



HM Prison &
Probation Service

National
Probation
Service



Interim Guidance on Case Allocation processes

(supplementary to PI 05/2014)

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Contents

- 1.0 Introduction 1
- 2.0 Guidance for Offender Management functions 2
 - 2.1 Key Practice Considerations..... 2
 - 2.2 Changes to Mandatory Actions in the PI..... 5
 - 2.3 Further changes 6
- 3.0 The process 7
 - 3.1 PSR Completed 7
 - 3.2 No PSR required – Case Not Known OR Case previously known (terminated 8
/ historic) OR Current case receiving a new custodial sentence
 - 3.3 Case known - Case known (Current) and new community sentence received ... 8
- Further questions 9
- Appendix A – Process Chart..... 9

1.0 Introduction

Since 26 June 2021 responsibility for offender management function has been held by the Probation Service (PS) under a unified model of service delivery.

In February 2021 a detailed Target Operating Model (TOM) was published which details the wider intentions for probation reforms. This document can be accessed using the following link:

[The Target Operating Model for the Future of Probation Services in England Wales Feb 2021](#)

The longer-term benefits articulated by the TOM, especially in relation to court work and sentence management, will eventually mean that the need to allocate cases from court based on offence type, risk level or other status indicators (such as MAPPA eligibility) will cease. However, this cannot happen immediately following the implementation of the new unified model.

This process is subject to a complex set of inter-dependencies between court teams, community teams and custodial allocation. It should be noted that digital development is also needed to support change in this operational arena.

As a result of the above, the fundamental change to case allocation which Responsible Officers might expect to see under a unified model cannot be introduced immediately and there will, for a time, remain the need to differentiate between what would have been NPS and CRC cases. The existing Probation Instruction on Case Allocation therefore continues to apply. This supplementary practice guidance aims to set out what has changed and how this impacts upon the full Policy Instruction document.

It also sets out the changes in practice to the assessment process for cases being sentenced where no pre-sentence report (PSR) has been completed. This recognises the importance of effective dynamic risk assessment, which is based upon access to, and analysis of, appropriate information sources. Moreover, these changes also recognise the court backlogs that have developed as a result of the COVID-19 pandemic and the likely increases in demand that court teams will be subject to as recovery work continues across the wider Criminal Justice System.

2.0 Guidance for Offender Management functions

2.1 Key Practice Considerations

- It remains good practice that Court Teams continue to provide as much information as possible to the allocated teams. This means continuing to request information and making assessments where PSRs are being completed. Although the expectations around court assessment have been changed for cases where no PSR is required, Court Teams should continue to provide allocated teams with as much information as is available to them. Paragraph 1.13 of the Case Allocation PI provides further guidance.
- Court teams retain responsibility for allocating newly sentenced cases to the appropriate team. For cases receiving a custodial sentence the need to differentiate between former NPS/CRC allocation criteria remains, as this supports the ongoing need for the OMiC model of resource allocation. The former Case Allocation System (CAS) has now been automated and will calculate the allocation outcome (Retained/Enhanced Resources or Allocated/Normal Resources) without the assessor completing a set of questions, by basing the decision upon information entered in existing Delius data fields. Changes to Delius now mean that an RSR/OSP score calculated in OASys will automatically transfer into Delius, with the data scores transferring directly into the former CAS screen.
- The automated calculation of the CAS screen output occurs when one of the factors that might affect the result changes, meaning that any changes to relevant data fields will be picked up and lead to an updated CAS screen calculation. Similarly, when a risk escalation review is now undertaken by a Prison Offender Manager (POM), the outcome of the OASys risk review will usually be exported to Delius and the CAS screen calculation will be updated. There are likely to be a small number of cases where the updated risk levels won't pull through to Delius. These will be identified via a centrally generated exceptions report and the central SPOC will manually update the Delius risk register.
- Where a risk escalation is undertaken by a prison POM, the review assessment may lead to a change in RSR/OSP/OGRS scores. The limited access which custodial colleagues have to Delius is likely to mean that often they are unable to update these scores on the CAS screen. This will have no impact on the re-calculation of handover dates/responsibilities, but at the point of taking over responsibility the COM should be aware of this and update the scores (where needed) in line with their own pre-release assessment.
- Individuals receiving a new community sentence at court or being released immediately on licence as a result of time spent on remand, should continue to be seen by court team staff on the day of sentence and given an initial appointment before leaving court, where this is established practice. In Regions or Probation Delivery Units where alternative practices operate regarding the provision of first appointments post-sentence these arrangements may continue.

- It is essential that for all newly sentenced cases, except for those who are sentenced in, and will be supervised by, Wales, or cases where a full analysis is needed (e.g. PSR completed or new sentence given and an initial sentence plan is required), the court team up-dates the risk level indicator on NDelius, even though it is acknowledged that where no PSR has been prepared this risk level will be 'indicative' only. Due to the way that OASys and NDelius exchange information it is important that the assessor locks the OASys document before updating the NDelius risk of harm level indicator. Failure to follow this sequence could in some cases result in the NDelius indicator entered being over-written by an incorrect historic OASys risk level.
- Since December 2019 Wales has been working to a unified model of probation service delivery. As part of this model it was agreed that the NDelius risk level indicator would not need to be completed. This established practice continues for Wales only following implementation of the national unified model on 26 June 2021.

2.2 Changes to Mandatory Actions in the PI

- Most cases continue to require the completion of RSR by court teams, with the team allocation being recorded in NDelius. This includes recording the NDelius Risk Level Indicator (*except for in Wales or cases where a full analysis has been completed*). The only exception to this is for cases that are already current, have an allocated supervising practitioner and receive a new community sentence, as here the supervising practitioner will be required to fully up-date all assessments instead.
- Previously a risk screening has been required on all cases, with a risk assessment also completed where indicated as necessary by the screening process (Paragraph 1.8 of PI 05/2014). It is recognised that this process is time consuming for court staff and may be of limited value where there has been no opportunity to formally interview/assess a defendant. Building on the experience of colleagues in Wales, where the unification of offender management was introduced in December 2019, the decision has been taken **to remove the OASys ROSHA risk screening/assessment requirement from all cases where no PSR has been requested**. Court teams should instead follow the processes outlined in Section 3 of this document, after determining which category their case falls into.
- Previously there has been a requirement for court teams to provide definitive risk level assessments to support allocation. As indicated above, it is accepted that for cases being allocated by court teams where no PSR has been undertaken the assessment of risk can only be *indicative*. This does not apply in instances where a PSR has been completed, as here an OASys assessment should be completed. Thus, there will now no longer be the expectation that court teams provide a definitive risk level post-allocation and instead the presumption will be for the allocated supervising practitioner / Prison Offender Manager to fully review the case and determine the risk level post sentence. This does not however alter the expectation on court teams to provide all available information in a timely manner (see Section 2.1, above).
- Previous structures have necessitated the requirement for a 'risk review' process to be in operation, allowing borderline medium/high risk of serious harm cases to be reviewed (paragraph 1.11 of PI 05/2014). The risk review mechanism has been abolished and instead all cases where risk of serious harm is considered to have escalated to high/very

high should be subject to internal case reallocation processes where there is a need to re-allocate the case.

See section 2.1 for details of risk escalation where a custodial case is being managed by a prison POM.

2.3 Further changes

- Under Offender Management in Custody (OMiC) guidelines Community Offender Managers are only to be allocated immediately where a custodial case has 10-months or less left to serve at the point of sentence.

NB: Previously OMiC have used the CAS as the primary mechanism for determining POM responsibility and POM/COM handover points. Whilst the CAS screen continues to appear on Delius, the calculation of the allocation criteria has now been automated and draws upon existing Delius information.

Since the completion of the digital migration of team structures across regions, each team has a shadow OMiC team which OMiC-eligible cases can be allocated to until the handover point is reached.

The principle that where a case is current and thus the full case review and risk assessment is completed by the community probation practitioner (where no PSR has been prepared), continues to apply. There will be occasions where the case is allocated to an officer in a stand-alone Unpaid Work team, but the new sentence comprises a multi-requirement order; here locally agreed practices should be followed.

In the event that the new sentence received is custodial, court teams should follow the processes outlined by Section 3 of this document, allowing the immediate re-allocation of the case from the court stage. The CAS calculation updates automatically, allowing OMiC records to be up-dated and the appropriate POM/handover calculations to be made.

3.0 The process

Full details of the process to be followed are outlined by the flow-diagram detailed in Annex A. Probation Practitioners should also reference the relevant EQuIP process maps.

Where a PSR or risk assessment has been completed OASys will provide an updated risk level and should be used, as this will send the correct risk level to NDelius automatically.

Where no OASys risk screening/assessment has been completed it is important that the assessor locks the relevant OASys assessment before updating the NDelius risk level indicator, in order to avoid the risk of OASys over-writing the risk level entered with older and potentially incorrect information.

Revised guidance on the use of OASys for the completion of RSR is available on Equip: [OASys - RSR Standalone Calculator - Court \(justice.gov.uk\)](https://www.justice.gov.uk/equip/oasys-rsr-standalone-calculator-court).

3.1 PSR completed cases

- No changes are being proposed for this cohort and all previous processes should continue to be followed, including the completion of OASys risk screening and full assessments as necessary. A Layer 1 (Risk of Harm Assessment) should be completed for all Oral / Short Format Written reports, with a Layer 3 (PSR-SDR) assessment completed for all Standard Delivery reports.
- Full details relating to PSR processes can be found in Probation Court Services Policy Framework.
- OGRS, RSR and OSP to be completed within OASys: For many cases where a PSR is being prepared it will have been possible for the assessor to have interviewed the person subject to court proceedings. Where this is the case the court team assessor should try to complete the dynamic RSR tool whenever possible, as this has been shown to provide a more reliable score.
- Completion of supplementary screenings and tools (e.g. SARA, DIF) and reference to the Effective Proposals framework (EPF) continue to be a requirement.
- NDelius completed.
- Result added to case record, with appropriate team allocation entered onto NDelius.
- Where the sentence given is not one of immediate custody, a first appointment is given to the person on probation prior to their leaving court, where this is established practice.

3.2 No PSR required – Case Not Known OR Case previously known (terminated / historic) OR Current Case receiving a new custodial sentence

- Court team assessors should complete the RSR standalone calculator in OASys. This will provide OGRS, RSR and OSP scores.
- No risk screening or full assessment is required, nor does any consideration need to be given to whether previous assessments were completed as Layer 1 or Layer 3 assessments.
- NDelius completed; Risk of Serious Harm level indicator entered (*except for Wales*).
- Result added to case record, with appropriate team allocation entered onto NDelius.
- Where the sentence given is not one of immediate custody, a first appointment is given to the person (now) on probation prior to their leaving court, where this is established practice.

3.3 No PSR required - Case known (Current) and new community sentence received

- Where a case is current and being actively managed there is no need for the court team to complete any assessment. The responsibility for the case is retained by the existing allocated officer in the first instance and so the court team must only result the case on NDelius.
- It is recognised that in some regions local variation to existing officers retaining the allocation will be required. Examples could include where a previous community order with stand-alone Unpaid Work requirement is being managed by a dedicated Unpaid Work unit, but the new sentence includes additional requirements.
- The person on probation should be given a first appointment prior to leaving court, where this is established practice.
- Upon notification of the new sentence the existing allocated officer is required to undertake a full OASys review, as the new sentence constitutes a 'significant change of circumstances and a review of the risks and Sentence Plan is required. In the event that this review finds risk to have escalated and the need for the case to be transferred to another colleague, internal re-allocation processes should be followed.

- *NB: It is recognised that the above does not require an RSR score to be entered as part of the resulting processes. Previously this was a requirement under the performance measure, SL002. From 26 June 2021 SL002 has been discontinued and replaced by Management Information Report MI008. Whilst not entering an RSR score as part of the resulting process will continue to show a 'miss' under MI008, this is only an internal information metric and WILL NOT be used for performance measurement.*

Further questions

Further questions for clarification can be directed to:

- ProbationPolicy.Enquiries@justice.gov.uk
- oasysqueries@justice.gov.uk

Appendix A – Process Chart

The attached process chart details the process to be followed for the allocation of different case cohorts. Further information is also available on Equip.

NOTE – This appendix should be accessed as a stand-alone document on the www.gov.uk website.