



HM Inspectorate
of Probation

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To:

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cc:

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Dear Martin,

Many thanks for the cooperation we received from you and your staff during the recent review of Probation Service – East Midlands region.

We have now completed the inspection of the Derby City and Leicester, Leicestershire, and Rutland Probation Delivery Units (PDUs) in your region and would like to take this opportunity to share with you our overall findings and our key observations and areas for improvement at a regional level.

Regional observations:

At a regional level, we have identified the following key strengths and areas for improvement:

Leadership

The unification of probation services in June 2021 brought together staff previously based within the Midlands Division and North East Division within the National Probation Service and from the Community Rehabilitation Companies covering Derbyshire, Leicestershire, Nottinghamshire and Rutland, and also Humberside, Lincolnshire and North Yorkshire, as well as management staff who joined from the National Health Service. East Midlands was the only region which had to develop a new service from such a disparate number of organisations and operating models, alongside recovery from the Covid-19 pandemic. It was positive to see that there had been a significant amount of progress made in developing an East Midlands-focused service which ensures that regional issues within some PDUs, such as rurality, receives attention that was not necessarily prominent pre-unification.

This progress is reflected within the vision to deliver 'world class services', supported in no small part via a visible and accessible leadership team across the region. While there are

significant resource issues, there is a sense that core activity focusing on reducing reoffending and public protection is prioritised by the regional leadership team. These ambitions are enhanced mainly by positive strategic relationships with partners and a genuine attempt to provide personalised services.

However, these ambitions were not always reflected in operational delivery within the two PDUs we inspected. A lack of resources told only part of the story when explaining why operational deficits were identified. We also observed a lack of efficacy in communicating change and a failure always to assess the impact of the activity promoted and delivered; this will need to improve if further progress is to be made.

Key strengths:

- The region has a clear vision, appropriate priorities, and ambitious plans. There is an explicit acknowledgement of the need to manage demand which is also key to these plans within the context of ongoing resource issues faced by the region. A focus on core activity, such as reducing reoffending, is key throughout. Progress is measured via the monitoring of a variety of national and local outcome measures, overseen by a suite of suitable and engaged internal governance arrangements. Furthermore, ongoing business planning is evaluated via a detailed 'business planning milestone chart'. Staff across the region had some confidence in the efficacy of this activity; 175 of the 234 staff who responded to our survey felt that the region prioritised quality and adherence to evidence at least most of the time.
- There is evidence of visible and accessible leadership within the region, and this is reflected in effective planning at a strategic level, which has facilitated the development of good relationships with stakeholders and has helped shape services within the region post-unification. The maintenance of good relationships with key strategic partners has not always been straightforward, partly because of factors such as the diverse geography of the region, but there are clear and appropriate links with relevant partners such as the Police and Crime Commissioner offices, community safety partnerships, and other safeguarding partnerships.
- The region demonstrated a clear understanding of risks to service delivery, evidenced by a comprehensive risk register and an acknowledgement of appropriate red RAG (red, amber or green) rated risks, including a lack of resources, a lack of skills and experience among practitioners, a historical deficit of middle managers, and a lack of stakeholder confidence related to specific issues such as the Damien Bendall Serious Further Offence (SFO) Review. The disproportionate number of PDUs assigned as red sites at the point of inspection (four out of six of them) had impacted on risk planning activity but solutions are in place to address this. The region's 'roadmap' through the exceptional delivery model, the prioritisation framework and future planning, gives a high-level indication of anticipated timescales for resolving the risks that currently exist.
- The region does not have an overarching regional business continuity plan in place in the event of a region-wide threat to business, such as was witnessed during the regional review fieldwork week with national train strikes. However, we saw evidence that PDU-specific plans and bespoke plans, such as the power outage plan, were targeted effectively and that there was capacity to address concerns at a regional level via effective coordination, overseen by an engaged and proactive corporate services team.

Key areas for improvement:

- The effectiveness of communication focused on change management undertaken by regional leaders was not consistent. The volume and frequency of communication were often appropriate, but feedback from staff and partners indicated that messaging is not always understood or followed. For example, just under 45 per cent (109 individuals) of the 233 staff who responded to our question in the staff survey about how well change is communicated and implemented felt this it is not done well at least most of the time. This reflected the fact that smarter working arrangements across the region are not always implemented as anticipated and may reflect shortfalls in messaging about changes. The region has an awareness of this issue of effective communication but no clear resolution at this stage.
- The impact of low resources and high workloads had tipped two-thirds of the region's PDUs into red status within the prioritisation framework at the time of the inspection. Positively, detailed guidance to manage this had been drafted for the region by the head of operations and could be found within the East Midlands region prioritisation framework guidance for probation practitioners for both red and amber sites. There was an acknowledged focus on high and very high risk of serious harm cases in these PDUs. This guidance was neither implemented nor fully understood within the Leicester, Leicestershire, and Rutland PDU. In addition, leaders within the region were not always sufficiently appraised of how well guidance was implemented and risks managed. On a broader level, as we have seen in other regions, the prioritisation framework offers very little by way of support to those PDUs designated with 'red' status. Further consideration needs to be given by HMPPS as to whether the model is fit for purpose.
- There was evidence of an approach which recognised the need to focus on diversity, equality, and inclusion across the region. Equality impact assessments have been completed when required and there is a comprehensive equality roadmap in place, facilitated by committed equality champions and a proactive equality assurance council. However, all of this activity needs to be developed further, to ensure that information is always analysed robustly and used effectively to inform service delivery and to understand the range of diverse needs of people on probation. For example, a number of staff interviewed noted a lack of clarity on arrangements in place, of capacity to undertake relevant activity, and of awareness of specific outcomes resulting from diversity and inclusion activity.
- There was evidence that the region is striving to ensure that people on probation are at the heart of service delivery, as articulated in the region's strategy and vision. There is some effective activity to utilise the views of people on probation via innovative and well-supported peer mentor relationships, for example, and the commissioning of additional consultative support from St Giles Wise is positive. However, these ambitions were not always reflected sufficiently in regard to people on probation having a meaningful impact on the development of activity. Feedback from some forums within the region is unclear and needs to be developed. Feedback from User Voice also indicated a need to outline the objectives and outcomes of this activity more clearly to those participating.
- While there is a strong performance culture in the region, more robust analysis of the effectiveness of operational delivery needs to take place, in tandem with the region's analysis of quantitative performance outcome measurements. Some of the disappointing domain two scores from the PDU inspections could perhaps have been addressed further upstream by the region if a more robust analysis had been

undertaken, to ensure a greater understanding of the symbiotic relationship between performance outcomes and service delivery.

- While a 'business planning milestone chart' is in use within the region, given that much activity noted in this tracker is rated as 'on track' or providing 'low levels of concern', the region perhaps needs to develop a more realistic understanding of overall progress.

Staff

The region has clearly defined processes in place to recruit, train, and retain staff. There is a clear ambition also to meet the diversity needs of its staff and develop their skills. However, the picture we saw in the East Midlands was not one that always reflected these ambitions, in part because of an overall vacancy rate of 18 per cent, which impacted on service delivery and, in some instances, staff morale. Particular gaps in staffing, such as within the quality team (78 per cent vacancy rate) and unpaid work team (45 per cent vacancy rate), also had a negative impact on corresponding activity during our PDU inspections.

Positively, we saw evidence that the region was addressing these concerns proactively. Capacity was increasing and there was evidence of success in retaining those who have undertaken the Professional Qualification in Probation (PQiP). An influx of inexperienced practitioners in recent months remains a concern, however, and presents a potential risk to the region while these staff build experience to deliver sentences imposed by the court.

Key strengths:

- Regional workforce planning is overseen by a resource planning committee, which is aligned to both a comprehensive regional workforce plan and relevant financial planning. However, there are significant resourcing issues and vacancies across the region, and leaders dispute the 'official' SOP¹ data from HMPPS, to which the inspectorate has had access. This lack of clarity between the national department and the region may potentially impact on the centre's understanding of presenting issues in the East Midlands. Nonetheless, we saw evidence that the region is fully aware of its own specific difficulties and is planning; accordingly, any concerns about a lack of clarity on the centre's part did not seem to be hampering the region's activity.
- There is evidence of the region having a degree of autonomy regarding recruitment activity. This was evidenced in the Leicester, Leicestershire, and Rutland PDU, where the service linked in with community activity as a way of supporting recruitment. We heard from leaders that this approach would be replicated where appropriate and feasible.
- The region has a good understanding of the demographic composition both of people on probation and its workforce. As a consequence, there is an understanding of the planning activity required for particular demographic groups. For example, the region's own data indicates that regional staffing characteristics are roughly comparable with those of other regions. Black, Asian, and minority ethnic representation in the workforce is good and data provided by the region which referenced national SOP data indicated that it has the third highest proportion of declared staff from this group across all regions, with London and West Midlands

¹ All Ministry of Justice (MoJ) employees have access to its internal single operating platform (SOP). Information relating to human resource data is stored within this platform and is used by the MoJ centrally to determine resourcing specifications for individual regions, in line with the nationally defined target operating model.

being first and second, respectively.² The region recognises this, and as a consequence the region is on to the third round of promoting inclusion staff mentoring (PRISM) training for ethnic minority staff, demonstrating a genuine commitment to using the data and focusing on development for a particular cohort. Ethnic minority staff, particularly Asian staff, are well represented in the region, but it was unclear what specific activities had attracted these staff to the Probation Service and this may well be something that the region should investigate further, to determine what has gone well.

- There is a thorough 2022–2024 learning and development plan in place, detailing priorities. The RAG rating of two outstanding objectives – (i) developing senior probation officer (SPO) induction and championing ongoing career opportunities and (ii) developing induction arrangements and career opportunities for other grades and non-operational staff – have only recently turned amber. This delay in regard to ensuring that development needs are met may be reflective of practice shortfalls linked with inexperienced staff identified during PDU fieldwork. However, updates to the plan showed a clear positive direction of travel in regard to achieving objectives and a commitment to developing staff.
- There is generic reward and recognition guidance in place and use of this was evident; staff had been provided with internal recognition and had been nominated for awards.
- There is evidence that PQiP recruitment and retention play an important part within the region's learning and development planning, and some innovative activity, such as placing cohorts in custodial establishments, could well enhance learning opportunities for these members of staff. The region's commitment to PQiP development seems to be valued by PQiPs and newly qualified officers. Of the 88 practitioners who qualified in the year from October 2021, 83 remain in post, indicating a 94 per cent retention rate. Management oversight of PQiPs differs within the region and there is some indication that arrangements in place in Derby may be more effective in producing good-quality practice, and the region should consider investigating this further.
- There is a staff engagement strategy and a joint consultative committee in place, designed to ensure good industrial relations and provide a platform to consult on changes to operational activity. The monitoring of staff engagement is coordinated via the staff engagement officer and business manager for community integration. However, it is not clear how well all of this activity has embedded with staff. For example, we saw no evidence of evaluation and progress reports from the staff engagement officer. However, feedback within our staff survey indicated some degree of efficacy; 73 per cent of the 232 responders felt that the region promoted an atmosphere of openness and constructive challenge.

Key areas for improvement:

- There is acknowledgement that staffing levels (18 per cent vacancies, according to SOP data, although, as noted previously, the region disputes this figure) are not able to deliver a service to required expectations consistently. There is also an acknowledgement that this brings risks to the outcomes from regional service delivery. This message is uncomfortable to communicate to partners and we saw a mixed picture in regard to how well this had been done. Some were unaware of the focus on high risk of serious harm cases because of the prioritisation framework, for

² Data taken from *East Midlands HR Diversity Report, September 2022*.

example. The unease around the relationship between staffing levels and practice was shared by regional staff. Of those who responded to our survey, almost two-thirds of them felt that the workload was unmanageable and only 12 per cent thought that staffing was sufficient. Additionally, the guidance provided by leaders within the region about how best to work flexibly within the prioritisation framework, focusing on high risk, had not always been fully understood and implemented by practitioners. We saw evidence that some lacked clarity about what to do when caseloads consisted of disproportionately high risk of serious harm people on probation.

- Measures have been put in place to mitigate ongoing resourcing issues, such as the workload management strategy for Offender Management in Custody (OMiC), developed in January 2022. However, these solutions have not addressed all presenting factors – for example, ongoing workforce planning challenges for the new Fosse Way prison, due to open in Leicester.
- Although the region is building up capacity and headcount, the relatively high number of inexperienced staff is an additional concern. Data provided by the region during fieldwork indicated that just over 30 per cent of probation practitioners are within their first two years of qualification. The relatively high level of inexperience of staff delivering probation intervention has an impact on the allocation of work and caseloads. It is imperative that staff with limited experience of service delivery, receive appropriate management oversight, peer on peer support and ongoing training to build the necessary experience.
- Unpaid work staffing figures were under target (40 per cent vacancy rate for supervisors), which may impact on activity post-inspection to address some of the deficits noted during PDU fieldwork. Positively, leaders are aware of the issues and are already addressing them proactively. For example, they are over-recruiting to placement coordinator roles, as a result of the need to secure more groupwork projects for the new supervisors and to expand individual placements.
- Quality oversight has been impacted by limited resource; only two quality development officers within a target operating model target of eight are in post. However, well-considered and detailed plans are in place to recruit and develop capacity appropriately, going forward.
- There appears to be systematic collation of training records in place, but it is less clear how effectively data such as this is used; how the region ensures staff compliance with learning and development needs; and how and when staff receive outstanding training. On speaking to relevant partners, we found that joint training arrangements, particularly for developing safeguarding understanding, lacked clarity.
- There was evidence that the region tries to build team dynamics, shape how the region is led, and explore behaviour, but the impact of these actions is inconsistent. We saw evidence of a great deal of planning, but no evidence was provided of impact. This was reflected in the 2021 People Survey results, which indicated a number of concerns, including around one-quarter of staff noting that they intended to leave the Service. Retention data provided by the region indicated that an increasing number of staff across all bands left from spring 2022 onwards: 86.2 full-time-equivalent (FTE) staff in the six months from March 2022, compared with 51.2 in the previous six months. Encouragingly, however, the more recent 2022 survey results, although suggesting that further work is needed by the region, show an upward trajectory in regard to the positivity of responses.

- Consideration is given to reasonable adjustments, but although these are monitored at local level, the region does not have overall oversight. Across the region, the workplace passport has been publicised, alongside a guide to common workplace adjustments which managers can make use of locally. However, the impact of these measures is not entirely positive. In our staff survey, 39 per cent of respondents felt that their wellbeing is considered 'not that often' or 'not at all', and out of 90 staff who said that they need a reasonable adjustment, only 46 felt that this had been made.

Services and interventions

The region has demonstrated attempts to analyse the profile of people on probation, and overall sentence type, offence type, and criminogenic need characteristics are roughly equitable with the national picture. The region is using this information to identify targeted services. We saw evidence that commissioning activity is being undertaken in a systematic fashion and that strategic links with a number of partners are well established, which should have facilitated oversight and review of arrangements. However, the efficacy of this activity was not always visible. The volume of referrals to providers was low and it was not clear how governance arrangements had addressed this concern. Relationships with some partners needed further review; if the region undertakes this, more positive outcomes for people on probation are likely.

The region's interventions teams show promise. As with other areas of business, lack of resourcing has had a negative impact, particularly with unpaid work delivery, as was found within our PDU inspections. However, we saw evidence that the region is taking a forward-thinking approach to service delivery, evidenced by accredited programme delivery, which is working towards developing a regionally consistent business-as-usual model of service delivery.

Key strengths:

- The analysis of the profile of people on probation is underdeveloped but there is an understanding of their characteristics. Furthermore, there is evidence that the scrutiny of data and the profile of specific cohorts of people on probation has impacted on services planned or delivered within the region. For example, the young adults team in Leicester, Leicestershire, and Rutland PDU, while still in the early stages and evolving, demonstrated a good consideration of needs of a specific cohort and showed innovation; future commissioning activity will attempt to enhance services for this specifically targeted cohort.
- There is alignment between the regional 'commissioning plan' (also known as 'pipeline'), overseen by the head of community integration, and the reducing reoffending plan. Activity across both plans identifies services that can be commissioned to assist with the core activity of tackling reoffending behaviour and will also be used to forecast future procurement activity. While commissioning arrangements have been impacted adversely by restrictions caused by resourcing deficits within the community integration team, recruitment of new staff has started. The newly appointed commissioning manager reassured us that commissioning activity has already started to increase.
- We saw some evidence of efficacy in the way that the Regional Outcomes and Innovation Fund (ROIF) has been utilised. For example, substance misuse services commissioned via the ROIF are providing enhanced pathways into relevant programmes. There has been an underspend on these services in the current financial year, in part because of the previously noted barriers caused by a lack of

capacity, so there is evidence that, overall, the ROIF is currently an underdeveloped resource. Nonetheless, we would anticipate activity gaining pace because of the new staffing and links with other revenue streams, such as the use of grant funding. Currently, the region is aiming to provide grants of between £8,000 and £150,000, and a national grant competition is ongoing in regard to services for ethnic minority people on probation.

- The head of community intervention oversees all commissioning activity. Regular performance management at the contract management oversight board provides assurance that the region routinely monitors referral rates to commissioned rehabilitative services (CRS), quality assurance activity, and risks to service delivery. We also saw evidence that feedback from people on probation is collated to identify good practice, including personal testimonies detailing positive outcomes from commissioned service activity.

Key areas for improvement:

- While there is evidence that need is evaluated to determine the suitability of commissioned services, both the region and CRS providers need to work more collaboratively to determine explicitly the reasons why CRS referrals are lower for all services, except accommodation services. In September 2022, education, training, and employment (ETE) referral rates stood at 10 per cent and personal wellbeing referrals at 15 per cent of anticipated referrals. The potential impact of these services for people on probation is not being realised fully while referral rates remain so low. An alternative hypothesis might be that potential need has been estimated incorrectly and that referral rates are, in fact, what should be expected. Until these low referral rates are explored more systematically, there will remain a question mark over the efficacy of current arrangements.
- While there was evidence of generally positive strategic relationships, the region's relationship with the courts needs continued review. Positively, relationships are supported by a competent and knowledgeable specialist leadership team, enhanced by a strategic managerial role developed outside the target operating model. However, further activity is required to raise the profile of the Probation Service within the court environment, fully to support a consistent identification of appropriate services for the sentenced person on probation. For example, concerns were raised, both by probation staff and partners, about sentencers' lack of willingness, on occasion, to adjourn for a more thorough assessment to determine which services would be most appropriate. Positively, there is some monitoring of sentencing activity and trends, using a regional dashboard, and the newly established court board should facilitate scrutiny and develop more effective strategic governance arrangements. Overall, however, analysis of relevant management information is currently underdeveloped and needs continued focus to ensure that progress can be made.
- There is an acknowledgement that, regionally, processes within a domestic abuse and safeguarding framework need to be developed; a task and finish group is in place to take this activity forward. However, case-level data during PDU inspections indicated that enquiries are not undertaken routinely by staff at court to determine which services are involved with the person on probation. Domestic abuse enquiries were made in only nine of the 29 relevant cases inspected, and safeguarding enquiries in only 11 of the 22 relevant cases. Although we heard evidence from the region that activity is under way to address this, partnership feedback during the regional review week was dominated by Lincolnshire feedback only.

- The East Midlands women's action plan is in place to develop a 'women-centric' approach, including a focus on facilitating appropriate interventions. However, we did not always see sufficient focus on women's needs within casework. Furthermore, referral data to CRS women's services provided by the region indicated a significant under-referral across all the different commissioned services in the region.
- Resettlement activity in the region has been impacted by resourcing issues noted elsewhere in this letter. At the point of unification, a high proportion of Through the Gate staff moved into community teams, and so the region was starting from a low baseline of capacity. Even now, data provided by the region indicates significant shortfalls in staffing; probation services officers are 5.3 FTE below target, and case administrators 20 FTE. OMiC staffing is 10 FTE below target. Recruitment activity has been agreed, however, and the process to get to target operating capacity has commenced. Interim guidance has been produced for regional resettlement activity, detailing how pre-release teams should coordinate access to services via release planning. However, evidence of the effectiveness of this guidance was inconsistent in work inspected in PDUs, and indicated a lack of consistency in activity undertaken between community and custodial practitioners.

Accredited programmes

Key strengths:

- The head of interventions oversees an effective and coordinated approach to the delivery of accredited programmes. In the region, the interventions team successfully reduced the Covid-19 backlog, initially because of a downturn in referrals, and this provided greater capacity to engage people on programmes. The region does not allow multiple failures of compliance; if a person on probation does not comply, they are not offered multiple opportunities. Part of this approach is driven by the region's focus on ensuring that people on probation are 'group ready'. This is a collaborative accredited programme and sentence management effort, supported by dedicated treatment managers for each programme, for each local area, who can ensure that activity is sequenced to meet the needs of the person on probation.
- Programme waiting lists are not excessive currently, and accredited programme delivery is working towards a business-as-usual model. This provides assurance that programmes can be completed as expected by the court.
- Staffing capacity is not a significant issue currently. While there are shortfalls within facilitator and administrator roles, other roles are oversubscribed, and workload is not excessive. This assists in ensuring that waiting lists and programme completions are steady.

Key areas for improvement:

- Structured intervention provision is still developing within the region, partly because of the focus on accredited programme delivery. The region aimed to launch a structured intervention strategy in January 2023. These interventions have previously been available in Lincolnshire, but delivery has been impacted by the rural geography of that PDU. The region's own evaluation in other PDUs identified a lack of referrals from practitioners and acknowledged that further development is needed. The prioritisation framework has also impacted on the volume of referrals. The region has tried to take a proactive approach to encouraging referrals, but also notes that national referral criteria have had a detrimental impact, meaning that some

people on probation may not be assessed as suitable. The region has raised this issue nationally.

Unpaid work

Key strengths:

- Although there are unpaid work backlogs, effective evaluation of the unpaid work performance dashboard and follow-up activity, coordinated by a knowledgeable and proactive head of interventions, ensures that an effective approach is being taken to working through this backlog. During 2022, the Covid-19 backlog reduced by 80 per cent to 87, and the business-as-usual backlog by 41 per cent to 467 by the date of our fieldwork in December. The region now has more people on probation finishing unpaid work than starting and there is evidence that people on probation are prioritised effectively for unpaid work placements where appropriate.
- Despite resource concerns, significant activity has been undertaken to reduce standalone unpaid work caseloads and workload, and increase capacity. As a consequence, it was positive to see that average workloads had reduced from 132 per cent of target levels to 108 per cent in the six months prior to our regional review.
- There has been an increase in ETE hours completed across the region in the last six months, from 92 to 1,019 per week. While it is acknowledged that there may have been issues with initial practitioner ETE assessments, and that progress is still ongoing, it was positive to note that the region is moving towards the use of the community campus portal to identify more bespoke opportunities, and moving away from the more generic Open University tool for some people on probation.

Key areas for improvement:

- Some deficits in practice were noted within our inspections of PDUs. For example, in Leicester, Leicestershire, and Rutland PDU, 47 per cent of unpaid work requirements had hours outstanding beyond 12 months, and in both PDUs we had concerns about the quality of assessments. The region is aware of the reasons for these deficits; for example, in regard to assessment quality, in one PDU the unpaid work cases inspected were held by two practitioners and there were acknowledged issues around previous SPO capacity. Action has been taken to address specific areas of concern, particularly how risk of serious harm is assessed and considered when making placement allocation decisions.
- Data provided by the region for the month prior to the regional review indicated a level of variability between PDUs in regard to total hours worked as a percentage of the national pre-pandemic baseline figure, ranging from 124 per cent to 58 per cent. The region is aware of the reasons for these variances but still needs to ensure that the reasons for the less well performing PDUs are addressed, in order to increase overall hours worked for the region.
- Feedback from people on probation identified difficulties in accessing work sites – especially for those living in rural areas. The extent of the problem varies across PDUs. Since restrictions on transport to unpaid work sites have been removed post-Covid-19, the region has had more flexibility in accessing work vans that are fit for purpose, but they still have some reliance on hire vans that do not always meet needs for transporting both people and equipment.

Information and facilities

The regional performance and quality team is still developing, many months after unification. This has been mainly because of significant resource issues, which are only now being tackled. Nonetheless, there was a clear demonstration of a strong commitment to improving the quality and effectiveness of service provision. Communication across the region is key in regard to the success that the region will have in developing its approaches. While communication itself was extensive, some important messages about the prioritisation of quality over performance targets were not always landing.

Key strengths:

- There are numerous mechanisms across both the region and individual PDUs to ensure that messages about performance and quality improvement are communicated. The region utilises a system detailing importance and prioritisation for action when key information is cascaded. We saw evidence that different services and functions distribute updates and briefings.
- Evidence was provided of arrangements for highlighting guidance policies and so on. Arrangements for checking that the implementation is embedded seemed less clear, although evidence was provided that particular named risks (Violent & Sex Offender Register (ViSOR) training, unpaid work analysis, use of victim impact statement in pre-sentence reports, structured interventions training) were being monitored.
- Detailed information has been used to produce a summary of the region's progress against the regional activity checklist for the probation reform programme (PRP) and work towards implementation of the target operating model. This has been tracked via the regional change board, and progress was previously fed back to the PRP. Going forward, remaining activity will continue to be tracked via the change board.
- There is evidence that the region has contributed to national policy review work, and this reflected a desire to influence this, in spite of the resource difficulties faced by the region. This was evidence of an outward looking approach to undertaking business.
- The region received a sufficient budget to invest in estates. The venues we visited were generally modern and well presented. They were, on the whole, suitable and safe spaces for the delivery of probation interventions, and money appeared to have been spent effectively. Access to these facilities by some people on probation who are geographically isolated remains a barrier, according to themes identified in feedback to the Inspectorate by User Voice, and sometimes hampers personalised approaches.

Key areas for improvement:

- There is a strong performance culture in the region, but managers need to be clearer with messaging about the importance placed on meeting targets to ensure that staff are working to the same understanding when striving to meet these performance targets. We saw and heard of numerous examples where practitioners had erroneously prioritised completion of a performance task at the expense of quality and taking a more pragmatic approach to ensuring that a task was completed. The region must take care to ensure that activity does not become too process led, and that communication around this area consistently lands effectively with all practitioners.
- The region has drafted a quality improvement plan and addressed feedback from operational and system assurance group (OSAG) audits by developing a separate

quality plan, addressing key areas of concern raised by them, such as risk assessment and management, and sentence planning. However, because of the lack of quality development officers in post at the point of unification, development of this activity has been restricted and needs developing, going forward.

- The region's response to the Damien Bendall independent serious further offence (SFO) review³ has been an ongoing piece of work in recent months. Most actions identified are being tackled and are on track. Of the actions that are not, those relating to some practitioners not having undertaken domestic abuse and safeguarding briefings, evidencing contacts with children of people on probation, and evidencing professional curiosity reflected some deficits noted within PDU fieldwork that were impacting on operational delivery. We had some assurance that arrangements were in place to address this concern, going forward.

Statutory victim work

We looked at 19 statutory victim cases and interviewed the strategic lead for victims work in the East Midlands region and the operational victims SPO. We reviewed case records to look at whether initial contact with victims encouraged engagement with the victim contact scheme, whether information and communication exchange supported the safety of victims, and if pre-release contact allowed victims to make appropriate contributions to the conditions of release.

Key strengths:

- Recommendations from inspections of the four previous organisations pre-unification indicated that further activity was required to develop services for victims of people on probation. While consideration of victims' needs is still an area of ongoing development for practitioners working with people on probation, we saw evidence of some good practice. Work with victims themselves adheres to the victim code of practice and is overseen by an enthusiastic and skilled operational victim lead, whose role has developed since unification and has expanded to cover the region.
- There was evidence that consideration is given to the strategic and operational development of victim contact activity. Links are being developed and maintained with relevant partners, such as the witness care unit and the police. Planning is under way to ensure that changes in how stalking and harassment victims are treated will be implemented in spring 2023. Evidence was also provided that the national policy unit has worked with East Midlands staff regarding victim contact letters.
- Resourcing is positive within the region, particularly in lieu of deficits elsewhere in the Service, and there are currently no victim liaison officer (VLO) vacancies. Retention of staffing is good and new VLOs are given protected caseloads, to enable them to build experience and skills, although this approach means that, overall, current caseloads are slightly above the target figure of 180 per VLO for some staff. Nonetheless, workloads are not unmanageable and active steps are taken to monitor and address these. Support for VLOs is a strength and they can access training both within and outside the organisation. There is a SEEDS⁴ approach to supervision,

³ <https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2023/01/Independent-serious-further-offence-review-of-Damien-Bendall-1.pdf>

⁴ The Probation Service has developed a 'reflective' approach to train staff in interviewing skills: the SEED programme (Skills for Effective Engagement and Development, which was later expanded to 'SEEDS' by the addition of a focus on staff supervision.

which is held regularly, and VLOs share their expertise with other practitioners via briefings and newsletters. The efficacy of the VLO input with victims was reflected during our PDU inspections, where pre-release contact with 10 of the 11 relevant victims allowed them to make appropriate contributions to the conditions of release of the person on probation.

- There is effective information and communication exchange to support the safety of victims, coordinated by practitioners working with people on probation. Overall, this was undertaken well in 10 of the 11 cases we inspected where the victim had opted in.

Key areas for improvement:

- Some concerns exist about the mid- to long-term impact on staffing levels of the new service for victims of harassment and stalking being implemented in spring 2023. It has not been possible to project what caseloads will be and there is a fear that the level of demand may exceed capacity. The region will not implement a model which requires VLOs to specialise in this new activity, but rather will have 'mixed' caseloads. Overall, the impact of this new service remains unknown.
- Take-up of restorative justice (RJ) interventions across the region is low. While this in itself is not unusual and is explained by factors such as the timing of the offer, the region does not have a systematic process in place for monitoring approaches by RJ providers and determining how best to increase involvement.
- Victim liaison staff are not always involved in Multi-Agency Public Protection Arrangements (MAPPA) planning. We noted that they were involved in only three of the 11 cases inspected where they should have been, across the region. The region's own investigations into this activity indicate that they are often not invited to MAPPA meetings taking place out of area.
- In the cases inspected, VLOs did not always demonstrate that they encouraged victim engagement fully at initial contact. Often, the timing was not appropriate within the cases we inspected, and diversity considerations were not always considered fully, although the region's own review of performance related to diversity indicated that they are the top performing region for ensuring that equality information forms are completed.
- During our PDU inspections, the probation practitioners' consideration of victim needs when working with people on probation was often assessed to be limited.

Learning from Serious Further Offence investigations

The East Midlands SFO team is small and is still establishing itself following its separation from the larger Midlands team. The deputy head responsible for SFOs has a clear vision for the team but faces several challenges to achieve this vision. The team currently has a backlog of SFO reviews, and although progress has been made against this outstanding work, it has meant that SFO reviews have been submitted outside expected timeframes, impacting on the timeliness of the required learning being identified and addressed.

There are aspirations to improve the monitoring and tracking of SFO themes and the impact of learning. It was acknowledged that these processes are not yet fully embedded.

In the 12 months to 27 September 2022, 16 SFO reviews were completed. Of these, one was rated as 'Outstanding', eight as 'Good', and seven as 'Requires improvement'. The issues raised for the reviews that required improvement included: limited analysis; not always interviewing senior managers or analysing senior manager practice sufficiently,

better to inform the assessment of practice and judgements made; insufficiency of the judgements made within the SFO review; significance or impact not being considered; the action plan objectives not being developmental and providing limited evidence of how progress would be measured; and the action plans not always containing learning beyond practitioner/middle manager level, reducing the opportunity for widespread learning to be embedded.

The independent SFO review by HM Inspectorate of Probation into the case of Damien Bendall, like some internally produced SFO reviews, identified deficits in practice which had some congruence with deficits identified within the PDU findings. It is essential that the region consider how widely internal SFO reviews explore practice beyond individual practitioners to fully understand the impact of systemic issues and ensure recommendations from the independent reviews are fully implemented.

Summary

In our PDU inspections, we rated Derby City as 'Requires improvement' and Leicester, Leicestershire, and Rutland as 'Inadequate'. There were significant differences in the quality of activity that we saw. It is of note also that Derby City's final rating may have been impacted adversely by the lower quality of work in standalone unpaid work cases.

Resourcing difficulties have played a significant part in our findings, but they do not tell the whole story. This is still a relatively new organisation and it is still developing, and we have identified some concerns about communication within the region, which sometimes does not seem to be having the desired impact with frontline staff. Additionally, a more forensic approach to evaluate the efficacy of services delivered by both the region and its partners would assist in improving outcomes for people on probation.

If such activity is undertaken, it is clear that it would complement the good foundations that the region has in place, a knowledgeable senior leadership team, a committed and dedicated workforce, and a desire to improve.

Our recommendations from the inspected PDUs are set out in Annexe one. I look forward to receiving your regional action plan in due course, outlining the implementation of our recommendations. I wish you and all your staff well in undertaking this work.

Yours sincerely

A handwritten signature in black ink, reading "Justin Russell". The signature is written in a cursive, flowing style.

Justin Russell

Chief Inspector of Probation

Annexe one – Recommendations

Set out below are the recommendations arising from the inspection of PDUs in this region.

Derby City PDU

Derby City PDU should:

1. improve the quality of risk of harm assessments and analysis, ensuring that all available information is accessed and utilised
2. improve the quality assurance and management oversight arrangements of all casework, ensuring that practitioners apply professional curiosity
3. ensure that interventions necessary to improve desistance and reduce reoffending and risk of harm are provided in all cases
4. ensure appropriate management information is available to analyse and consider any potential disproportionality in the quality-of-service delivery to people on probation from black, Asian and minority ethnic backgrounds.

East Midlands region should:

5. ensure that standalone unpaid work cases have a thorough individual assessment and analysis of risk of harm that informs safe placement allocation
6. ensure that standalone unpaid work teams exchange risk-related information with Derbyshire Constabulary and children's services departments
7. ensure that Derby City PDU has sufficient staffing resources in place.

HM Prison and Probation Service should:

8. ensure the East Midlands region is sufficiently staffed to deliver necessary services and undertake public protection responsibilities.

Leicester, Leicestershire, and Rutland PDU

Leicester, Leicestershire, and Rutland PDU should:

1. improve the quality of work to assess, plan for, manage, and review risk of harm
2. improve the probation staffing levels in court, and the quality of court reports to inform sentencing
3. ensure that risk-related information is obtained and shared with other agencies in all relevant cases, to support the assessment and management of risk of harm
4. ensure that accredited programmes, targeted interventions, and other services necessary to improve desistance and reduce risk of harm are fully utilised
5. address the poor staff morale, and ensure that adequate support is available for staff when required
6. address the clear knowledge gap that currently exists, with some staff not understanding the key priorities of their role and what they need to deliver
7. address the deficiencies in the effectiveness of quality assurance and management oversight of all casework

8. ensure that there is a blended offer in place of face-to-face and in-person training, and that delivery of training is prioritised to enhance the skills or the workforce.

East Midlands region should:

9. ensure that priorities are communicated and understood clearly by probation practitioners and middle managers
10. review standalone unpaid work sentence management arrangements, to address the deficiencies identified in assessments and ensure that these are accurate, thorough, and inform placement allocation
11. revise the CRS contract for accommodation support services to better provide an effective service which meets the needs of people on probation.

HM Prison and Probation Service (HMPPS) should:

12. address the need for improved staff recruitment and retention
13. improve the support to sites assessed as 'red' under the prioritisation framework, in particular through additional resourcing.

Annexe two – PDU ratings

Set out below are the ratings of the PDUs in this region. More detail about the reasons for the ratings is available in the PDU reports, which are published on our website:

[HMI Probation - Home \(justiceinspectorates.gov.uk\)](http://justiceinspectorates.gov.uk)

Derby City		Score	11/27
Overall rating		Requires improvement	<div></div>
1. Organisational delivery			
1.1	Leadership	Requires improvement	<div></div>
1.2	Staff	Good	<div></div>
1.3	Services	Good	<div></div>
1.4	Information and facilities	Good	<div></div>
2. Court work and case supervision			
2.1	Court work	Requires improvement	<div></div>
2.2	Assessment	Inadequate	<div></div>
2.2	Planning	Requires improvement	<div></div>
2.3	Implementation and delivery	Requires improvement	<div></div>
2.4	Reviewing	Requires improvement	<div></div>

Overall rating**Inadequate****1. Organisational delivery**

1.1 Leadership

Inadequate



1.2 Staff

Inadequate



1.3 Services

Requires improvement



1.4 Information and facilities

Requires improvement

**2. Court work and case supervision**

2.1 Court work

Inadequate



2.2 Assessment

Inadequate



2.2 Planning

Inadequate



2.3 Implementation and delivery

Inadequate



2.4 Reviewing

Inadequate

