PDU are in line with numbers set by the central workforce planning team. There are currently vacancies for one probation officer (PO) and three probation service officers (PSOs). There is a full complement of senior probation officers (SPOs), with an average span of control of 10 staff. The PDU currently has 25 PQiPs. Eleven newly qualified POs were appointed to the PDU in April 2022. In terms of administration staff, there are no vacancies at the Perry Barr office and in the Centenary House office there are vacancies for 4.5 case administrators. Three of these posts, however, are covered by agency staff. The structural alignment in January 2022 resulted in the large-scale transfer of cases and some operational staff were allocated a completely new caseload. This was undoubtedly a challenging process for staff and managers alike, and workloads were high. In recognition of the difficulties practitioners faced, for a period until the 28 February 2022, expected contact levels for medium risk of serious harm cases were reduced and appointments were allowed to be undertaken remotely. At the time of the inspection, five months after the alignment, all grades of staff reported that the immediate pressure of the process has subsided. It is evident from the inspection of cases that some remedial work needs to be undertaken on the cases managed during this period.

At the time the inspection was announced, the average PO caseload was 40 and the workload management tool showed that POs on average were working at 117 per cent of their capacity. These are high figures and they partly reflect, the ongoing challenges the PDU is facing in moving to a blended caseload.

The PDU lead chairs a monthly workforce planning committee and fortnightly absence management meeting with middle managers to oversee absence management. There is a clear management process for recording and reviewing absence. Staff retention is also driven by this committee through the promotion of flexible working and work-life balance.

At the time of inspection staff were expected to spend at least 50 per cent of their time working in the office. Rotas were in place but there was no formal monitoring process, with oversight left to individual managers. It was evident during the inspection that many staff working in Centenary House do not know each other and are unaware which teams their colleagues work in. The attendance pattern has also meant that contact between administration and operational staff is often solely via

email. A lack of both team ethos and professional accountability has, in our view, had an adverse impact on the working culture.

Do the skills and profile of staff support the delivery of a high-quality service for all people on probation?

The population of Birmingham is made up of 42 per cent of people from a black, Asian and minority ethnic background. The same figure for Solihull is 11 per cent. In BNES PDU, 49 per cent of staff are from a black, Asian and minority ethnic background. For people on probation the figure is 43 per cent. In terms of gender, 11 per cent of the people on probation and 84 per cent of the staff are women. This disproportionality in terms of gender reflects the national figures and The Probation Service generally has an ongoing challenge to attract men into the workforce.

BNES PDU has effectively only been operating as a unified PDU since January and it is evident that there is an ongoing process to ensure all staff have the necessary training and skills for their role. Training was included in the implementation plan, but all the planned training had not been delivered. The time taken to integrate ex-CRC staff into the processes of The Probation Service was particularly concerning. There remain legacy CRC probation practitioners who have not had the necessary training to manage high risk of serious harm cases.

Administration staff moving from the legacy CRC organisation have had to adjust to a practice whereby they work with cases and designated officers rather than on identified tasks. A small amount of training in relation to breach and recall was provided but the adjustment has mainly been overseen by the mentoring of colleagues and the hands-on oversight of senior administration officers. This has not been made easier by the case administrators' inconsistent contact with probation practitioners.

Operational staff have not received all the necessary training since the operational alignment. At the time of the inspection, only 72 per cent had undertaken the online mandatory child protection training and 67 per cent had completed domestic abuse training. Developing probation practitioners, however, cannot be solely based on a one-dimensional online approach. Informal knowledge is also crucial to the effective operation of a sentence management team. The current blended home and office working arrangements in the PDU mean that the informal knowledge and communication from experienced practitioners to newly qualified staff necessary to support their professional development, is not consistently available.

Does the oversight of work support high-quality delivery and professional development?

There was evidence of a learning and development culture, but this was not consistent across all functions of the PDU. An example of positive learning was found in the way the administration team have adjusted to the recent changes. These have presented real challenges, but it is evident that the managers have responded positively and ensured their staff have appropriate management support during the transition.

The PDU has ensured that staff from all backgrounds have equitable access to promotion and learning opportunities. The head of PDU's personal advocacy of the PRISM mentoring scheme and leadership training opportunities is very positive.

Only 15 per cent of the inspected cases were judged to have received the necessary management oversight, although for high risk of serious harm cases the figure was 50 per cent. Although this indicates a greater focus on high risk of serious harm cases, management oversight was generally insufficient and ineffective during the change period. The effective management of all cases, particularly following case transfers, should have been prioritised. As part of the alignment, seven new SPOs started in BNES PDU in January 2022, and this may have influenced this finding.

It is clear from the inspected cases that the PDU management team needs to implement a comprehensive process to systematically review cases and ensure that any necessary remedial work is completed. Historically, Birmingham has experienced issues with high absence rates and we therefore welcome the decision to engage Match Fit, a national resource from the MoJ's Human Resources (HR) team, to support the SPOs and PDU head in dealing with HR issues. This support will be in place for a further 12 months.

Senior managers recognise that the Covid-19 pandemic has affected the working culture in the PDU. In maintaining a focus on service delivery, some performance issues have been overlooked, which was in line with a national pause on performance measures. In addition, working patterns have changed and this has undermined the development of a collegiate approach to working. The engagement of Match Fit and the completion of the structural alignment provides an opportunity to reset both the working and the management culture.

Do managers pay sufficient attention to staff engagement?

Both operational and administrative staff were positive about the attention paid to their wellbeing during the structural alignment. Staff interviewed during the inspection reported that where necessary, they are afforded reasonable adjustments to their working practices. However, this was contradicted by our staff survey where 24.6 per cent (14) of respondents reported that reasonable adjustments had not been made. The PDU management team should consider further this apparent discrepancy.

Regular Microsoft Teams briefings by the PDU head and routine management oversight sessions are the main methods of staff engagement. The PDU strategy for staff engagement had not been reviewed since the alignment. An SPO recently assumed responsibility for leading on wellbeing in the PDU. The lack of planning to engage staff following the alignment was a significant omission, which in our view led to the absence of introductory and engagement initiatives at Centenary House and not helped the development of a positive working culture.

In our staff survey, 80.4 per cent (49) of respondents stated that the PDU culture promoted openness, constructive challenge and ideas most of the time. The senior management team put BNES PDU candidates forward for recognition for both national and regional awards. In the recent West Midlands regional awards, BNES PDU staff were successful in two of the six categories. The PDU head meets bi-monthly with the chairs of the local National Association of Probation Officers and Unison branches. In June 2021, he arranged for RISE, the association for black, Asian and minority ethnic staff, to present to the PDU leadership team.

1.3. Services



A comprehensive range of high-quality services is in place, supporting a tailored and responsive service for all people on probation.

Inadequate

In making a judgement about services, we take into account both the answers to the following three questions and also the rating given to implementation and delivery in the domain two cases reviews. Services has been rated 'Inadequate' because the range of services are not being used to provide a tailored and responsive service for all people on probation, and the majority of the ratings in our domain two case reviews were also 'Inadequate'.

Are the right volume, range and quality of services in place to meet the needs of people on probation?

Characteristics of inspected cases⁹

Proportion of inspected cases who are female	15%
Proportion of inspected cases who are black, Asian or minority ethnic	40%
Proportion of inspected cases with a disability	35%
Proportion of inspected cases where inspectors identified drug misuse problems	31%
Proportion of inspected cases where inspectors identified alcohol misuse problems	33%
Number of accredited programme requirements for individuals convicted of a sexual offence that have not commenced ¹⁰	40
Number of accredited programme requirements that have not commenced, other than for individuals convicted of a sexual offence	155
Proportion of unpaid work requirements with hours outstanding beyond 12 months	54.9%

⁹ HM Inspectorate of Probation inspection data.

¹⁰ Data supplied by The Probation Service.

Services delivered to support desistance are primarily through the probation CRS contracts for accommodation; education, training and employment (ETE); women's services; and personal wellbeing. There was inconsistent knowledge of and take up of these services by probation practitioners in the PDU. It was evident that while some practitioners routinely made referrals, others did not.

There was no process in place to routinely monitor referral rates. This inconsistency and lack of knowledge is in line with our findings from the inspection of cases. Of the practitioners we interviewed, 84 per cent believed they had access to an appropriate range of services for their cases most of the time, but inspectors found that in only 31 per cent of the same cases was delivery sufficient to support desistance.

In addition to the CRS provision not being consistently understood, there was inconsistent practice in relation to the Refer and Monitor platform used by probation practitioners to make referrals. The relevant information was not always provided on the referral form, which resulted in delays and requests for additional information before a referral was accepted and services delivered. Previously, some services, such as ETE provision, were delivered by the CRC who had access to all probation systems. This enabled swift access to all relevant information, speeding up the referral process and greater use of the service by probation practitioners.

BNES PDU staff in both Solihull and Birmingham have access to drug and alcohol services commissioned by the local authorities. They also have access to additional services which sit outside the CRS framework. For example, Green Square Accord offers supported housing specifically for people on probation in Solihull and there is a close working relationship with The Probation Service. Similarly, Ixion provides ETE services and are embedded in local offices. The inspected cases demonstrated a greater uptake of these embedded ETE services.

Services for women are mainly provided through Changing Lives, the women's services provider, and Ixion. Financial support has also been given to Inner City Life and Gurdwara Aid to provide services for people on probation from a black, Asian and ethnic minority ethnic background. There has been minimal monitoring or feedback in relation to these latter services and we found varying knowledge of the services in the staff group.

Unpaid work in the region is delivered regionally and managed by teams across the region's PDUs. The Covid-19 pandemic resulted in a significant backlog of unworked hours and at the point the inspection was announced, 54.9 per cent of orders in the PDU had hours outstanding beyond 12 months. There is a regional strategy in place to request that the courts extend these orders. The situation for new unpaid work requirements is more positive and work can commence immediately after the order is made. In the nine cases we inspected with unpaid work requirements, referrals to commence unpaid work were often delayed by probation practitioners and consequently, minimal work was completed. However, where prompt referrals were made this was followed by the immediate commencement of the requirement.

Accredited programmes in the PDU are delivered by the regional programmes team. The referral process for these programmes differs depending on the type of programme. For non-sex offender programmes, the referral is made straight from the Delius case management entry which sets up the order. A start date is given by providers on receipt of the referral, provided there are no barriers to commencement. During the inspection, programme staff informed us that the waiting list for new referrals to these programmes had been substantially reduced. However, the information provided in the regional data indicated that there were still

155 orders with programme requirements that had not commenced. Certainly, in the inspected cases with relevant programme conditions, we did not see evidence of any programmes commencing.

Referrals to sex offender programmes rely on the probation practitioner making the referral. At the point the inspection was announced, there were 40 sex offender programme requirements outstanding in the PDU. Although programme staff informed us that new referrals now face a minimal waiting list, probation practitioners stated that they continued to experience some delay before individuals are allocated to programmes. Ensuring referrals are made is also an area of concern. Currently, there is no overarching process to ensure that all the orders or licences with sex offender programme requirements are referred.

Are relationships with providers and other agencies established, maintained and used effectively to deliver high-quality services to people on probation?

At strategic level there were positive relationships between the PDU leaders and senior managers from the key strategic organisations. For example, in Solihull the PDU head sits on the recently formed Violence Reduction Board that reports to the Solihull Community Safety Partnership. This board has set up multi-agency violence reduction panels which SPOs attend monthly to review cases. In the main, these positive strategic relationships are reflected in the processes in place for information sharing. Since the JTAI in Solihull in January, revised arrangements have been put in place to improve information sharing between the Solihull MASH and The Probation Service. Information sharing arrangements were also in place with children's social care in Birmingham. There was also a process in place for exchange of information on domestic abuse with West Midlands Police.

Despite these processes for sharing information being in place, they are not routinely used for all relevant cases. In 54 per cent of cases inspected the necessary child safeguarding checks had not been undertaken. Similarly, 58 per cent of cases had not had the expected domestic abuse checks. Some probation practitioners stated that they did not always receive timely information following checks. However, it is also clear from our inspection that the understanding and application of safeguarding practice in BNES PDU is inconsistent and requires improvement.

One area where we identified concerns in relation to the timeliness of safeguarding checks was in relation to court work. It was evident that requested safeguarding information was not always available prior to the submission of the court report. A process to combat this delay has been put in place for adjourned reports whereby court staff request the information 48 hours prior to the report's completion. However, obtaining this information in time remains problematic for those reports completed on the same day.

We received a limited response from our sentencer survey but in the main it was positive about the performance of probation court staff and the information that is received in relation to sentencing options. One area that is prioritised in the Birmingham courts is the making of Community Sentence Treatment Requirements. Positive relationships with the relevant services have been built at operational level to enable the expedited assessment of defendants for mental health, alcohol, and drug rehabilitation treatment requirements. Although the numbers are still relatively low, there was some evidence that when these proposals are made sentencers are willing to impose the necessary sentence.

Resettlement

Following the unification of probation services in June 2021, West Midlands region maintained the enhanced 'through the gate' services as delivered under the old structure, until January 2022. Since then, the new model for delivering resettlement services has been implemented with a particular focus on the development of short-term custody teams (STCT) across the region. The STCT in BNES PDU was still being developed at the time of inspection. Designated officers managed the relevant cases, but they did not work in a single team structure. Three resettlement workers who previously worked in a custodial role had been moved to community locations but continued to work with the short-term custody caseload.

Apart from reviewing, we found that licence cases were generally better managed than community orders across the other areas of sentence management. In some cases, we identified effective pre-release work and planning in relation to both public protection and desistance. For example, there were cases where drug and personal wellbeing services were engaged to support individuals on release from prison. Similarly, there were also cases more focused on public protection where exclusion zones and curfew conditions were effectively used following the individual's release. However, we also identified evident weaknesses in how resettlement cases were being managed. In just over half of the 17 licence cases inspected we found the level of pre-release contact with the prisoner judged to be proportionate. The under-utilisation of necessary services was also evident. Again, the cases inspected were often adversely affected when more than one officer had been involved.

Two of the licence cases inspected were assessed as high risk of serious harm. One of these cases was managed very well, with good pre-release work resulting in effective plans for release. Appropriate controls and services were both put in place to effectively manage the individual on his return to the community. The management of the other high risk of serious harm case was undermined by the lack of enforcement action following breaches of the licence conditions. Two of the licence cases were women. Again, the picture was mixed with one case demonstrating high-quality pre- and post-release management. The other case was evidently affected by transfer following structural alignment. The necessary services were not engaged, and the level of contact was insufficient.

1.4. Information and facilities



Timely and relevant information is available and appropriate facilities are in place to support a high-quality, personalised and responsive approach for all people on probation.

Requires improvement

In making a judgement about information and facilities, we take into account the answers to the following four questions. We have assessed that information and facilities insufficiently support a high-quality, personalised and responsive approach for all people on probation and have therefore rated this as 'Requires improvement'.

Are analysis, evidence and learning used effectively to drive improvement?

BNES PDU was part of the JTAI inspection that was undertaken in January 2022, following a high-profile child death in Solihull. An individual agency improvement plan for the local probation service was produced following the inspection. The actions included: improved management and oversight of child safeguarding practice; improved arrangements for sharing information with the Solihull MASH; and guidance to be issued on information storage in probation systems. The timescales for these actions vary and some had been completed. However, it is clear from the inspection of cases that actions such as improving management oversight on child safeguarding practice and the exchange of safeguarding information at court, remain outstanding.

Quality improvement is led by the deputy head of the PDU who chairs a monthly performance meeting of managers. The framework for quality improvement is provided by the regional quality improvement plan 2022/2023 which was issued in April 2022. Actions cover areas such as management oversight, audits and briefings. During our inspection we were able to identify some of the completed actions, such as the sharing of practice guidance and documents, but other actions such as themed audits are still to be implemented.

As part of the region's determination to maximise frontline staffing resources, the performance and quality team's resources have been reduced. There are currently four QDOs in post against a target number of 21. This has inevitably affected both individual and team input available to BNES PDU. Both senior and middle managers in the PDU believe this has had a negative impact on the quality of practice.

BNES PDU receives information collated regionally on the protected characteristics of people on probation commencing orders and licences. However, performance information is neither collected nor analysed either regionally or locally in areas such as: completions; recalls; and referrals to services and programmes.

Do the policies and guidance in place enable staff to deliver a high-quality service, meeting the needs of all people on probation?

HM Prison and Probation Service's intranet, including EQuIP, is the primary source for probation policies, practice information and HR guidance. The West Midlands Teams page was also a source of information and guidance. This has themed channels and was introduced to reduce email traffic in the region. Within the PDU the Microsoft One note system was used effectively both to share performance information and to provide access to guidance and information. For example, Microsoft One note provides guidance on how to use the 'Refer and manage' platform to refer to CRS services.

The head of the PDU undertakes Microsoft Teams briefings for key changes in practice or policy. Prior to the structural alignment, there was a clear communications strategy detailing the implementation. Although many staff were unhappy in relation to the timescale and detail of the change, effective communication had been put in place.

Do the premises and offices enable staff to deliver a quality service, meeting the needs of all people on probation?

BNES PDU operates out of two offices situated within the PDU's geographical area. In our survey of people on probation, 79 per cent (50) of respondents agreed that their appointments were in a convenient location and 13 per cent disagreed. During

the inspection we only visited Centenary House in Birmingham. This was a large, adapted office which had appropriate staff and interviewing space. While we were on-site, the lift in the building was out of use and awaiting repair. As the interview rooms are on the ground floor, this did not affect people on probation but for members of staff it meant there was no step-free access to some staff areas. In Perry Barr office there is no lift and as a result some staff members are located on the ground floor. As part of the proposed refurbishment of the building in 2021 a lift installation was agreed. However, this refurbishment has been postponed.

There are some delays in relation to building contractors undertaking repairs to the buildings under the facility management contract. For example, the delay in repairing a front door meant that security guards had to be hired for two weeks to ensure the safety of staff and people on probation. However, the escalation process for such work has improved and generally, people on probation reported in our survey that they felt safe on the PDU's premises.

Do the information and communication technology (ICT) systems enable staff to deliver a high-quality service, meeting the needs of all people on probation?

The performance and quality team collect data from across the region and the individual PDU's performance was communicated via the dashboard. Since the unification, the region has prioritised quality of practice over timeliness. This approach has been communicated to the BNES's staff and it is therefore not surprising that in relation to the timeliness of practice in the PDU, performance is poor. However, our inspection demonstrated that the reduced priority accorded to performance targets has not resulted in improved practice quality in the management of cases.

All POs and PSOs have both laptops and mobile phones, allowing them to work remotely.

The Microsoft One note platform was effectively utilised at both management and team level to share and access key services, processes and information. Information was collated on the protected characteristics of staff and people on probation starting orders and licences. However apart from gender, the ICT systems were not used to identify the possible impact of disproportionality on key service outcomes.

Feedback from people on probation

There were no clear processes in place at a PDU level to obtain feedback from people on probation. A 'Your views matter' survey of people on probation was conducted across West Midlands region in November 2021. It contained responses from 120 people on probation subject to supervision in BNES. Although there was some variation in the results for BNES PDU, there are some strong scores in key areas. For example: 85 per cent of respondents said probation practitioners were respectful; 68 per cent said they are now better at dealing with things that make them offend; and 51 per cent stated their life was better since their contact with The Probation Service. The PDU is in the process of analysing the survey and formulating an action plan.

For our own feedback from people on probation, we worked with User Voice to conduct a survey of 64 individuals and undertake 11 in depth interviews. Generally, the responses to the survey were more positive than from the interviews. In the survey, 65 per cent of respondents either agreed or strongly agreed that they were happy with the support they received, and included comments such as:

“Everything is positive, they have really helped me put my life back together after I lost everything.”

There are similarly positive responses in relation to the flexibility of appointments and the accessibility of probation practitioners. The shut-down for extensive refurbishment of the former central CRC office in central Birmingham in January 2022, raised questions about the accessibility of the probation services. In our survey however, 79 per cent of respondents either agreed or strongly agreed that their appointments were in a reasonable location. Eight per cent of respondents were undecided but 13 per cent disagreed. One interviewee stated:

“The office moved from town and I have to come to this place now which is further away and I’ve got a xxxing job to go to. Not only that my appointments keep getting cancelled. I’ve been here for one appointment in 4 months and the guy on reception told me she wasn’t even in so they just totally forgot I was coming and didn’t bother to cancel it.”

The frequency and quality of appointments were themes present elsewhere in the feedback. Seventeen per cent of survey respondents thought that the appointments could be improved, with 75 per cent of the interviewees reporting that they received no induction. Infrequent contact was raised as an issue in both the survey and the in-depth interviews. Although we should be cautious in drawing conclusions from individual comments, these concerns are in line with our own findings from the cases. It therefore helps confirm our conclusions that contact levels in the PDU are too low and this is exacerbated by inconsistent planning and communication.

Another theme from the people on probation feedback that is consistent with our findings, is concern regarding pre-release planning. This was highlighted as a key problem by both interviewees and comments in the survey. For example, this was from one survey respondent:

“...no communication between prison and probation. I was released and didn’t have a clue what was meant to happen. They still don’t really seem to want to help me and keep changing things up until the last minute.”

The urgent need for the PDU to develop a feedback strategy was highlighted by the lack of confidence demonstrated by people on probation to either influence the service or to complain. Thirty-five percent of survey respondents felt they had no influence on the delivery of services and 82 per cent of the interviewees had no confidence in the complaints process.

Diversity and inclusion

BNES PDU’s leadership team had taken a proactive approach to encourage black, Asian and minority ethnic, LGBTQ (lesbian, gay, bisexual, transgender and questioning/queer) and disabled staff to receive mentoring for management and promotion under the regional PRISM scheme. Four staff from the PDU participated in 2020-2021 and five staff have received mentoring since unification in June 2021. Three candidates with protected characteristics have been put forward and accepted for this summer’s MOJ leadership school.

The number of black, Asian and minority ethnic staff (52 per cent) is in proportion with both the numbers in the local population and the people on probation being managed by the PDU. In line with the national picture, there was however,

disproportionality in relation to gender. Currently women make up 84 per cent of the workforce.

BNES PDU was committed to the regional Equalities roadmap. The PDU has identified diversity champions and PDU staff can also attend the Regional Tackling Discrimination Council that oversees the pledge framework developed following the Black Lives Matter protests in 2020. Leadership and team meetings had diversity and equality as standard agenda items. The meetings covered relevant service delivery and staffing issues, including toolkits, bespoke services, CRS and PRISM. The protected characteristics of people on probation starting orders and licences were monitored but there was no analysis of their performance under supervision. For example, there was no monitoring for disproportionality in relation to: recall and enforcement rates; referrals to accredited programmes; and the completion of licences and orders. Such information is required both to monitor service delivery for unconscious bias and to analyse the relevance and effectiveness of interventions.

Bespoke services for black, Asian and minority ethnic offenders have been financed at regional level. However, the quality of these services and the referral rates have not been monitored. Within the PDU's teams, specific probation practitioners specialise in the supervision of women on probation and there are positive arrangements with providers of women's services. In our inspection of women's cases however, we identified concerns about the quality of supervision for women in the PDU. This should prompt an immediate review of the provision provided. This in turn should inform the planned creation of a team to manage women on probation.

2. Court work and case supervision

We inspected 31 community sentence cases and 17 post-release supervision cases. We inspected 14 relevant court reports arising from those cases. We examined the quality of assessment, planning, implementation and delivery, and reviewing in each case. Each of these elements was inspected in respect of engaging the person on probation and addressing issues relevant to offending and desistance. The quality of work undertaken in relation to each element of case supervision needs to be above a specific threshold for it to be rated as satisfactory. We also inspected the outcomes achieved for people on probation and provide data on these results.

Across the four areas that are covered by the inspection methodology, sentence management in Birmingham North, East and Solihull (BNES) Probation Delivery Unit (PDU) was insufficient. This poor practice was underpinned by inconsistent levels of contact and a failure to refer people on probation to appropriate services which were readily available. It is evident from our inspection that knowledge of both services and referral pathways was low among probation practitioners.

A particular concern, identified by inspectors, was the lack of basic support and oversight available, to reach the necessary levels of sufficient quality service delivery. We have outlined in the staffing section of this report that there was an inexperienced workforce. We view the recruitment drives and consequent staffing levels very positively but the subsequent approach to training, learning and development had fallen short. This is reflected in the domain 2 findings.

New staff, unfamiliar with probation practice, require extensive input and support. This needs experienced, knowledgeable and available managers to provide reflective support and comprehensive oversight of their work. During the Covid pandemic, the relaxation of performance measures, the prioritising of essential service delivery and remote working led to an absence of opportunities to gain experience and direct learning from colleagues. Senior leaders need to focus on the quality of service delivery but also ensure that reflective and supportive arrangements are in place to support probation practitioners while they undertake their work.

There were elements of some positive practice in the cases we inspected. Court reports generally are completed with a good analysis of desistance and offending factors. Similarly, reviewing was the strongest element of sentence management, which may indicate that after the upheaval of structural alignment, practice is now on a more even keel. We were pleased to see that where reviews have been undertaken, remedial work had also been undertaken on cases, such as safeguarding checks.

Our case sample consisted of only 13 per cent of high risk of serious harm cases, which is less than BNES PDU's overall caseload figure of 23 per cent. Generally, we found that the high risk of serious harm cases were managed better than the other cases although they were still adversely affected by change of probation practitioner and inconsistent contact levels. The same pattern was evident in relation to licence cases which were, on the whole, better managed than community orders.

Another key area for improvement is in relation to the supervision of women. Albeit a smaller sample, these cases generally scored lower than those of men. This potential disproportionality needs to be reviewed and action taken to improve the service delivery for women.

Court work and case supervision

Strengths:

- Defendants are involved in the preparation of their court reports and they contain a good analysis of motivation and the precipitating factors that led to the offences.
- In the cases that were subject to probation practitioner review there was evidence of remedial work being undertaken to address any deficiencies in the management of the case.

Areas for improvement:

- Cases transferred during the structural alignment have not received the necessary management oversight and key safeguarding actions remain outstanding.
- A proactive approach to safeguarding was absent and the necessary checks were not routinely undertaken.
- The levels of contact with people on probation were inconsistent and were generally insufficient to build effective working relationships and to manage the level of risk of harm.
- The support for women on probation was insufficient and they are not being referred to relevant services.
- Safeguarding and domestic abuse checks were not routinely undertaken in the preparation of court reports.
- Commissioned rehabilitative services and other services were under-used and staff had inconsistent knowledge of both the services and referral process.
- Information sharing and multi-agency work was not sufficient to manage the risk of harm presented by the individuals under supervision.

2.1 Court work



The pre-sentence information and advice provided to court supports its decision-making.

Inadequate

Our rating¹¹ for court work is based on the percentage of cases we inspected being judged satisfactory against the key question:

¹¹ The rating for the standard is driven by the score for the key question, which is placed in a rating band.

Key question	Percentage 'Yes'
Is the pre-sentence information and advice provided to court sufficiently analytical and personalised to the individual, supporting the court's decision-making?	21%

BNES PDU is rated 'Inadequate' for court work, with only 21 per cent of inspected cases being rated as sufficient against our quality standard. Of the reports inspected, 11 were short-format reports, two were oral reports and one was a standard delivery report.

The principal reason for cases being judged insufficient was the lack of safeguarding checks undertaken by probation practitioners preparing reports. HM Inspectorate of Probation's standard is that domestic abuse checks should be undertaken in all cases unless there is clear recent evidence in relation to the defendant's relationships, behaviour and current living arrangements. With regard to information from children's social care, this should be obtained where a defendant has contact with children or is potentially in contact with children.

Despite the overall negative rating for court work, we saw some positive aspects to the work being undertaken. In many reports we saw a comprehensive analysis of the individual's history, behaviour and circumstances. This was appropriately linked to the offences and a clear proposal was made to the sentencers. BNES PDU's court team quality assures all reports on women and black, Asian and minority ethnic offenders. In six out of the seven reports we reviewed on defendants with these protected characteristics, the individual's diversity and individual circumstances had been assessed appropriately. Although the assurance process was reasonably effective in relation to personal characteristics, it requires increased rigour to ensure other aspects of the reports meet the necessary standard.

In almost all the reports inspected there was positive evidence of the defendants' meaningful involvement in the report process. There was also good analysis of both the motivation of individuals and the factors that had precipitated their involvement in crime. There was a weaker performance however, in relation to the assessment of factors related to risk of harm. In only 10 out of the 14 reports was this sufficient. This is key information for sentencers and should be sufficient in every case.

The 'Inadequate' rating was primarily driven by reports being submitted to court without the necessary safeguarding checks. Of the 14 reports inspected, inspectors judged that one case did not require domestic abuse checks with the police as sufficient information was available. Of the remaining 13 cases where checks were required, there was evidence in eight cases of potential concerns. None of these cases had the necessary checks undertaken. The concerns included cases where: the index offence was domestic abuse; a curfew requirement was being imposed; and there was self-disclosed domestic violence. In relation to child protection, safeguarding checks were identified as necessary in 11 of the 14 cases, but these were only made before the case was presented to court in two cases. The concerns in the cases where checks were not made included violence in the home and contact with children.

2.2. Assessment



Assessment is well-informed, analytical and personalised, actively involving the person on probation.

Inadequate

Our rating¹² for assessment is based on the percentage of cases we inspected being judged satisfactory against three key questions:

Key question	Percentage 'Yes'
Does assessment focus sufficiently on engaging the person on probation?	54%
Does assessment focus sufficiently on the factors linked to offending and desistance?	63%
Does assessment focus sufficiently on keeping other people safe?	23%

The lowest score for the key questions was 23 per cent, which relates to whether assessment focuses sufficiently on keeping people safe. As a result, the score falls within the 'Inadequate' ratings band and BNES PDU has been rated as 'Inadequate' overall for assessment.

The building of professional relationships is fundamental to effective probation practice. The inspection identified some positive practice in relation to assessing how to engage individuals subject to supervision. There were examples of probation practitioners incorporating people on probation's experiences into their assessment and understanding the likely impact on their engagement with probation. There were also cases where health and mental health issues had been identified and analysed with a view to the building of effective professional relationships.

The engagement of with women on probation in their assessments was a concern. Overall, 54 per cent of cases were judged sufficient in engaging people on probation but for women it was 29 per cent (two out of seven cases).¹³ This pattern of lower scores for women was also evident in the other key question relating to the assessment of factors linked to offending, desistance and keeping other people safe. For each key question the scores for women were lower than for men. Indeed, none of the seven female cases were rated sufficient in relation to the assessment of keeping people safe. This clearly has implications for the arrangements for supervising women in BNES and underlines the need to set up a women's supervision team, as planned by the senior management team.

¹² The rating for the standard is driven by the lowest score on each of the key questions, which is placed in a rating band, indicated in bold in the table.

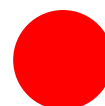
¹³ The findings relating to females and males have not been subject to a relative rate index analysis, which is the test used to compare rates of incidence, we report on our findings with that caveat.

The assessment of factors linked to offending and desistance was the strongest area of assessment practice and this was underpinned by good analysis of offending-related factors and the strengths of the person on probation. As with our previous PDU inspection reports, it was noticeable that practice was stronger for licence cases than for community order cases. For example, 76 per cent of licence cases were sufficient in relation to offending and desistance compared with 55 per cent for community orders. The better score for licence cases was driven by good analysis of the individual's strengths but also by better use of available sources of information.

The inadequate overall rating stemmed from the poor practice that was identified in relation to the assessment of keeping people safe with only 23 per cent of cases being judged sufficient. As with the court work, there were insufficient safeguarding checks undertaken but there was also a failure to identify and analyse any risk of harm to others. Only 30 per cent of cases were sufficient in this respect. Examples of this poor practice included a failure to analyse an individual's potential links with organised crime and to assess potential significance of another individual carrying a knife.

Eight per cent (4) of the cases inspected were assessed as high risk of serious harm. This was largely in line with the view of inspectors who judged that 13 per cent (6) of cases fell into that category. Immediately after the alignment, probation practitioners were directed to prioritise high risk of serious harm cases and there is some small evidence of this in the cases. Whereas 22 per cent of low risk of serious harm and 16 per cent of medium risk of serious harm cases were judged sufficient in respect of keeping people safe, the figure for high risk of serious harm cases was 67 per cent.

2.3. Planning



Planning is well-informed, holistic and personalised, actively involving the person on probation.

Inadequate

Our rating¹⁴ for planning is based on the percentage of cases we inspected being judged satisfactory against three key questions:

Key question	Percentage 'Yes'
Does planning focus sufficiently on engaging the person on probation?	40%
Does planning focus sufficiently on reducing reoffending and supporting desistance?	50%
Does planning focus sufficiently on keeping other people safe?	31%

¹⁴ The rating for the standard is driven by the lowest score on each of the key questions, which is placed in a rating band, indicated in bold in the table.

The lowest score for the key questions was 31 per cent, which was in relation to planning to keep people safe. As it falls within the 'Inadequate' ratings band, BNES PDU has been rated 'Inadequate' overall for planning.

On the whole, the more positive elements of assessment practice were not replicated in the planning of the cases. There was some evidence of skilled practice being undertaken to enable people on probation to re-engage with services and to comply with supervision. Too often however, people on probation were not involved in their plans and the level of contact resulted in plans being either deficient or, in some cases, non-existent. Particular areas of weakness in 'planning for engagement' related to diversity, where only 29 per cent of cases were sufficient, and 'setting out of requirements', where only 46 per cent of cases met the required standard.

In relation to planning for reoffending and desistance we did see cases where services most likely to help the person on probation's desistance were engaged, but this was in too few cases. As with assessment, licence cases generally fared much better across all the three key questions than community orders. There were cases with good pre-release communication and plans that appropriately balanced restrictive conditions and desistance activities. However, there were also cases where there was minimal pre-release contact and the level of contact on release was insufficient. In one case, a person on probation who was released following a recall for non-compliance, was immediately put on monthly reporting. The poor practice was also evident in some plans which were unrealistic and failed to take account of the individual's circumstances. Other plans did not attempt to engage key services, such as those for drugs and alcohol.

Again, the area that caused greatest concern was in relation to keeping people safe. Overall, this was sufficient in 31 per cent of cases but, as with assessment, there were significant differences depending on the level of risk of serious harm and gender. For women, the figure was 14 per cent (one out of seven cases) and for high risk of serious harm cases it was 67 per cent. This latter score was significantly higher than the medium risk of serious harm cases, at 28 per cent. This is further evidence, that to some degree, high risk of serious harm cases were prioritised during the structural alignment. It is, however, also apparent that the supervision of women requires immediate review.

2.4. Implementation and delivery



High-quality well-focused, personalised and coordinated services are delivered, engaging the person on probation.

Inadequate

Our rating¹⁵ for implementation and delivery is based on the percentage of cases we inspected being judged satisfactory against three key questions:

¹⁵ The rating for the standard is driven by the lowest score on each of the key questions, which is placed in a rating band, indicated in bold in the table.

Key question	Percentage 'Yes'
Is the sentence or post-custody period implemented effectively with a focus on engaging the person on probation?	44%
Does the implementation and delivery of services effectively support desistance?	31%
Does the implementation and delivery of services effectively support the safety of other people?	25%

BNES PDU has been rated 'Inadequate' for implementation and delivery of the sentence. The lowest scoring area under this standard relates to keeping people safe and we saw this being implemented sufficiently in only 25 per cent of cases. The inspection of cases clearly identified the negative impact of a more flexible approach to contact adopted by the PDU as a result of the exceptional deliver models and the Prioritising Probation Framework. In addition, it was clear that structural alignment in January 2022 also had a significant impact on the quality of sentence management. However, it was equally clear that, even taking into account these adjustments of the operating model, the quality of sentence management was poor. As a result, core tasks – such as information sharing, enforcement, and the delivery of sentence requirements – were not undertaken in far too many cases.

In 42 per cent of the cases we inspected three different probation practitioners had managed the case, and a further 40 per cent had two different probation practitioners. This lack of continuity inevitably had an impact on the engagement practice seen in the cases. Only 50 per cent of cases commenced promptly and in only just over half of the licence cases was there a reasonable level of contact with the individual before their release from prison.

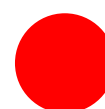
We did, however, identify pockets of good practice in relation to positive professional relationships and the subsequent effective implementation of sentences. In one case, mental health had been the key issue and the probation practitioner's relationship with the individual had supported them in accessing appropriate services. In another case, the strength of the relationship had ensured an individual with learning difficulties received appropriate interventions.

In relation to the delivery of services, the poor patterns of practice established in assessment and planning continued. In only 31 per cent of cases were the services delivered (if delivered at all) those most likely to reduce reoffending and to support desistance. Performance was stronger for licence cases, at 47 per cent compared to 23 per cent for community orders. However, the established pattern of poor service delivery for women continued, with only 14 per cent receiving appropriate services.

Even allowing for the impact of the changes in the operating model, the level of contact with people on probation caused concern. In only 38 per cent of cases was the level and nature of contact sufficient to reduce reoffending and support desistance. In only 40 per cent of cases was contact sufficient to minimise the risk of serious harm. This insufficient level of contact contributed to much of the poor practice identified by inspectors. This included failures to implement alcohol treatment requirements and to start unpaid work requirements. There were also examples of where there was minimal contact with the person on probation following the reallocation of a case resulting in unacceptably lengthy gaps.

The level of contact with an individual is fundamental to managing the risk of serious harm and it is therefore of concern that of the six cases assessed as high risk of serious harm by inspectors, in only one of the cases was the level of contact judged to be sufficient. There were similar concerns in relation to multi-agency working and the protection of victims and potential victims. In 52 per cent of cases the involvement of other agencies was judged as deficient, and in 60 per cent of cases insufficient attention was given to protecting actual or potential victims. These areas of concern contributed to only 25 per cent of cases being judged sufficient for the implementation and delivery of services to support the safety of other people. Multi-agency working and protecting victims are core activities in The Probation Service's responsibility to protect the public. In too many cases these activities were not undertaken.

2.5. Reviewing



Reviewing of progress is well-informed, analytical and personalised, actively involving the person on probation.

Inadequate

Our rating¹⁶ for reviewing is based on the percentage of cases we inspected being judged satisfactory against three key questions:

Key question	Percentage 'Yes'
Does reviewing focus sufficiently on supporting the compliance and engagement of the person on probation?	54%
Does reviewing focus sufficiently on supporting desistance?	60%
Does reviewing focus sufficiently on keeping other people safe?	43%

The lowest score for the key questions was 43 per cent, which was in relation to keeping people safe. As it falls within the 'Inadequate' ratings band, BNES PDU has been rated 'Inadequate' overall for reviewing. Nevertheless, reviewing was the most positive area of practice that we identified in the inspected cases. We cannot be certain, but this may indicate that, after the disruption caused by the structural alignment, sentence management teams are now more focused on their caseloads. In our view, the reviewing of all cases affected by the process should be a central element of the PDU's strategy going forward. Certainly, we identified recently transferred cases where subsequent reviews had resulted in improved practice.

We expect reviews to be undertaken when there are significant changes in factors linked to offending behaviour, with adjustments made to supervision if necessary. There was some strong practice in this respect and in 65 per cent of cases it was judged sufficient. For example, reviews were prompted by changes in address, mental health and compliance, and in some cases contact levels were increased

¹⁶ The rating for the standard is driven by the lowest score on each of the key questions, which is placed in a rating band, indicated in bold in the table.

as a response to the review. There was clear evidence in the stronger cases of effective professional relationships driving this practice. In one case a psychological formulation was utilised to inform engagement. A weaker area of practice was the involvement of the person on probation in the review. In only 46 per cent of cases was this the case. Reviews supported compliance and engagement sufficiently in only 54 per cent of cases. In a break to the previous pattern in other areas of practice, the score for women was higher at 57 per cent.

There was also good practice identified in the reviewing to support desistance. We identified reviews that helped motivate individuals to undertake interventions and to engage with services. Some of the stronger reviewing practice followed the transfer of cases to new probation practitioners. This prompted remedial work to be undertaken on cases adversely affected by the structural alignment. The reviews to support desistance and engagement were sufficient in 60 per cent of the inspected cases and this was the PDU's strongest performance across the areas of inspection.

The weakest area in relation to reviewing was again the focus on keeping people safe. As in the other areas, a particular area of concern was the lack of coordination with other agencies. This was judged to be sufficient in only 33 per cent of cases, which reinforces our view that operationally, multi-agency working is an area of weakness for the PDU. This contributed to the overall judgement that reviewing sufficiently focused on keeping people safe in 43 per cent of cases.

2.6. Outcomes

Early outcomes are positive, demonstrating reasonable progress for the person on probation.

Outcomes	Percentage 'Yes'
Do early outcomes demonstrate that reasonable progress has been made, in line with the personalised needs of the person on probation?	23%

We do not currently rate the Outcomes standard but provide this data for information and benchmarking purposes only. The unification of probation services in June 2021 and the subsequent actions taken to unify BNES PDU's operating arrangements has had a negative impact on sentence management and consequently on the outcomes in the inspected cases. The impact of these changes are evident in the high number of cases where more than one probation practitioner has managed the case and the inconsistent levels of contact. The PDU was only unified in January 2022 and during the inspection we spoke to probation practitioners who had both moved office and been allocated a completely new caseload. We accept that embedding such fundamental change inevitably takes time but even allowing for this, progress in relation to outcomes is disappointing.

Within the outcome measures analysed by inspectors there were some positive areas. Education, training and employment was identified as an area relevant to offending in 12 cases. Improvements were identified in nine of these cases by inspectors. Similarly, education, training and employment was also linked to

the risk of harm in four cases and in three there was identifiable improvement. Other findings reinforced our view that services are under-used in the PDU. In cases where alcohol misuse was identified as a key issue, there were minimal changes. The same lack of impact was found in relation to cases related to drug use. The outcomes for cases in relation to accommodation presented a similar picture. In eight cases it was identified as a factor relevant to offending but there was improvement in only two of them. Overall, we saw improvements in factors related to offending in 21 per cent of cases, and in 19 per of cases there were improvements in factors related to risk of harm. Out of the 48 cases inspected, six individuals had been re-convicted during the period of supervision.

Annexe one – Progress against previous recommendations

HM Inspectorate of Probation has made recommendations for the previous Community Rehabilitation Companies and National Probation Service divisions, arising from core and thematic inspections. Since the unification of probation services, we have expected The Probation Service to continue to implement these recommendations. Below are our findings from the inspection of Birmingham North, East and Solihull (BNES) Probation Delivery Unit (PDU) in respect of the relevant recommendations:

Recommendation:

Improve the quality of assessment, planning, service delivery and reviewing, to help keep actual and potential victims safe.

Inspection findings:

Since this recommendation was made, probation services have undergone unification and, in doing so, BNES PDU has been newly formed. Following the unification, staff have been directed to undertake online training to ensure they have the necessary skills and information to manage cases. The OASys quality assurance framework has also been implemented to aid assessment decision-making. The domain two data demonstrates that minimal progress has been made in relation to this recommendation. **No progress**

Recommendation:

Equip all staff with the skills and knowledge necessary to carry out effective work to keep other people safe. This recommendation has been repeated from the previous inspection.

Inspection findings:

Following unification, staff have been directed to undertake online training including for safeguarding and domestic abuse, to ensure they have the necessary skills and information to manage cases. The OASys quality assurance framework has also been implemented to improve assessment decision-making. Only 72 per cent of staff have completed the child safeguarding training and 67 per cent have completed the domestic abuse training. **No progress.**

Recommendation:

Address high levels of sickness absence and staff concerns about health and safety. This recommendation has been repeated from the previous inspection.

Inspection findings:

The rolling average 12-month data for absence in BNES PDU, April 2021–March 2022 was 14.9 days per staff member per year. The single month figure for April 22 is 10.7. There are 15 staff who have been absent for over a period of one month in the last six months. The PDU management team, with their human resources business partners, have implemented a consistent approach to absence management since structural alignment in January 2022. **Some progress**

Recommendation:

Develop and implement a clear and consistent approach to the middle-manager role in improving public protection practice and the overall quality of case management.

Inspection findings:

The structural alignment in January 2022 resulted in the BNES PDU having seven new middle managers. Currently the PDU does not have a consistent approach to the quality assurance and oversight of cases. This was underlined by the domain two cases which demonstrated that management oversight was insufficient in 83 per cent of the cases inspected. **No progress.**

Recommendation:

Integrate improved administration capacity into the operational delivery teams.

Inspection findings:

Until the structural alignment in January 2022, legacy CRC administration staff had little understanding of the new processes in The Probation Service. Mainly led by the senior administration officers, this input has been provided and they are now central to operational delivery. **Sufficient progress.**

Recommendation:

Take further steps to balance workloads across local delivery units and between probation officers and probation services officers.

Inspection findings:

A key purpose of the structural alignment was to implement blended and balance caseloads across the PDU. Although there continues to be some inconsistencies, particularly at probation officer grade, progress has been made in balancing the workload across the PDU. **Some progress.**

Recommendation:

Ensure that interventions provided to offenders are used consistently across the division.

Inspection findings:

The numbers on the waiting list for accredited programmes in the PDU has reduced and programmes are able to commence within two months of the start of an order. CRS services are also available in the PDU. However, there is no consistency to their use across the PDU and it depends largely on the decision-making and practice of individual probation practitioners whether or not they are used. **Some progress.**

Recommendation:

Ensure that risk management plans are reviewed in response to changes in risk of harm.

Inspection findings:

The domain two data demonstrate that reviewing practice, especially in relation to medium risk of serious harm cases, is poor in the PDU. **No progress.**

Recommendation:

Keep the progress of supervision under review, updating sentence plans where appropriate.

Inspection findings:

The domain two data demonstrates that reviewing practice, especially in relation to medium risk of serious harm cases, is poor in the PDU. **No progress.**

Annexe two – Staffing and workload data

Data in this section is largely provided by The Probation Service. We cannot confirm its reliability, although where possible it has been verified using internal workforce planning information.

Key staffing data¹⁷

Total staff headcount (full-time equivalent) (FTE))	161.5
Total number of senior probation officers (SPOs)	14.1
Total number of probation officers (POs) (FTE)	62.1
Total number of probation services officers (PSOs) (FTE)	46.8
Vacancy rate (total number of unfilled posts as a percentage of total staff headcount)	8%
Vacancy rate of SPO grade only (total number of unfilled posts as a percentage of total number of required SPO posts)	0%
Vacancy rate of PO grade only (total number of unfilled posts as a percentage of total number of required PO posts)	1%
Vacancy rate of PSO grade only (total number of unfilled posts as a percentage of total number of required PSO posts)	14.5%
Sickness absence rate (average days lost in previous 12 months for all staff)	14.9
Staff attrition (percentage of all staff leaving in 12-month period)	8%

Caseload and workload data¹⁷

Average caseload per PO (FTE)	40.3
Average caseload per PSO (FTE)	49.8
Workload management tool (WMT) average per PO	117%
WMT average per PSO	93%

¹⁷ Data supplied by The Probation Service.

Inspection workload data¹⁸

Proportion of POs (or equivalent) in this PDU describing workload as unmanageable	69%
Proportion of PSOs (or equivalent) in this PDU describing workload as unmanageable	100%

¹⁸ HM Inspectorate of Probation inspection data.

Annexe three – Inspection data

In this section, questions marked * do not apply in unpaid work only cases, and questions marked ** do not apply in every case. Only the positive answers are reported in these tables, which do not include cases where the question is not applicable.

2.1 Court work	% "Yes"
Is the pre-sentence information and advice provided to court sufficiently analytical and personalised to the individual, supporting the court's decision-making?¹⁹	
Does the information and advice draw sufficiently on available sources of information including child safeguarding and domestic abuse information?	14%
Is the individual meaningfully involved in the preparation of the report, and are their views considered?	93%
Does the advice consider factors related to the likelihood of reoffending?	93%
Does the advice consider factors related to risk of harm? **	71%
Does the advice consider the individual's motivation and readiness to change?	86%
Does the advice consider the individual's diversity and personal circumstances?	93%
Does the advice consider the impact of the offence on known or identifiable victims?	50%
Is an appropriate proposal made to court? **	71%
Is there a sufficient record of the advice given, and the reasons for it?	100%

Questions marked ** do not apply in every case. Only positive answers are reported in this data.

2.2. Assessment	% "Yes"
Does assessment focus sufficiently on engaging the person on probation?	
Does assessment analyse the motivation and readiness of the person on probation to engage and comply with the sentence?	50%
Does assessment analyse the protected characteristics of the individual and consider the impact these have on their ability to comply and engage with service delivery?	48%
Does assessment analyse the personal circumstances of the individual, and consider the impact these have on their ability to comply and engage with service delivery?	52%
Is the person on probation meaningfully involved in their assessment, and are their views taken into account?	63%
Does assessment focus sufficiently on the factors linked to offending and desistance?	
Does assessment identify and analyse offending-related factors?	67%
Does assessment identify the strengths and protective factors of the person on probation? **	65%
Does assessment draw sufficiently on available sources of information?	58%
Does assessment focus sufficiently on keeping other people safe?	
Does assessment clearly identify and analyse any risk of harm to others, including identifying who is at risk and the nature of that risk?	30%
Does assessment draw sufficiently on available sources of information, including past behaviour and convictions, and involve other agencies where appropriate?	27%
Does assessment analyse any specific concerns and risks related to actual and potential victims? **	27%

2.3. Planning		% "Yes"
Does planning focus sufficiently on engaging the person on probation?		
Is the person on probation meaningfully involved in planning, and are their views taken into account?		40%
Does planning take sufficient account of the diversity factors of the individual which may affect engagement and compliance? **		29%
Does planning take sufficient account of the personal circumstances of the individual which may affect engagement and compliance? **		42%
Does planning take sufficient account of the readiness and motivation of the person on probation to change which may affect engagement and compliance?		54%
Does planning set out how all the requirements of the sentence or licence/post-sentence supervision will be delivered within the available timescales?		46%
Does planning set a level, pattern and type of contact sufficient to engage the individual and to support the effectiveness of specific interventions?		52%
Does planning focus sufficiently on reducing reoffending and supporting desistance?		
Does planning sufficiently reflect offending-related factors and prioritise those which are most critical? *		48%
Does planning build on the individual's strengths and protective factors, utilising potential sources of support? **		42%
Does planning set out the services most likely to reduce reoffending and support desistance?		52%

Does planning focus sufficiently on keeping other people safe?	
Does planning sufficiently address risk of harm factors and prioritise those which are most critical? **	38%
Does planning set out the necessary constructive and/or restrictive interventions to manage the risk of harm? **	38%
Does planning make appropriate links to the work of other agencies involved with the person on probation and any multi-agency plans? **	31%
Does planning set out necessary and effective contingency arrangements to manage those risks that have been identified? **	27%

2.4 Implementation and delivery	% "Yes"
Is the sentence or post-custody period implemented effectively with a focus on engaging the person on probation?	
Do the requirements of the sentence start promptly, or at an appropriate time?	50%
Is sufficient focus given to maintaining an effective working relationship with the person on probation, taking into account their diversity needs?	60%
Are sufficient efforts made to enable the individual to complete their sentence, including flexibility to take appropriate account of their personal circumstances?	71%
Are risks of non-compliance identified and addressed in a timely fashion to reduce the need for enforcement actions? **	40%
Are enforcement actions taken when appropriate? **	33%
Are sufficient efforts made to re-engage the individual after enforcement actions or recall? **	19%

Does the implementation and delivery of services effectively support desistance?	
Are the delivered services those most likely to reduce reoffending and support desistance, with sufficient attention given to sequencing and the available timescales?	31%
Wherever possible, does the delivery of services build upon the individual's strengths and enhance protective factors? **	35%
Is the involvement of other organisations in the delivery of services sufficiently well-coordinated? * **	25%
Are key individuals in the life of the person on probation engaged where appropriate to support their desistance? * **	19%
Is the level and nature of contact sufficient to reduce reoffending and support desistance?	38%
Are local services engaged to support and sustain desistance during the sentence and beyond? * **	31%
Does the implementation and delivery of services effectively support the safety of other people?	
Is the level and nature of contact offered sufficient to manage and minimise the risk of harm? **	40%
Is sufficient attention given to protecting actual and potential victims? **	19%
Is the involvement of other agencies in managing and minimising the risk of harm sufficiently well-coordinated? * **	21%
Are key individuals in the life of the person on probation engaged where appropriate to support the effective management of risk of harm? * **	19%
Are home visits undertaken where necessary to support the effective management of risk of harm? * **	21%

Prompts relevant to post-custody cases only:	
Post-custody cases only: Did the community offender manager ensure a proportionate level of contact with the prisoner before release?	19%
Post-custody cases only: Did the community offender manager address the key resettlement or desistance needs before release?	19%
Post-custody cases only: Did the community offender manager address key risk of harm needs before release?	15%

2.5 Reviewing	% "Yes"
Does reviewing focus sufficiently on supporting the compliance and engagement of the person on probation?	
Does reviewing consider compliance and engagement levels and any relevant barriers, with the necessary adjustments being made to the ongoing plan of work? **	46%
Is the person on probation meaningfully involved in reviewing their progress and engagement?	46%
Are written reviews completed as appropriate as a formal record of actions to implement the sentence? **	48%
Does reviewing focus sufficiently on supporting desistance?	
Does reviewing identify and address changes in factors linked to offending behaviour, with the necessary adjustments being made to the ongoing plan of work? *	65%
Does reviewing focus sufficiently on building on the strengths and enhancing the protective factors of the person on probation? **	50%
Is reviewing informed by the necessary input from other agencies working with the person on probation? **	29%
Are written reviews completed as appropriate as a formal record of the progress towards desistance? **	38%

Does reviewing focus sufficiently on keeping other people safe?	
Does reviewing identify and address changes in factors related to risk of harm, with the necessary adjustments being made to the ongoing plan of work? **	33%
Is reviewing informed by the necessary input from other agencies involved in managing the risk of harm? **	33%
Is the person on probation (and, where appropriate, are key individuals in their life) meaningfully involved in reviewing the risk of harm? * **	27%
Are written reviews completed as appropriate as a formal record of the management of the risk of harm? **	40%

2.6 Outcomes	% "Yes"
Do early outcomes demonstrate that reasonable progress has been made, in line with the personalised needs of the person on probation?	
Have there been improvements in those factors most closely linked to offending both in developing strengths and addressing needs?	21%
Has there been a reduction in factors most closely related to risk of harm to others? **	19%
Has there been a reduction in offending?	17%

Annexe four – Web links

Further information about the methodology used to conduct this inspection is available on our website, using the following link:

[Our work \(justiceinspectorates.gov.uk\)](https://justiceinspectorates.gov.uk/our-work)

A glossary of terms used in this report is available on our website, using the following link:

[Glossary \(justiceinspectorates.gov.uk\)](https://justiceinspectorates.gov.uk/glossary)