**NOTIFICATION AND REVIEW PROCEDURES FOR SERIOUS FURTHER OFFENCES**

This instruction applies to: Providers of Probation Services

<table>
<thead>
<tr>
<th>Reference</th>
<th>HMPPS HQ</th>
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<tr>
<td>PI 06/2018</td>
<td>AI 06/2018</td>
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<tr>
<th>Issue Date</th>
<th>Effective Date</th>
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<tr>
<td>24/08/2018</td>
<td>01/04/2018</td>
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Issued on the authority of: Operational Policy Sub-board

For action by: All staff responsible for the development and publication of policy and instructions

- HMPPS HQ
- Heads of Groups
- National Probation Service (NPS)
- Community Rehabilitation Companies
- All other providers of Probation Services

For information: All staff

Provide a summary of the policy aim and the reason for its development / revision

A revision to PI 14/2015 (revised October 2015) is now required to inform the implementation of the new SFO format and document set. This PI provides guidance on the completion of a new narrative style review which will be disclosed to the victim, with some redactions if required.

*The new format will apply to all notifications received by HMPPS on or after 01/04/18 and will operate under this PI.*

*PI 14/2015 will remain in operation to support reviews completed on notifications submitted to HMPPS prior to 01/04/2018 and ROTL reviews.*

Contact

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**Associated documents**

- [PI 14/2012](#) The Approval and Implementation of Policy and Instruction,
- [PI 32/2014](#) Implementation of the Approved Premises Specification
- [PI 01/2014](#) Reviewing & Reporting Deaths of offenders under Probation Supervision in the Community
- [PI 48/2014](#) Victim Contact Scheme Guidance Manual
- [PI 57/2014](#) Process for CRC’s to refer cases in the community to NPS for Review/Risk Escalation Review
<table>
<thead>
<tr>
<th>Replaces the following documents which are hereby cancelled:</th>
<th>Probation Instruction 15/2014 Review Procedure for Serious Further Offences will remain in force for all cases where the SFO notification was received by HMPPS before 01/04/2018 and in all cases where the SFO was committed during a period of ROTL.</th>
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<tr>
<td>Audit/monitoring:</td>
<td>Mandatory elements of instructions must be subject to management checks and may be subject to self or peer audit by operational line management/contract managers/HQ managers, as judged to be appropriate by the managers with responsibility for delivery. In addition, HMPPS will have a corporate audit programme that will audit against mandatory requirements to an extent and at a frequency determined from time to time through the appropriate governance.</td>
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<td>Introduces amendments to the following documents:</td>
<td>None</td>
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<tr>
<td>NOTES:</td>
<td>All mandatory actions in this Instruction are shown in italics and must be strictly adhered to.</td>
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<td>Please refer to guidance in <em>PI 15/2014</em></td>
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<td>This section will be updated later in 2018 in line with other parallel reviews in respect of victim engagement.</td>
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<td>Interim guidance is contained in Annex B.</td>
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1. Executive Summary

Background

1.1 Since the introduction of procedures for the reporting of serious further offending by offenders subject to supervision in the community by providers of probation, there have been increasing expectations of transparency for victims. In response, HMPPS SFO team have produced a new SFO review format, which will replace the current review and victim summary report and will be shared with eligible victims following necessary redaction. The new format is narrative in style, less process oriented and expects the reviewer to focus on areas which require examination, analysis and action. There will be a continued focus on learning and improvement at a strategic, as well as a local level.

1.2 The SFO notification and review procedures are intended to ensure rigorous scrutiny of those cases where offenders under the management of the NPS or CRCs have been charged with a specified violent or sexual offence (please refer to the list of qualifying offences in Annex A) in order that:

- the public may be reassured that the NPS and CRCs are committed to reviewing their practice in cases where offenders managed by them are charged with certain serious offending;
- areas for improvement and best practice are clearly identified, along with how and within what timescales action will be taken in respect of the former and what will be expected to improve as a result;
- victims and their families can be provided with relevant information on how the offender was supervised and where there were shortcomings how action to drive improvements has been, or will be, taken and;
- Ministers, other senior officials and managers and the wider MoJ can be informed of high profile cases of alleged SFOs.

1.3 This Instruction sets out the processes that must be followed when completing the new format for SFO reviews in cases where the notification is submitted to HMPPS SFO team on or after 1 April 2018.

1.4 Probation providers will not be expected to complete the quarterly update of actions on notifications received by HMPPS after 1 April 2018. The new procedures re-introduce the process of reporting on individual action plan updates using Annex H for reviews completed on the new format.

1.5 Some of the guidance contained within Probation Instruction 15/2014 – Review Procedure for Serious Further Offences remains the same for these cases:

- the notification process, including offence criteria and offender eligibility will remain the same;
- the timescale for submitting reviews within three months of the date of the notification will remain;
- the timescale for advising HMPPS on outcomes within 3 working days will remain;
- the process for updating HMPPS on high profile cases is unchanged, although there is a revised template at Annex M; and
• the current arrangements for review procedures with cases of serious further offending when subject to release on temporary licence (ROTL) are unchanged, and will continue to be completed on the original template, now Annex G, which has been replicated in this PI for ease of reference.

1.6 The NPS and CRCs should refer to the guidance contained in PI 15/2014 when completing SFO reviews for cases with notifications submitted before 1 April 2018.

1.7 HMPPS SFO team will continue to quality assure SFO reviews.

Desired outcomes

1.8 This instruction aims to ensure that in all instances SFO notification and review procedures are followed. This is to ensure that all providers of probation and community services can implement the findings of reviews and share information appropriately with victims. This includes in particular that:

• the criteria for placing the cases of offenders charged with a SFO under these procedures are known and understood;
• offenders charged with a SFO are promptly identified at local level and notified to HMPPS within the required timeframe;
• SFO reviews are appropriately rigorous, produce findings that are supported by clear and comprehensive evidence and draw out all relevant learning points;
• the review is written in a narrative style (aside from ROTL SFO reviews which retain the original format) that supports action being taken and provides for both access and transparency for victims or their families; and
• The NPS, CRCs and all other providers of probation and community services and relevant stakeholders, and HMPS (for ROTLs) understand the central HMPPS SFO team process to inform Ministers and senior officials about high profile SFOs.

Application

1.9 Section 2 of this Instruction sets out actions that must be taken to ensure that all SFOs are identified, notified and reviewed in line with the probation instruction. All staff with responsibility for courts, offender management, case administration and MAPPA must be familiar with this section.

1.10 Section 3 briefly sets out the policy and strategic context that relates to SFO procedures.

1.11 The revised SFO document set is given in Annexes C - M.

Mandatory actions

1.12 The mandatory actions for this instruction are set out, in italics. Additional guidance is included in the SFO Operational Guidance (Annex B).

1.13 The CRC Chief Executives and Divisional Directors of probation must ensure that all staff, including any sub-contractors are aware of their obligation to comply with this Instruction and;

• identify and notify HMPPS SFO team of all qualifying SFOs;
• have a process in place for considering how the case was managed at the earliest opportunity;
• undertake SFO reviews in accordance with the operational requirements in this instruction;
• complete reviews in a format that is transparent and appropriate to be disclosed to the victim;
• ensure that key learning and good practice is identified, shared with staff, used to further improve policy and practice, and that progress is reported to HMPPS;
• ensure that reviews are robust and impartial, countersigned by a senior manager who, in doing so, confirms that the review is an accurate and thorough investigation, with appropriate actions identified;
• provide additional information relating to a SFO case to assist with any briefing for Ministers and senior officials being prepared by HMPPS as required; and
• ensure that staff involved in the SFO review process receive appropriate support at all times.

1.14 Divisional Directors in the NPS must ensure that they receive regular updates on progress against SFO review learning points. Within CRCs, the Services Agreement, as part of the contract management function, requires CRCs to report on SFO reviews in service reports.

1.15 It should be assumed throughout this instruction that mandatory actions identified for the NPS and CRCs extend to HMPS in cases where the SFO was committed during a period of ROTL.

Resource impact

1.16 The SFO notification and review procedures have always applied to offenders subject to any form of statutory supervision. The introduction of the Offender Rehabilitation Act (ORA) saw the number of notifications increase with offenders sentenced to less than 12 months imprisonment becoming eligible for SFO processes. However, reviews are still only completed on less than 0.5% of the probation caseload. The revised SFO format will simplify the process, reduce repetition and make the process more efficient.

1.17 For those cases where victims are entitled to feedback (less than half of all SFO reviews written), the new format removes the need for a victim summary report (VSR). While it may lead to increased time discussing a more detailed report with some victims, in others the fact that all the information is being provided in the first instance may reduce the need for follow up letters and responding to requests for additional information. The amount of time spent on contact with victims following an SFO has always varied in order to be responsive to their needs.

Employee care

1.18 Serious further offending can have a significant impact on staff and engender a range of feelings. It is important that the SFO review procedures are administered sensitively in relation to all involved. Staff may experience trauma about the offence itself, feelings of guilt as well as anxiety about the SFO process. The NPS and CRCs should therefore exercise good employee care and ensure that staff have access to appropriate support. Employers should ensure that staff are given the time to prepare for the interview and are provided with relevant feedback.

1.19 While there will be a small number of reviews which uncover practice that results in capability and/or disciplinary proceedings being invoked, the review process is not about apportioning blame. It aims to develop an understanding about the management of the case and what action needs to happen to address any deficiencies or share good practice. Further information for staff is contained in the Operational Guidance (Annex B) and the Information for Staff leaflet (Annex N).
2. **Operational Instructions**

**Notification of cases that qualify for a SFO Review**

2.1 *When an eligible offender is charged with a qualifying violent or sexual offence (listed in Annex A), the NPS and CRCs must notify HMPPS SFO team using Annex C and complete the relevant sections.*

**Offender Eligibility**

2.2 Any offender under any form of management in the community by the NPS, a CRC or HMPS (in the case of ROTL) at the time the alleged SFO is committed is eligible for inclusion in SFO procedures.

This includes:

- those subject to post sentence supervision arrangements on the date the SFO is alleged to have been committed;
- those who were under any form of statutory management by the NPS or a CRC, including those who have been subject to recall and released at sentence end date (SED), which terminated no more than 28 days prior to the date the SFO is alleged to have been committed; and
- those who are subject to the management of the NPS, a CRC or any other provider of probation and community services and are charged with an equivalent eligible offence in another jurisdiction.

But excludes offenders where a court or recall warrant has been issued three months or more prior to the date of the SFO.

2.3 For details of when it may be appropriate to undertake a SFO review on a discretionary basis see paragraph 2.5 below.

**Offence Eligibility**

2.4 The list of SFO qualifying offences is at Annex A and is based on, but not identical to, Schedule 15A of the Criminal Justice Act 2003. This remains unchanged since PI 04/2013. All offences on this list attract either a maximum of 14 years’ imprisonment or an indeterminate sentence.

2.5 *Reviews must be completed automatically (formerly known as mandatory reviews) in the following cases:* -

- any eligible offender who has been charged with (including attempted, or conspiracy to commit offences): murder, manslaughter, other specified offences causing death, rape or assault by penetration, or a sexual offence against a child under 13 years of age during a period of management by the CRC or NPS

2.6 *Reviews will be conditionally (formerly known as discretionary reviews) required in the following cases:* -

- any eligible offender who has been charged with another offence on the SFO qualifying list committed during a period of management by the NPS who is or has been assessed as high/very high risk of serious harm during the current sentence
- any eligible offender who has been charged with another offence on the SFO qualifying list committed during a period of management by the CRC or NPS, prior to completion of an initial risk assessment.

Subsequent changes in eligibility

2.7 A case will cease to qualify for a review if it subsequently falls outside the SFO eligibility criteria, as a result of:

- a finding at court of not guilty, other than for reasons of fitness to plead or not guilty by reason of insanity;
- the discontinuance of proceedings either pre-trial or at court; and
- the reduction of the charge to one that falls outside the SFO eligibility criteria;

2.8 Providers may decide to continue with a local review in these cases, particularly if there are clear indications of important lessons to be learnt.

Discretionary cases

2.9 There may be other instances where it is appropriate to complete a SFO review on a discretionary basis, for example:

(i) cases where sentencing is deferred to allow an offender to comply with any requirements set by the court, or cases where a single requirement (other than unpaid work, which comes under the SFO criteria) was in place but the offender was not subject to routine contact with the provider. Consideration of a discretionary SFO review would need to take into account the specific requirements set by the court and the management of the case by the NPS, CRC or the CRC’s subcontractors during that period;

(ii) any eligible offender who has been charged with an offence during the period of community supervision by the NPS or a CRC and identified by HMPPS or the provider of probation services, where there are public interest reasons for a review. This may be due to significant media coverage, ministerial interest or where reputational risks to the organisation may arise.

(iii) The NPS or CRC must consult HMPPS SFO team on any case where they are considering whether to complete a discretionary review, before commencing a review.

2.10 This PI changes the language so that the term discretionary is only used for those reviews where a decision to complete the review is made on a case by case basis and does not include any reviews which are done because they meet the mandatory criteria set out in section 2.9 above.

Completion of SFO notifications

2.11 The NPS and CRCs must identify both a single point of contact (SPOC) for the purpose of SFO processes and a senior management lead and update HMPPS SFO team of any changes.

2.12 The NPS, through attendance at court, and CRCs, from knowledge of the offender, must have processes in place to identify SFOs by, or at, the first court appearance;

2.13 The NPS and CRCs must submit the notification with full information to sfo@noms.gsi.gov.uk within 10 working days of the first court appearance. Where both the NPS and the CRC have to complete stages of the notification, then each should take 5 days to allow time for the other to
complete the form and send it to HMPPS within 10 days as required. Notification documents can be found at Annex C.

2.14 There are three stages to the completion of the notification documentation:

- Stage 1 and 2 will be completed by the NPS at court or shortly afterwards; and
- Stage 3 will be completed by the allocated provider of probation services, so either the NPS or CRCs, before submission of the notification to HMPPS SFO team.

2.15 If an offender appears in court in another geographical area and is charged with a SFO, NPS court staff in the covering court will complete the first two stages of the initial notification and send it to the SPOC in the area responsible for managing the offender for completion.

2.16 Probation provider responsibilities:

i. The NPS must identify all eligible SFOs at court and advise the relevant provider’s SPOC of the court appearance and keep them informed of all court appearances thereafter;

ii. The NPS and CRCs must notify HMPPS of any case that qualifies within ten working days of the first court appearance by completion of Annex C;

iii. The NPS must copy the notification to the relevant Head of Public Protection and Divisional Director; in the CRC the notification should be copied to the relevant Chief Executive and Senior Contract Manager;

iv. Following confirmation from HMPPS SFO team that the case meets the SFO criteria, the NPS and CRCs must notify witness care units of victims who will be eligible for information about the SFO review upon conviction of the offender for an automatic offence (using Annex K);

v. Following confirmation from HMPPS SFO team that the case meets the SFO criteria, the NPS and CRCs must send a copy of the notification to the NPS Victims Team;

vi. The NPS and CRCs must identify those cases which may attract significant national public interest and inform HMPPS SFO team and the relevant Divisional Director of Probation or Director of Wales, or the CRC Chief Executive and Senior Contract Manager in advance, if necessary by telephone;

vii. The NPS and CRCs must consider limiting access to the case record in high profile cases;

viii. NPS and CRCs must have in place a process where by a manager undertakes a prompt initial review of the case to identify whether there are any issues which require an immediate management response. This is in line with normal management oversight and does not prejudge the outcome of the SFO review. In high profile cases, a summary of the findings of the “early look” the outcome should be included in Annex M; and

ix. The NPS and CRCs should notify relevant authority identified 2.59-2.61 of any parallel review.

2.17 HMPPS SFO team must:

(i) confirm within three working days of receipt of the notification that the NPS or CRCs should proceed to a review;
(ii) confirm whether the case will be dealt with as high profile and, where applicable, comment on whether the review should be conducted outside of the responsible provider for reasons of public interest; and

(iii) discuss with the probation provider any SFO notification where it appears that the case does not qualify for a review

2.18 The NPS or CRCs must inform HMPPS SFO team within 3 working days, using Annex I, whenever a SFO case that has been previously notified to HMPPS subsequently falls outside of the SFO eligibility criteria. The provider can decide to continue with a local review in these cases, particularly if there are clear indications of significant findings.

Completion of the SFO review

2.19 Divisional Directors in the NPS and Chief Executives of the CRCs must ensure that reviews are allocated to appropriate staff who have up-to-date professional knowledge of practice, national and local policy; are independent of the management of the case; have an appropriate level of authority to make recommendations for improvements in policy and practice across the probation provider; and do not have any other conflict of interest. The review must be countersigned by a senior manager. Further information about the completion of reviews is contained within the Operational Guidance (Annex B).

2.20 The probation provider managing the offender at the time of the SFO must take responsibility for co-ordinating and writing the review and submitting the completed document to HMPPS SFO team. If another provider has been involved in the management of the case, the reviewer should liaise with the senior lead from the other provider about relevant practice, policy and operational issues, who should co-operate with the process. The review should incorporate any associated findings and learning. Where a difficulty or difference of opinion between providers emerges and there is a risk that this might undermine the process, advice must be sought from HMPPS SFO team to seek a resolution.

2.21 In certain cases HMPPS may arrange for the review to be completed by another NPS division or CRC, for instance where there is:

- perceived potential conflict of interest (including where more than one provider has been significantly involved in the management of the case); or
- early evidence of poor practice; or
- clear indication of likely exceptional national public interest in a case.

2.22 In some circumstances, an independent reviewer, for example, Her Majesty’s Chief Inspector of Probation (HMI Probation), or another senior civil servant, may be requested to undertake the SFO review where there are strong reasons for doing so.

Period Covered by the review

2.23 Divisional Directors in the NPS and Chief Executives of the CRCs must ensure the review is countersigned. This responsibility may be delegated to an appropriate senior manager. The countersigning manager must ensure the review covers the appropriate period. The starting point of the period covered by the SFO review will normally be the commencement of the current sentence (the start of the prison sentence in cases allocated to the NPS and assessed as high risk of serious harm), although the reviewer should comment on the quality and impact of the pre-sentence assessment. If, at the point of the SFO, the NPS or CRC has been managing the offender for a period of six months or less on their current sentence, and this sentence was immediately preceded by a previous period of management, the review should also cover the previous sentence.
2.24 The end point of the review will normally be the date on which the SFO was alleged to have been committed (or the last date, where the SFO spans a period of time), although the chronology should identify any significant events after the commission of the SFO, particularly where there are matters of public interest. Further guidance is contained in Annex B.

Staff involvement in reviews

2.25 Reviews must normally involve a discussion with the responsible offender manager and relevant line managers and other staff directly involved in the management of the case, drawing not only on all information from the case records but on the direct experience of those working with the offender. Staff must be given time to prepare for interviews about their management of a case. Where appropriate, the reviewer must also speak to relevant senior operational managers, especially where the review raises wider policy, practice and resource issues.

2.26 Reviews must consider issues related to the interface between the NPS and CRCs and the role of other agencies in terms of the action taken by probation providers. Further guidance is provided in Annex B.

2.27 The SFO review must indicate if any consideration has been given to instigating capability or disciplinary procedures where there is evidence of poor practice (see 2.32).

2.28 Line managers must provide feedback on the findings. On occasion the reviewer may be able to provide substantial feedback at the interview stage. Line managers must ensure that staff are engaged in learning arising from the review. Staff involved in SFO reviews must be notified that the content of the review may be shared with victims/the victims’ families following a conviction for an automatic offence. In such cases, the redaction of sensitive information must be considered.

2.29 Additional guidance about staff welfare, the role of the countersigning officer and redaction of sensitive information is included in the SFO Operational Guidance (Annex B).

Action Plans

2.30 The review must include a SMART action plan (Annex H) to share and develop best practice and to address practice improvement needs of individual staff, policy, process and organisational issues. It must cover all relevant issues identified in the key findings of the review. The plan must only contain activity for the NPS, CRCs, HMPPS or wider MoJ. However, this may include follow-up action with other agencies. Learning for another NPS division or CRC must be agreed with the other provider prior to submission of the review, including reference to action being taken in response to poor practice. National actions should be discussed with the HMPPS SFO team to ensure they are achievable and to identify a suitable owner.

Countersigning reviews

2.31 The countersigning manager must only sign off and submit the review to HMPPS SFO team when they are satisfied that the content is of the expected quality and accurately reflects the management of the case. The countersigning manager must also be satisfied that the organisation can commit to improvements and actions arising from the review. The reviewer must not countersign the review.

2.32 Where a review identifies that there has been poor practice in the general management of the case prior to the SFO, the senior manager must indicate when signing off the review, any consideration the relevant manager has given to instigating capability or disciplinary procedures.
The Review Process

2.33 The NPS and CRCs must:

i. examine all relevant documents and case records, and interview staff involved in the management of the case;

ii. complete an assessment of the quality of practice using the document set (Annexes D-F & H), provide evidence to support the findings and, if there are deficiencies relating the management of the case, identify the reasons for them and set actions to address them.

iii. ensure the review uses clear and concise language, is free from jargon or shorthand about probation processes, and is accessible to a wider audience

iv. ensure that the review is completed and appropriately countersigned and received by the HMPPS SFO Team, copied to the Divisional Director and Head of Public Protection (HoPP) in the NPS and the relevant Senior Contract Manager in CRC cases, normally within three months of the date the notification was submitted. Where there is Ministerial and/or significant national public interest, an expedited review may be requested and must be completed within a timescale agreed with HMPPS SFO Team; and

v. follow the processes set out in the Operational Guidance at Annex B in fulfilling (i) – (iv) above

2.34 HMPPS SFO team must:

(i) confirm the review has been received within three working days of receipt;

(ii) ensure that the chronology, review and action plan are completed to a sufficient standard by undertaking quality assurance, and provide feedback to the NPS Divisional Director and CRC Chief Executive or their representative, Senior Contract Manager (for CRC reviews), Head of Public Protection (for NPS reviews), Senior Lead and SPOC, within 20 working days of receipt;

(iii) bring to the attention of those named at (ii), any cases that have been inadequately reviewed. When HMPPS SFO Team consider that a SFO review and/or action plan has not met the required standards, it will return the review to the probation provider and require it to be re-submitted within a defined timescale, with the deficiencies and omissions rectified;

(iv) in the event that the re-submitted review and/or action plan is not considered to have addressed the initial concerns, HMPPS SFO team will provide further feedback and bring the case to the attention of the relevant Divisional Director for the NPS and Chief Executive and Senior Contract Manager for the CRC.

Action plan update

2.35 The NPS and CRCs must provide an action plan update to HMPPS SFO team, copied to the Divisional Director (NPS), Chief Executive and Senior Contract manager for the CRC, no later than six calendar months from the date of the completion of the SFO review. With SFO reviews that have been flagged as significant public interest cases, an early indication of progress against the action plan may be requested by HMPPS and used to inform subsequent briefings to Ministers and/or senior officials, in which case the NPS and CRC are required to provide HMPPS SFO team with an expedited copy.
2.36 Action plan progress updates relating to SFO reviews completed on notifications received on or after 1 April 2018 should be completed on Annex H.

2.37 Before a routine inspection of a CRC or NPS division, HMI Probation request details of learning taken forward from recent SFO cases. This information is provided by HMPPS SFO team 6 – 8 weeks prior to the inspection fieldwork.

2.38 The NPS and CRC must:

(i) for cases falling under the new process from 1 April 2018, submit Annex H to HMPPS SFO team copied to Divisional Director (NPS), Chief Executive and Senior Contract manager for the CRC, no later than six calendar months from the date of the completion of the SFO review.

(ii) for legacy cases refer to PI 15/2014.

2.39 HMPPS SFO team must:

(i) acknowledge receipt of the Annex H; and

(ii) seek clarification in high profile cases where actions appear incomplete.

2.40 NPS Divisional Directors and CRC Chief Executives have a responsibility to retain strategic oversight of SFO, at a local level, this should include:

- regular reports from the nominated SPOC or senior lead on the number and type of reviews undertaken and highlighting key lessons from these cases;
- reading a sample of reviews,
- monitoring the implementation of all action plans (for CRCs, this will also be a responsibility of the Senior Contract Manager);
- considering an annual review that analyses all SFOs that have been committed in their area; and
- submitting action plan updates to HMPPS SFO team (and for CRCs HMPPS contract management function) confirming progress with learning points arising out of SFO Reviews.

Outcome of Court Proceedings

2.41 The relevant CRC or NPS SPOC or senior lead must ensure HMPPS SFO team are informed within three working days of a SFO case being concluded in court, whatever the outcome, or if a case is discontinued or charges are reduced. Annex I must be used for this purpose.

2.42 The NPS and CRCs must have a process in place for tracking SFO cases at court in order to:

- quickly identify both convictions and sentence in automatic cases, where the victim/victim’s family is entitled to receive a copy of the SFO review, and refer such cases to the SFO senior lead and other relevant senior managers;
- ensure timely arrangements are made to provide the victim with a copy of the review
- ensure timely notification of outcomes to HMPPS SFO team. HMPPS SFO team require this data to inform national reoffending statistics.
Administration, retention and storage of SFO review documentation

2.43 The NPS and CRCs must identify a single point of contact (SPOC) to co-ordinate the management of the SFO notification and review process up to and including the SFO outcome. The SPOC, on behalf of the NPS or the CRCs, will be the main contact with HMPPS SFO team on a day-to-day basis concerning SFOs.

2.44 Once completed, all review documents are marked ‘OFFICIAL-SENSITIVE’ and must be sent through the gsi network or equivalent via the SPOC or relevant senior manager to SFO@noms.gsi.gov.uk.

2.45 The NPS and CRCs must ensure there is immediate access to details of the SFO cases, including staff contacts and further case records, if required urgently by HMPPS SFO team. This information may be required for briefings to Ministers and senior officials in respect of cases that attract significant public interest.

2.46 The NPS and CRCs must keep records of SFO reviews for five years from the date of completion of the review, with any paper records held in line with local records policy. The paper record must include any notes kept by the reviewing manager, including notes of interviews with staff. The NPS and CRCs must also keep a copy of the review provided to the victim/victim’s family in automatic cases, along with a record of any redactions that were undertaken.

Communications Strategy in High Profile Cases

2.47 The NPS and CRCs must implement a communications strategy, managed by the SFO senior lead and in conjunction with HMPPS SFO team in all high-profile case (see Annex B for further guidance on how high-profile cases are identified). Providers should also liaise with HMPPS SFO team when they become aware of anything relating to any review which might generate significant media or victim interest. A draft media strategy, Annex M, signed off by the senior lead, must be sent to HMPPS SFO team, within 10 days of the pre-trial preparation hearing, who will liaise with MoJ press office for media handling. All providers are advised to make early contact with HMPPS SFO team and MoJ press office for support and advice prior to the release of any statements into the public domain. HMPPS SFO team and MoJ press office must be given advance copies of any statements or publications relating to SFO cases. Providers should consider liaison with other agencies who may be responding to media interest, including the police.

2.48 The NPS and CRCs should seek guidance from HMPPS SFO team and MoJ press office in the event of active media handling concerns in respect of the sharing of information with victims or victims’ families.

Victims

2.49 Reviews into victim engagement with other aspects of the criminal justice system, parole board, victim contact scheme and witness care unit are under way. This section will be fully updated following consultation and in conjunction with these reviews. Interim guidance is provided in Appendix 2 to the Operational Guidance (Annex B).

2.50 In the meantime, providers of probation should be mindful of the need for access and transparency for victims in SFO cases. Following confirmation from HMPPS SFO team that the case meets the SFO criteria, the probation provider must:

- send a copy of the initial notification to the relevant NPS Victims Team
- complete and send a copy of Annex K to the Witness Care Unit (WCU) and HMPPS SFO team.
2.51 It is important to consider the needs and concerns of both the victim of the index offence and the victim of the SFO offence, particularly where the victim and perpetrator were known to each other. Where they are it may be appropriate in some circumstances to acknowledge that the case is subject to an internal review.

2.52 Upon conviction of the offender for an automatic SFO, as part of the VCS, the victim(s) are entitled to receive information about the SFO review:

- the Witness Care Units are responsible for advising the victim of their entitlement to information about the SFO review at court at the same time as they are informed of the statutory probation Victim Contact Scheme (VCS)

- the NPS is responsible for the delivery of the VCS and must actively seek and record information from the initial and subsequent court proceedings in order to ensure that contact under the scheme is timely

- the VLO must write to the victim and let them know about their entitlement to feedback about and copy of the SFO review.

- in cases where the victim confirms his or her wish to receive a copy of the review, the VLO must communicate this to the relevant NPS or CRC senior lead.

- NPS and CRC senior managers must ensure timely arrangements are made to meet with the victim, discuss the findings, and provide a copy of the review.

- for reviews arising from notifications submitted prior to 1 April 2018, victim summary reports (VSRs) will still be prepared. The content of these reports should be a full and accurate reflection of the judgments made and learning identified in the SFO review and the principles on disclosure which apply to the new SFO review format also apply to the VSR. Providers must provide a copy of the VSR to victims if requested. Annex B contains guidance for staff preparing VSRs and responding to requests for further information for cases not falling under the new arrangements.

- for reviews arising from notifications submitted on or after the 1 April 2018 victims will have the right to a copy of the full review with redaction of information which cannot lawfully be shared. Further information is available in the SFO Operational Guidance (Annex B). Providers must consider any redactions in accordance with the Data Protection Act 2018 and General Data Protection Regulation (GDPR) when introduced on 25 May 2018.

- in any case where there has been a loss of life, the Coroner may request a copy of the review which will be shared with the victim’s family as part of the proceedings. This applies to reviews written in either the old or the new format.

SFOs committed when an offender is subject to Release on Temporary Licence

2.53 **PSI 13 2015 - Release on Temporary Licence** introduced these procedures for reviewing offences committed on ROTL and sets out the mandatory action at 12.2 of the PSI - The NPS and CRCs must contribute as required to the review of a ROTL failure.

2.54 While the majority of this probation instruction will apply to the ROTL process, all elements may not be required. SFO reviews should be completed using Annex G from **PI 15/2014 – Review Procedures for Serious Further Offences** which contains guidance on the completion of ROTL
reviews. For ease of reference the review template has been replicated in this PI at Annex G. For further advice, the prison Governor should contact HMPPS SFO team; SFO@noms.gsi.gov.uk

Death of the offender

2.55 If either automatic or conditional criteria set out above have been met, and the offender has died prior to charge or appearing in court, but where the police state he/she was the main suspect in the SFO, the review must still be undertaken.

Cases that may not need to be reviewed

2.56 If an offender appears in court charged with a SFO which was committed (but not necessarily detected) more than five years ago (but there have been delays in bringing the case to court), HMPPS SFO team in consultation with the NPS and CRCs and the Senior Contract Manager, will make a decision on whether the case will be reviewed as a SFO. Providers should consider the amount of case material available and changes to practice in the intervening period, and therefore, the likelihood of any significant lessons arising from the review.

2.57 If an offender is charged with a SFO immediately post sentence, a decision as to whether to complete a review should be taken in consultation with HMPPS SFO team.

2.58 There may also be instances of offenders charged with a SFO who are being supervised by another agency, for example youth offending teams (YOTs), where a provider of probation services is providing an intervention such as unpaid work/community payback. In these cases, the relevant probation provider must review its involvement and provide a contribution to assist the YOT with any review they undertake in line with youth justice procedures.

Parallel Reviews

2.59 When the SFO eligibility criteria are met, and an associated review is likely to be commissioned the NPS or CRC must liaise with the appropriate commissioning body including (but not limited to): -

(i) the local Safeguarding Adults or Children Board/Safeguarding Partnerships in the event of a Serious Case Review/Local or National Learning Inquiry (Child Practice Review in Wales);
(ii) the local Community Safety Partnership if the offender is charged with a domestic abuse incident which has resulted in the death of the victim;
(iii) the MAPPA co-ordinator if an eligible offender is charged with a MAPPA Serious Case Review qualifying offence and is being managed at either MAPPA level 2 or 3, or if there may be grounds for completing a discretionary Serious Case Review as described in the MAPPA Guidance (www.mappa.justice.gov.uk).

2.60 The NPS or CRC must contribute to any parallel review and provide relevant information from the SFO review in the internal management review.

2.61 In those instances where a SFO review is to be undertaken alongside a parallel review, the NPS or CRC SFO senior lead must discuss and co-ordinate the timescales and feedback to victims for both reviews with the appropriate senior officer responsible for commissioning the review.

Quality Assurance

2.62 HMPPS SFO team will undertake quality assurance of SFO reviews and action plans completed by the NPS and CRCs. They will assess their quality and timeliness and give them a quality rating. Reviews and action plans will be quality assured separately and each can be rated as good, satisfactory or requiring improvement.
2.63 Quality assurance will consider whether a sufficiently comprehensive chronology has been completed and whether the key issues identified are accurately reflected in the review itself and that there is appropriate analysis and a narrative judgement on the sufficiency of practice. The review should contain assurances that action will be taken to address any areas for development and where there are examples of good practice which warrant wider dissemination, there is a mechanism for doing so. The SFO Operational Guidance (Annex B) provides further detail about the quality assurance framework.

2.64 Feedback from HMPPS SFO team will be provided in a narrative format and will comment where necessary on the style, language and content of the report in terms of its accessibility and sensitivity to victims.

2.65 The NPS or CRC must revise and re-submit reviews or action plans that have not met the required standard. HMPPS SFO Team will inform the Divisional Director for NPS and Chief Executive and Senior Contract Manager for the CRC where a re-submitted review has not reached a satisfactory standard.

2.66 HMPPS SFO Team will provide statistical information to NPS and CRCs on numbers of notifications and reviews, some of which is also published in the MAPPA Annual Report. Local areas will record data on SFOs committed by MAPPA offenders and their outcomes for inclusion in the MAPPA Annual Report.

2.67 HMPPS SFO team will also circulate key learning themes and information to support practice improvement.

2.68 NPS Divisional Directors and CRC Chief Executives have a responsibility to maintain a strategic oversight of the SFO process, including a review of numbers and types of reviews undertaken and monitoring the implementation of action plans.

3. **Policy and strategic context**

3.1 Protecting the public is a key role for the NPS and CRCs. Following the commission of a SFO, providers of probation must undertake a rigorous review which investigates whether practice met expected standards and, if deficiencies are identified, how these will be addressed. The intention of SFO processes is that reviews will identify and report closely on both systemic and operational issues in addition to any individual actions, in order to drive up continuous improvement, particularly where these impacted upon the delivery of the order or licence. The entitlements for victims are being considered widely in the criminal justice system. In SFO cases, eligible victims have a right to information which is both transparent and accessible. The new narrative format will be more clearly understood by someone who is not familiar with the work of probation. The move to share the full review (subject to appropriate redaction) will provide eligible victims and their families with relevant information on how the offender was supervised and remove the existence of a separate victim summary report which can lead some victims to feel that something is being kept from them.

3.2 This instruction revises national SFO procedures and requires the NPS and CRCs to maintain processes to operate these procedures at local level and to comply with all mandatory actions. These procedures provide a process for accountability in that providers are required to give account to HMPPS (for the Secretary of State) for their management of offenders charged with a SFO and to share the findings with eligible victims. It is, therefore, critical that the NPS and CRCs allocate appropriate and commensurate resources to ensure effective delivery of these mandatory (and in some cases discretionary) actions.
3.3 Identifying what supports or undermines the effective management of offenders is central to the SFO process. Rigorous SFO reviews will identify areas for improvement and influence policy and practice locally, at divisional or CRC level, and nationally. It is therefore critical that the NPS and CRCs continue to undertake robust reviews, maintain a focus on the key themes arising from them and apply this learning to further enhance public protection.
### SERIOUS FURTHER OFFENCE LIST

**IN ADDITION TO THE SUBSTANTIVE OFFENCES BELOW, AIDING, ABETTING, COUNSELLING, PROCURING OR INCITING THE COMMISSION, OR CONSPIRING TO COMMIT, OR ATTEMPTING TO COMMIT ANY OF THE LISTED OFFENCES CONSTITUTES A SERIOUS FURTHER OFFENCE.**

* Automatic SFO qualifying offences are in bold.

<table>
<thead>
<tr>
<th>Violent Serious Further Offences</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder</td>
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<tr>
<td>Attempt to commit murder or a conspiracy to commit murder</td>
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<tr>
<td>Manslaughter</td>
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<tr>
<td>Kidnapping</td>
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<tr>
<td>False imprisonment</td>
</tr>
<tr>
<td>Soliciting murder (section 4 of the Offences against the Person Act 1861)</td>
</tr>
<tr>
<td>Attempting to choke, suffocate or strangle in order to commit or assist in committing an indictable offence (section 21 of the Offences against the Person Act 1861)</td>
</tr>
<tr>
<td>Using chloroform etc. to commit or assist in the committing of any indictable offence (section 22 of the Offences against the Person Act 1861)</td>
</tr>
<tr>
<td>Causing bodily injury by explosives (section 28 of the Offences against the Person Act 1861)</td>
</tr>
<tr>
<td>Using explosives etc. with intent to do grievous bodily harm (section 29 of the Offences against the Person Act 1861)</td>
</tr>
<tr>
<td>Placing explosives etc. with intent to do bodily injury (section 30 of the Offences against the Person Act 1861)</td>
</tr>
<tr>
<td>Endangering the safety of railway passengers (section 32 of the Offences against the Person Act 1861)</td>
</tr>
<tr>
<td>Causing explosion likely to endanger life or property (section 2 of the Explosive Substances Act 1883)</td>
</tr>
<tr>
<td>Attempt to cause explosion, or making or keeping explosive with intent to endanger life or property (section 3 of the Explosive Substances Act 1883)</td>
</tr>
<tr>
<td>Child destruction (section 1 of the Infant Life (Preservation) Act 1929)</td>
</tr>
<tr>
<td>Infanticide (section 1 of the Infanticide Act 1938)</td>
</tr>
<tr>
<td>Causing or allowing the death of a child or vulnerable adult, also called ‘familial homicide’ (Section 5 of the Domestic Violence, Crime and Victims Act 2004)</td>
</tr>
<tr>
<td>Crime</td>
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<tr>
<td>----------------------------------------------------------------------</td>
</tr>
<tr>
<td>Possession of firearm with intent to endanger life</td>
</tr>
<tr>
<td>Use of firearm to resist arrest</td>
</tr>
<tr>
<td>Possession of firearm at time of committing or being arrested</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Carrying a firearm with criminal intent</td>
</tr>
</tbody>
</table>
| Robbery or assault with intent to rob                                 | (section 8(1) of the Theft Act 1968). [NB. Only where a fire
<p>|                                                                      | arm/imitation firearm is used]                                             |
| Burglary with intent to inflict grievous bodily harm on a person       | (section 9 of the Theft Act 1968) –                                       |
|                                                                      | Aggravated burglary (section 10 of the Theft Act 1968)                      |
|                                                                      | Aggravated vehicle-taking involving an accident which caused the death of  |
|                                                                      | any person (Section 12A of the Theft Act 1968)                             |
| Arson with intent to endanger life of another or being reckless as to | whether the life of another would be thereby endangered. (section 1 of  |
|                                                                      | the Criminal Damage Act 1971)                                               |
|                                                                      | Aggravated criminal damage - destroying or damaging property other than  |
|                                                                      | an offence of arson (section 1(2a) of the Criminal Damage Act 1971)        |
|                                                                      | [NB - - there must be intention or recklessness as to the endangerment of |
|                                                                      | life by the criminal damage].                                               |
| Hostage-taking                                                        | (section 1 of the Taking of Hostages Act 1982)                             |
| Hijacking                                                             | (section 1 of the Aviation Security Act 1982)                              |
| Destroying, damaging or endangering safety of aircraft                | (section 2 of the Aviation Security Act 1982)                              |
| Other acts endangering or likely to endanger safety of aircraft       | (section 3 of the Aviation Security Act 1982)                              |
| Torture                                                               | (section 134 of the Criminal Justice Act 1988)                             |
| Causing death by dangerous driving                                    | (section 1 of the Road Traffic Act 1988)                                   |
| Causing death by careless driving when under influence of drink or    | drugs (section 3A of the Road Traffic Act 1988)                           |
| Endangering safety at aerodromes                                      | (under section 1 of the Aviation and Maritime Security Act 1990)          |
| Hijacking of ships                                                    | (section 9 of the Aviation and Maritime Security Act 1990)                 |
| Seizing or exercising control of fixed platforms                      | (section 10 of the Aviation and Maritime Security Act 1990)                |
| Destroying fixed platforms or endangering their safety                | (section 11 of the Aviation and Maritime Security Act 1990)                |</p>
<table>
<thead>
<tr>
<th>Other acts endangering or likely to endanger safe navigation (section 12 of the Aviation and Maritime Security Act 1990)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Offences involving threats (section 13 of the Aviation and Maritime Security Act 1990)</td>
</tr>
<tr>
<td>Offences relating to Channel Tunnel trains and the tunnel system (Part II of the Channel Tunnel (Security) Order 1994 (S.I. 1994/570))</td>
</tr>
<tr>
<td>Genocide, crimes against humanity, war crimes and related offences), other than one involving murder (section 51 or 52 of the International Criminal Court Act 2001)</td>
</tr>
<tr>
<td>Female genital mutilation (section 1 of the Female Genital Mutilation Act 2003)</td>
</tr>
<tr>
<td>Assisting a girl to mutilate her own genitalia (section 2 of the Female Genital Mutilation Act 2003)</td>
</tr>
<tr>
<td>Assisting a non-UK person to mutilate overseas a girl's genitalia (section 3 of the Female Genital Mutilation Act 2003)</td>
</tr>
</tbody>
</table>

**Sexual Serious Further Offences**

<table>
<thead>
<tr>
<th>Rape or assault by penetration (section 1 or 2 of the Sexual Offences Act 2003)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intercourse with girl under thirteen (section 5 of the Sexual Offences Act 1956)</td>
</tr>
<tr>
<td>Incest by a man with a woman whom he knows to be his grand-daughter, daughter, sister or mother (section 10(1) of the Sexual Offences Act 1956) <em>(qualifies for an automatic review if victim is aged under 13)</em></td>
</tr>
<tr>
<td>Abduction of woman by force or for the sake of her property (section 17 of the Sexual Offences Act 1956)</td>
</tr>
<tr>
<td>Permitting girl under thirteen to use premises for intercourse (section 25 of the Sexual Offences Act 1956)</td>
</tr>
<tr>
<td>Burglary with intent to commit rape (section 9 of the Theft Act 1968)</td>
</tr>
<tr>
<td>Rape (section 1 of the Sexual Offences Act 2003)</td>
</tr>
<tr>
<td>Assault by penetration (section 2 of the Sexual Offences Act 2003)</td>
</tr>
<tr>
<td>Rape of a child under 13 (section 5 of the Sexual Offences Act 2003)</td>
</tr>
<tr>
<td>Assault of a child under 13 by penetration (section 6 of the Sexual Offences Act 2003)</td>
</tr>
<tr>
<td>Sexual assault of a child under 13 (section 7 of the Sexual Offences Act 2003)</td>
</tr>
<tr>
<td>Causing or inciting a child under 13 to engage in sexual activity (section 8 of the Sexual Offences Act 2003)</td>
</tr>
<tr>
<td>Sexual activity with a child (section 9 of the Sexual Offences Act 2003) <em>(qualifies for an automatic review if victim is aged under 13)</em></td>
</tr>
<tr>
<td>Crime</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
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<tr>
<td>Causing or inciting a child to engage in sexual activity (section 10 of the Sexual Offences Act 2003) <strong>(qualifies for an automatic review if victim is aged under 13)</strong></td>
</tr>
<tr>
<td>Arranging or facilitating commission of a child sex offence (section 14 of the Sexual Offences Act 2003) <strong>(qualifies for an automatic review if victim is aged under 13)</strong></td>
</tr>
<tr>
<td>Sexual activity with a child family member (section 25 of the Sexual Offences Act 2003) <strong>(qualifies for an automatic review if victim is aged under 13)</strong></td>
</tr>
<tr>
<td>Inciting a child family member to engage in sexual activity (section 26 of the Sexual Offences Act 2003) <strong>(qualifies for an automatic review if victim is aged under 13)</strong></td>
</tr>
<tr>
<td>Sexual activity with a person with a mental disorder impeding choice (section 30 of the Sexual Offences Act 2003)</td>
</tr>
<tr>
<td>Causing or inciting a person with a mental disorder impeding choice to engage in sexual activity (section 31 of the Sexual Offences Act 2003)</td>
</tr>
<tr>
<td>Inducement, threat or deception to procure sexual activity with a person with a mental disorder (section 34 of the Sexual Offences Act 2003)</td>
</tr>
<tr>
<td>Causing a person with a mental disorder to engage in or agree to engage in sexual activity by inducement, threat or deception (section 35 of the Sexual Offences Act 2003)</td>
</tr>
<tr>
<td>Paying for sexual services of a child (section 47 of the Sexual Offences Act 2003) <strong>(qualifies for an automatic review if victim is aged under 13)</strong></td>
</tr>
<tr>
<td>Causing or inciting child prostitution or pornography (section 48 of the Sexual Offences Act 2003) <strong>(qualifies for an automatic review if victim is aged under 13)</strong></td>
</tr>
<tr>
<td>Controlling a child prostitute or a child involved in pornography (section 49 of the Sexual Offences Act 2003) <strong>(qualifies for an automatic review if victim is aged under 13)</strong></td>
</tr>
<tr>
<td>Arranging or facilitating child prostitution or pornography (section 50 of the Sexual Offences Act 2003) <strong>(qualifies for an automatic review if victim is aged under 13)</strong></td>
</tr>
<tr>
<td>Trafficking into the UK for sexual exploitation (section 57 of the Sexual Offences Act 2003)</td>
</tr>
<tr>
<td>Trafficking within the UK for sexual exploitation (section 58 of the Sexual Offences Act 2003)</td>
</tr>
<tr>
<td>Trafficking out of the UK for sexual exploitation (section 59 of the Sexual Offences Act 2003)</td>
</tr>
<tr>
<td>Causing a person to engage in sexual activity without consent (Section 4 Sexual Offences Act 2003) <strong>Note: only where penetration is involved</strong></td>
</tr>
<tr>
<td>Care workers: Sexual activity with a person with a mental disorder (Section 38 Sexual Offences Act 2003) <strong>Note: only where penetration is involved</strong></td>
</tr>
<tr>
<td>Care workers: causing or inciting sexual activity (Section 39 Sexual Offences Act 2003) <strong>Note: only where penetration is involved</strong></td>
</tr>
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Serious Further Offence (SFO) Reviews

Annex B: - Operational Guidance

June 2018
SFO Team, Public Protection Partnerships
Section, Public Protection Group, HMPPS
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Appendix 2 (VSR interim arrangements)
1. Introduction – Why Change?

The revision of the current SFO process is overdue. The format of the review has in the past included a set of compliance questions, was process driven and had identified similar lessons, suggesting that we need to do more to ensure that reviews are as effective as possible in driving improvements to practice. Furthermore recent high profile cases have highlighted increasing expectations of transparency in respect of SFO reviews, particularly for victims and victims’ families.

HMPPS SFO team have developed a new SFO review format, in narrative form, to replace both the previous review and the Victim Summary Report (VSR) for cases which were notified to HMPPS on or after 1 April 2018. The review will be shared with victims/victims’ families in cases where a VSR would previously have been provided. We have also revised the format of the action plan.

The last version of the SFO review addressed compliance with process in detail as well as wider issues, in the form of a number of set questions that had to be answered in every case. Those reviews could often be repetitive and the style could detract from a focus on the most significant areas of concern and learning. Aspects of the SFO review would have been impenetrable for someone not familiar with probation work. It is for this reason that victims receive VSRs in cases notified to HMPPS before 1st April 2018, rather than the full SFO review. The intention of the VSR was to provide victims with a far better insight into the standard of supervision in a case than the full SFO review could, because the VSR was written to make detailed probation processes and systems accessible. However, the existence of two separate documents, the reviews and the VSR, can lead some victims to feel that something is being kept from them. VSRs have also varied in the level of detail they have provided.

The new SFO review format allows for a less prescribed review in a narrative format. It expects the author to identify the areas that require attention. Given the review will not contain a standard set of compliance questions, its production will be supported by the use of a more detailed chronology. This separate working document will be important for ensuring robust independent quality assurance of reviews is still possible by the countersigning officer and HMPPS central SFO Team. The chronology will not form part of the review and along with other working documents such as notes of interviews, it will not be shared.

The changes to the format of action plans and progress updates are designed to ensure learning effectively links with continuous improvement at a strategic as well as local level.

The SFO team will continue to quality assure reviews using the quality assurance strategy included within this guidance. The feedback provided from the SFO team will give indicative quality ratings only on reviews received until 31/12/18 in order that reviewing managers can familiarise themselves with the new format.

At this stage, there are no plans to publish SFO reviews.

Guidance on interim arrangements for providing victims with information on reviews completed on the old format is contained in Appendix 2.
Annex B: Operational Guidance

This operational guidance provides additional information to support the processes and complete the mandatory actions outlined in the latest SFO PI (2018) and will be subject to revision following the conclusion of parallel victim reviews.
2. SFO Notification

2.1 Completing the Notification

The NPS or CRC supervising the offender at the time of the SFO (or in ROTL cases the prison) must notify HMPPS SFO team using the SFO notification template (Annex C) when an eligible offender is charged with a qualifying offence (see the current PI for eligibility details). HMPPS SFO team should receive the completed notification within 10 working days of the first SFO court appearance.

The SFO Notification contains three parts.

---

**Stage 1**

This contains factual details of the offender e.g. name, date of birth, address, and details of the alleged SFO. NPS court staff should identify SFO cases at court and complete Stage 1.

NPS SFO senior leads will need to ensure that provision is in place to identify and gather information on the SFO(s) at the offender’s first court appearance, to complete Stage 1 of the notification, and to alert the relevant prison senior lead (ROTL cases), CRC or NPS to complete the final sign off of the notification.

The NPS SFO lead should decide who should complete the initial part of the form, according to local arrangements. Often the court duty officer is best placed to identify and provide the initial information.

Accurate and timely reporting of court details are of the utmost importance. The NPS senior lead should ensure that court duty staff record the exact details of the SFO charge (and any additional charges) on the notification. The section of the Act under which the offender has been charged should be provided, for example the relevant section of the Sexual Offences Act 2003. In cases which are likely to attract significant national public interest, staff should inform senior managers and HMPPS SFO team immediately when an offender is charged with an eligible SFO. This will enable HMPPS SFO team to be able to quickly and accurately inform Ministers and senior officials of the details prior to the information being published by the media.

The NPS SFO lead should ensure that arrangements are in place to provide a brief summary of the offence. For example, if the charge is murder, the SFO document should describe how the victim died (e.g. if they were stabbed, shot); where the offence happened (e.g. in the home, the street, a public house); when it happened (the time and date) and other relevant circumstances (after ‘closing time’, following an argument); the relationship between the offender, victim and other witnesses; how it happened; and the alleged motivation or reasons, where known.
Where the NPS court staff do not identify the SFO at the first court appearance, and therefore HMPPS were not notified of the charge within the set timescale, the NPS senior lead must identify the reasons for the delay and put in place actions to improve local practice, if applicable. Any follow up actions can be included as learning points in the action plan within the SFO Review.

Stage 2

This provides examination of the case allocation process. An appropriate NPS member of staff who has the knowledge and experience to fully review and comment on the relevant aspects of the case allocation process, should complete Stage 2. Any learning related to the CAS process should be identified and taken forward by the NPS SFO Senior Lead.

This stage must be completed in tandem with Stage 3. This stage does not need to be completed for ROTL SFOs. Both stages 1 and 2 should be completed and forwarded to the provider managing the offender within 5 working days.

Stage 3

This contains further details of the offender’s status, supervision details and confirmation from a senior manager that the case qualifies as an SFO. The probation provider managing the offender at the time of the SFO completes this stage. The relevant SFO senior lead must ensure that processes are in place to collect information in order to send the fully completed SFO Notification to HMPPS within 10 working days of the first court appearance.

For ROTL SFOs, the prison completes Stage 3. The NPS, through attendance at court, should make arrangements in discussion with the prison senior lead to establish who initiates and contributes to the SFO notification.

Some elements of the notification may require careful checking to ensure all relevant information given is accurate. These include:

- 3.2 - Has another probation provider been involved in the management of the offender during the current sentence? This relates to transferred cases and cross border arrangements.

- 3.2 - Table for community order/suspended sentence order. This table has space for one order (row 1), with up to 4 requirements (final column - Rows 1-4). Staff should enter further information in the space below.

- 3.2 - Table for post release licence. This table has space for 2 types of licence, so that where HDC is running alongside a licence supervised by the probation provider, it can be identified by including the specific HDC period and the substantive licence period separately. The start and end dates of both the licence and the period on post sentence supervision (PSS) should be included.
• 3.2 - Additional Information. Please provide details of any recalls or parole board involvement in the case, specifically dates and outcomes.

• 3.2 - Specific questions about the offender’s circumstances e.g. was the offender subject to electronic monitoring. Please provide details of key components of inter-agency involvement. Early factual briefing to HMPPS senior management, MOJ press office and Ministers can often provide an essential role in ensuring that SFO cases, and the role of responsible officers and providers of probation services, are presented in a fair and accurate light.

• 3.3 – Previous convictions. In the first two tables please provide the number of all previous convictions up to the point of the index offence(s) and the type of convictions. More detail should be provided in the final table about only those convictions marked with an * in the second table.

• 3.4 - MAPPA and other reviews e.g. SCR, LCSB. Past experience has shown that the findings of any parallel review can often comment on probation practice, and it is essential that HMPPS are aware of the potential for such information to be placed in the public domain in order that an agreed media response can be established.

• 3.7- Confirmation. The senior lead manager in the relevant NPS, CRC or prison establishment should complete this section to determine whether it qualifies as a SFO review or not.

• 4.0 – This refers to whether a risk assessment has been completed by the probation provider post sentence.

The notification must be checked for accuracy and signed off by the SFO senior lead. For ROTL cases, the prison senior lead must sign off the notification.

The NPS or CRCs should undertake an early look at practice at the point of notification to identify the need for any immediate management action.

**Cases where more than one provider has been involved:**

Where an offender has appeared at court within another jurisdiction and is charged with an SFO, or was being supervised by another provider of probation services at the time the alleged SFO occurred the following applies:

• The NPS court staff covering the area in which the offender appeared for the SFO identifies the offender and notifies the NPS or CRC SPOC responsible for the management of the case. The NPS court staff in the covering area complete Stages 1 and 2 of the notification (liaising with other areas if appropriate). The probation provider managing the offender at the time the SFO was committed must complete stage 3.

Within three working days of receipt of a SFO notification, HMPPS will confirm if the case meets the SFO criteria, and whether or not it will be dealt with as high profile. In cases that have qualified for an automatic review, the probation provider managing the offender at the time of the SFO
must ensure the NPS Victim Team is sent a copy of the notification and that the Witness Care Unit (WCU) is notified using Annex K.

### 2.2 Communications

Communications should be clear, coordinated and recorded.

Probation providers are required to appoint a single point of administrative contact (SPOC) for SFOs. The single point of contact (SPOC) should be able to access details of cases either directly, or by making enquiries within the relevant NPS or CRC. In order to ensure that all communications between probation providers, prison establishments and HMPPS are clear and there is an audit trail of any communication relating to SFOs kept on file, both the SPOC and the SFO email in box should be included in all such communications.

The SFO senior lead from the supervising probation provider or senior lead within prison establishment will remain responsible for keeping the relevant NPS Divisional Director, Prison Group Director, or CRC Chief Executive or their delegates, updated on individual SFOs.

Notifications and updates of existing SFO cases should be submitted by e-mail to sfo@noms.gsi.gov.uk using the GSI network or other Authority approved system, and ensuring that the email is marked as ‘OFFICIAL-SENSITIVE’.

Consideration should be given by each NPS and CRC to setting up a dedicated SFO email address, which would be accessible to all members of staff involved in SFO administration, as an alternative to using the personal email inboxes of individual SPOCs.

HMPPS SFO team retains a list of email addresses for each probation provider’s SPOCs, SFO senior lead, NPS Divisional Director, NPS Heads of Public Protection, CRC Chief Executives and it is essential to let HMPPS know of any changes.

Each SFO is allocated a national reference number. The following electronic protocol should be used by probation providers or the prison: SFO/surname in lower case/initial in upper case/ (stage, for example Notification). When the SFO team have assigned a number, it becomes SFO60001bloggsJ (stage, for example Outcome).

The probation provider or prison should open a SFO review file for each case and retain copies of all relevant document, including interview notes, for five years.

### 2.3 High Profile Cases

The NPS, CRCs and prison establishments, in conjunction with their local communications officer, must have a process for identifying those cases that are likely to attract national media attention.
If a case is likely to attract public interest or concern, the responsible NPS, CRC or prison establishment should send early notice of the expected Notification to HMPPS SFO team as soon as possible and advise the CRC Chief Executive, the Deputy Director for Probation or the Prison Group Director (as appropriate) or their nominated representative, in advance.

Arrangements should be made to track the subsequent court dates for these cases, and keep the SFO team routinely updated. It may also be necessary to expedite the SFO review in line with court dates. This decision will be made by HMPPS SFO team. HMPPS SFO team have a national understanding of trends and themes that are of particular interest to national media or ministers and may therefore identify a case as high profile/noteworthy even if not identified as such by the probation provider.

In high profile cases, a senior manager, in conjunction with HMPPS SFO team, should put in place a communication strategy, including media lines to be taken. The NPS, CRC or prison provider should have local procedures in place to ensure that the local communications officer is included in any strategy. Probation providers and the prison should use Annex M as a working document to update the SFO team if further information comes to light prior to the trial or other court appearances.

In exceptional cases, when the offence criterion is not met, the case may still need to proceed to a review, for example where there has been substantial national public interest which is reported on the national television news; or where a case is likely to attract national attention or criticism which could impact on national policy or the reputation of the agency.

Examples of cases which would need to be considered as potentially high profile (and should be discussed with HMPPS SFO team and considered by the SFO senior lead when responding to question 5 of the notification) are those:

- where an offender with sexual pre-convictions had been released by the Parole Board and is accused of rape
- which involved recall and an offence has been committed whilst an offender is unlawfully at large
- with bizarre offence details which will bring the offender’s management, however satisfactory, into the public eye
- a Section 18 wounding case, involving re-victimisation, where the victim or their family are reported in the national press as alleging that the case was very poorly managed
- cases involving gangs, guns and stabbing
- where murder has been committed on bail or during a period of indeterminate sentence licence supervision where the index offence is murder/manslaughter
• involving terrorism and political extremism offences

• involving multiple agencies where there is a potential for the NPS, CRC or other providers of probation and community services to come under particular scrutiny.

• where early indications show that case management was exceptionally poor

• which fall within a type of offender or offence which attract media or ministerial interest for a specific period

Based on the information provided by the NPS, CRC or prison establishment, the Head of Public Protection Group (PPG), within which the SFO team sit, prepares Ministerial submissions on potentially high profile cases as required. This will usually include information relating to the findings of the review and the management of the case. PPG will produce the submission in conjunction with relevant senior managers (NPS, CRC or prison) and may require further information at short notice to inform such submissions or if the Minister asks follow up questions.

The PPG undertakes to provide a weekly briefing note to the Ministry of Justice Press Office, copied to Ministerial and the MOJ Permanent Secretary’s private office, detailing factual details of High Profile SFO cases scheduled to appear in court the following week. It is therefore vital that SFO SPOCs provide HMPPS SFO team with up to date information regarding court appearances and any potential changes to charges.

The PPG also respond to Parliamentary Questions (PQs) tabled by Members of Parliament (MPs), and other ministerial requests for information. To inform the answers to these, HMPPS SFO team may require quick and urgent contributions from the NPS or CRC within short timescales, sometimes in a matter of hours, in order to prepare a draft reply. The PPG also responds to freedom of information requests under the Freedom of Information Act 2000, and the SFO Team may also seek contributions from probation providers where necessary.

Ministers receive correspondence (MC) from MPs, often prompted by their constituents and have to respond within 14 days. PPG will contribute to this response. Additionally, the PPG will receive letters direct from members of the public (known as ‘treat officials’) and must respond promptly. As a result, HMPPS SFO Team may also require the relevant NPS, CRC or prison establishment to provide a contribution to the draft reply, and will contact senior managers when further information is required.

2.4 Other Agencies

In some SFO cases, other agencies will be closely involved, particularly the police and establishing joint local strategies with relevant agencies has considerable advantages. The NPS
and CRCs should have good liaison arrangement with the communication officers in other agencies.

2.5 Parallel Reviews

Local Safeguarding Children and Adult Boards/Safeguarding Partnerships and

Serious Case Reviews or Safeguarding Adult Reviews/ Local or National Learning Inquiry (Child Practice Review in Wales).

Where the SFO offender and offence eligibility is met, and a child or vulnerable adult has suffered significant injury or death and the case proceeds to an statutory review, the NPS, CRC or prison establishment senior lead manager should discuss and coordinate timescales for the SFO review and the child or adult safeguarding review. The report should be presented as an internal management report (IMR), informed by the SFO review.

There will be cases where the SFO offender and offence eligibility is not met, but a child or vulnerable adult has suffered significant injury or death. In these cases NPS, CRC or the prison should conduct an internal investigation and complete an IMR. If the case is likely to attract significant national interest, providers should discuss the completion of a SFO review in the public interest with HMPPS SFO team.

SFO cases involving a Domestic Homicide Review (DHR)

Where an eligible offender is charged with a domestic abuse incident which has resulted in the death of the victim, and once it is known that a homicide is being considered for review, the senior lead/SPOC for the NPS, CRC or prison establishment must liaise with the local community safety partnership and designated DHR chair to notify them that the case has triggered an internal review. Each agency contributing to the DHR will be required to carry out an IMR to look openly and critically at individual and organisational practice in the case.

In terms of sequencing, given the different timescales, the SFO review would normally have been prepared some time prior to the IMR being commissioned, and as such the IMR could be informed by the SFO document, and could contain all the relevant information identified within the SFO review. This can also include the relevant learning points which were identified in the SFO review.

Under no circumstances should the SFO Review serve as the IMR, as once completed as an ‘OFFICAL SENSITIVE’ document, the SFO Review is not to be disclosed.
3. Case Details and Chronology

3.1 Framework

The framework is intended to provide an overview of the SFO process and areas to be considered when reaching informed key findings in the areas of assessment, planning and implementation & reviewing. Each case must be examined on its individual merits, therefore there are no prescribed questions to answer as part of the new SFO process but all areas covered by this overarching framework should be taken into account.

3.2 Case Details

This section replaces the relevant background questions section of the previous SFO review document. HMPPS SFO Team are required to provide data on SFOs, therefore accuracy of information provided is important.

Risk Information

Some parts of this section will be self-explanatory and require yes/no answers, whilst the following will require additional comment:

- **Initial RoSH**: A narrative of all assessed risk levels to all groups should be provided as assessed at the start of the sentence, with additional detail as necessary. The information should state why specific groups are at risk with any other relevant detail, for example, if a known adult is considered to be at risk, who does this specifically relate to and why?
- **Changes to RoSH**: This relates to any changes made to the RoSH level to each group throughout the sentence until the commission of the SFO. Dates of changes should be provided.

- **Child or Adult safeguarding issues**: If there were current or previous child/adult safeguarding these should be described. The level of children’s services involvement should be detailed e.g. child protection, child in need and a summary provided of any emerging concerns, and progress of interventions. If there were no known concerns because the relevant checks were not completed this should be made clear here. It was also be useful to note here if a Child/Adult Serious Case Review is being commissioned as a result of the SFO.

- **Domestic abuse**: Again, this is asking for any known information about domestic abuse, either historic, current or emerging during the period under review. Please include a brief summary of any pattern of known behaviour and reference any checks/liaison undertaken during the period under review, or omissions in this respect. The outcome of SARAs should be included. Please note if a DHR has been commissioned.

- **SoR/SHOPO**: Please include the status and length of any SoR/SHOPO, why they were imposed and specific prohibitions. The focus in all these questions is on the period under review rather than post SFO e.g. if the offender had no history of sexual offences and therefore no SOR requirements until they were sentenced for an SFO sexual in nature then this should be made clear.

- **Risk Matrix 2000 (or OSP)/ARMS**: Please indicate the assessed risk level in RM2000 and ARMS and any changes during the period under review. In all of these sections it is helpful to include the date the assessment was completed. Please confirm if these assessments were not completed in eligible cases.

- **MAPPA**: Please identify the MAPPA level at the start of sentence and whether there were any changes as the case progressed and when these were. Please ensure the assessed level at the time the SFO was committed is clear.

### Diversity

Include all known information available to the reviewer following examination of the case records. Please state clearly whether the assessor identified, considered and actively managed any issues, or highlight where there were omissions in expected practice relevant to diversity considerations.

### Interviews

The reviewer must retain copies of all interview notes.

Under “subjects and issues discussed”, please briefly detail the main topics that were covered (e.g. risk escalation, training, line management oversight). Please state the role and grade of staff involved in the management of case, including those who were not interviewed, with reasons for this (e.g. long term sickness absence). **It is very important that individual staff names (or**
initials/ or any other specific identifier) are not included in this section. Please use the format OM1/RO1, OM2/RO2, SPO1, etc.

Reviewers should interview all relevant staff involved at all levels of the case, including those managed by another probation provider. Interviews should be arranged in good time and the purpose of the interview and SFO process explained to the staff member. Specific guidance about staff care and welfare issues is included separately in this guidance. Reviewers should take an investigative approach and talk through the key issues with objectivity using an open questioning style. There are certain “meta” questions which can help to put the case in context and promote discussion and insight. They include:

- first impressions of the offender
- the main things to be achieved with the offender
- difficulties in supervising the offender
- the main achievements
- whether the SFO came as a surprise
- having reviewed the case would anything be done differently?

### 3.3 Chronology

The chronology will be used as a tool for systematic analysis of the case to identify key areas of practice that need to be taken forward for discussion in the main body of the review. The chronology will contain the detail and evidence to support statements in the review. Reviewing managers should therefore include enough evidence in the chronology about events e.g. assessments, RMPs, sentence plans to demonstrate whether or not they had been completed to a sufficient standard.

The chronology should provide details of significant events, in custody and/or the community. It must cover the relevant period of supervision up until the date the SFO was committed. In some cases it may be appropriate for the chronology to identify any key events that occur after the commission of the SFO, particularly where there are matters of public interest. This may apply where there is a significant gap between the date of the SFO and the offender’s arrest and/or charge for it.

Where applicable, the “significant events” column should include details of:

- Court reports and proposals, including details of the PSR and its quality
- Commencement of the sentence/ community based supervision, including details of index offence, date of sentence, type of sentence, any requirements
- Case allocation to the CRC/NPS and whether this utilised all appropriate information and assessments
- Case allocation within the organisation – was it timely and appropriate?
Annex B: Operational Guidance

- DV and safeguarding checks
- Information for or attendance at sentence planning boards or parole hearings in relevant custody cases
- First and subsequent (in Phase 2 cases) contact in custody and pre-release contact, including offender engagement
- First contact in community, induction and offender engagement
- Frequency of appointments
- Assessments/reviews of OASys (or equivalent), including completion of SAQ and details of and changes to the risk management plan and sentence plan
- Risk of serious harm level and any changes
- Escalation of risk, including whether there was appropriate liaison between CRC and NPS
- Referrals onto, commencement and completion of programmes or other interventions/offending behaviour work
- Liaison with other staff, including managers, AP staff etc.
- Liaison with other agencies
- Case handovers/transfers
- Absences, warnings, breaches and recalls
- Dates of MAPPA, MARAC, CP or prison based risk meetings and key issues/actions arising
- Perceived, alleged or known deterioration in behaviour – including for example any known adjudications in custody, arrests in community by police, drug/alcohol relapse, DV incidents - and how they were dealt with
- Overall levels of contact/compliance and whether in line with Probation Instructions, Standards, guidance, local policy and procedures
- References to future SFO victim during the course of the supervision, including any prior association or knowledge of victim(s) by offender
- Date and summary of alleged SFO, including details of the victim

Acronyms should be accompanied in the first instance by their full title. Any terms relevant to an individual organisation should be detailed in the case specific glossary which will be submitted with each review.

The reviewing managers should use the "comments" column to identify strengths in practice, and any practice concerns. When exploring the practice, reviewers should reference adherence to, or
deviation from, local or national policies in order to place the case in context and to provide detail to inform the key findings.

Reviewers should use the final column, “key finding for further examination” to clearly identify good practice and any deficiencies that need to be examined within the relevant sections of the narrative review. Associated learning points can also be referenced in this column and must be included in the action plan. Once the action plan is completed reviewers should go back and cross reference each significant area for improvement to ensure it has been addressed in the plan. If completed appropriately, this column can be used as a prompt by the reviewer, countersigning officer and HMPP SFO quality assurance team to ensure the final review and action plan incorporate all issues.

Overall the chronology needs to provide sufficient detail for anyone reading it to be assured that all relevant aspects of the case have been considered and evidenced. It should include what was done well, and any inaction, as well as action e.g. a failure to undertake safeguarding checks. The QA process will be looking at the chronology with a view to seeking assurance that all expected practice has been considered.

The use of the chronology as a working document to support the review means that the SFO review itself will examine the key findings of the chronology without the need for detailed supporting evidence, e.g. the review may state: “risk assessment reviews were thorough, identified relevant risks and included a comprehensive risk management plan and sentence plan” or “the risk assessment in this case was insufficient in respect of a lack of analysis of all factors relevant to risk, failure to identify imminence, and to include contingency plans for all potential emerging risk factors e.g. moving in with a new partner with children or relapsing into substance misuse”. Good practice and the reasons significant deficiencies occurred should be analysed in the SFO review.

The supporting documents will not routinely form part of the documentation to be disclosed to victims and as such the review must be intelligible as a stand-alone document without reference to the supporting documents. There should be clear congruence between the chronology and the review and anything of significance identified in the chronology must be appropriately analysed in the main review. The review must still be sufficiently detailed to provide a narrative account of what happened.

On occasion HMPPS SFO team will advise NPS or CRC that NDelius records have been accessed as part of a validation process.

4. The SFO Review

4.1 Period to cover

The starting point of the review should normally be the commencement of the current sentence. In custody cases managed as high risk of serious harm by the NPS following sentence, the review must examine the sufficiency of practice during the custodial stages and in the period following release. In other custodial cases, the review should examine the practice during the pre-release period, with most focus on the period of management in the community.
If at the point of the SFO, the offender has been managed for a period of six months or less on their current sentence, and this was preceded by a continuous previous period of management, then the review should also examine practice during that previous sentence.

Where the offender was serving a particularly long sentence at the point of the SFO, for example a life sentence, it may be appropriate to include a summary of the custodial period at the start of the chronology, with more detailed entries thereafter for events in the lead up to release. For example, it would be important to consider the quality of the assessment completed for the Parole Board panel that directed release, and any pre-release planning and implementation, with any key findings taken forward into the review.

Each case should be considered on its individual merits when determining the period a review should cover. The reviewing manager should contact HMPPS SFO Team if he/she is unclear of the period to examine.

Although details of the period after the SFO can assist in placing the case in context, this period is beyond the scope of the SFO review and must not be examined in the key findings. Any relevant details may be included in the chronology.

4.2 Where more than one provider is involved

The probation provider managing the offender at the time of the SFO must take responsibility for co-ordinating and writing the review and submitting the completed document to HMPPS SFO Team. There will be occasions where multiple providers of probation services, either NPS divisions or CRCs, have been involved in the management of a case during the period under review. In such cases, the reviewing manager should liaise with colleagues to ensure that all relevant enquiries concerning practice, policy and any operational issues are fully incorporated into the review. Other providers should ensure that timely information is provided and that staff are available for interview. The reviewing manager must provide feedback to other providers on the content of the review and agree any learning points in advance. The reviewing manager should provide a copy of the completed SFO review to the relevant SPOC and SFO Senior Lead. Where a difficulty or difference of opinion between providers emerges in such a way that the review process may be undermined, this must be raised with the Head of the SFO Team in HMPPS by the providers concerned with a view to seeking a resolution. This guidance will be updated to incorporate any changes resulting from OMiC, for example how pre-release practice should be examined in respect of both prison based and community offender managers.

4.3 Use of language

The style of language used in the SFO review needs to be carefully considered. The document should be clear, concise and easily understood by a wide range of professionals as well as the victim/victim’s family.

Reviewers should use the active, rather than passive, voice e.g. rather than “a timely assessment was completed” they should say "RO1 completed a timely assessment". The word grammar check can be set to assist with this (go to advanced settings to activate this).
Reviews should be free from jargon. Any acronyms need to be spelt out in full the first time they are used and should be included in the case specific glossary. A brief summary of key terms or actions may need to be included in the main review so the ‘lay’ reader can follow the narrative e.g. the nature of risk escalation and when it applies.

Given the victim or their family may see the review, there are some additional considerations in respect of how it is written, including the way in which various groups are referred to. Reference to the victim and description of the SFO needs to demonstrate sensitivity and compassion. Due to the need to reduce risks of an information security breach once a copy of the redacted review is shared with the victim/family, all names must be anonymised prior to sharing. The following use of language applies to both the original non-redacted and redacted review.

- Referring to the SFO victim – to ensure an effective and detailed internal management document, the review should refer to the victim by his or her full name. At the point of redaction, a decision should be made locally as to how best to anonymise the reference to the victim. This may include consultation with the VLO where relevant.

- Referring to the SFO – any description of the SFO should be factual and avoid unnecessary detail. However, care should be taken to personalise the behaviour rather than relying on the often detached and professional language we are used to. For example, rather than “Xavier Young was convicted of murder committed on 10/10/2017”, the reviewer would write “Xavier Young was convicted for murdering Anne Smith”. If they are available at the point of writing, consider the use of the Judge’s comments as these are often more expressive and personal in their account of the offence and contain a level of judgment that we would not routinely demonstrate when completing reports. Avoid using expressions like ‘the commission of the offence’

- Referring to the offender – the offender’s full name should be used in the review then amended to show random initials only in the redacted copy to be shared with the victim/victim’s family. Again, the victim/their family will know the offender’s name but providing a copy of the review to them raises additional information security concerns which can be mitigated to an extent through anonymising identifiers. Initials may be used in the chronology.

- Victims of previous/index offences – any reference should be anonymous, therefore allocating a clear identifier is most appropriate i.e. “A”, “B”. This approach works well when there are a number of victims and, in domestic abuse cases can be used to identify partners, helping to clearly differentiate between them.

- Referring to staff – as noted above, clear anonymised identifiers should be given. Often reviews are written without reference to the staff member’s gender to provide a further level of anonymity. Reference to ‘they/their’ can become repetitive, lack clarity and cause confusion at times. Given we are looking for a reader friendly review that can be easily understood as far as possible, it makes more sense to use the gender. In cases where the staff member could be easily identified through their gender e.g. the only male RO in the office, the reviewer can consider changing the gender – the best approach to take should be discussed with a manager.
4.4 The Introduction

The introduction must provide an overview of: the SFO; sentence (and offence) leading to the period of supervision the offender was under at the time of the SFO; the period examined in the review; and any other parallel multi-agency involvement/reviews.

- **Details of the SFO:** Factual details should be provided including the date and nature of the SFO, victim details and any other key information. While the reader should be aware the reviewer fully understands what happened, specifics of the SFO should not be included (where more detail has come to light since the SFO notification was submitted, this should be included in the chronology to provide any relevant context). If the outcome is known this should be included, along with any noteworthy comments made by the trial judge.

- **Details of index offence and current order/licence:** The date the offence was committed and brief details, victim details, date of sentence, type of sentence, date of release, end of licence, start of period of statutory supervision, and any additional requirements. Any other restrictions imposed e.g. SHPO, SoR. Other key information.

- **Period under review:** Describe the scope of the SFO review which should commence from the start date of the sentence being examined until the date the SFO was committed (or the end date of the SFO if it spans a period of time).

- **Role of other agencies:** Detail any other agencies directly involved in the management of the offender during the period under review e.g. children’s services, police, housing, and CMHT. These are the agencies who have their own direct responsibility to manage aspects of the offender’s risk and/or circumstances, for example the police may be managing a SoR and SHPO and children’s services may be involved in safeguarding the offender’s children.

Do not need to include details of police/children’s services if they were only involved for the purpose of relevant checks being made.

It is not within the remit of an SFO review to make recommendations for other organisations. The SFO review can comment on collaboration with other agencies and where issues with effective partnership working are identified, areas for improvement should be addressed. However, the review cannot comment on the manner in which other agencies conduct their business. An example statement to include in the introduction might be: "We have commented on the role of other agencies where this is relevant, but it is not within the remit of this review to make recommendations to organisations other than MoJ, HMPPS, NPS and CRC.

- **Details of parallel reviews:** Identify whether additional reviews are taking place e.g. Domestic Homicide Review, LSCB SCR, MAPPA SCR. Include detail of whether there has been liaison with the author of these reviews or had sight of their content to inform the SFO review.

4.5 Methodology

The following should be included in this section:
• **Documentation/records examined** - the reviewer should list the documentation/records they have viewed e.g. current case file, NDelius records, OASys assessments, Probation Instructions etc. Please also include relevant information that it has not been possible to obtain.

• **Details of interviews with relevant staff** – full details will be provided on the Case Details form. Here a summary should be provided in narrative form of who was interviewed, what their role was and the main issues covered (for the purpose of informing those who will not have had access to the chronology). SFO reviews are anonymous, only provide details of staff grade and role, referring to staff as OM1, RO2, SPO1, ACO1 etc. A note should also be made of any key staff members that were unavailable for interview.

### 4.6 Summary of events

This section should be a brief summary of the case in order that that the reader, who may not know the full background, can understand the significant events in the progression of the case. Information should be factual and provide the background to events/decisions/changes that will be analysed within the key findings section – analysis/views on practice are not required here.

This section should not simply repeat the chronology but pick out significant/key events that provide context and are relevant to how the case progressed and was managed. This should be in an easy to understand narrative format.

The events should start with details of the offending history e.g. not a list of previous convictions but a summary of any key issues, such as “the offender had a history of violent offending and had spent a number of years in custody” or “the offender had no previous convictions”.

Some issues reviewers should consider are:

- which provider the case was allocated to
- any case transfers – internal and external
- release dates, LED, PSS commencement, licence conditions, AP residency
- any court appearances or alleged further offending
- compliance/enforcement issues
- a summary of the frequency of contact with the responsible officer/other agencies and the general areas of focus in supervision
- key changes to the offender’s circumstances e.g. new relationship
- any emerging risk issues and responses to these
- any changes to the assessed RoSH levels
- liaison with other agencies, MAPPA meetings etc.
- managerial involvement
4.7 Key Findings

This section is broken down into three sections:

The new narrative style SFO review will enable a focus on the key findings in relation to practice, identified through the interviews, case investigation and whilst compiling the case chronology. The review will examine the key findings within 3 sections: Assessment, Planning and Implementation & Reviewing. Reviewers do not have to refer to all aspects of practice if they were sufficient and not relevant to the specific detail of the case management and if they are not required to make sense of the management of the case.

In light of the detail required in the chronology, the body of the review should be a balanced account of the key findings.

Having examined the management of the case, under each section the reviewer should set out the key findings of their investigations as highlighted in the chronology, including good practice, areas of concern and deficiencies. This provides a focus on the issues specific to the individual case.

The SFO review should look at whether all reasonable steps were taken to assess and manage risk and promote rehabilitation, given what was known about the offender at the time. It should describe what was done to manage the offender effectively as well as any gaps. All identified issues should be included – there should be concordance between identified concerns in the chronology and those explored in the main review, to ensure transparency.

Reviewers should avoid hindsight bias and distinguish between what was known at the time, what should, or might possibly have been known; and what is now known.

Good practice must be clearly identified, setting out why it has been acknowledged, and any impact it had on the case.

Reasons must be provided for why significant deficiencies occurred. The review should contain an analysis of underpinning factors and not just a description of what happened. When exploring the reasons, the review should go beyond focussing on the conduct of an individual member of staff and whether procedure was followed, to evaluate whether the procedure was sound and whether organisational structures supported getting the best outcomes for offender rehabilitation and public protection.

Where there were deficiencies or gaps in the way the case was supervised the reviewer should consider within each relevant section:

- why the staff involved think the error happened;
- what was in place that should have prevented the error;
- what was the context - were there things that made the work with the offender difficult or challenging and
- whether resourcing or management decisions made the error more or less likely
Something to consider when highlighting and exploring deficits/omissions/inaction is the way in which these are described. Where there are clear and significant failings then it is appropriate and correct to say so and use such language. However, be mindful of using condemning language unnecessarily, for example, sometimes it would be more appropriate to say “RO1 did not….” rather than “RO1 failed to”, particularly where the inaction was not considered to be significant.

Reviewers should consider organisational issues and multi-agency working as part of the analysis:

**Organisational issues:**
- impact of workload issues
- interface issues
- improvements to practice that have already taken place or which are planned
- whether the right guidance, systems, policies and procedures were in place
- effective line management
- equality and diversity considerations

**Multi-agency working**
- quality of communication between agencies
- information sharing
- appropriate referral to safeguarding agencies

All relevant staff must be interviewed in order to fully examine the practice, and identify appropriate learning. For example, if an OM attributes concerns about their practice to high workloads or a lack of training then these issues also need to be discussed with managers to determine their awareness of the concerns, what was being done about the issues, and their views on the OM’s experience and general practice.

Remember that it is not just the OM’s practice that should be examined. Managers also have responsibilities to create an environment with clear expectations and in which processes can be followed and policy applied. They countersign, monitor the work of their staff, regularly supervise staff, ensure they are meeting expected practice requirements and address any concerns they may express, including workload pressures etc. Reviewers should interview senior managers where appropriate, particularly where practice concerns are raised in relation to their staff e.g. SPOs, or where there is confusion at a managerial level about, or clear diversion away from, policy.

A good analysis will provide a comprehensive exploration of all relevant issues. Where significant concerns arise it is helpful for reviews to examine whether they are confined to the practice in the
individual case or are of wider concern with the individual practitioner or across the LDU/CRC area for example.

A helpful approach to presenting and analysing the key findings is to follow the format judgment, evidence and impact. For example:

“The initial risk assessment in this case was insufficient. There was a lack of consideration given to all areas of known risk, particularly the offender’s substance misuse. As a result, neither the risk management plan nor the sentence plan addressed key risk areas and no contingency arrangements were identified. This meant that when the offender disclosed a lapse into cocaine use, the RO’s response was weak based on their limited understanding of the offender’s past pattern of substance misuse.

RO1 acknowledged with hindsight he had been focussed on the offender’s accommodation needs and placed too much emphasis on obtaining housing as an answer for his instability, rather than considering the need for additional interventions. He advised he had pulled through information from the most recent OASys assessment without fully reviewing previous assessments, having limited time to complete his assessment due to an excessive caseload and conflicting priorities. Had RO1 fully reviewed all past information, and indeed taken the time to engage the offender in exploring past risks, he would have known the full extent of past substance misuse and the link to the risk of serious harm given the role it had played in several previous robbery and assault offences. This could have led to more swift intervention, reducing the risk of the subsequent full relapse into crack cocaine use...”

The analysis would proceed to examine the OM’s general experience and risk management practice, the SPO’s view on the deficiencies identified and on the workload issues raised.

4.8 Key Findings - Prompts

The following prompts in each section of the key findings have been devised to broadly align with the new HMI Probation standards. They are intended to help guide reviewing managers thinking and provide prompts to ensure all aspects of the case have been considered. They are not meant to be prescriptive and reviewers do not need to cover all areas in the main review if they were not significant to the case. Moreover, if reviewers find elements of practice are better placed under a different heading then they should be included where considered best. Overall we are looking for a clear account of the case that makes sense to the reader: What happened? Why? What are we doing to respond to any issues?

Key findings – Assessment

At the start of supervision there should be a detailed assessment of the likelihood of reoffending and the risk of harm posed to others. This should include relevant information, including past offending and behaviour, as well as the impact on victims. Assessment is a dynamic process with significant new events and information leading to a further assessment.

Assessments should be well-informed, analytical and personalised, actively involving the service user. Consider:
• Was all relevant and available information obtained and used to inform the initial risk assessment? Consider safeguarding and police DA checks.

• Were the correct specialist tools used, and guidance followed, including NOMS Risk of Serious Harm guidance 2009 and 2014. To what extent were supporting assessments referred to?

• What was the quality of the assessment of the offender’s criminogenic needs and previous offending/patterns of behaviour?

• Does the assessment focus sufficiently on the factors linked to offending and desistance?

• Does the assessment identify and analyse offending related factors?

• Does the assessment identify the service user’s strengths and protective factors?

• Is the service user meaningfully involved in their assessment and are their views taken into account?

• What was the quality of the assessment of the offender’s risk of serious harm across all domains?

• Does the assessment specify who is at risk and the nature and level of that risk?

• Does the assessment describe any specific concerns and risks related to identifiable actual and potential victims?

• Does the assessment of risk of harm include details about past behaviour and convictions?

• Did the assessment outcome reflect the evidence? Was the identified RoSH level accurate and did it take into account static, acute and dynamic risk factors? Did it reflect the RoSH summary?

• Was the initial assessment timely?

• Was the risk assessment communicated to all relevant parties

• Did the assessment describe the service user’s diversity and personal circumstances, and consider the impact these have on their ability to comply and engage with supervision?

• Was the risk assessment reviewed in response to changes in factors linked to offending, with necessary adjustments being made to the ongoing plan of work?

• Were risk reviews prompt?

• What was the quality of the risk reviews? Did they take into account all new information?

• Were reviews completed and recorded in response to changes in the risk of harm?
Key findings - Planning:
The assessment should lead to clear plans for delivering the sentence in order to reduce the likelihood of further offending. Additionally, where a risk of harm to other people is identified, there should be a plan for managing the risk. Plans should be reviewed regularly to ensure they are up to date.

Planning should be driven by the assessment, holistic and personalised, actively involving the service user. Consider:

- In custody cases, was there clear evidence of pre-release planning? Were all relevant licence conditions included?
- What was the quality of the initial risk management plan (RMP)? Does the plan address all factors identified in the risk of harm assessment?
- Did the RMP address risks to identifiable victims or potential victims and include sufficient plans relevant to safeguarding children, vulnerable adults and named individuals at risk?
- Does the plan consider all necessary constructive and/or restrictive interventions to manage the risk of harm? Are additional conditions/requirements proportionate to the risk posed?
- Does the plan make appropriate links to the work of all other agencies involved with the service user and multi-agency plans and clearly identify actions to be taken by all parties, which are SMART?
- Was there clear evidence of contingency planning addressing the breakdown of positive factors and risk escalation issues?
- In MAPPA level 2 or 3 cases, did the RMP fully reflect the RMP agreed by MAPPA?
- What was the quality of the sentence plan? Does the plan sufficiently reflect the assessment of offending-related factors?
- Does the plan appropriately address factors associated with the risk of harm to others?
- Does the plan set out how all the requirements of the sentence or licence/post-sentence supervision will be delivered?
- Does the plan set out the services, activities and interventions most likely to reduce reoffending and support desistance? Is the plan realistic?
- Does the plan set a level, pattern type of contact sufficient to engage the service user to support the effectiveness of specific interventions?
- Was the service user meaningfully involved in planning, and are their views taken into account?
- Was the RMP reviewed in response to significant changes?
- Was the sentence plan reviewed, with the necessary adjustments being made to the ongoing plan of work?
Annex B: Operational Guidance

- Were written reviews completed as appropriate as a formal record of action to implement the sentence?

**Key findings - Implementation and Reviewing**

The risk management plan should be implemented as intended, ensuring all required actions are undertaken to protect the public. The sentence plan should lead to the delivery of high quality well-focused and individualised services which engage the service user.

There should be a regular review of progress and an effective response to changes in the offender’s circumstances, behaviour and compliance.

(‘Reviewing’ in this context refers to the activity of reviewing progress and responding to changes. The focus is on what action was taken to review and respond to change rather than a formal review of the risk assessment and plan, which is considered in the domains above).

Consider the following:

- Is allocation of the case prompt, accurate, and based on sufficient information in respect of: Allocation to the correct organisation upon sentence? Allocation to an appropriate responsible officer?

- In custody cases, was there clear evidence of pre-release contact with the offender and of sharing of information between prison and community based staff prior to release? In high risk cases, has there been appropriate management of the case by the OM during the custodial stage.

- What was the quality of the implementation of the risk management plan? Comment on effectiveness and timeliness issues.

- Was there clear evidence that risk management practice gave sufficient priority to the safety of identified victims, children and adults at risk?

- If this case met the criteria for MAPPA were all relevant processes followed and appropriate screenings/referrals/reviews undertaken?

- What was the quality of communications between all relevant staff and agencies?

- Is the involvement of other agencies in managing and minimising the risk of harm sufficiently well-co-ordinated?

- Are home visits undertaken where necessary to ensure that risk of harm is managed? Is sufficient attention given to protecting victims and potential victims?

- If there was evidence of risk escalation, was it acted upon? Comment on the risk escalation process, where applicable.

- What was the quality of offender engagement?

- Were licence conditions and supervision requirements explained to the offender in a way they could understand?
• Is sufficient focus given to maintaining an effective working relationship with the service user?

• How effectively was the sentence plan delivered? Do the requirements of the sentence plan start promptly, or at an appropriate time?

• Does supervision focus appropriately on managing and minimising the risk of harm to others?

• Did the OM take a timely, pro-active and investigative approach to the offender’s attendance and compliance with all requirements of the order?

• Was action taken to support compliance and was appropriate and timely enforcement action taken if necessary?

• Are professional judgements recorded in relation to decisions about missed appointments?

• Is the level and nature of contact offered sufficient to manage and minimise the risk of harm to others?

• Is the service user encouraged to contribute to reviewing their progress?

• Did reviewing effectively support the service user’s compliance and engagement?

• Did reviewing address changes in factors linked to offending, with the necessary adjustments being made to the ongoing plan of work?

• Was the reviewing informed by necessary input from other agencies?

• Was there clear, timely and effective recording of information across the offender’s case record?

• Was line management oversight and support congruent with the risk and needs of the case?

• If the offender was transferred at any point during the sentence, was there a sufficient exchange of information and appropriate action taken to assess and manage any risks relevant to the transfer?

• Were the decisions taken on the management of the case defensible1?

• All reasonable steps were taken

• Reliable assessment methods have been used.

• Information has been collected and thoroughly evaluated.

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• Decisions have been recorded (and subsequently carried out).
• Policies and procedures have been followed.
• Practitioners and their managers have adopted an investigative approach and have been proactive
• Were all rehabilitative and restrictive measures addressed?

The above checklists are aligned with the new HMI Probation standards which can be found in full on their website and will be used in all inspections from June 2018 onwards:

https://www.justiceinspectorates.gov.uk/hmiprobation

4.9 Conclusion

This section should provide a concise summary of the key areas of good practice and concerns/deficiencies along with the significant factors underpinning these. A balanced judgment should be made about the overall sufficiency of practice in the case. In order to inform this section, consideration should be given to whether all reasonable action was taken given what was known about the case at the time. Missed opportunities should be highlighted along with commentary about what, if anything, could have been done differently and how this may have impacted on the offender and the effective management of their case.

Whilst the next steps section will identify learning from the review and proposed actions, this section should include assurances about action that has already been taken or is ongoing in respect of addressing deficits/omissions. Often there will have been an immediate review of the case leading to remedial action and the identification of significant areas for improvement. Any such action along with any identifiable resulting improvements should be detailed. Any ongoing actions should be included in the Action Plan to ensure that progress is monitored to ensure learning is embedded into practice.

4.10 Next steps

The review up to this point has set out what was done in line with expectations, highlighted areas of good practice and areas requiring improvement. As the review is a standalone document this section needs to contain sufficient assurances about what action will be taken to address all areas of concern. It should provide a summary of the key learning and areas for development, detailing how they will be addressed to improve future practice. Good practice\(^2\) considered appropriate for dissemination locally or nationally should also be included along with details of how it will be shared.

\(^2\) Good practice is practice that was particularly effective and warrants being shared as something that others could adopt or learn from. See section 4 below.
This section should not include the same level of detail as the action plan or simply repeat objectives.

5. The Action Plan

The intention of the SFO Review is to explore the standard of practice, including when cases have been managed well, sometimes in difficult circumstances. The action plan should focus on ensuring that all relevant learning is identified and acted upon and that good practice is shared. Therefore it is arguably the most important component.

The action plan should address all identified areas for improvement in respect of the practice of all relevant staff, policy, processes and organisational issues and not just focus solely on the responsible officer. All key deficiencies should have associated actions. The reviewing manager should comment in the chronology or review itself, if some practice issues are not considered to warrant a learning point. The action plan asks the author to identify at what level the improvement is required e.g. individual, office, LDU/Area, NPS Division/CRC, or National.

Learning points must be Specific, Measurable, Achievable, Relevant and Time-bound (SMART). Simple errors should be dealt with simply. More complex matters (e.g. where systems or processes have not worked) may require team or organisational solutions.

Where learning has been identified for another probation provider e.g. the NPS in a CRC review, the learning and measurements for progress should be agreed with that provider prior to inclusion in the plan. It should be clearly stated how the actions have been agreed and shared.

When it has been found that the actions of the Prison Service or another agency (such as a YOT, social care or mental health agency etc.) have impacted on the management of the offender, consideration should be given by the Chief Executive, Deputy Director or their delegate writing to that agency raising the relevant matter. The NPS or CRCs should not make recommendations that are beyond their scope to carry out.
Annex B: Operational Guidance

It is important to differentiate between identifying the actions that are to be taken and the method by which the impact of the intended action is to be measured. For example, training or shadowing would be an action to develop practice, and the learning point must be clear what the action aims to achieve. However, attendance at training itself does not provide assurances that learning has been effective. Dip sampling is a clear and direct way to ensure training/learning has embedded and is having an impact on the quality of work. Again though, be specific and realistic; if audits and dip samples are being utilised, then specify the timeframes and numbers to be sampled.

The action plan must address all areas of concern identified in the key findings/analysis. For example, excessive workloads may have been considered to have contributed to poor practice, so the plan needs to set out how this is being addressed (this can be ascertained via interview with a senior manager for example, for inclusion in the analysis) or how this will be addressed (for inclusion in the action plan).

If the reviewer considers a deficiency does not warrant an action plan objective, (e.g. because training has already taken place or a staff member’s high caseload has been reduced), then this should have been clearly stated in the review. If concerns were identified in a member of staff’s practice and they no longer work for an organisation then it is important to consider if the learning need may be wider than that individual’s practice. The need for wider learning should be included where appropriate.

The second focus of the plan is to include all areas of good practice that warrant being shared more widely, be that locally or nationally, to improve general practice. This does not simply mean where practice has met the expected standards or followed policy/procedure, unless there is something about how someone achieved this in very difficult circumstances that others could learn from. Instead, it is referring to areas of work that were particularly effective in the management of the case and demonstrated responsiveness, innovation or ‘over and above’ actions e.g. arranging an emergency professionals meeting in response to risk information or holding a joint meeting with the offender and the approved premises manager to ensure a collaborative approach to enforcement and promoting compliance.

**Finally before signing the action plan off, consider if it is thorough, clear and SMART and designed to improve practice.**

There is a second part to the action plan document which requires an update to be provided on all the progress against all objectives after six months. There will no longer be a requirement to complete Annex J for the new style review.
6. The Glossary

A case specific glossary of all key terms must be submitted with every SFO review. Given the review is intended to be an account of the case that is easily digestible for victims/victims' families, too much descriptive content should be avoided. As such, the glossary will serve to ensure there are clear explanations of all relevant terms. Some standard information has been included in the glossary template e.g. OASys, sentence requirements, risk management plan, sentence plan, licence etc. When completing the review the reviewing manager must amend this template to apply to the case and add any additional terms specific to the case and the organisation/division/area. This could include, but is not limited to, the following:

- Specific risk assessment and sentence planning tools
- Interventions e.g. named programmes
- Partnership agencies
- Local risk management meetings
- Local forums/initiatives/joint working arrangements

The glossary should be specific to the case therefore, as well as adding definitions to the standard template, any terms not used within the review should be removed from the template.
7. The Countersigning Officer’s Role

This role provides the first quality assurance of the SFO review. The countersigning officer must read the chronology, review and action plan to check that the content flows well, is clear and comprehensive e.g. all relevant issues are identified in the chronology and taken forward into the review; good practice is identified and taken into the action plan as appropriate; and where clear deficiencies/omissions are identified, they are explored and appropriate SMART actions are included in the plan.

The countersigning officer needs to be content that the chronology and review:

- Cover the correct period
- Fully examine assessment, planning and implementation & reviewing of all Probation Providers involved
- Provide clear details of the key findings
- Identify good practice
- Explore any deficiencies in practice
- Includes appropriate SMART actions within the Action Plan- where necessary agreed by other providers
- The review contains a fair and full account of the case and adheres to DPA principles (see section below). It will be possible to consider other redactions at the point that a review is disclosed to the victim/victim’s family (including anonymising individuals), although this should be kept to a minimum.

If the countersigning officer still has questions about aspects of practice after reading the review documents then these need to be addressed before submission to HMPPS.

Countersigning officer’s comments: Where the actions of another probation provider are assessed to be significant, this section should include information to confirm what action has been taken or is planned. Where a review identifies that there has been very poor practice, the NPS Deputy Director (or representative) or Chief Executive of the CRC, or representative, must indicate when signing off the review any consideration they have given to instigating capability/poor performance or disciplinary procedures.

The countersigning manager should not sign off and send a review to HMPPS SFO team until they are satisfied that the content is of the expected quality.
8. Outcome

The Outcome (Annex I) should be sent to HMPPS SFO Team by the SPOC from the provider managing the offender at the time of the SFO, copied to the NPS Victim's Team in automatic cases, within 3 days of the court sentencing date, or other event which has led to the case being discontinued. SPOCs must ensure that the sentence type and length, not just the conviction is notified to the SFO Team who provide data based on the type and length of sentences received in SFO cases. Where an offender is acquitted or convicted of a lesser offence, or where the case is discontinued, it will cease to be a SFO and the process will terminate. An outcome must be submitted in these cases. Providers should consider ensuring that any identified learning is still taken forward.

In cases that are no longer SFOs.

**Offenders dealt with under Mental Health legislation.**

If the offender is charged but then not convicted, or found not guilty by reason of insanity, of an SFO offence, but the Court is satisfied that the person did what they are accused of doing, and a hospital order is made under the Mental Health Act 1983*, then the case will be treated as equivalent to a SFO conviction. This will also apply if a Court makes an order to allow the transfer of a convicted prisoner or a prisoner on remand to hospital.

(*MHA section 36 (remand for treatment), 37 (hospital order), 38 (interim order), 41 (restriction order).
9. The Data Protection Act (DPA)

9.1 Data Protection Act and SFO reviews

The principles of the DPA can be found at Appendix 1.

The review contains a statement about the legal basis for sharing the information, specifically in relation to victims and families with a legitimate interest.

Reviewing Managers should be familiar with the DPA & GDPR principles and take into account disclosure issues when writing reviews.

The sharing of data for a SFO review will always involve the processing of personal data. SFO reviews fall under Part 3 of the DPA – processing for law enforcement purposes. The conditions in section 35(2) apply to the processing of all personal data and if the processing is sensitive, which will usually be the case for SFO reviews, sections 35(3) – (5) will also apply to sharing the review with the victim.

Under section 35(2), the processing of all personal data for law enforcement purposes must be necessary for the performance of a task carried out for the purpose of a competent authority.

Where the data is sensitive, sections 35(4) or (5) must be fulfilled. Where the offender consents, section 35(4) will be fulfilled. However, if the offender does not give consent to the processing under section 35(4), section 35(5) will apply and a condition set out in Schedule 8 will need to be met. The relevant conditions in Schedule 8 for SFO reviews would be that the processing is necessary for the exercise of a function conferred on a person by an enactment of law and is necessary for reasons of substantial public interest (paragraph 1, Schedule 8) and the administration of justice (paragraph 2, Schedule 8).

Sensitive data could be shared for the purposes of an SFO review under the Schedule 8 reasons above, as the reviews are being used in the course of the administration of justice to inform learning and instil the public’s confidence in the criminal justice system; that errors are being reviewed and addressed. The reviews are also part of the function of a Minister. Further, a SFO review is necessary for reasons of substantial public interest as it allows for the victims of a serious further offence to understand the process that was followed, the background, and any information about the offender that will assist their understanding of the offending behaviour.

While the sharing of data falls under the conditions as set out above, the sharing of the data also needs to be necessary. Therefore, the specific circumstances of the case must be considered when deciding if the inclusion of the information is necessary to the understanding of the SFO review. Not all information obtained for the review will be considered necessary. It must be considered on a case by case basis.

The information shared must also be proportionate. The need to share the information must be balanced and only provided if it enhances the understanding of the case. The information that is shared must be relevant and not excessive in relation to the purpose for which it is processed (section 37 DPA 2018).
Example:

Generally, medical information would not fall under data that can be disclosed under the DPA 1998, however in certain circumstances it could be. For example, information on the fact that an offender has HIV would not normally be necessary to disclose, however if his offending was of a sexual nature and he was using HIV as a weapon i.e. he was deliberately infecting people, it would be necessary to share this information. Without this data, the seriousness of the SFO and/or measures taken could not be properly understood.

In the circumstance above, it would be necessary to share the information about the offender having HIV but it may not be proportionate to also provide the details of how the offender was infected or their prognosis.

Reviewing Managers should consider whether the sensitive information being included is necessary to provide context to the case and practice. If it is not, then it should not be included.

As well as necessity and proportionality, another consideration is the impact the sharing of the information will have. Will the inclusion of the sensitive information potentially place any individual at risk? For example, is there a strong likelihood of the victim’s family presenting a risk to the offender manager or the offender? The reviewing manager may be alerted to these concerns during the interview and will need to liaise with the appropriate operational manager to ensure the issues are fully explored and plans are in place to manage potential risks. Equally, line managers may need to ensure reviewing managers are made aware of any impact considerations prior to completion of the review. Decisions about whether information may place an individual at risk, and therefore require redaction prior to sharing, will need to be made collaboratively between relevant managers.

When considering whether or not to include information, the reviewer should follow the guidance and ask themselves whether the reasons for not including it are valid and not a reflection of other issues e.g. loyalty to the service/staff involved. Essentially all decisions must be made in accordance with the principles of professional judgment and defensible decision making. We may not get it right all the time and there could be challenge but as long as the reviewer has a clear defensible position then they must do what they think is right. They should seek advice from managers where necessary.

9.2 Redaction

It is not expected that there will be significant redactions made to SFO reviews prior to disclosure to victims. Information likely to require redaction includes any relating to a third party. The reviewing manager’s name can be redacted prior to sharing the review with victims/families. The offender’s name and names of any victims should be anonymised prior to disclosure. Reviewing managers and countersigning officers should consider the above advice about necessity, proportionality and impact when completing and signing off the review or prior to disclosure. Reviewers should avoid producing reviews that are “too sanitised” – remember, they must fully and transparently reflect all known concerns in the case. As noted above, if there are particular concerns about the inclusion of sensitive information, a collaborative approach between the SFO reviewer and relevant operational and senior managers should be taken.

A senior manager must sign off and retain a redaction log which should clearly set out what has been redacted and why.
Organisations will already have formal routes for ensuring adherence to DPA and advice and assistance should be sought as necessary using these arrangements, prior to disclosure to victims.
10. Staff welfare and effective management of the SFO process

We know from experience that, when dealing with cases of serious further offending, it can be stressful for those staff involved. The impact of a SFO on many staff can be traumatic, particularly in respect of the impact on the victim(s). Therefore the NPS and the CRCs will need to exercise good employee care at these times. The review process is not about apportioning blame, it is vital to recognise that risk cannot be totally eliminated and the focus should continue on developing practice through continuous improvement, even though in a small number of cases the review process may result in separate capability/poor performance and/or disciplinary proceedings being invoked.

Good practice should include ensuring that any staff (including managers) involved in the management of a case that leads to a SFO notification are made aware when a review is being undertaken, are able to prepare for any interviews that may be required and are given feedback on those outcomes of the SFO review that relate directly to them. In some cases, managers may consider providing staff with a copy of the review, subject to any appropriate redactions. In order for staff to have confidence in the process and a degree of closure, NPS or CRC must have processes in place whereby staff have a clear understanding of the findings of the review and in particular, learning that is relevant to them. Decisions on whether to share the redacted review with practitioners involved must be made on a case-by-case basis, with consideration being given to ensuring that personal information about other staff members is not shared.

The NPS and CRCs should also ensure that any of their staff who are interviewed as part of a SFO Review are given a copy of Annex N in the probation instruction “The Serious Further Offence Review (SFO) review process – information for staff”. The SFO team have issued a short presentation for all staff about the revised SFO format, a copy of which is available upon request, sfo@noms.gsi.gov.uk.

The review is not a disciplinary or a process for managing poor performance. Interviews therefore ordinarily involve only the staff members concerned and the reviewing manager. If there are matters which require separate consideration under capability/poor performance procedures (or, in the unusual circumstance where there are indications of potential misconduct, under discipline procedures), this is a decision for the appropriate line manager who should liaise with the employer’s HR staff. If the formal stages of these other procedures are reached, the staff member would, subject to agreed agency procedures, then have the right to be accompanied in any capability/poor performance or disciplinary procedure by a trade union representative or colleague.

The NPS and CRCs will already have mechanisms in place for dealing with issues of staff safety. The wider sharing of the full review may raise additional concerns from staff. It should be remembered, and emphasised, that all reviews are still anonymised and sharing information with victims is not new; the same considerations as with the current VSR process apply. NPS and CRC must consider the impact of disclosure on any staff member and if there are particular concerns put in place contingency plans in line with existing staff HR procedures. If there are exceptional concerns that the impact of disclosure on a staff member is not manageable, contact must be made with HMPPS SFO Team.
11. Quality Assurance

Feedback

HMPPS SFO team will continue to quality assure SFO reviews and feedback will reflect the new narrative style format. The quality assurance process will address:

Timeliness

- The review has been received in line with the required timeframe

Scope

- The review examines practice within the correct period;
- Appropriate documents and records have been examined and
- Relevant staff have been interviewed to inform the review, including senior managers where appropriate.

Chronology

- The chronology is comprehensive;
- Provides sufficient evidence to support the review;
- Identifies issues for further examination in the review and
- Indicates where key points will require inclusion in the action plan.

Review

- Contains a clear introduction and a concise but informed summary of all the significant events sufficient to give a clear account of what happened;
- Is an accurate reflection of, and examines all the relevant issues identified in the chronology, under the assessment, planning and review and implementation headings;
- Fully explores the findings with relevant staff and reflects their views about very good and deficient practice. It provides an analysis of deficient practice, giving reasons or an explanation of how it occurred;
- Examines the general practice of staff involved and clearly identifies any relevant learning needs. Wider learning needs of staff within the organisation are considered where appropriate and
- Considers organisational issues – resources and the existence of appropriate guidance and processes as well as individual staff adherence to them

Conclusion

- Makes a judgement about sufficiency of probation practice overall, which are reflective of the content of the review, are balanced and reasonable. There is not a requirement to
make a sufficiency judgement on each domain although the assessment of whether practice met standards or reasonable expectations should be clear and;

- Gives a clear account of any action that has already been taken

Next Steps

- Contains sufficient information about what action will be taken. It provides a summary of the key learning and areas for development, detailing how they will be addressed to improve future practice. It does not go into the same level of detail as the action plan. It sets out good practice for dissemination; and
- This section will be rated with the action plan.

Countersigning

- The review has been appropriately countersigned

Action Plan

- The learning points in the action plan are reflective of the areas identified in the analysis, address organisational as well as individual findings and are directed at the appropriate level and the appropriate staff;
- Each action is SMART and includes robust plans to measure and track the learning to ensure it is delivered and embedded in practice;
- Good practice where others can learn from how it was achieved is included in the action plan (the review should contain information about when staff have met expected standards or where practice has been good but conforms to known best practice) and;
- Comments are included to explain why any deficiencies have not been included (e.g. staff member has retired)

Glossary

- A case specific glossary has been prepared

Disclosure

- The review is written in a narrative form, using appropriate language that is suitable for sharing with the victim or victim’s families’
- HMPPS SFO team may comment on redaction and disclosure issues although the responsibility for ensuring the review is compliant with the DPA and GDPR, and contains all the information that can be legally shared with the victim.
Ratings

- HMPPS SFO team will provide a narrative feedback about the document set to the NPS Divisional Director or CRC Chief Executive which will either:
  - endorse the content of the review (excluding next steps) on the basis of the evidence provided, rating the content as “good” or “satisfactory”; or
  - make recommendations for change and request a re-submission of some or all of the document set, rating the review as “requiring improvement”; and
  - rate the content of the next steps and action plan as “good”, “satisfactory” or “requiring improvement”.

- For reviews completed by the NPS, the feedback will be copied to:
  - Head of Public Protection
  - SFO Senior lead
  - SFO SPOC

- For reviews completed by the CRC, the feedback will be copied to
  - SFO Senior lead
  - SFO SPOC
  - Senior Contract Manager

Re-submissions

- A re-submission will be required where a review or action plan is given a rating of “requiring improvement”;

- The feedback will contain a date for re-submission, usually within 28 days;

- On receipt of a resubmission, HMPPS SFO team will establish whether:
  - the document(s) appropriately address the issues raised in the feedback given
  - further improvements are required.

- Written feedback will be provided to notify the Divisional Director for NPS or Chief Executive for CRCs that:
  - the resubmitted review is to a sufficient quality; or
  - the resubmitted review still requires improvement.

- It is the responsibility of the Divisional Director or Chief Executive to ensure that the review is improved to a sufficient standard;

- On request HMPPS SFO team will quality assure further resubmissions.
Quality Validation Exercises

- HMPPS SFO team will undertake an ad-hoc dip sample of cases to benchmark the information contained in the document set;

- Probation providers will be notified of any cases subject to a quality validation process and the methodology that will be used.
12. HMPPS SFO Team

12.1 Contact details

Head of Team
Liz Chapman  Liz.Chapman@noms.gsi.gov.uk  07967 323989

Senior Policy Lead
Daniella Parascandolo  Daniella.Parascandolo@noms.gsi.gov.uk  020 3334 0547

Quality Assurers
Vicky Quinn (part-time)  victoria.quinn2@noms.gsi.gov.uk  020 3334 0551
Sarah Dickson  sarah.dickson@noms.gsi.gov.uk  07967 326587 /020 3334 0544
Darren Ling  darren.ling@noms.gsi.gov.uk  07773 054038 /020 3334 0544

Policy Support
Robert Hatch  Robert.Hatch@noms.gsi.gov.uk  020 3334 0544

SFO Admin Support
Philip Cogram  Philip.Cogram@noms.gsi.gov.uk  020 3334 0544

The SFO Team forms part of the Public Protection Partnerships Section, within the Public Protection Group, based in central London
12.2 Role of the team

The purpose of the SFO team is to manage the SFO process to ensure that there is a rigorous system of scrutiny for cases where specified offenders under supervision have been charged with a serious further violent or sexual offence so that:

- Areas of continuous improvement to risk assessment and management practice within Probation Provision may be identified and disseminated locally, regionally and nationally;

- The public and victims’ families may be reassured that HMPPS is committed to reviewing practice in cases where offenders under supervision are charged with certain serious offences; and

- Ministers, Chief Executive of HMPPS, Director of Probation, and Contracted Services can be informed by us of high profile cases of alleged serious further offending

The team role includes:

- Administering the SFO process from receipt of notifications through to the final outcome in each case

- Providing help and advice to NPS and CRC staff where necessary, e.g. qualifying criteria, reporting on sensitive SFOs, completing SFO reviews and action plans. We are available for general advice via email or telephone.

- Quality assurance of SFO reviews completed by NPS Divisions and CRCs

- Monitoring of progress with SFO review action plans – joining up with NPS Effective Practice team and CRC contract managers to ensure the implementation and success of learning is a key focus.

- Development of national policy and guidance relating to serious further offence procedures, as well as contributing to the development of policy and practice in other areas of HMPPS

- Recording and managing SFO data for HMPPS; collating and disseminating statistics to NPS, CRCs and other parts of HMPPS for analysis. Answering PQs, FOI requests and ministerial correspondence.

- Ensuring Ministers, HMPPS Chief Executive and other senior officials are informed of high profile cases through timely submissions and/or briefings. Between 1 April 2017 and 31 March 2018, the team received 683 SFOs, 76 of those were high profile, to monitor, and notify Ministers of key events from date of charge through to outcome.

- Current area of interest for Ministers – Reports in the national papers about SFOs, Ministers asking questions in parliament, particularly at present about CRC management of offenders charged with SFOs, including statistics, and families of victims asking questions in a number of cases about practice of probation providers and wanting to see full SFO reviews.
To ensure we can provide Ministers with accurate information it is important that correct information is provided to us in SFO notifications and SFO reviews. We may also need to contact NPS Divisions/CRCs for further information in cases that attract press and Ministerial interest. This information is often needed quickly.

The SFO team are happy to provide help and advice to staff involved in the notification, completion and countersigning of SFO reviews.

12.3 Public Protection Partnerships Section

Other teams in the Section work on policy in relation to:

- MAPPA, Domestic Abuse and Integrated Offender Management
- Prison Public Protection,
- Assessment and management of Sex Offenders
- OASys
- Foreign National Offenders in the Community
- Licence conditions
- Adult and child safeguarding
Appendix 1

Data Protection Act [2018].

General Principles
Section 2 of the Data Protection Act 2018 sets out the general principle that personal data must be processed lawfully and fairly on the basis of consent or another specified basis.

For SFO reviews, personal data may only be processed for law enforcement purposes if it lawful and fair.

Personal data can only be processed if section 35(2) is met. In the case of sensitive data, at least one condition in Schedule 8 must be met.

Sensitive processing for law enforcement purposes is set out in section 35(8) as:

(a) the processing of person data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership;

(b) the processing of genetic data, or of biometric data, for the purpose of uniquely identifying an individual;

(c) the processing of data concerning health;

(d) the processing of data concerning an individual’s sex life or sexual orientation

Section 35(2) - Processing of any personal data
The relevant conditions for SFO reviews for processing personal data are:

“35(2) the processing of personal data for any of the law enforcement purposes if lawful only if and to the extent that it is based on law and either—

(a) the data subject has given consent to the processing for that purpose, or

(b) the processing is necessary for the performance of a task carried out for that purpose by a competent authority”.

Section 35(4) and (5) - sensitive processing

For sensitive processing, either section 35(4) or 35(5) needs to be met.

“35(4)

(a) the data subject has given consent [...], and
(b) at the time when the processing is carried out, the controller has an appropriate policy document in place.”

“35(5)

(a) the processing is strictly necessary for the law enforcement purpose;
(b) the processing meets at least one of the conditions in schedule 8, and
(c) at the time when the processing is carried out, the controller has an appropriate policy document in place.”

The relevant conditions under schedule 8 are:

1.

(a) is necessary for the exercise of a function conferred on a person by an enactment or rule of law, and

(b) is necessary for reasons of substantial public interest.

2. processing is necessary for the administration of justice.

5. processing related to personal data which is manifestly made public by the data subject (any relevant information the offender has made public themselves).
Intentionally left blank
Appendix 2

Interim Arrangements

The processes for ensuring victims get information about SFO findings is the same, and HMPPS will issue further guidance following the conclusion of other parallel reviews into victim engagement and services.

It is important that the NPS has timely contact with a victim where there has been a conviction for an automatic SFO. The probation instruction requires providers to copy the notification to the Victim’s Unit and we will consult NPS going forward about the value and feasibility of Victims Units actively tracking cases. The Witness Care Unit (WCU) is also notified that an offender under supervision has appeared in court for a SFO using Annex K. The WCU must provide the Victim’s Unit with the details of the victim or victim’s family after conviction.

A senior manager will continue to provide the feedback to victims in a face-to-face meeting, usually accompanied by the Victim Liaison Officer (VLO). It is not the responsibility of the VLO to provide information about the findings of the review. The approach to sharing information with victims should be responsive to the particular needs of victim, including language or disability which may affect how information is shared with them. Furthermore, the NPS and CRCs may wish to consider the victim’s preferred method of contact when arranging to deliver the feedback.

Victim Summary Reports

During the transition to the new format, providers will continue to complete some reviews on the old format. For those cases Victim Summary Reports (VSRs) should still be prepared. They should be a full and accurate summary of the findings from the SFO review. The current PI sets out the expectation that VSRs:

- include details from the analysis section of the SFO review document including any identified deficiencies in the management of the offender, the learning points and, most importantly, the remedial action that has been taken to rectify matters for the management of future cases. Corporate issues and systemic issues may be the main points; alternatively, the main points may cover core practice.

- in instances where members of staff have undergone capability/poor performance or disciplinary procedures as the result of an SFO review the VSR places importance on giving an open and honest account of what happened and this might include details of remedial action that has been taken to address staff performance. Individual staff names or information which would identify individuals should never be disclosed.

The VSR should include the context in which any deficiencies occurred and explain what was done with an offender. Since the previous PI was issued it has become clear that information about the offender can be shared lawfully where it is necessary to do so, to give a proper understanding of what happened and of the practice in the case. This means that the VSR can set out what work was done to manage the offender’s risks and address their needs, and this need not be limited to information in the public domain.

The NPS or CRC should give the victim a copy of the VSR.
Requests for access to the full SFO Review

In most cases to date, a comprehensive VSR, a meeting to discuss it and a follow up letter where necessary, has answered the victim’s questions and they have not sought further access to the full SFO Review. However there will be cases where victims request access to the full SFO Review. In light of the change to a position where we routinely share appropriately redacted SFO Reviews with victims/victims’ families, the fact that there are already circumstances in which the SFO Review has been shared, and the legal advice that it is lawful to share appropriately redacted SFO reviews, retaining the position where we continue to refuse to disclose reviews is not tenable.

Where victims do not feel they have been provided with sufficient information through the Victim Summary Report process, to offer to provide additional detail through another means such as a more detailed VSR or a bespoke report runs the risk of further undermining the victim’s confidence and trust in the process. The process of understanding the findings of the SFO review should not add to the trauma the victim/victims’ families have already been through. Therefore where requests for the full SFO are received, arrangements should be made to make the appropriately redacted full review available. The advice on redaction contained in the body of this guidance applies.

Section 9 addresses the legal basis for sharing information with victims. Further advice on any request can be sought from HMPPS SFO team and in particular CRCS or NPS divisions who receive requests for access to a review under the Freedom of Information Act should seek advice from the SFO team.
**SERIOUS FURTHER OFFENCES (SFO) REVIEW**

HMPPS, Public Protection Group (PPG).
Email: SFO@noms.gsi.gov.uk

**STAGE 1 INITIAL NOTIFICATION – TO BE COMPLETED BY THE NPS IN ALL CASES**

<table>
<thead>
<tr>
<th><strong>Offender Name:</strong></th>
<th></th>
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<tbody>
<tr>
<td><strong>Probation provider managing the case at the point of the SFO (CRC or NPS Division):</strong></td>
<td></td>
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<tr>
<td><strong>HMPPS SFO reference:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Notification initiated by (NPS):</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Telephone number:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Email address:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>SFO single point of administrative contact (NPS or CRC):</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Telephone number:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Email address:</strong></td>
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</tr>
</tbody>
</table>

Please refer to the latest SFO Operational Guidance when completing all sections of this document.
**Timeliness**

This page must be updated by the single point of administrative contact at each stage of the SFO process, before the updated document is forwarded to HMPPS SFO Team.

<table>
<thead>
<tr>
<th>1st Court appearance date</th>
<th>Notification submitted date</th>
</tr>
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<tbody>
<tr>
<td>Stage submitted on time?</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>No</td>
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</table>

**Details of subsequent amendments:**

If any of the stages were submitted late, please provide brief details of the reasons for this:

If appropriate, address in the analysis and as a learning point.
### Notification

The following criteria must be met:

<table>
<thead>
<tr>
<th><strong>Offender Eligibility</strong></th>
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</thead>
<tbody>
<tr>
<td>• Offenders who are under <strong>any form of supervision</strong> by the NPS or a CRC (licence or post sentence supervision) on the date of the SFO (excluding however offenders where a court or recall warrant had been issued 3 months or more prior to the date of the SFO);</td>
<td></td>
</tr>
<tr>
<td>• Offenders who were under any form of supervision by the NPS or CRC including those who have been subject to recall and released at SED, which terminated within 28 days prior to the SFO; where an offender is released from prison on temporary licence (ROTL)</td>
<td></td>
</tr>
<tr>
<td>• In cases of deferred sentences where sentencing is deferred to allow an offender to comply with any requirements set by the court. Consideration of a discretionary SFO review would need to take into account the specific requirements set by the court and the management of the case by the probation provider during that period</td>
<td></td>
</tr>
<tr>
<td>• Offenders under supervision as above, who are charged with an equivalent eligible offence in another jurisdiction;</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Offence Eligibility</strong></th>
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</thead>
<tbody>
<tr>
<td>• The list of eligible offences comprises serious violent and serious sexual offences (as described in Annex A of the latest PI), or an equivalent eligible offence in another jurisdiction.</td>
<td></td>
</tr>
</tbody>
</table>

### Cases that will qualify for a SFO review

Once a case has been checked to see that both the offender and the offence eligibility criteria are met, it will automatically **qualify** for a SFO review if:

<p>| | |</p>
<table>
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<tr>
<td>• The SFO charge is <strong>murder, manslaughter</strong>, other specified offences causing <strong>death (including death by dangerous driving), rape, assault by penetration (s.2 2003 SOA), or a sexual offence against under 13 (including attempted &amp; conspiracy offences for all these offences)</strong> or</td>
<td></td>
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<tr>
<td>• The offender was high or very high risk of serious harm at any point during their current sentence or had not been subject to a formal risk assessment using an Authority approved system (For NPS this will be OASys in most instances or an OASys RoH screening and appropriate level of assessment post case allocation and for CRCs identification of the present risk of serious harm posed by an offender, dated during the current supervision period).</td>
<td></td>
</tr>
<tr>
<td>• Exceptionally, the offence, whether a SFO or not, may qualify a case for a SFO review if it is likely to attract <strong>national public interest</strong> - please see Operational Guidance for further details</td>
<td></td>
</tr>
<tr>
<td>• For ROTL cases, all Schedule 15A offences will automatically qualify for an SFO review irrespective of the risk of serious harm that the offender posed.</td>
<td></td>
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</table>

### The Senior Lead manager for SFO(s) must ensure that:

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<tr>
<td>• HMPPS SFO Team receives the fully completed SFO notification document, for cases that are to proceed to a SFO review, within <strong>10 working days of the first court appearance</strong>; and that the review is then commenced. This will incorporate stage 1 and stage 2 from the NPS and stage 3 from NPS or CRC.</td>
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<tr>
<td>• Stage 2 - case allocation process is reviewed by the NPS and signed by the relevant manager.</td>
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<tr>
<td>• Notification forms on cases that are not to receive a SFO review are stored locally for audit purposes. They should include the information that is needed to enable the Senior Lead manager to establish that the case does not qualify for a SFO review.</td>
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<tr>
<td>• HMPPS SFO team is informed of any case which is likely to attract <strong>national public interest</strong> immediately by telephone and email;</td>
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</tr>
<tr>
<td>• NPS or CRC have processes in place to manage cases which may attract public interest;</td>
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</tr>
</tbody>
</table>
• The NPS deputy director (or their representative) and HMPPS CRC Contract Manager (or their representative) where relevant, receive a copy of the Notification;
• The case record is secured
• The Victim Contact Unit is notified if appropriate.
• The Witness Care Unit is provided with the template as detailed in the Operational Guidance once PPG has confirmed SFO eligibility.

The Senior Lead manager for SFO(s) must ensure that the following actions are taken for all cases which are considered for review whether a review is undertaken or not:
• The LSCB is informed of any case where the victim is a child and there is a SFO review.
• The local MAPPA SMB co-ordinator, or equivalent, is notified of any case where the offender was under MAPPA level 2 or 3 supervision;
• The CSP is notified and liaison with CSP Chair take place where a DHR is also being completed.
• In cases resulting in death where the victim of the was under probation supervision, PI 01/2014 is referred to;
• In cases where the victim was a resident of Approved Premises, PI 32/2014 is referred to.

1.1. OFFENDERS DETAILS

<table>
<thead>
<tr>
<th>Offender name:</th>
<th>PNC/CRO number:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alias(es):</td>
<td></td>
</tr>
<tr>
<td>Address at time of the SFO(s)</td>
<td>Is this?</td>
</tr>
<tr>
<td></td>
<td>Choose an item.</td>
</tr>
<tr>
<td></td>
<td>(if other or Approved Premises, give details):</td>
</tr>
<tr>
<td>Prison Number:</td>
<td>Date of Birth:</td>
</tr>
<tr>
<td>Ethnic Origin:</td>
<td>Gender: Male □</td>
</tr>
<tr>
<td>White - British</td>
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</table>
### 1.2. COURT DETAILS

| At which court did the offender first appear? |  |
| Date of first court appearance: | Outcome (including remand in custody or bail) Details: |
| Details/date of next court appearance: |  |

### 1.3. SERIOUS FURTHER OFFENCE DETAILS

| Date(s) of SFO(s): |  |
| Serious violent offence triggering this notification: | Choose an item. Details (including known victim information): |
| Serious sexual offence triggering this notification: | Choose an item. Details (including known victim information): |

| Has the offender been charged with any additional offences? | Yes ☐ | No ☐ |
| If Yes, please specify all additional charges, including any charges for offences which fall outside of the SFO criteria: |  |
| Please provide a brief summary of the SFO: |  |
1.4. CO-DEFENDANTS

Are there any co-defendants?  
Yes ☐  No ☐

Were any of the co-defendants at the time of the alleged SFO (or within 28 days) being supervised by any probation provider?  
Yes ☐  No ☐

Please enter details of co-defendants in the table below:

<table>
<thead>
<tr>
<th>Name</th>
<th>Date of Birth</th>
<th>Eligible for notification</th>
<th>Details</th>
<th>Submission date</th>
<th>SFO ID</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td>Yes</td>
<td>No</td>
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* A separate SFO Notification must be completed and forwarded to both SFO single point administrative of contact for all relevant co-defendants.
### 1.5. SFO VICTIM INFORMATION

How many victims were there? Where possible, please use the table below to provide background information on each victim:

<table>
<thead>
<tr>
<th>Gender</th>
<th>Age</th>
<th>Offender/ Victim relationship</th>
<th>Was there any evidence of re-victimisation?</th>
<th>Is there evidence that the victim(s) was/were targeted due to their:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
<td>☐ Ethnicity</td>
<td>☐ Other</td>
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<td>☐ Gender</td>
<td>☐ Religious beliefs</td>
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<td>☐ Specific vulnerability</td>
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<td>☐ Specific vulnerability</td>
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<td>☐ Gender</td>
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<td>☐ Disability</td>
<td>☐ Specific vulnerability</td>
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<td>☐ Sexuality</td>
<td>☐ Age</td>
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<td>☐ Class</td>
<td>☐ Disability</td>
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<td></td>
<td>☐ Specific vulnerability</td>
<td>☐ Religious beliefs</td>
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<td>☐ Ethnicity</td>
<td>☐ Other</td>
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<td>☐ Gender</td>
<td>☐ Religious beliefs</td>
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<td>☐ Disability</td>
<td>☐ Specific vulnerability</td>
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<td>☐ Class</td>
<td>☐ Disability</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>☐ Specific vulnerability</td>
<td>☐ Religious beliefs</td>
</tr>
</tbody>
</table>

If there are more than four victims or if there is any additional information, please provide a brief summary here:

### 1.6 EVIDENCE OF PRESS OR PUBLIC INTEREST

Has the offence attracted or is it likely to attract public interest, by virtue of the circumstances or type of offence, or the national public profile or well-known identity of the offender or the victim, which would normally fall outside of the eligibility criteria?

If Yes, this case may still need to become an SFO – Discuss the case with HMPPS SFO team.

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>
Please provide further details below

Name of senior lead manager:
Name: Date:
Grade: 

Telephone Number:  

Email address:  

This part of the notification (Stage 1) should now be sent to the relevant designated senior manager in the NPS to complete Stage 2 – Review of the Case Allocation Process. This should be completed and countersigned before submission to the HMPPS SFO Team.

Stage 1 should **ALSO** be sent to the relevant NPS or CRC, that was responsible for the management of this case in order that Stage 3 is completed and sent to HMPPS SFO team. Please note, Stages 2 and 3 **must** be submitted within 10 working days to the SFO Team.

It is important that Stage 1 is dispatched to the relevant NPS or CRC in good time (no more than 5 working days) to ensure the completed Stage 3 is received by HMPPS SFO team within ten days. Completion of Stage 2 is **not** a pre requisite to Stage 3 being completed.
To be completed and signed by the designated manager within the NPS.

PLEASE NOTE THAT THIS SECTION DOES NOT NEED TO BE COMPLETED FOR ROTL SFO CASES

The allocation of offenders to service providers is reserved to the National Probation Service. The Case Allocation system sets out general criteria on which offender allocation decisions must be based, these are set out below:

1. The appropriate application of the case allocation process completed by the NPS either pre-sentence or immediately post sentence, where it was clear that the offender was in scope for probation services.

2. In cases where the offender had either left court or was sentenced to immediate custody without an NPS interview, the case allocation tool completed using all the information available to the court.

3. The case allocation tool is always completed, in accordance with the criteria set out in sections 1 – 3 on which offender allocation decisions must be based:

   - **Section 1 – Summary of Risk/Harm Scores**
     Using the range of predictor tools, including the RSR tool

   - **Section 2 – Risk of Serious Harm (RoSH) Screening, and if applicable**
     A full RoSH Analysis, if the RoSH Screening identifies one is required in accordance with the operational guidance

   - **Section 3 – The Case Allocation Decision to determine cohort allocation to either the CRC or the NPS.**

4. Following sentence, the case allocated to the appropriate provider in accordance with the timescales set within the operational guidance

5. The appropriate provider is informed of the sentence within the required time frame
6. All the necessary paperwork and associated information is communicated to the appropriate provider, within the required timeframe.

2.1. CASE ALLOCATION PROCESS

| Was the case allocated in accordance with all the criteria set out above? | Yes ☐ | No ☐ |

Please provide evidence to support your answer, specifically if there were criterion that were not met, with any known reasons for this. Please provide comment where relevant to support your answers, including any information that should have been taken into consideration and the reasons for the absence of such (for example, was it not available at the time of sentence? was it an oversight?)

Please indicate if there is any associated learning that requires further investigation or remedial action.

2.15. ACTION PLAN

Please use the table below to summarise the actions that will be taken to address any deficiencies that have been identified. The actions should be SMART (Specific, Measurable, Achievable, Realistic and Time-bound). They may include referral of concerns to other bodies where appropriate.

<table>
<thead>
<tr>
<th>Learning Point</th>
<th>Related to Case Allocation</th>
<th>Action to address the Learning Point</th>
<th>By Whom</th>
<th>By When (give date)</th>
<th>How the impact of the action taken will be reported and evaluated</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
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<tr>
<td>2</td>
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<td>3</td>
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<td>4</td>
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</tr>
</tbody>
</table>

Name of senior lead manager authorising this notification:  

Date:
### 3.1. OASYS RISK OF SERIOUS HARM

<table>
<thead>
<tr>
<th>What was the highest OASys (or equivalent) risk of serious harm level, prior to the SFO, during the current sentence, whether in custody or community?</th>
<th>Choose an item.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of this assessment:</td>
<td></td>
</tr>
</tbody>
</table>

### 3.2 SUPERVISION AT TIME OF SFO

<table>
<thead>
<tr>
<th>NPS Division:</th>
<th>Choose an item.</th>
</tr>
</thead>
<tbody>
<tr>
<td>NPS LDU</td>
<td>A-E [select] Choose an item.</td>
</tr>
<tr>
<td>NPS LDU</td>
<td>F - R [select] Choose an item.</td>
</tr>
<tr>
<td>NPS LDU</td>
<td>S – Z [select] Choose an item.</td>
</tr>
<tr>
<td>CRC</td>
<td>Choose an item.</td>
</tr>
</tbody>
</table>

| Has another NPS division or CRC been involved in the management of the offender at any point during the current sentence? | Yes ☐ No ☐ |

If Yes, please provide details:

**What was the main type of supervision that the offender was subject to at the time of the SFO?**

- ☐ Community Order or SSO
- ☐ Post sentence supervision.
- ☐ Determinate licence
- ☐ Life / Indeterminate licence
- ☐ Release on temporary licence (please list prison establishment below).

**Details of index offence, including significant victim issues:**

Details:
Please summarise the supervision at the time of the SFO in the tables below, specifying where the offender was subject to more than one type of supervision:

**Community Order or Suspended Sentence Order** (if more than one, enter into the table the orders in force at the time of the SFO, starting with the oldest, if necessary enter details of any other, for example restraining, injunctions, ASBO orders the offender was subject to at the time of the SFO in the additional information section).

<table>
<thead>
<tr>
<th>Start date of order</th>
<th>Length of order</th>
<th>Type of order</th>
<th>Index offence(s)</th>
<th>Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Choose an item.</td>
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<td>Choose an item.</td>
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<td>Choose an item.</td>
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</tbody>
</table>

Please specify details of requirements:

Details:

**Additional information** (including where applicable, duration of requirements, any other orders, and other relevant information):

**Post Release (including Life/Indeterminate licence)/ ROTL**

<table>
<thead>
<tr>
<th>Start date of prison sentence</th>
<th>Length of sentence</th>
<th>Start of licence</th>
<th>End of licence</th>
<th>Start of PSS</th>
<th>End of PSS</th>
<th>Index Offence(s)</th>
<th>Type of Licence</th>
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</thead>
<tbody>
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<td>Choose an item.</td>
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</table>

Please specify details of additional licence conditions:

Details:
### Discharging Prison:

**Additional information** (including, for example, where applicable):
- Details of any recalls
- Details of any Parole board involvement in the release or re-release of the offender
- Details of any Executive Release
- Any other relevant information
- Previous ROTLS

### Was the Offender:

<table>
<thead>
<tr>
<th>A Foreign Nation Prisoner (FNP)? If yes please provide Home Office CID Reference</th>
<th>Yes ☐</th>
<th>No ☐</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject to Home Detention Curfew <strong>at the time of the SFO:</strong></td>
<td>Yes ☐</td>
<td>No ☐</td>
</tr>
<tr>
<td>Subject to Electronic Monitoring <strong>at the time of the SFO:</strong></td>
<td>Yes ☐</td>
<td>No ☐</td>
</tr>
<tr>
<td>On licence following an Executive decision to release:</td>
<td>Yes ☐</td>
<td>No ☐</td>
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<tr>
<td>On licence following a Parole Board decision to release:</td>
<td>Yes ☐</td>
<td>No ☐</td>
</tr>
<tr>
<td>On court bail <strong>at the time of the SFO:</strong></td>
<td>Yes ☐</td>
<td>No ☐</td>
</tr>
<tr>
<td>At the time of the SFO, resident in AP, BASS or any other supported accommodation?</td>
<td>Yes ☐</td>
<td>No ☐</td>
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</tbody>
</table>

If Yes to any please provide brief details:

### 3.3. PREVIOUS CONVICTIONS

How many previous convictions (prior to the index offence) does the offender have?

<table>
<thead>
<tr>
<th>For how many offences?</th>
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<tbody>
<tr>
<td>For how many different types of offence?</td>
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</table>

### Has the offender previously been convicted of, or cautioned for, any of the following?

- [ ] Murder/manslaughter/attempted murder*
- [ ] GBH/wounding/robbery/abduction/kidnapping/unlawful imprisonment*
- [ ] Other violence or harassment, or possession of offensive weapons*
- [ ] Sexual offences*
- [ ] Arson*
- [ ] Criminal damage
- [ ] Drug offences
- [ ] Burglary*
- [ ] Theft
* Please provide a brief summary of the date(s), type(s) of conviction, significant cautions and sentence(s) in the table below only for those categories marked with a * in chronological order starting with the most recent conviction:

<table>
<thead>
<tr>
<th>Date(s)</th>
<th>Offence(s)</th>
<th>Sentence(s)</th>
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</table>
### 3.4. MAPPA AND OTHER REVIEWS

At the time of the SFO, was the offender a ‘relevant sexual and/or violent offender’ for MAPPA eligibility purposes?

- Yes [ ]
- No [ ]

If Yes, which category?  
Choose an item.

If Yes, at what MAPPA level was the offender being managed at the time of the SFO?

Choose an item.

Are there any indications that a MAPPA SCR is to be undertaken by the SMB?

- Yes [ ]
- No [ ]

If Yes, please specify details:

Are there any indications that a LCSB Safeguarding SCR is to be undertaken by the SMB?

- Yes [ ]
- No [ ]

If Yes, please specify details:

Are there any indications that the local Community Safety Partnership are undertaking a Domestic Homicide Review (DHR)?

- Yes [ ]
- No [ ]

If Yes, please specify details:

Is the offender, or has the offender previously been registered as a Critical Public Protection Case?

- Yes [ ]
- No [ ]

If Yes, please provide specific details including date of registration:

---

### 3.5 OFFENDERS SUBJECT TO INTEGRATED OFFENDER MANAGEMENT

Was the offender identified as an IOM case during the period of supervision when the SFO occurred?

- Yes [ ]
- No [ ]

If Yes, please specify:

---

### 3.6. PUBLIC INTEREST

Has there been/is there likely to be any national public interest in the case, e.g. evidence of strong national media interest/coverage?

- Yes [ ]
- No [ ]

If Yes, please specify:
### 3.7. CONFIRMATION

The Senior manager must indicate whether the case qualifies for a SFO review based upon the following questions (please see the Operational Guidance). Answer each of the questions in turn up to the point at which a review is indicated:

<table>
<thead>
<tr>
<th>Eligibility Criteria</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. Does the offender meet the SFO offender eligibility criteria?</strong>&lt;br&gt;If No, this case is not an SFO and the Notification should not be submitted.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>2. Does the offence meet the SFO offence eligibility criteria?</strong>&lt;br&gt;If No, this case is not an SFO and the Notification should not be submitted. However, in exceptional cases where there is a national public interest and case is to be treated as a SFO, then go to Question 5.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>3. Does the offence qualify for an automatic SFO Review i.e. murder, manslaughter, other offence causing death, rape, assault by penetration, sexual offence vs. child under 13 (including attempts &amp; conspiracy)?</strong>&lt;br&gt;If Yes, the case requires a Review and the Notification should be submitted. If No, proceed to Question 4.</td>
<td></td>
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<tr>
<td><strong>4. Does the offender qualify for a SFO Review on the basis that either he/she was assessed as high/very high risk of serious harm during the current sentence (including custody element where applicable) or has not received a risk assessment during the current period of supervision (order or licence)?</strong>&lt;br&gt;If Yes, the case requires a Review and the Notification should be submitted. If No go to Question 5.</td>
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<tr>
<td><strong>OR</strong></td>
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<tr>
<td><strong>Significant national public interest</strong></td>
<td></td>
<td></td>
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<tr>
<td><strong>5. Has the offence attracted or is it likely to attract public interest, by virtue of the circumstances or type of offence, or the national public profile or well-known identity of the offender or the victim, which would normally fall outside of the eligibility criteria?</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Notification completed by (name and grade):<br>Name:  
Grade:  

Telephone Number:  

Email address:  

Notification completed by (name and grade):  
Name:  
Grade:  

Telephone Number:  

Email address:  

Notification completed by (name and grade):  
Name:  
Grade:  

Telephone Number:  

Email address:  

Notification completed by (name and grade):  
Name:  
Grade:  

Telephone Number:  

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Notification completed by (name and grade):  
Name:  
Grade:  

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Notification completed by (name and grade):  
Name:  
Grade:  

Telephone Number:  

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Name:  
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Notification completed by (name and grade):  
Name:  
Grade:  

Telephone Number:  

Email address:  

Notification completed by (name and grade):  
Name:  
Grade:  

Telephone Number:  

Email address:
If Yes, this case may still need to become an SFO – Discuss the case with HMPPS SFO team.

<table>
<thead>
<tr>
<th>High Profile</th>
</tr>
</thead>
<tbody>
<tr>
<td>6. Taking account of the notifying officer’s comments in answer to question 1.6 and 3.6, can you confirm if you feel that the case should be categorised as a high profile case?</td>
</tr>
<tr>
<td>Yes ☐ No ☐</td>
</tr>
<tr>
<td>Please refer to the Operational Guidance.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Based on the answers above, does this case qualify for a Review?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes ☐ No ☐</td>
</tr>
<tr>
<td>If the case does not qualify for a Review you should <strong>not</strong> submit this form to HMPPS SFO Team, but you should retain the paperwork locally for audit purposes and consider whether the case warrants a local review. If the case does qualify for a review, please indicate one of the following options.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Based on the answers above, does this case qualify for a <strong>standard</strong> SFO Review?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes ☐ No ☐</td>
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</table>

<table>
<thead>
<tr>
<th>Based on the answers above, does this case qualify for <strong>ROTL SFO Review</strong>?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes ☐ No ☐</td>
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<table>
<thead>
<tr>
<th>Name of senior lead manager:</th>
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<tbody>
<tr>
<td>Name:</td>
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<td>Grade:</td>
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<th>Telephone Number:</th>
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<th>Email address:</th>
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SERIOUS FURTHER OFFENCE REVIEW
Case details and chronology

Please refer to the latest SFO Operational Guidance when completing all sections of this document

<table>
<thead>
<tr>
<th>Name:</th>
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<tbody>
<tr>
<td>Date of birth:</td>
<td></td>
</tr>
<tr>
<td>SFO case reference:</td>
<td></td>
</tr>
<tr>
<td>Provider: (CRC/NPS division)</td>
<td></td>
</tr>
</tbody>
</table>

**Risk Information**

Please indicate the following scores at the start of sentence

<table>
<thead>
<tr>
<th>RSR</th>
<th>OGRS 12 mths:</th>
<th>OVP 12 mths:</th>
<th>OGP 12 mths:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>OGRS 24 mths:</td>
<td>OVP 24 mths:</td>
<td>OGP 24 mths:</td>
</tr>
</tbody>
</table>

**Initial Risk of Serious Harm assessment**

<table>
<thead>
<tr>
<th></th>
<th>Children</th>
<th>Public</th>
<th>Known adult</th>
<th>Staff</th>
<th>Prisoners</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Risk in community</td>
<td>Risk in custody</td>
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Details of any individuals at risk if identified in table above e.g. known adults, and nature of risks

Changes to RoSH (before the SFO)
Diversity

Were any of the following identified as factors relevant to the offender, their offending or their supervision at any stage?

<table>
<thead>
<tr>
<th>Ethnicity</th>
<th>Details:</th>
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<tbody>
<tr>
<td>Sexuality</td>
<td>Details:</td>
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<tr>
<td>Gender</td>
<td>Details:</td>
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<tr>
<td>Disability</td>
<td>Details:</td>
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<tr>
<td>Religious beliefs</td>
<td>Details:</td>
</tr>
<tr>
<td>Age</td>
<td>Details:</td>
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<tr>
<td>Care leaver</td>
<td>Details:</td>
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<tr>
<td>Immigration status</td>
<td>Details:</td>
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<table>
<thead>
<tr>
<th>Risk Matrix 2000/ARMS</th>
<th>Initial</th>
<th>Changes</th>
<th>At point of SFO</th>
</tr>
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<table>
<thead>
<tr>
<th>MAPPA Category &amp; Level</th>
<th></th>
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</table>

Interviews

<table>
<thead>
<tr>
<th>Identifier (e.g. RO1, SPO1 etc.)</th>
<th>Grade and role of interviewee</th>
<th>Date(s) of interview</th>
<th>Subjects and issues discussed</th>
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<tbody>
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</table>
## Chronology

<table>
<thead>
<tr>
<th>Date</th>
<th>Significant event</th>
<th>Comments (refer to Pls, local policy and guidance, HMIP standards)</th>
<th>Key finding for further examination (good practice or area of concern)</th>
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**SERIOUS FURTHER OFFENCE REVIEW**

Please refer to the latest SFO Operational Guidance when completing all sections of this document

<table>
<thead>
<tr>
<th>Offender name</th>
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<tr>
<td>SFO case reference</td>
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<tr>
<td>Probation provider</td>
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<tr>
<td>Reviewing manager</td>
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Serious Further Offence reviews are undertaken when an individual who being supervised by either the National Probation Service (NPS) or a Community Rehabilitation Company (CRC) commits a specified serious offence.

In undertaking a serious further offence (SFO) review, the NPS or the CRC must transparently and rigorously review their work and provide an understanding of what happened. The purpose of the SFO review is to:

- review whether all action had been taken as far as could reasonably be expected to manage the risk of harm posed to others by the individual;
- identify what - if anything - could or should have been done differently;
- analyse why things were done in the way they were done;
- establish whether there is learning from the review of the case that requires actions at local or national levels;
- ensure that areas for improvement are clearly identified, along with how and within what timescale action will be taken and what will be expected to improve as a result;
- give victims relevant information on how the offender was supervised and where there were shortcomings, and how action to drive improvements will be taken;
- inform Ministers, HMPPS Chief Executive and other HMPPS senior officials and the wider MoJ of noteworthy cases of alleged SFOs.

SFO reviews:

- are conducted in such a way that the process is seen as a learning exercise and not as a way of apportioning blame;
- identify and report on systemic, organisational or individual failures, particularly where they may be relevant to the outcome;
- highlight notable good practice, recognising that those involved may have taken all reasonable action to manage the offender;
- contribute to the continuous improvement of the management of offenders by the MoJ, HMPPS, NPS and CRCs; and
- are undertaken by reviewing managers who are independent of the line management of the case.
1. Introduction
Probation work is intended to reduce reoffending; protect the public; and ensure that the individual serves the sentence of the court. In reviewing this case, we have examined whether these objectives have been met.

1.1

2. Methodology

2.1.

3. Summary of events

3.1.

4. Key findings - assessment
At the start of supervision, there should be a detailed assessment of the likelihood of reoffending and the risk of harm posed to others. This should include relevant information, including past offending and behaviour, as well as the impact on victims. Assessment is a dynamic process, with significant new events and information leading to a further assessment.

4.1.

5. Key Findings - planning
The assessment should lead to clear plans for delivering the sentence in order to reduce the likelihood of further offending. Additionally, where a risk of harm to other people is identified, there should be a plan for managing the risk. Plans should be reviewed regularly to ensure they are up to date.

5.1.

6. Key findings - implementation and reviewing
The risk management plan should be implemented as intended, ensuring all required actions are undertaken to protect the public. The sentence plan should lead to the delivery of high quality, well-focused and individualised services that engage the service user. There should be a regular review of progress and an effective response to changes in the offender's circumstances, behaviour and compliance.

6.1.

7. Conclusion

7.1.

8. Next steps

8.1.
9. Countersigning
By countersigning this review, the manager is confirming that the document has been quality assured, and that the contents are of a good standard and written in accordance with guidance.

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<thead>
<tr>
<th>Name</th>
<th>Grade/Role</th>
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Countersigning manager’s comments

Appendix 1 | Appendix 2
-----------|-----------
Glossary   | Action Plan

Disclosure statement
The processing of personal data and sensitive processing can take place for the purpose of disclosure to victims under a law enforcement purpose under the Data Protection Act (DPA) 2018. Furthermore, under the requirement of the DPA the processing of data must be relevant and not excessive.

The law enforcement purpose that allows disclosure would not cover forward transmission of the content to other parties.
Each SFO review should have an accompanying bespoke glossary, please ensure you add or remove definitions as required.

<table>
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<th>Name:</th>
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<td>SFO case reference:</td>
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**Action plan** – the list of actions identified within the SFO review as being required to address all areas of deficient practice observed. This may include the highlighting and sharing of positive aspects of practice, as well as addressing all appropriate areas of deficient practice.

**Acute risk factors** – those that change quickly, perhaps over days or hours and whose emergence indicates a period of critical risk for an individual where the potential for inflicting serious harm on others already exists. Examples might be:

- Increased levels of substance misuse or destabilisation of socio-economic factors such as loss of accommodation.
- While alcohol may be a dynamic risk factor, intoxication would be the acute risk factor.

**Approved Premises (AP)** - A residential unit providing intensive supervision for offenders who present a high or very high risk of serious harm. Most will have been released from prison on licence or have a requirement imposing AP residency on them. Residents at APs are subject to national rules with a number of restrictions, including a minimum curfew of 11pm-6am.

**ARMS** – Active Risk Management System. Provides a nationally consistent NPS/Police approach to joint working with adult male sex offenders. ARMS supports the management of sex offenders by bringing together effective practice and public protection into a single framework. Focusing on an offender’s current behaviour and circumstances, and evolving as an individual’s circumstances change, those working with them will develop a greater understanding of the individual, the risks that they pose, and their protective factors.

**BASS** – The Bail Accommodation and Support Service provides a source of accommodation and/or support for those who would otherwise be held in prison. The service is specifically for defendants who can be bailed and offenders who can be released on HDC or who are subject to an intensive community order with a Residence Requirement.
**Breach** – when an offender subject to a community sentence fails to comply with expectations. Breach action is initiated which results in a further court appearance and sentence for the non-compliance.

**CAS** – Case Allocation System. The NPS is responsible for the allocation of cases through the Case Allocation System to the NPS or CRC.

**Child in need** – A defined level of management by children’s services to support/safeguard the child and seek to address problems that have been identified. This will involve all agencies working with the parents. Regular group meetings are held to monitor progress.

**Child protection plan** – A plan put in place by children’s services to safeguard the children identified to be at risk. This will involve input from all agencies working with the children and parents. Regular conferences and core group meetings are held to monitor progress.

**Chronic (or stable) risk factor** – A dynamic risk factor that tends to be persistently present.

**Clinical risk assessment** – Based on professional judgement through interview and observation, knowledge of case history and current circumstances. The aim is to increase the understanding of how relevant dynamic risk factors interact for this individual and thus be able to work more effectively with them to construct a workable plan to address the risks.

**Community Order (CO)** - A community sentence imposed by the court as an alternative to imprisonment. It will have additional requirements with the aim of punishing and/or rehabilitating the offender.

**Contingency plan** – an outline of intended contingency actions should essential elements of the risk management plan break down. The plan should identify what actions would be required in response to the emergence of specific risk factors or the breakdown of protective factors.

**CPPC** – Critical public protection cases. The critical few cases that meet a certain threshold and require additional resources/specialist management.

**Community Rehabilitation Company (CRC)** – Private probation provider managing low/medium risk of serious harm offenders serving community sentence/subject to licence. Allocation to the CRC is determined by the NPS at the point of sentence based on a number of criteria.

**Defensible decisions** – Decisions that will stand up to ‘hindsight scrutiny’. All probation staff should be able to demonstrate defensible decision making throughout the management of a case and that ‘all reasonable steps’ have been taken to minimise the risk of serious harm. Decisions should be appropriately recorded and explained in the case record.

**Deficient practice** – Where the work undertaken is assessed to have fallen below the required standards.

**Dynamic risk factor** – A factor that contributes to further offending, but is amenable to change. A dynamic risk factor may be stable or acute (see respective definitions in this glossary). Examples of dynamic risk factors might be: alcohol; substance misuse; mental ill health; suicidal ideation; threats to harm others; access to weapons; relationship problems; psychotic and manic behaviour; financial problems; unemployment.
**Domestic Homicide Review (DHR)** – A DHR is undertaken to explore the circumstances in which the death of a person aged 16 or over has, or appears to have, resulted from violence, abuse or neglect by:

a) a person to whom he was related or with whom he was or had been in an intimate personal relationship, or

b) a member of the same household as himself.

A DHR is undertaken with a view to identifying the lessons to be learnt from the death

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<table>
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<tr>
<th><strong>Enforcement</strong></th>
<th>the term used to refer to action taken if an offender fails to comply with the requirements of their sentence/licence. Actions can include verbal and written warnings, additional restrictions, breach proceedings and potential recall to custody.</th>
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<tr>
<td><strong>Harm</strong></td>
<td>Ill-treatment or the impairment of health or development including, for example, impairment suffered from seeing or hearing the ill-treatment of another. The threshold between non-harmful and harmful behaviour would be more easily met in the case of a child or vulnerable adult. ‘Serious Harm’ is a sub-category of this definition (see below).</td>
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<td><strong>HDC</strong></td>
<td>Home Detention Curfew. The HDC scheme was introduced in 1999 to provide a managed transition from prison to community for offenders serving short sentences. Those released subject to HDC will have electronic monitoring in place to manage an agreed curfew during which they must remain at their designated address.</td>
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<td><strong>High Profile</strong></td>
<td>SFOs which attract significant media attention or may have increased ministerial involvement.</td>
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<tr>
<td><strong>HMPPS</strong></td>
<td>Her Majesties’ Prison &amp; Probation Service. A government organisation with responsibility for the management of offenders in prison and by both the NPS and CRCs.</td>
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<td><strong>Imminence</strong></td>
<td>Imminence relates to the timescale within with it is likely that an event will occur e.g. how soon will this offender do something harmful? Is the harmful offence likely today, tomorrow or in the foreseeable future? Professional judgement will need to determine such timescales in each individual case.</td>
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<tr>
<td><strong>IOM</strong></td>
<td>Integrated Offender Management brings a cross-agency response to the crime and reoffending threats faced by local communities. The most persistent and problematic offenders are identified and managed jointly by partner agencies working together.</td>
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<tr>
<td><strong>Jigsaw</strong></td>
<td>responsible for managing sex offender registration, sexual harm prevention orders &amp; sexual offences prevention orders. Sometimes known by different names which include PPU and MOSOVO officers.</td>
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<tr>
<td><strong>Key findings</strong></td>
<td>these are the areas of positive and deficient practice that the SFO review identifies. These should be addressed with appropriate learning points in the action plan.</td>
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<td><strong>MAPPA</strong></td>
<td>Multi-Agency Public Protection Arrangements. These are designed to protect the public, including previous victims of crime, from serious harm by sexual and violent offenders. They require the local criminal justice agencies and other responsible authorities/agencies dealing with offenders to work together in partnership to devise and implement plans to manage risk.</td>
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The focus of MARAC is the protection of victims who are at a high risk of serious harm from domestic abuse. A number of agencies meet to discuss and review plans for managing risks and supporting victims.

MOJ – Ministry of Justice. The department of government with responsibility for criminal justice, including the management of offenders by HMPPS.

MOSOVO – Managing Sexual Offenders and Violent Offenders, responsible for managing sex offender registration, sexual harm prevention orders & sexual offences prevention orders. Sometimes known by different names, which include Jigsaw and PPU officers.

National Delius (NDelius) – The national case recording system for community based work with offenders.

NPS – National Probation Service. The public sector service with responsibility for managing high risk (and other) offenders released into the community.

Offender Assessment System (OASys) – The offender risk assessment and management tool.

Offender Manager (OM) – responsible officer for managing the offender through their sentence. Also known as the Responsible Officer (RO) dependant on the organisation.

OGRS 4 – Version 4 of the Offender Group Reconviction Scale, which is a validated risk predictor tool based on static risk factors.

OVP 2 – Version 2 of the OASys Violence Predictor, which is a validated risk predictor tool for violent offending, based on both static and dynamic risk factors.

ORA (Offender Rehabilitation Act) – this refers to legislation governing sentences imposed from 1 February 2015. The biggest change was the requirement for any offender receiving a custodial sentence to be supervised in the community for a minimum period of 12 months. This meant the introduction of post sentence supervision (PSS) – see below.

Post Sentence Supervision (PSS) – Offenders sentenced to less than 2 years’ custody are now subject to post sentence supervision following the end of their licence. The licence period and PSS combined is a maximum of 12 months. PSS is focussed on rehabilitation and does not allow for the same level of restriction to be placed upon the offender. If an offender fails to comply with PSS, they cannot be recalled to prison immediately but are returned to court for the breach to be dealt with.

PPG – Public Protection Group. The group within HMPPS in which the national SFO team sits.

PPU – public protection unit (police), responsible for managing; sex offender registration, sexual harm prevention orders & sexual offences prevention orders. Sometimes known by different names which include Jigsaw and MOSOVO officers.

Probation Officer (PO) – someone with responsibility for supervising/managing offenders. A PO will have achieved defined qualifications in order to obtain PO status.

Also known as a Responsible Officer or Offender Manager
<table>
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<tr>
<th><strong>Protective factors</strong></th>
<th>static or dynamic factors, whether external or internal, that make it less likely someone will re-offend.</th>
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<tbody>
<tr>
<td><strong>Probation Service Officer (PSO)</strong></td>
<td>an officer with responsibility for supervising/managing offenders. Whilst a PSO performs a similar role to a PO, there are certain cases (mainly high risk) that would require management by a qualified PO.</td>
</tr>
<tr>
<td><strong>Pre-Sentence Report (PSR)</strong></td>
<td>A report completed by the NPS with a view to assisting the court in determining the most suitable sentence for the offence/offender. Reports can be fast delivery (FDR) or standard delivery (SDR), the difference being the timescales for their completion. Some reports are delivered verbally to the Court.</td>
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<td><strong>Recall</strong></td>
<td>An offender subject to licence can be recalled to prison if they fail to comply with the conditions of their licence. They can be released again after 28 days if they meet certain criteria, if not, the parole board will decide if they can be re-released at any point prior to the end of their sentence. In some instances, the responsible officer can support executive release which allows the public protection casework section to decide whether an offender is suitable for re-release without a full parole board review.</td>
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<td><strong>Rehabilitation Activity Requirement (RAR)</strong></td>
<td>From Dec 2013, when imposing a Community Order, the court can include a RAR. A RAR is designed to allow providers of probation services the flexibility to deliver innovative rehabilitative interventions. The maximum period of the RAR activities is expressed in days.</td>
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<tr>
<td><strong>Risk assessment</strong></td>
<td>The process of collecting, verifying and evaluating information to establish the nature and extent of risk, either of likelihood of re-offending or of the occurrence of serious harm. Risk assessment is often aided by the use of formal risk assessment tools. Good quality risk assessment builds on strengths as well as identifying difficulties; is grounded in evidence; is offender-centred; is a continuing process, not a single event.</td>
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<td><strong>Risk Escalation</strong></td>
<td>the process of referring a case from the CRC to the National Probation Service (NPS) on the basis that there is good evidence that Risk of Serious Harm (RoSH) may have increased to high. A Probation Instruction (PI) sets out the process that should be followed by both organisation.</td>
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<tr>
<td><strong>Risk Management</strong></td>
<td>Refers to those strategies used to manage risk, either by reducing the likelihood that a harmful offence will occur, or in reducing the impact of the offence should it take place (e.g. victim protection). Strategies most usually restrict opportunities to offend, restrict access to or impact on potential victims, and target risky behaviours for change. The term tends to be used with reference to risk of harm rather than risk of re-offending. Risk management is more effective when the offender is committed to and supports the activities, which is made more likely by a clear focus on desistance principles and opportunities to change.</td>
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<td><strong>Risk Management Plan (RMP)</strong></td>
<td>A shared, actively monitored plan, for managing the identified risk of serious harm. Such a plan is required to be in place and documented for all offenders assessed as Medium, High or Very High RoSH.</td>
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<tr>
<td><strong>ROR (LoR)</strong></td>
<td>Risk of Re-offending or Likelihood of Re-offending. Based on static and dynamic assessment tools, the likelihood that an offender will go on to commit a further offence. Expressed in terms of low, medium, high or very high.</td>
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</table>
### Risk of serious recidivism (RSR) tool
A tool to identify a score for the probability that an offender will commit a seriously harmful offence within the next 12 or 24 months, based on a defined list of relevant offence types. The tool can be administered using static information only, or a combination of static and dynamic information.

### Risk of Serious Harm (RoSH)
The assessed level of risk of harm that the service user is identified as presenting. Serious harm is defined below. This assessment is part of the OASys assessment tool. There are four levels of ROSH:

- **Low risk of serious harm (LRoSH)** - Current evidence does not indicate likelihood of causing serious harm.
- **Medium risk of serious harm (MRoSH)** - There are identifiable indicators of risk of serious harm. The offender has the potential to cause serious harm but is unlikely to do so unless there is a change in circumstances, for example, failure to take medication, loss of accommodation, relationship breakdown, and drug or alcohol misuse.
- **High risk of serious harm (HROSH)** - There are identifiable indicators of risk of serious harm. The potential event could happen at any time and the impact would be serious.
- **Very high risk of serious harm (VHROSH)** - There is an imminent risk of serious harm. The potential event is more likely than not to happen imminently and the impact would be serious. This assessment is likely to relate to a ‘critical few’

### SARA
The Spousal Assault Risk Assessment tool; used to assess the risk of repeat domestic abuse.

### SAQ
Self Assessment Questionnaire. Completed by the offender at each sentence plan review to identify any problematic areas linked to their offending.

### Serious Case Review (SCR)
Where a MAPPA offender commits an offence which triggers a MAPPA SCR, the Senior Management Board (SMB) will be required to instigate a review using the MAPPA SCR process. Once the review has been completed, the SMB must meet to discuss it and to ensure that the findings and action plan are implemented and completed.

### Serious harm
An event which is life-threatening and/or traumatic, and from which recovery, whether physical or psychological, can be expected to be difficult or impossible. As defined in the OASys risk assessment tool.

### SFO
Serious Further Offence

### SFO Notification
The document submitted to the national SFO team within 10 working days of the offender’s first court appearance. Also known as the Annex D.

### SFO Review
The document submitted to the SCGPP SFO team within 3 months of receipt of the SFO notification. Also known as the Annex E

### SFO review period
The period under review will typically commence from the point of sentence and cease at the end date of the commission of the SFO. If less than six months is recorded, and the offender had an immediate previous sentence, then the review may explore the work undertaken in this previous sentence.
Sexual Harm Prevention Order (SHPO) - persons convicted of sexual offences can be prevented from doing certain things for a specified period of time by the imposition of a SHPO. The Order is designed to protect victims (known and possible). SHPO replaced SOPO following a change in legislation.

Sexual Offences Prevention Order (SOPO) – predecessor to the above SHPO servicing the same purpose.

Sex Offender Register (SOR) – a register containing the details of anyone convicted or cautioned of certain sexual offences since 1997. An offender may be subject to SoR requirements, which would include the need to inform police within three days of a change of address (including release from prison).

SPO – Senior Probation Officer

Stable risk factors (also referred to as 'chronic' risk factors) – dynamic risk factors that tend to be persistently present.

Static risk factors – those elements of an offender’s identity or past behaviour and its consequences that are historical and/or factual such as gender, age, number and type of previous convictions. Unlike dynamic risk factors, static factors are not susceptible to fluctuation.

Suspended Sentence Order (SSO) – When a court imposes a custodial sentence of between 14 days and two years (or six months in the magistrates’ court), the court may choose to suspend the sentence for up to two years. This means that the offender does not go to prison immediately, but is given the chance to stay out of trouble and to comply with up to 12 requirements set by the court. If the offender fails to comply, the custodial part of the SSO may be activated.

VISOR – The national police database for violent and sexual offenders.
SERIOUS FURTHER OFFENCE (SFO) REVIEW
PRISONS

HMPPS, Public Protection Group (PPG).
Email: SFO@noms.gsi.gov.uk

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<td>Prison Service Area:</td>
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<tr>
<td>HMPPS SFO reference number:</td>
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<td>SFO single point of administrative contact:</td>
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<td>Telephone number:</td>
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<td>Email address:</td>
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Please refer to the latest SFO Operational Guidance when completing all sections of this document.
The following criteria must be met:

**Offender eligibility**

The following types of offender are eligible:

- Offenders who were subject to Release On Temporary Licence (ROTL) on the date of the SFO;
- Offenders under supervision as above, who are charged with an equivalent eligible offence in another jurisdiction;
- Offenders meeting the above criteria, who have allegedly committed an SFO but have died prior to being charged.

**Offence Eligibility**

The list of eligible offences comprises serious violent and serious sexual offences (as set out in the latest PI), or an equivalent eligible offence in another jurisdiction.

Once a case has been checked to see that both the offender and the offence eligibility criteria are met, it will qualify for a SFO Review.

**For every qualifying SFO, the following must take place:**

- The prison governor notifies the prison group director of the alleged SFO;
- The prison governor ensures HMPPS SFO Team receives the SFO notification form (Annex C) within 10 working days of the first court appearance and the review is then commenced;
- The SFO team is informed of any case which is likely to attract national public interest immediately by telephone and email;
- Reviewing manager (as nominated by the prison group director) will complete the SFO review, interviewing relevant establishment and community staff in line with required timescales (submission date to be provided by the SFO team);
- HMPPS SFO team will complete the quality assurance process and a feedback letter will be provided to the prison group director, copied to divisional director or CEO or PP lead for the probation provider.
# OFFENDER DETAILS

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<th>Offender name:</th>
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<td>Alias(es):</td>
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<td>SFO details</td>
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<tr>
<td>Prison number:</td>
<td>Date of birth:</td>
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<tr>
<td>Ethnic origin:</td>
<td>Gender: Male</td>
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# REVIEW DETAILS

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<td>HMP/ YOI</td>
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# REVIEW COMPLETED BY

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<td>Department:</td>
<td>Email address</td>
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<td>Telephone number:</td>
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## Interviews

- All interviews must be noted and the notes retained. Please enter under topics, only the main topics that were discussed (e.g. sickness absence, training).

# INTERVIEW LOG

<table>
<thead>
<tr>
<th>Grade and role of the interviewee</th>
<th>Identifier (e.g. OS, CA, Gov, etc.)</th>
<th>Date of interview</th>
<th>Topics</th>
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2.1 – CASE CHRONOLOGY

Please provide a concise summary of key significant events in custody, between the start of sentence and release on licence, together with your observations, including where applicable:

- Transfers - paying particular attention to moves to open conditions or returns to closed conditions
- Perceived, alleged or known deterioration in behaviour
- Adjudications, IEPs, SIRs
- Assessments/reviews of OASys, including Sentence Plans (from initial onwards) and Risk Management Plans, and changes to risk levels
- Escalation of risk and whether appropriate liaison took place between CRC and NPS (where relevant).
- Information for or attendance at sentence planning boards or parole hearings
- Commencement, quality and completion of interventions (accredited and non-accredited)
- ROTL, HDC assessments
- ROTL events including breaches or failures
- MAPPA or other risk management meetings - IRMT
- Reference to future SFO victim
- Contact with outside agencies if relevant
- Information sharing including SIRs and LISP 4s
- Contact with OM whilst in custody

### CASE CHRONOLOGY

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
<th>Reviewing Manager Comments</th>
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## COURT INFORMATION

<table>
<thead>
<tr>
<th>Index offence</th>
<th>Sentencing court</th>
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<tbody>
<tr>
<td>Date of conviction</td>
<td>Date of sentence</td>
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<tr>
<td>Length of sentence</td>
<td>Remand date</td>
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<tr>
<td>Any other information please specify:</td>
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</table>

## MAPPA and CPPC INFORMATION

At the start of sentence, was the offender a ‘relevant sexual and/or violent offender’ for MAPPA eligibility purposes? Yes ☐ No ☐ If yes, which category?

If yes, was this correctly identified in prison?

Is the offender, or has the offender previously been registered as a Critical Public Protection Case? If yes, please specify Yes ☐ No ☐

If yes was this correctly identified in prison?

## PROLIFIC & OTHER PRIORITY OFFENDERS / INTEGRATED OFFENDER MANAGEMENT

Was the offender identified as an IOM case by the establishment? Yes ☐ No ☐

If yes, please specify:

Was the prison establishment informed that the offender was an IOM Case? Yes ☐ No ☐

If yes how was this done, please specify

## 2.2 SFO BACKGROUND INFORMATION

- You must ensure that the following information is provided in full before answering the core questions in sections 2.10 – 2.12.

## 2.3 RISK ASSESSMENT

<table>
<thead>
<tr>
<th>OGRS risk of reconviction at start of sentence:</th>
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<tbody>
<tr>
<td>12 months</td>
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</table>

OASys likelihood of reconviction score at start of sentence:

OASys risk of serious harm level at start of sentence

Details:
Please tick the relevant box provided in the breakdown in the table below:

<table>
<thead>
<tr>
<th>Risk in community</th>
<th>Risk in custody</th>
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</table>

### 2.4 CRIMINOGENIC FACTORS

Were any of the following identified in OASys at the start of sentence as related to risk of re-offending? i.e. to the right of the line on OASys

- Accommodation
- Emotional wellbeing
- Drugs misuse
- Relationships
- Health and other considerations
- Alcohol misuse
- Attitudes
- Lifestyle and associates
- Thinking / behaviour
- Education Training and Employment
- Finance management and income

DETAILS

Were any of the following identified in OASys at the start of sentence as related to risk of serious harm?

- Accommodation
- Emotional wellbeing
- Drugs misuse
- Relationships
- Health and other considerations
- Alcohol misuse
- Attitudes
- Lifestyle and associates
- Thinking / behaviour
- Education Training and Employment
- Finance management and income

DETAILS

### 2.5 CHILD PROTECTION

Are there any child protection concerns noted in relation to the index or previous offences, or to the offender’s previous circumstances? If yes, specify:

- was the offender identified as presenting a risk to children?
- were appropriate measures put into place in response to the risks?

Were there any child protection concerns raised by the offender’s behaviour while in custody? If Yes specify:

Yes | No | No
### 2.6 DOMESTIC ABUSE

Are there any domestic abuse concerns in relation to the previous and index offences, or to the offender’s circumstances and behaviour in custody? If yes specify:

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<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
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</table>

If there were domestic abuse concerns, was the offender assessed using SARA in custody? N/A

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<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
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</table>

If yes specify:  

Please specify the outcome of the assessment(s):

If no specify:

Please explain why a SARA assessment was not undertaken:

- If there were any domestic abuse concerns, was there liaison with the appropriate offender manager and police domestic abuse unit, either ahead of, or as part of the ROTL consideration process.  
- Were there any applicable court orders in relation to protection of public/victims from harassment?  
- Was appropriate action taken to restrict contact?  

Comments:

### 2.7 SEXUAL OFFENCES

Are there any sexual offending concerns in relation to the previous or index offence(s), or behaviour in prison?

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<th>Yes</th>
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If no, please move on to offender management (section 2.8). If yes, please specify, and ensure that this issue is fully addressed in your answers to the Review core questions:

- Was the offender subject to the statutory sex offences registration requirements?  
- If yes, please provide details including dates  

- Was the offender informed of their registration requirements when temporarily released from custody for ROTL? If yes specify:

- Was the offender subject to a Sexual Harm Prevention Order (SHPO or SOPO), a Risk of Sexual Harm Order or a Foreign Travel Order? If yes specify, including dates:  

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<th></th>
<th>Yes</th>
<th>No</th>
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</thead>
<tbody>
<tr>
<td>Question</td>
<td>Yes</td>
<td>No</td>
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<td>------------------------------------------------------------------------</td>
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<tr>
<td>Was the offender on any sexual offender programmes or other accredited programmes while in custody? If yes specify:</td>
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<td>While in custody did the offender refuse to attend any programmes? If yes specify:</td>
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<tr>
<td>Were there any concerns raised by any members of staff relating to the offenders sexual behaviour while in custody? If yes specify:</td>
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<tr>
<td>If the index or if any previous convictions were sexual offences, was the offender assessed using: Risk Matrix 2000?</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>Please specify dates and the outcome of the assessment(s):</td>
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<tr>
<td>Please explain why a Risk Matrix 2000 assessment was not undertaken:</td>
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<tr>
<td>Other sex offender specific structured risk assessment tools? If yes. provide outcome</td>
<td>Yes</td>
<td>No</td>
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</table>

### 2.8 OFFENDER MANAGEMENT

- Was the case in scope of Offender Management Phases 2 or 3? | Yes | No | N/A |
- Was a prison based offender supervisor allocated whilst the offender was in custody? | Yes | No | N/A |
- Was information on custodial progress shared with the OM please provide details below: |     |    |     |
- Was the offender manager in regular contact with the Offender Supervisor while the offender was in custody? | Yes | No | N/A |
- Was information relating to risk shared at appropriate points? |     |    |     |
- Was there good communication on MAPPA arrangements, including notification of levels when set and meetings planned? Specify Details: |     |    |     |

### 2.9 DIVERSITY

Were any of the following identified as factors relevant to the offender, their offending, or their time in custody?

- Ethnicity | Yes | No | N/A |
- Sexuality | Yes | No | N/A |
- Gender | Yes | No | N/A |
- Disability | Yes | No | N/A |
- Religion | Yes | No | N/A |
- Age | Yes | No | N/A |
- Care leaver | Yes | No | N/A |

Please specify if you have ticked any of the above boxes:
## REVIEW CORE QUESTIONS

The review core questions (2.10, 2.11, and 2.12) must be answered in full for the period whilst the offender was in custody, with supporting comments, whether the answers are positive or negative.

### 2.10 RISK ASSESSMENT

This whole section leads a reviewer to focus on OASys. A prison review should reflect the fact that in scope (Phases 2 and 3) offenders’ OASys is the responsibility of the OM. It should also allow for comment on local risk screening, and/or enhanced case monitoring arrangements, which are in place to identify risks, communicate them and ensure that appropriate restrictions/limitations are in place from reception.

OASys is not the only risk assessment used in custody. For restricted ROTL cases, please also consider the psychology case file review completed on arrival at the open prison.

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
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<tbody>
<tr>
<td>1. Was a satisfactory risk of harm screening undertaken at the start of sentence, using all of the information available at the time?</td>
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<tr>
<td>2. If the risk of harm screening identified the need for a full OASys risk of harm assessment, was that full assessment clear, accurate and undertaken in the appropriate timescale?</td>
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<tr>
<td>3. Where required, was a comprehensive risk management plan completed using the appropriate format and within the required timescale?</td>
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<td>4. Were the reviews up-to-date, taking into account all available information, and completed satisfactorily and on time?</td>
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<td>5. Did prison staff (including security, wing officers, and others) contribute effectively to risk assessment and reviews?</td>
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<td>6. Were recommendations for allocation (within the prison estate, or within the prison) appropriate, given the level and nature of the risk posed by the offender?</td>
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<td>7. – CRC only question If risk escalation to the NPS was required, what was the outcome, and what was the impact on the management of the case</td>
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</table>
Please add comments here:

Based on your answers to the questions 1-7 above, were risk assessments and reviews carried out to a sufficient standard? *(Documents that should be used to assist in this judgment include service specifications, service levels and service credits within contracts, HMIP expectations, mandatory instructions, non-mandatory guidance, National Standards, and organisational policies and procedures. Please also provide any good practice identified, to inform the overall judgment on the sufficiency of risk assessment).*

Yes ☐ No ☐ You must provide evidence to substantiate your answer:

What were the reasons and/or contributory factors for any deficiencies in risk assessment?

Additional comments:

## 2.11 RISK MANAGEMENT

1. Was the OASys risk management plan implemented effectively and in a timely fashion?

Yes ☐ No ☐ N/A ☐ Please add comments here:

2. Were there any significant incidents of concern or deterioration in behaviour during the period in custody (include in what period the incidents occurred)?

Yes ☐ No ☐ N/A ☐ Please add comments here:

3. Was risk of harm managed appropriately throughout the custodial period, particularly following any significant incident or deterioration in behaviour, using relevant sanctions where appropriate?

Yes ☐ No ☐ N/A ☐ Please add comments here:

4. Was there effective communication about risk, between departments in prison, and or between departments in prison and others involved in the case? This should be linked to interdepartmental risk management meetings.

Yes ☐ No ☐ N/A ☐ Please add comments here:

5. Did the prison remind and/or update the OM of the release dates of those managed at MAPPA Level 2 or 3? Note here that the prison can only remind of release dates for MAPPA 2 or 3 if they are aware that a MAPPA level has been set.

Yes ☐ No ☐ N/A ☐ Please add comments here:

6. If the offender was subject to MAPPA levels 2 or 3 management, did the offender supervisor and all other relevant staff contribute effectively from the prison establishment to MAPPA, including attendance at external risk management meetings and/or provision of written reports as appropriate?
7. Was effective action taken to promote victim safety where there was a direct victim/known person at risk and/or if there were restrictive/prohibitive conditions?  

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Based on your answers to questions 1-7 above, was the risk management carried out to a sufficient standard? (Documents that should be used to assist in this judgment include service specifications, service levels and service credits within contracts, HMIP expectations, mandatory instructions, non-mandatory guidance, National Standards, and organisational policies and procedures. Please also provide any good practice identified, to inform the overall judgment on the sufficiency of risk management).

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<th>You must provide evidence to substantiate your answer:</th>
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What were the reasons and/or contributory factors for any deficiencies in risk management?

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<th>Additional comments:</th>
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2.12 ROTL PROCESSES AND PRACTICE

1. Was the offender a restricted ROTL case?  

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2. If the offender was in open conditions, how long had he/she been there before the ROTL event that led to the SFO?  

|   |   |   | Please add comments here: |

3. When was the offender’s first ROTL release?  

|   |   |   | Please add comments here: |

4. How many occasions of the following ROTL types has the offender successfully completed?  

- Supervised ROTL:
- RDR:
- ROR:

5. Were all approved ROTL events clearly linked to objectives within the sentence plan?  

|   |   |   | Please add comments here: |

|   |   |   |--------------------------|

6. In processing ROTL applications, were the requirements of PSI 13/2015 clearly followed in full? If there were any local assumptions or variations applied, please identify.

Yes □ No□ Please add comments here:

7. Was the first ROTL board decision (not necessarily for the ROTL when the SFO allegedly occurred) based on full agreement by all report writers and contributors?

Yes □ No□ Please add comments here:

8. Were subsequent ROTL board decisions based on full agreement by all report writers and contributors?

Yes □ No□ Please add comments here:

9. If a restricted ROTL case, was there evidence that the relevant notes and information arising from the enhanced case monitoring approach were utilised in considering ROTL?

Yes □ No□ Please add comments here:

10. Have there been any incidents of ROTL failure, including any minor infringement, during any period of ROTL? Please provide details (include a review of Mercury and NOMIS case notes, in case a minor infringement was not formally recorded as a temporary release failure).

Yes □ No□ Please add comments here:

11. What was the agreed management response to any known ROTL failure (including any minor infringement)?

Please add comments here:

Based on your answers to questions 1-11 above, were the ROTL processes and practice carried out to a sufficient standard? (Documents that should be used to assist in this judgment include mandatory instructions, non-mandatory guidance, and organisational policies and procedures. Please also provide any good practice identified, to inform the overall judgment on the sufficiency of ROTL processes and practice).

Yes □ No □ You must provide evidence to substantiate your answer:

What were the reasons and/or contributory factors for any deficiencies in risk management?

Additional comments:

2.13 OFFENDER MANAGEMENT

1. Did the OASys assessment at the start of sentence accurately identify the criminogenic factors exhibited by the offender?
2. Did the sentence plan contain appropriate outcome-focused objectives and is there evidence that the offender was an active participant in the sentence planning process and that the objectives reflect the goals set?

3. Is there evidence of appropriate pre-release contact and planning with the offender to ensure a positive and effective release? (Please include comments of both prison and probation contact).

4. Was an offender supervisor allocated within the prison establishment in a timely manner?

5. What was the frequency and quality of the offender supervisor engagement with the offender during the custodial period?

6. Has the sentence plan been appropriately and effectively delivered by the prison, working with the supervising agency, in accordance with risk of serious harm and/or risk of re-offending concerns? (Please include details of responses to any non-compliance with sentence plan interventions).

7. If the case had been transferred in from another prison, was it a progressive transfer, and was the transfer timely and appropriately handled?

8. Prior to release on ROTL how were the objectives and conditions explained to the offender in a way that they could understand?

9. Were contact and events up-to-date and clearly recorded against the offender’s record according to all protocols and policies?

**Based on your answers to the questions 1-9 above, was offender management practice delivered to a sufficient standard?** (Documents that should be used to assist in this judgment include service specifications, service levels and service credits within contracts, HMIP expectations, mandatory instructions, non-mandatory guidance, National Standards, and organisational policies and procedures. Please also provide any good practice identified, to inform the overall judgment on the sufficiency of offender management).

**You must provide evidence to substantiate your answer:**

What were the reasons and/or contributory factors for any deficiencies in Offender Management?
### 2.14 REVIEW – FINAL QUESTIONS

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<tbody>
<tr>
<td>1. The review demonstrates that there was a sufficient standard of risk assessment:</td>
<td>Yes ☐ No ☐</td>
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<td>2. The review demonstrates that there was a sufficient standard of risk management:</td>
<td>Yes ☐ No ☐</td>
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<tr>
<td>3. The review demonstrates that there was a sufficient standard of ROTL practice</td>
<td>Yes ☐ No ☐</td>
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<tr>
<td>4. The review demonstrates that there was a sufficient standard of offender management:</td>
<td>Yes ☐ No ☐</td>
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</table>
### 2.14 SFO REVIEW – GOOD PRACTICE

Use the table to summarise any areas of good practice which were identified during the review.

<table>
<thead>
<tr>
<th>Good practice</th>
<th>Review question number</th>
<th>How will the good practice be highlighted and taken forward?</th>
<th>By whom (grade &amp; role)</th>
<th>Timescale (include dates)</th>
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### 2.15 ACTION PLAN
Please use the table below to summarise the actions that will be taken to address any deficiencies that have been identified. The actions should be SMART (Specific, Measurable, Achievable, Realistic and Time-bound). They may include referral of concerns to other bodies where appropriate.

<table>
<thead>
<tr>
<th>Learning point</th>
<th>Review question number</th>
<th>Action to address the Learning Point</th>
<th>By whom</th>
<th>Date</th>
<th>How the impact of the action taken will be checked</th>
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Has this SFO review raised any other issues about the effective management of offenders under supervision or is there any information about Initiatives/achievements in your prison/Area that is needed to put the action plan in context? Yes ☐  No ☐

Please add any comments here:

This section must be signed off by the countersigning officer before the completed review is forwarded to HMPPS SFO Team. If the review has identified exceptionally poor practice please indicate the consideration that has been given to initiating capability or disciplinary procedures, unless already stated above.

Full Name:  
Grade:  
Date:
### ACTION PLAN UPDATE

<table>
<thead>
<tr>
<th>Offender Name:</th>
<th>SFO Reference Number:</th>
</tr>
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</table>

Areas must:
- Provide the HMPPS SFO Team with a brief report on the implementation of the action plan within 6 months.
- Ensure that the update is **signed off by the countersigning officer**, before it is sent to HMPPS SFO Team.

<table>
<thead>
<tr>
<th>What action has taken place?</th>
<th>By whom</th>
<th>Date</th>
<th>What impact has it had?</th>
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This section must be signed off by the countersigning officer, before the completed action plan Update is forwarded to HMPPS SFO Team.

<table>
<thead>
<tr>
<th>Name:</th>
<th>Prison Region</th>
<th>Date:</th>
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</table>

Comments:
# Action Plan

**Offender name:**  
**SFO case reference:**

Please use the table below to summarise the actions that will be taken to address any deficiencies and share good practice that has been identified. The actions should be SMART (Specific, Measurable, Achievable, Realistic and Time-bound). They may include referral of concerns to other bodies where appropriate.

<table>
<thead>
<tr>
<th>Good practice to be shared/area for improvement</th>
<th>Who the action is for</th>
<th>Action</th>
<th>How will impact be measured</th>
<th>Owner</th>
<th>Date for completion</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Choose an item.</td>
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<td>2</td>
<td>Choose an item.</td>
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<td>3</td>
<td>Choose an item.</td>
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<td>4</td>
<td>Choose an item.</td>
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<td>Choose an item.</td>
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<tr>
<td>10</td>
<td>Choose an item.</td>
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</tbody>
</table>

Please add any comments here:

This section must be signed off by the countersigning officer before the completed review is forwarded to HMPPS SFO Team. If the review has identified exceptionally poor practice, please indicate whether consideration has been given to initiating capability or disciplinary procedures:

<table>
<thead>
<tr>
<th>Full Name:</th>
<th>Grade/Role:</th>
<th>Date:</th>
</tr>
</thead>
</table>
# Action plan update

<table>
<thead>
<tr>
<th>Offender name:</th>
<th>SFO case reference:</th>
</tr>
</thead>
</table>

Please use the table below to provide an update on the sharing of good practice & implementation of the action plan. **This is to be submitted to HMPPS SFO Team within 6 months of original action plan.**

<table>
<thead>
<tr>
<th>Good practice to be shared/area for improvement</th>
<th>What action has taken place</th>
<th>Date</th>
<th>What impact it has had</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
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<td>10</td>
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</tbody>
</table>

Please add any comments here:

This section must be signed off by the countersigning officer before the completed update is forwarded to HMPPS SFO Team.

**Full Name:** | **Grade/Role:** | **Date:**
# SERIOUS FURTHER OFFENCE (SFO) OUTCOME

<table>
<thead>
<tr>
<th><strong>Offender Name:</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>HMPPS SFO reference number:</strong></td>
<td></td>
</tr>
</tbody>
</table>

The NPS or CRC must:
- Ensure that HMPPS SFO team receives the SFO outcome document within three working days of an SFO case being concluded, either in court or prior to court, whatever the outcome; and that the NPS Divisional Director (or their representative) and the CRC Chief Executive and HMPPS CRC Contract Manager (or their representative) where relevant, receive a copy.

| **Name of the person completing the SFO outcome notification:** |  |
| **Telephone number:** |  |
| **Email address:** |  |

| **Sentencing Court:** |  |
| **Date of result:** |  |

| **Court result:** | Choose an item. |
|                   | Any other details: |

| **If the offender has died before charge please give the details here:** |  |

## SFO TIMELINESS

<table>
<thead>
<tr>
<th><strong>Outcome Submitted Date</strong></th>
<th></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th><strong>Stage submitted on time</strong></th>
<th>☐ Yes</th>
<th>☐ No</th>
</tr>
</thead>
</table>

## SENTENCED (SFO)

<table>
<thead>
<tr>
<th><strong>Was the primary conviction a serious violent SFO?</strong></th>
<th></th>
</tr>
</thead>
</table>

If Yes, what was the primary serious violent offence that the offender was convicted of?
Choose an item.
Please list any additional offences that the offender was convicted of:

**Was the primary conviction a serious sexual SFO?**

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
</table>

*If Yes, what was the primary serious sexual offence that the offender was convicted of?*

Choose an item.

Please list any additional offences that the offender was convicted of:

**SENTENCED (NON SFO)**

If the offender was convicted of an offence or offences which fall outside of the SFO criteria, including additional convictions to those specified in 4.1 above, which offence(s) was the offender convicted of (including the relevant Acts and sections):

Details:

**SENTENCE DETAILS**

If the offender has been sentenced, please specify the length/type of sentence:

Choose an item.

**ADDITIONAL INFORMATION**

Please detail additional relevant information (e.g. a summary of the Judge’s sentencing comments; length of tariff; type of sentence; reasons for withdrawal of charges etc.).
### SERIOUS FURTHER OFFENCE REVIEW PRO-FORMA
TO NOTIFY WCU OF VICTIM ELIGIBILITY

To be filled in by probation SFO lead or SFO SPOC, and sent to the Witness Care Unit handling the victim(s) of the new offence and HMPPS SFO Team.

<table>
<thead>
<tr>
<th>Name of offender:</th>
<th>D.O.B:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Offence offender is charged with:</td>
<td></td>
</tr>
</tbody>
</table>

To be filled in by WCU for WCU reference

<table>
<thead>
<tr>
<th>Name of victim:</th>
<th>D.O.B:</th>
</tr>
</thead>
</table>

The offender was under probation supervision when the offence was committed / within 28 days of the offence being committed *(delete as appropriate)*.

*(insert NPS/name of CRC)* will carry out a Serious Further Offence review of the offender’s management at the time the offence was committed.

On conviction of the offender for this offence or another offence listed below, please inform the victim(s) of their entitlement to receive feedback about the SFO review. The victim(s) should be informed about this entitlement at the same time they are informed about the Victim Contact Scheme.

For more information, the victim should be directed to *(insert NPS/name of CRC)*.

If the offender is acquitted of this offence, or is convicted of a different offence, which is not listed below, the victim will not be entitled to feedback from any SFO Review and must not be informed of the process. The offender must be convicted of one of the following (including attempted offences, or conspiracy to commit offences):

- Murder
- Manslaughter
- Rape
- Assault by penetration
- A sexual offence against a child under 13
- An attempt at any of the above
- Death by dangerous driving

For more information, and to confirm upon conviction whether the victim is eligible, please contact:

<table>
<thead>
<tr>
<th>Contact name:</th>
<th>NPS/CRC:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Telephone number:</td>
<td>Email address:</td>
</tr>
</tbody>
</table>
The NPS or CRC should complete this template:
- within 10 working days of a pre-trial preparation hearing;
- in response to any new information that might impact on communication or media handling of the case:

### Details

<table>
<thead>
<tr>
<th>Offender’s full name: (including any relevant aliases)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Details of order/licence:</td>
<td></td>
</tr>
<tr>
<td>SFO charge(s) and related charge(s):</td>
<td></td>
</tr>
<tr>
<td>Names of co-defendants for SFO: (please state if they are also subject to SFO processes)</td>
<td></td>
</tr>
<tr>
<td><strong>Current status in court:</strong> next court appearance and indications of plea.</td>
<td></td>
</tr>
<tr>
<td><strong>Any unusual and/or noteworthy factors</strong> relating to the SFO, victim, offender and/or community reaction to the SFO.</td>
<td></td>
</tr>
</tbody>
</table>
**SFO review**

Please comment briefly on any issues that might attract media attention.

Please consider:
- whether or not the review has been completed;
- if not, issues arising from an early preview of practice;
- any remedial action taken so far;
- brief summary of findings of review, where applicable; and
- consideration of capability/disciplinary processes.

**Media issues**

Please comment on media issues:
- coverage so far; and
- any media enquiries.

**Contact Numbers**

<table>
<thead>
<tr>
<th>NPS or CRC communications lead telephone/e-mail:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>NPS or CRC SFO lead telephone/e-mail:</td>
<td></td>
</tr>
<tr>
<td>NPS or CRC SFO Single Point of Contact (SPOC):</td>
<td></td>
</tr>
</tbody>
</table>

If a serious further offence is likely to attract national media attention please get in touch with Ministry of Justice Press Office and HMPPS SFO team at the earliest opportunity. Any lines on these cases need to be agreed with Ministry of Justice.

**Ministry of Justice Press Office**

Within working hours: **020 3334 3536**
Out of hours: **07659 173 270** (Between 8pm-7am Monday to Friday and weekends)
This document provides information about the SFO review process for staff in the NPS or CRCs. It applies to any cases where the SFO notification was submitted to HMPPS SFO team on or after 1 April 2018.

**When is a SFO Review carried out?**
Whenever an offender under probation supervision is charged with a serious sexual or violent offence, the need for a SFO review (hereafter a review) is considered. A review is always undertaken if the SFO charge is murder, manslaughter, or other specified offence involving loss of life, rape, or a sexual offence against a child under 13 years of age. A review is also undertaken in cases of other offenders charged with a qualifying serious further violent or sexual offence if they had been assessed as high or very high risk of serious harm during their current sentence, or had not received an assessment as part of their sentence. The full list of offences that can qualify as a SFO is based on schedule 15A of the 2003 Criminal Justice Act and can be found at Annex A of the latest SFO PI (2018).

Reviews may be undertaken in other cases involving re-offending where there are public interest reasons for doing so. Overall, the procedures focus on the most serious offences and the most serious offenders.

**Why do we review SFO cases?**
The purpose of a review is to provide an objective assessment of the quality of practice in the management of an individual case up to the point of the SFO. It is important to identify any actions that are needed to improve practice in the management of future cases and/or update relevant policy or guidance to assist with wider improvements. There has also been an increasing need for general transparency in the SFO process and better access to information for victims of SFOs. We need to establish whether everything that could reasonably have been expected to be done was done to manage the offender’s risk of harm effectively during the supervision period. Some cases that result in SFO charges will have been managed satisfactorily, or indeed very well. Where our practice is shown to be unsatisfactory, it is important to understand what happened and why and to take action to improve, mindful of both the need for accountability and our statutory duty to protect the public.

**SFOs in context.**
Serious reoffending occurs in a small proportion of the probation caseload and in all risk categories. This means that some staff may be involved in a number of SFO reviews in their career; others rarely or not at all.

**Who reviews the SFO case?**
A manager working for the NPS or the CRC that supervised the case, who is independent of the line management of the case, will complete the review. In certain cases, a manager from another division of the NPS or the CRC may be asked to write the review and, exceptionally, Her Majesty's Inspectorate of Probation may undertake a review.

**What does a Review involve?**
The reviewing manager assesses the standard of practice and reports on key findings under three headings of assessment, planning and implementation & reviewing. He or she will highlight any particular strengths in how the case was managed, and any deficiencies (or concerns), together with the reasons for them (whether they are at organisational, team or individual level; or a combination).
He or she will then devise an action plan to address any shortcomings. The review can take up to three months to be completed.

**What information is used in a Review?**

The main sources of information are the case records, the staff who managed the case and other staff who worked with the offender, together with line managers. Interviews with staff - both practitioners and managers - are part of the fact-finding process. They explore whether the case was managed to the standard expected, taking into account factors such as the challenges posed by the case and any organisational constraints such as workloads and resource issues. The interview is also an important opportunity for those involved in a case to talk it through and place it in perspective for themselves.

**The new SFO review format**

As of April 2018, SFO reviews will be written in a new, narrative format. This is a move away from the previous prescriptive format with the intention of providing a clearer focus on areas of learning relevant to the specific case. It is intended that the new format will be more efficient and effective at driving practice improvements. Operational guidance for reviewing managers includes a series of prompts that encourage practice to be considered in line with the latest HMI Probation standards. This will ensure consistency for all staff in understanding and working in line with expected standards.

**Feedback and employee care**

All staff (including managers) involved in the management of a case that leads to a SFO notification should be made aware when a review is being undertaken, be able to prepare for any interviews that may be required and be given feedback on the findings of the SFO review and particularly any learning relevant to them. In some cases, managers may consider providing staff with a copy of the review, subject to any appropriate redactions. The review process is not about apportioning blame but developing practice through continuous improvement. However, we know from experience that, when dealing with cases of serious further offending, it can be stressful for those staff involved. Staff may experience trauma about the offence itself, feelings of guilt as well as anxiety about the SFO process. Staff welfare should be considered at all stages of the SFO process and appropriate support made available within and outside of line management arrangements including signposting to staff support services. Overall, senior management and employers will exercise their duty of employee care.

**A review is not a capability or disciplinary investigation**

The review is not a disciplinary or a capability process. Interviews therefore ordinarily involve only the staff members concerned and the reviewing manager. However, it is recognised that the close scrutiny of practice may uncover gaps in the responsible officer or manager’s knowledge and skills which need to be addressed and, in some circumstances, this could lead to separate capability or poor performance improvement measures. In a small number of cases, where there are indications of potential misconduct, the review process may result in disciplinary proceedings being invoked. In such circumstances, the line manager will be alerted so that the issues can be considered in line with appropriate HR procedures. If the formal stages of these other procedures were reached, the staff member would, subject to agreed agency procedures, then have the right to be accompanied in any capability or disciplinary procedure by a trade union representative or colleague.

**The SFO review and confidentiality**

The completed review does not contain the names of anyone involved in the case. Its main function is as an internal management report written for the CRC Chief Executive Officer, NPS Divisional Director, HMPPS CRC Contract Manager and designated others in HMPPS. Others (e.g. Coroners where there is an inquest) will have an entitlement in certain cases, and the review may inform parallel reviews such as MAPPA, DHRs and LSCB Reviews. Requests for information under the Freedom of Information Act must by law, be dealt with on a case by case basis and in the event, advice sought from HMPPS SFO Team. SFO Reviews are not published.
Sharing SFO reviews with victims
Upon conviction for an automatic SFO (murder, manslaughter, or other specified offence involving loss of life, rape, or a sexual offence against a child under 13 years of age,) victims/families are offered the opportunity to have information from the SFO review shared with them. For notifications prior to April 2018 a separate victim summary report (VSR) has been prepared for this purpose. The SFO Review format used for those cases was a highly technical document which addressed compliance with process in detail as well as wider issues and was likely, in places, to be impenetrable for someone who is not familiar with probation work; for this reason eligible victims were provided with a Victim Summary Reports (VSR) rather than the full SFO review. While this was not because of any attempt to withhold information from victims the existence of two separate documents has led some victims to feel that information is being kept from them. In light of this, ministers undertook to ensure that the Probation SFO review procedures promote a culture of openness about learning, produce robust reviews and provide victims with the information they need on how the offender was supervised and, where there were shortcomings, how learning will be implemented. As a result, there will no longer be a separate VSR, instead the full SFO review will be shared. The victim will be given a redacted copy of the SFO review to retain following the disclosure meeting, usually a face-to face meeting with the senior manager.

This change means that, whilst the SFO review is still an internal management review, it needs to be user friendly and fully transparent (as a standalone document) about practice in the case and planned actions to address areas of concern.

It is important to remember that the document shared with victims is fully anonymised and, where necessary, information is redacted in line with Data Protection Act requirements. Defensible decisions will be made about information which can be included in the review based on whether it is necessary and proportionate to provide an understanding of the case. The potential impact for the offender/staff upon sharing of the information will always be considered.

Media and other interest.
SFO cases will often be the subject of understandable media and other community interest. Staff should ensure they are familiar with their employer’s Code of Conduct and other policies relating to confidentiality, and know where to refer enquiries from the media.

Further advice.
Each NPS and CRC has a senior lead manager for SFO Reviews and a Single Point of Administrative Contact, who will advise locally on any aspect of this guidance.

Further information about the SFO review process can be found in the latest PI (2018) and the Operational Guidance.

SERIOUS FURTHER OFFENCES TEAM
PUBLIC PROTECTION GROUP
HMPPS

June 2018