

“JOINT INSPECTION TO SELL IMPROVEMENT”:
HMI Probation Plan 2007-2008

Helping to Improve Effectiveness in the Criminal Justice System

PART ONE: OUR APPROACH

Who we are, and What we do:

1. A year ago we were expecting this Inspectorate to disappear as a separate entity, in a planned development that we supported. In the event, Government plans have changed, and the five Criminal Justice System (CJS) Inspectorates will now continue as distinct entities. However, all five Inspectorates are now committed to developing a jointly-owned annual Joint Inspection Programme.
2. Hence the distinctively new feature of this year's HMI Probation Plan is that it is best seen as the first Part of a two-tier Plan of the work for the year ahead. As we will explain in more detail later in this document, the responsibility for some of our scheduled work for 2007/8 is solely owned by this Inspectorate, and so it belongs in the first tier of the Plan. However, the great majority of our work for the year ahead, about 85%, belongs in the second tier, as the responsibility for it is jointly owned by the five CJS Inspectorates.
3. Nevertheless, despite this major change in our fortunes there is a strong theme of continuity in our Plan this year. This reflects the fact that for three years now we have been planning for a future in which joint inspection will become the norm, and we continue to maintain our clear messages about our role and purpose within the CJS as a whole.
4. We are fifty salaried staff, plus a panel of a dozen or so sessional colleagues. We cost a fraction of one percent of the total cost of the whole Probation Service and all the Youth Offending Teams (YOTs) of England and Wales. But we have an important message about both Probation and YOTs, and about our work with them at this time when their own work is under continued challenge:
 - *Both the Probation Service and the YOTs of England & Wales deal with the reality of crime and risk every day, working to protect the public and reduce crime through effective management of offenders*
 - *Those who offend must take full responsibility for the crimes they commit but the public has every right to expect that Probation and YOT staff will do their job properly.*
 - *HMI Probation measures their work against clear expectations on behalf of the public. When the relevant authorities fail to meet those expectations we shall be uncompromising in saying so, but we also believe that the public, politicians and the media should support an organisation that is generally doing an important job and making a major contribution to public protection.*

Our Approach flows from this.

Context:

5. We are continuing to work actively towards a major change in the inspection arrangements in the CJS as a whole, which is developing alongside parallel developments in the inspections of other public services too. Alongside the three other future redesigned Inspectorates that are now planned to cover together the other major public services, the five CJS Inspectorates will develop and work to a jointly-owned Joint Inspection Programme alongside their respective solely-owned inspection programmes to cover the CJS.
6. This Plan will therefore be one of five two-tier plans that will aim to provide the right mix of solely-owned and jointly-owned inspections to promote improvement in the CJS as a whole. For our own part, taking into account the place of offender management within the CJS, we expect most of our inspections to be located in the 'jointly-owned' tier in the planning process.

Managing each offender or young person under supervision:

7. We continue to stress the central importance of what was once called the 'case management of offenders'. We still see this as the bedrock of the unfolding NOMS, providing a foundation for supervision which needs to be effective in terms of enforcing every sentence, making offenders less likely to reoffend, and minimising *Risk of Harm* to the public. We also continue to say that case management of young people (not always formally-convicted offenders) will continue to be part of the bedrock of practice by Youth Offending Teams (YOTs). As ever, the terminology is changing, as are some of the details of the definitions of some of the terms we use. We are increasingly referring to *offender management** as being the central part of the *core correctional practice* of the future. These ideas are being developed and trialled within NOMS and in the world of the YOTs, and hence we have developed our mainstream inspection methodologies with that principle firmly in mind.
8. So despite the prospective upheavals in organisational arrangements, we see more continuity than change in the building blocks of effective practice with sentenced adult and young offenders. We believe that at the heart of effective offender management will be the ability of the *offender manager* to engage skilfully with the offender or young person. This not only secures compliance with sentence enforcement, but also helps the offender or young person to make use of all the learning from the sentence to change their former behaviour. An inspection methodology which measures the *quality of offender management* is the right way to inspect the work of NOMS and of Youth Offending Teams and Services both now and in the future.

* *Offender management* is a term that is still being used in two different ways at different times. Sometimes it refers to everything done with a sentenced adult offender under the auspices of NOMS, and sometimes it refers exclusively to the role undertaken specifically by *offender managers*. We consider that it may therefore become useful to use a term such as *offender managing* for the latter usage in order to address the specific subject-matter of *core correctional practice*

9. But we are continuing to suggest that we do more than simply inspect – that what we do is to “sell Improvement”, an idea we introduced in last year’s Plan. What do we mean by this?

The Inspectorate role:

10. Our contribution to service improvement is entirely in line with the Government’s stated expectation of how public service inspectorates should work, contained in the July 2003 policy document, *Inspecting for Improvement*. The ten principles set out in that document appear again in the Annex to this Plan, and in accordance with them we in HMI Probation commit ourselves for the fourth consecutive year to the aim that:

“Our inspections will not only measure the performance of our respondent organisations fairly and accurately, but will also maximise the likelihood of performance improvement.”

11. The wording of this aim acknowledges the fact that as/when a respondent organisation (Probation Area or YOT or other) improves its performance following an inspection, the achievement belongs to that organisation. An Inspectorate cannot make performance improvement happen, but it can ‘maximise the likelihood’ of it happening. It does that through its own quality of engagement with the respondent organisation – in our case the Probation Boards (or Trusts in the future) and YOTs. This has implications both for our inspection methodology and for the interpersonal and communication skills of the staff who implement them.
12. Just as the heart of effective supervision of offenders and young people is the quality of engagement by offender manager with the offender (or case manager with a young person), the heart of effective inspection of that work is the quality of engagement by inspectors with the offender managers and other people from the respondent organisations. It is in that sense that we aim to do more than simply ‘measure’ how well people are doing. What we aim to do in addition to that is to ‘sell improvement’.
13. *Improvement* is not as glamorous for many people as either innovations, initiatives or projects. But in a system in which large numbers of people are put through well-mapped processes every day the key need is that practitioners do the right thing with the right person in the right way and at the right time. And there needs to be a steady incremental improvement each year in the effectiveness with which this is done. It is a significant challenge for public servants to be able to provide a fair, consistent and effective service to large numbers of people in an individualised way, but that is what is required in the CJS. And that is the main focus of attention with both our Offender Management and our Youth Offending Team inspections. We look at all the small but significant behaviours that make a difference in making practice effective, and we aim to engage our respondents in focusing on how to improve those behaviours.
14. Our criteria, and the questions we ask, illustrate the quality of work we are looking for. When our inspection process works well it means that our respondents become more likely not only to see the nature and degree of any shortfall on their part – the performance ‘gap’ – but also to ‘buy’ the

idea of wanting to close that gap. Or, if they're already good, to improve still further. Of course we not only want them to buy *the idea* of improving, we want them to 'buy' *actually improving* in practice. Hence our inspection process aims not only to measure fairly and rigorously, but also to 'sell improvement'.

Our evolving methodologies: -

15. Thus we have noted the changes taking place in the world that we inspect and we have also outlined what we mean by 'selling improvement'. We now need to describe how our methodologies are evolving to meet the specific needs of some of our current and future inspection programmes.

• **- Offender management:**

16. Our methodologies for the evolving Offender Management Inspection (OMI) and YOT inspection programmes focus on what is actually delivered to offenders and young people under supervision. We measure the quality of assessments and planning, interventions, and initial outcomes, as a proxy variable for effectiveness. To do so we therefore seek evidence of how well each case is managed in terms of enforcement, likelihood of reoffending and *Risk of Harm*.

17. A strong principle of the methodology is that it focuses on services as delivered to the users by Probation staff, or by YOTs, or by any of the contracted providers. We keep to a minimum our assessment of performance factors which are already comprehensively monitored within the organisation, and we only seek to arrive at findings regarding the quality of management insofar as they relate closely to the quality of supervision being delivered in practice, as evidenced in our inspections.

18. We therefore plan to retain and improve our existing methodologies, but also to develop them so that they fulfil a clearly identified role in relation to the developing NOMS, YJB and to the wider CJS, and in the context of the new environment of commissioning. By this we mean that although Probation and YOTs are our core subject area, we are already committed to inspecting that work as 'whole processes' within the wider Criminal Justice System as a whole. We assess the effectiveness of the work increasingly as a contribution to the overall effectiveness of the CJS, in the context of other relevant government policies.

19. Hence, as we work with progressively much wider horizons than hitherto, we will continue to develop these and other inspection methodologies jointly with the other CJS inspectorates as we develop our jointly-owned Joint Inspection Programme. Part Two will illustrate how we are allocating our resources between the two tiers of our planned Inspections for 2007/8.

• **- Youth Offending and Children's Services:**

20. We have implemented a further development in the joint inspection of Youth Offending Teams and Services, which we lead (and which is in fact

now easily our biggest single area of work). The work of YOTs straddles both the criminal justice system, because it is about preventing reoffending, and the world of children's services, because YOTs also have wider duties to protect children and enhance their quality of life.

21. The YOT inspection programme is already closely co-ordinated with the current system of the Ofsted-led Joint Area Reviews (JARs) of integrated children's services in each area of England. Our own methodology still focuses core attention on work to reduce offending by the young people seen by YOTs, but our inspection criteria and scoring is also designed to contribute directly to that of the JARs. Equally significantly, our schedule of inspections is now closely aligned to the schedule of JARs.
22. At the same time, our criteria and scoring will also become congruent with the relevant inspection programmes and methodologies of our partner Inspectorates in Wales, where we inspect YOTs but where the arrangements for inspecting other children's services are different.

- **- Risk of Harm (RoH) work, including Serious Further Offence (SFO) reviews:**

23. The last two years have seen a vastly increased focus to our Risk of Harm (RoH) work. This included three high profile cases (one YOT, two Probation) where people under current supervision in the community have gone on to kill, but it can now include other bespoke inquiries at the request of the Secretary of State. Inevitably, with such inquiries we are working largely with the unpredictable. Our aim with these is to be both uncompromising but fair in our criticisms, and contribute to future learning both about the specific case and about wider lessons for the development of the management of both adult and young offenders. Furthermore, in other ways we aim to help identify what effective *Risk of Harm* work looks like, so that staff working with both adult and young offenders will know better how to avoid leaving their work exposed to potential future criticism.
24. This is hugely important work, which unusually for us is additionally very high profile work in the public eye. However, our aim has not been that this consideration should displace all other aspects of managing offenders – our aim has been to redress a balance, where our inspection reports were finding regular weaknesses. We will continue to emphasise the vital and difficult nature of *Risk of Harm* work to both NOMS and YOTs, but we will do so within the context of what they have to try to achieve with each offender or young person overall.
25. To this end, we have established a *Risk of Harm* thread within the Offender Management Inspections, so that we now provide with each inspection an assessment of the quality of this specific area of practice on its own. This not only focuses attention on this work but also does so within an appropriate overall context. We are exploring a comparable development in YOT inspections, and we are heartened to see the YJB responding to this issue both strategically and operationally.

