



Policy name: Sentence Management in the Community Policy Framework

Reference: n/a

Re-Issue Date: 30 August 2023

Implementation Date: 27 March 2023

Introduces amendments to the following documents: N/A

Action required by:

	HMPPS HQ		Governors
	Public Sector Prisons		Heads of Group
	Contracted Prisons	x	The Probation Service
	Under 18 Young Offender Institutions		Other providers of Probation and Community Services
	HMPPS Rehabilitation Contract Services Team		

Mandatory Actions: All groups referenced above must adhere to the Requirements section of this Policy Framework, which contains all mandatory actions.

How will this Policy Framework be audited or monitored: Probation Service compliance is monitored by Regional Probation Directors (RPDs) in their region. Also, this framework will be monitored via the following routes:

Performance monitoring:

Service level measures monitored by national and regional performance and quality teams.

Quality assurance

Quality assurance undertaken via line manager oversight.

Regional quality management through the Core Quality Management Framework - a national framework supporting regional quality management activity at, or nearest to the point of service delivery.

Assurance through HMPPS Operational and System Assurance Group (OSAG).

External inspection:

External validation through HMI Probation regional and thematic inspections and through other external inspection and audit.

Context: This framework will provide a comprehensive outline of the expectations of sentence management for people on probation subject to Community Orders (CO), Suspended Sentence Orders (SSO) and Licence / Post Sentence Supervision (PSS) during business as usual (BAU). Specific focus will be given to the responsibilities and expectations of the probation practitioner responsible for managing the order.

Where regions may be subject to Prioritisation Framework or other restrictions on resource and activities, guidance to support these situations will supersede this policy and should be referred to.

Pre-release activities and work with people in custody will be addressed through separate policy frameworks.

- The Pre-Release Policy Framework identifies the activities to be carried out by the Pre-release Teams (PRT), working alongside probation and prison staff and the Commissioned Rehabilitative Services (CRS) to deliver the in-custody pre-release element of Resettlement. Accompanying guidance for Pre-Release Teams is aligned across both the Pre-Release and Sentence Management Policy Frameworks. See *HMPPS Pre-Release and Resettlement Policy Framework - GOV.UK (www.gov.uk)*
- The custodial sentence management (OMiC) Policy Framework will provide clarity on the custodial model and process for managing cases during the custodial part of the sentence. The policy will define expectations for Prison / Probation Offender Manager (POM) work and make links with community based probation practitioners also known under OMiC as Community Offender Managers (COMs).

Work with victims, and the responsibilities of the Victim Liaison Officer (VLO) are not included in this policy framework. More information on these activities can be found in EQUIP. here > *Victim Liaison Officer VLO (justice.gov.uk)*

Associated documents:

- Child Safeguarding Policy Framework
- Domestic Abuse Policy Framework
- Enforcement of community orders, suspended sentence orders and post-sentence supervision policy framework
- Home Visit Policy Framework
- Licence conditions Policy Framework
- Management of Young Adults Policy Framework
- National Standards
- OSP Policy Framework
- Polygraph examination licence condition policy framework
- Post Sentence Supervision Requirements Policy Framework
- Pre-Release and Resettlement Policy Framework
- Probation service management of MAPPA level 1 cases Policy Framework
- Release on Licence for Foreign National Offenders Pending Deportation - PI 26 2014
- Release on Temporary Licence Police Framework
- Sentence Planning - expired but still valid PI 13/2014
- The Care and Management of individuals who are Transgender Policy Framework
- The Information Sharing Policy Framework
- Unpaid Work PI 04 2019
- Women's Policy Framework

Resource Impact: There are no new requirements set out in this policy. Sentence management expectations laid out in this document are currently within the resource provisions of National Standards, the unified tiering model and align with the Probation Service Target Operating Model 2021.

No additional resources are required to implement this framework for people on probation, as sentence management expectations laid out in this document are currently within the resource provisions of the unified Probation Service and align with the Target Operating Model.

Contact: Chiefprobationofficer@justice.gov.uk and/or ProbationProgramme@Justice.gov.uk

Deputy/Group Director sign-off: Sonia Flynn, Deputy Director

Approved by OPS for publication: Ian Barrow, Executive Director Probation

Review

Date	Changes
30 August 2023	Amendment to para 5.9

Contents

1. Purpose.....	5
2. Evidence informed practice (EIP):	6
3 Outcomes.....	7
4 Legislation.....	8
5 Mandatory Requirements	9
6 Practice requirements:.....	11
7 Case allocation.....	12
8 Tiering	12
9 Induction appointments	13
10 Assessment of risk and needs	14
11 Sentence Planning.....	19
12 Managing the sentence.....	20
Sentence management delivery.....	21
Establishing a relationship	22
Frequency and modes of contact.....	22
Assessment of protective factors / strengths	23
13 Case recording	25
14 Reviewing progress	26
Review of the person on probation’s assessment and sentence plan	27
Significant change / event.....	27
15 Compliance and Enforcement.....	27
Specific cohorts	30
16 Adult Safeguarding	30
17 Care leavers	31
18 Child safeguarding.....	32
19 Domestic abuse	34
20 Ethnic minorities	35
21 Ex Armed Service Personnel (ex ASP).....	36
22 Foreign National Offenders (FNO).....	37
23 Hospital Order.....	38
24 Integrated Offender Management (IOM)	38
25 Lifers and IPP	40
26 Multi-Agency Public Protection Arrangements (MAPPA)....	Error! Bookmark not defined.

27	National Security Division (NSD).....	43
28	Offender Personality Disorder (OPD).....	44
29	People convicted of sexual offences (PCoSO).....	44
30	Post Sentence Supervision (PSS).....	46
31	Short Prison Sentence cohort	47
32	Women	47
33	Young adults.....	49
34	Diversity and equality considerations	49
Appendix i – Evidence based approaches to practice		52
1	Desistance theory.....	52
2	The Risk-Need-Responsivity model (RNR).....	53
3	Skills for Effective Engagement and Development and Staff Supervision (SEEDS2) / Reflective practice	54
4	Procedural justice / legitimate authority	55
5	Professional curiosity	56
6	Professional Judgement.....	57
Appendix ii – Legislation, policy, and guidance		58
1	Police Crime Sentencing and Courts (PCSC) Act 2022	58
2	Sentencing Act 2020	59
5	Offender Management Act 2007.....	60
6	Human Rights Act 1998.....	60
7	Policy Frameworks:	60
8	National Standards (NS):.....	60
9	Performance measures	61
10	Quality measures.....	61
11	Professional standards	62
Appendix iii – Single requirement orders		62
	Keep in touch duty	62
	Alcohol abstinence and monitoring requirement	63
	Alcohol treatment requirement (ATR)	63
	Curfew requirement*	64
	Drug Rehabilitation Requirement (DRR)	64
	Electronic Monitoring requirement (EM)*	64
	Exclusion requirement*	65
	Foreign travel prohibition requirement	65
	Mental health treatment requirement	65
	Programme requirement	65
	Prohibited activity requirement	65

Rehabilitation activity requirement (RAR)..... 66
Residence requirement 66
Unpaid work requirement (UPW) 67

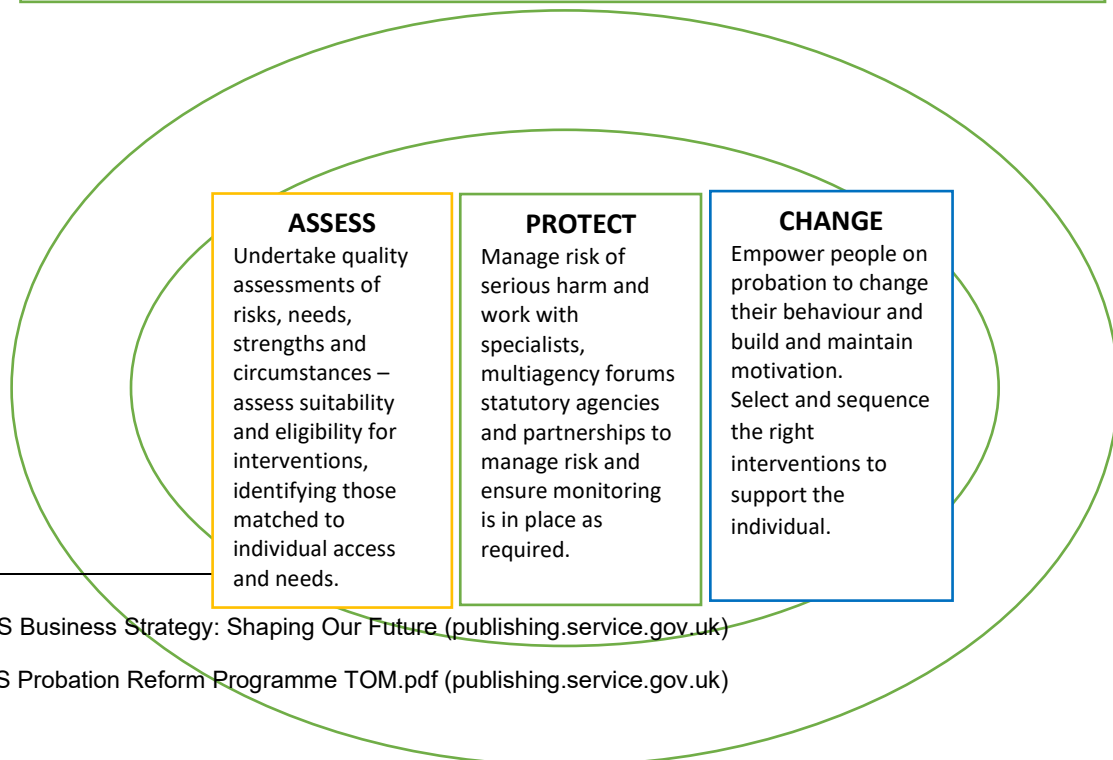
1. Purpose

- 1.1 The vision for HMPPS¹ is ‘working together to protect the public and help people lead law-abiding and positive lives’. A key route to achieving this is through ‘increased use of evidence, insight, and data to improve our understanding of what works, looking at good practice inside and outside of HMPPS’.
- 1.2 This policy framework aligns with the overarching HMPPS Rehabilitation Strategy which sets an agency wide position to strengthening rehabilitation through application of an evidence based approach to supporting the provision of the right interventions and services, for the right people at the right time.
- 1.3 This policy provides an evidence-informed approach to support practitioners in establishing and maintaining effective working relationships with the person on probation as a key driver to successful completion of their sentence in the community, either during their licence period, or whilst subject to a Community Order (CO) or Suspended Sentence Order (SSO).
- 1.4 The key objective for the Probation Service is to deliver excellent practice. To achieve this, there are a number of ongoing activities to improve performance and implement the Target Operating Model (TOM) for Probation Services in England and Wales. The TOM² states:

“Sentence Management ensures those individuals subject to community orders, suspended sentence orders, licence and post-sentence supervision are properly supervised, so that risk is effectively managed; the likelihood of reoffending is reduced, and the sentence plan is delivered.”

What is sentence man: Desistance / strengths-based working relationship between practitioner and person on probation

Deliver the sentence of the court



¹ HMPPS Business Strategy: Shaping Our Future (publishing.service.gov.uk)

² HMPPS Probation Reform Programme TOM.pdf (publishing.service.gov.uk)

- 1.5 The role of professional probation staff to 'assess, protect and change' is central to sentence management under the operating model, and to best facilitate this, the relationship between practitioner and person on probation is pivotal.
- 1.6 The Target Operating Model outlines the key elements of sentence management as:
- public protection
 - allocation of cases informed by the *unified tiering model*
 - one sentence plan - The role of probation practitioner is to devise and actively manage the delivery of the sentence plan
 - caseloads and manageable workloads
 - probation practitioners actively engaged in evidence-based 'change' work, delivering structured supervision using approved probation practitioner toolkits
 - integrated sentence management - sentence management will have an integrated Probation Operational Delivery (POD)³ structure, grouping officers and admin staff together to provide continuity for service users and collaborative support for each other.
- 1.7 Current requirements for probation practitioners can be found in a variety of legislation, probation policies, and practice guidance instructions. This framework will outline the evidence base and key concepts that underpin the work to deliver sentence management, provide a holistic overview of required practice and signpost staff to guidance.
- 1.8 Practitioners should refer to the Custodial Sentence Management policy and Pre-Release and Resettlement policy framework⁴ for specific guidance and instructions for these phases in case management.

2. Evidence informed practice (EIP)

- 2.1 EIP is the concept of using the best available evidence, from various sources (such as formal research, operational insight, and stakeholder feedback) to make decisions in a structured way about what may work best to improve outcomes for people on probation; to ensure resources are used most efficiently and to assist the probation services commitment to continuous learning and development.

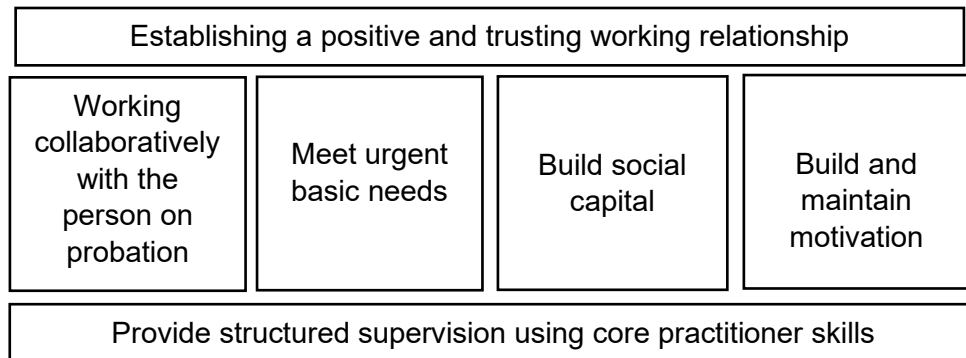
Key concepts that underpin probation delivery

- 2.2 There is a significant body of research about the critical role that probation practitioners can play in motivating and supporting positive change of individuals through building strong, meaningful relationships. Using this approach in sentence management provides comprehensive support to individuals throughout their probation journey, with the aim of achieving better outcomes for them, and enhancing public protection.
- 2.3 Alongside the trusting working relationship, a focus on delivering the right services and interventions at the right time, will help individuals to successfully complete their sentences and lead law-abiding and positive lives following their supervision period.

³ POD National Principles (Master) (justice.gov.uk)

⁴ HMPPS Pre-Release and Resettlement Policy Framework - GOV.UK (www.gov.uk)

2.4 Many research findings about what works with people on probation have overlapping areas of commonality⁵ including:



2.5 Further information can be found in Appendix A – Evidence based approaches to practice, which provides detail in relation to the following key concepts:

- Desistance theory
- The Risk-Need-Responsivity model (RNR)
- Skills for Effective Engagement and Development and Staff Supervision (SEEDS2) / Reflective practice
- Procedural justice / legitimate authority
- Professional curiosity

Further information on this topic can be found here:

- HMI Probation Research, Evidence base [justiceinspectorates.gov.uk](https://www.justiceinspectorates.gov.uk)
- HMPPS Evidence based practice summary: What is evidence-based practice? - August 2021. *First Look Summary* ([gsi.gov.uk](https://www.gsi.gov.uk))
- HMPPS Evidence based practice summary: Developing evidence-based practice? -. *First Look Summary* ([gsi.gov.uk](https://www.gsi.gov.uk))
EQuIP
- Evidence based practice ([justice.gov.uk](https://www.justice.gov.uk))

3 **Outcomes**

3.1 This Policy Framework highlights expectations for sentence management activities. Probation practitioners, case administrators and line managers within case management are required to read this instruction so that they are familiar with, and follow, the correct processes and mandatory actions for sentence management activities for people subject to probation supervision in the community.

3.2 For probation practitioners working with prisoners and those released on licence, details of expected actions and outcomes prior to release from custody will be addressed in both the Custodial Sentence Management Policy Framework and Pre-Release and Resettlement Policy Framework, both of which will work holistically with this Policy to ensure positive continuation of support from prison to community.

3.3 For many subject areas within this document, there will be specific policy frameworks that must be cross referenced to provide further detailed mandatory requirements. These are all identified within each section.

⁵ Models and principles ([justiceinspectorates.gov.uk](https://www.justiceinspectorates.gov.uk))

3.4 The high-level outcomes of this new Policy Framework are that:

- Sentence management of people on probation is informed by all available evidence and research in order to achieve the best outcomes that balances risks and needs and makes the best use of all resources available
- Practitioners are aware of the 'must do' mandatory requirements when supervising individuals
- Practitioners recognise their role in the delivery of the sentence of the courts and how this contributes to the organisational outcomes to protect the public, reduce reoffending, and support individuals to live positive lives
- Practitioners recognise their role in establishing and maintaining effective engagement with the person on probation to support rehabilitation and successful completion of their sentence
- Practitioners recognise their role in co-ordinating and supporting multi-agency working, making best use of sequencing of interventions
- Practitioners recognise the importance and deploy an individualised approach to sentence management, considering the diversity and inclusion needs of the person on probation

4 **Legislation**

4.1 **Appendix ii – Legislation, policy, and guidance** provides more details in relation to key legislation and policy, along with national and regional good practice expectations and local variations. Appendix ii covers:-

- Police, Crime, Sentencing and Courts (PCSC) Act 2022
- Sentencing Act 2020
- Offender Rehabilitation Act 2014
- Equality Act 2010
- Offender Management Act 2007
- Human Rights Act 1998
- Policy Frameworks:
- National Standards:
- Performance measures
- Quality measures
- Professional standards

Community Orders / Suspended Sentence Orders

4.2 Part 9 of the Sentencing Act 2020 outlines requirements available to sentencers when imposing a Community Order or Suspended Sentence Order. These are:

- Alcohol abstinence and monitoring requirement (AAMR)
- Alcohol treatment requirement (ATR)
- Curfew requirement
- Drug rehabilitation requirement (DRR)
- Electronic monitoring requirement (EM)
- Electronic whereabouts monitoring requirement
- Exclusion requirement
- Foreign travel prohibition requirement
- Mental health treatment requirement (MHTR)
- Programme requirement
- Prohibited activity requirement
- Rehabilitation activity requirement (RAR)
- Residence requirement
- Unpaid work requirement (UPW)

Sentencers may impose single or multiple requirements within an order.

Single requirement order: More information on individual requirements can be found in *Appendix iii – Single requirement orders*

Multi requirement orders: Where a CO or SSO is made up of multiple requirements, practitioners are required to consider the appropriate sequencing of work to be completed (see - *Sentence Planning*) as well as any tasks specific to the requirement (e.g., timescale for completion of UPW assessment).

5 Mandatory Requirements

5.1 HMPPS has made a commitment to evidence informed practice. Senior managers in the probation service must therefore ensure that a strengths based, evidence informed approach is prioritised by the organisation. This will include ensuring this policy is promoted and adhered to at an operational level.

5.2 This policy framework will provide further detail in relation to the following mandatory requirements within sentence management:

5.3 Practice requirements:

Probation staff are required to take all reasonable steps to:-

- take an evidence informed and individualised approach to sentence management (further details can be found in *Appendix i – Evidence based approaches to practice*)
- work with the person on probation to form positive working relationships and promote engagement
- ensure that both the probation practitioner and senior probation officer (SPO) work together to secure managerial oversight⁶ on cases where relevant

(further details can be found in *Appendix i – Evidence based approaches to practice*)

5.4 Case allocation

- Case allocation must be completed in a timely manner to ensure there is an allocated practitioner for the first appointment.
- The SPO is responsible for making case allocation decisions and recording the reason for the allocation to the particular practitioner.
- The identity of the allocated probation practitioner must be clear at all times.

5.5 Tiering

- The person on probation must be assigned to the appropriate tier of case.

5.6 Induction appointments

- The first face-to-face appointment should occur within one working day for those released subject to a Licence or Post Sentence Supervision, and within five working days from sentence for those subject to a Community Order or Suspended Sentence Order.

⁶ See *Touch Points Model (TPM) Guidance* for more information

- The induction pack must be discussed, completed, and signed within the first two appointments with the person on probation to support the timely completion of the initial sentence plan.
- The requirements of the sentence must be considered in the induction sessions and all assessments, referrals and forms must be completed relevant to the specific requirements (e.g., Diversity inclusion form, unpaid work induction paperwork and assessment, relevant forms/referrals for specific interventions and specialist services)

5.7 Assessment of risk and needs

- The sentence plan should be completed in collaboration with the individual and must address:
 - the purpose of the sentence
 - the level of risk of serious harm and reoffending the individual poses
 - the needs, strengths, equality, and diversity needs relevant to the individual
 - the mode and frequency of contact with the person on probation
- A risk management plan must be completed for all cases where risk is assessed as medium risk of serious harm or above.
- Consideration of MAPPA eligibility and decisions on the category and level of management must be made and recorded in all relevant cases. The appropriate MAPPA Registration and completed referrals must be added to the person on probation's case record – for more information see *Multi-Agency Public Protection Arrangements (MAPPA) section for more information.*

5.8 Sentence Planning

- The person on probation should be involved with the sentence planning and objective setting.
- The delivery of the plan should be sequenced to meet the risk and needs of the person on probation most effectively.

5.9 Managing the sentence

- People serving a community order or suspended sentence order with a rehabilitation activity requirement (RAR) or those released on licence (excluding PSS period), must receive a minimum of one face-to-face appointment every calendar month with a probation practitioner.
- People on probation assessed as a high risk of serious harm or above must receive a minimum of one face-to-face appointment every week with a probation practitioner. *(N.B. excludes single requirement unpaid work and those in PSS period)*
- The probation practitioner should consider the purpose of appointments offered to determine the frequency and mode of contact with the person on probation to best deliver the sentence of the court.
- The probation practitioner should prepare the person on probation to undertake all activity set out in the plan to meet the requirements of the sentence.
- The Probation Practitioner should be proactive in co-ordinating and engaging directly with those delivering rehabilitative interventions to ensure that all necessary information is exchanged and the person on probation is fully supported to achieve the desired outcomes.
- The direct delivery of rehabilitative change work should be undertaken by the probation practitioner with relevant cases, in accordance with the requirements of the sentence and sentence plan objective.
- Throughout the period of sentence management, where a change in level of contact is made, a professional judgement decision should be added to the person on probation's case records outlining the rationale for the change.

- Probation practitioners must be responsive to changes in risk and need, ensuring liaison with relevant agencies is undertaken and seek management oversight where relevant.

5.10 Case recording

- Case records must be updated within one working day of the contact
- Where professional judgement is used the rationale behind that decision must be clearly recorded.

5.11 Reviewing progress

- The assessment and plan must be reviewed whenever there is information indicating a significant change that impacts on the risk of re-offending and/or serious harm posed by the person on probation
- At each review, an evaluation of progress and the extent to which the objectives of the sentence plan have been achieved should be undertaken.
- Review of progress must be made in line with the specific requirements of the community order, suspended sentence order or licence, (e.g., review of UPW progress in line with UPW guidance⁷). Proposing changes to community order requirements or licence conditions may be considered including an application for early revocation for good progress⁸.

5.12 Compliance and Enforcement

- The probation practitioner should determine the acceptability of a person on probation's failure to attend an appointment or lack of engagement with the purpose of the sentence, in accordance with relevant policy frameworks and practice guidance. The rationale for the decision and subsequent action should be recorded.
- The probation practitioner should actively engage with the person on probation, other relevant agencies and seek management oversight where relevant to make an informed decision as to how to promote compliance with the sentence and address concerns.
- Where a person on probation poses an immediate risk of serious harm, appropriate action must be taken in line with the sentence type and relevant policy frameworks.

6 Practice requirements

Probation staff are required to take all reasonable steps to:-

- **take an evidence informed and individualised approach to sentence management**
- **work with the person on probation to form positive working relationships and promote engagement**
- **ensure that both the probation practitioner and senior probation officer (SPO) work together to secure managerial oversight⁹ on cases where relevant**

6.1 As outlined in section 2, taking an evidence informed approach to sentence management improves the likelihood of the best outcomes for people on probation. Further details of theories used at present can be found in *Appendix i – Evidence based approaches to practice*

⁷ See > *Practice Guidance 6 and 9 month progress reviews (Master) (justice.gov.uk)*

⁸ *Make decision to revoke order (Master) (justice.gov.uk)*

⁹ See *Touch Points Model (TPM) Guidance* for more information

- 6.2 Management oversight (MO) is the process by which a manager assures themselves that operational delivery is undertaken consistently and to the standards required whilst also contributing to the supervisory agendas of both accountability and staff development

Therefore, the SPO should not be the sole driver of this. Both practitioners and managers must evidence sound decision making, ensuring that reflection, professional discussion, and appropriate oversight take place as part of a holistic approach to sentence management.

Further information on this topic can be found here:

- *Appendix i – Evidence based approaches to practice*
- *Touch Points Model (TPM) Guidance* for more information
- Reflective Practice Supervision Sessions (RPSS) - (SEEDS2 Resources) (justice.gov.uk)

7 Case allocation

- **The SPO is responsible for making case allocation decisions and recording the reason for the allocation to the particular practitioner.**
- **Case allocation must be completed in a timely manner to ensure there is an allocated practitioner for the first appointment.**
- **The identity of the allocated probation practitioner must be clear at all times.**

7.1 Cases must be allocated by Senior Probation Officers (SPOs) in line with the unified tiering model framework and associated guidance. Case allocation will rely on the judgement of the operational manager to decide whether a case is suitable to be managed by a Probation Officer or Probation Service Officer. This decision will be based on individual circumstances of the case, and the skills, ability, and experience of the individual officers and the rationale for allocation must be recorded by the SPO in the case records.

7.2 Allocation must be completed in a timely manner to ensure there is a named, allocated practitioner for the first appointment. This also aligns with the timescale for completion of the initial sentence plan and with desistance practice, ensuring that each case has oversight and input from the outset, so case decisions and accountability are clear, and any enquiries are efficiently directed.

7.3 Where practitioners work in a Probation Operational Delivery (POD) model, other practitioners will have knowledge of cases and commence work as agreed with the allocated probation practitioner. This enables the person on probation to have access to other practitioners with skills to support desistance. Responsibility for the overall management of the case will, however, remain with the allocated probation practitioner.

Further information on this topic can be found here:

- Tiering Framework Case Allocation (Master) (justice.gov.uk)
- Case Allocation (justice.gov.uk)
- POD Model (justice.gov.uk)
- Case Allocation: PI 05/2014, PSI 14/2014 - GOV.UK (www.gov.uk)

8 Tiering

- **The person on probation must be assigned to the appropriate tier of case.**

8.1 The unified tiering model was designed to reflect the commitment to the three key aims of sentence management to:

- **Assess** - assessment will balance risk, need, responsivity, rehabilitation
- **Protect** - ensure protective and restrictive requirements are in place and reviewed.
- **Change** - ensure people on probation receive the right rehabilitative support to address offending behaviour to provide public protection

8.2 Risk levels are reflected through tiers A – D. Tiers A and B are high risk of serious harm, C medium risk and D low risk. There is a separate axis with 4 different levels of need (what require addressing to enable the person to change). Change levels 1 – 3 are determined by the level of complexity and number of needs to be addressed by the individual, with 1 being lowest, 3 being most complex. Change level 0 is for Community Sentences with standalone Unpaid Work, only restrictive requirements, or Unpaid Work + Restrictive requirements.

8.3 This model also applies additional complexity factors for women, to provide or time and resource working with this cohort – more information on the needs of females can be found in the *specific cohort - Women* section of this document.

Further information on this topic can be found here:

- Unified Tiering Model - Staff guidance (Master) ([justice.gov.uk](https://www.justice.gov.uk))
- Tiering Framework ([justice.gov.uk](https://www.justice.gov.uk))
- Tiering ([justice.gov.uk](https://www.justice.gov.uk))

9 Induction appointments

- **The first face-to-face appointment should occur within one working day for those released subject to a Licence or Post Sentence Supervision, and within five working days for those subject to a Community Order or Suspended Sentence Order.**
- **The induction pack must be discussed, completed, and signed within the first two appointments with the person on probation to support the timely completion of the initial sentence plan.**
- **The requirements of the sentence must be considered in the induction sessions and all assessments, referrals and forms must be completed relevant to the specific requirements (e.g., Diversity Inclusion Form (DIF, unpaid work induction paperwork and assessment, relevant forms/referrals for specific interventions and specialist services**

9.1 The induction process plays a key part in recognising the importance of a first impression for the person on probation and an opportunity to begin a positive working relationship between them and probation practitioner. This first appointment must also set out the purpose and process of supervision and sentence management.

9.2 Aims of induction

The key aims and objectives of induction sessions are:

- To create a good first impression of the service to the person on probation, to build confidence in our ability to support them with the management of their sentence
- To build and foster understanding and trust between the person on probation and practitioner, to support a shared commitment towards successful management of the sentence
- To inform the person on probation of the expectations placed upon them during their sentence and the consequence of not adhering to them such as enforcement action.
- To be professionally curious and explore the risks and needs of the individual to support a robust assessment and sentence plan
- To identify strengths and any needs the person on probation may have and use them to agree smart goals to support desistance.

- To ensure that those with protected characteristics are supported in engaging with their sentence by identifying and working to remove barriers to engagement.

- Further information on this topic can be found here:
- EQuIP
- Blended Supervision - Staff Guidance
- Induction Process (Master) (justice.gov.uk)
- Commissioned Rehabilitative Services CRS (justice.gov.uk)
- 7 Minute Briefing - CRS Right First Time
- 7 Minute Briefing - CRS Right First Time WALES
- Interventions - Structured Interventions (justice.gov.uk)

10 **Assessment of risk and needs**

- **The assessment and sentence plan should be completed in collaboration with the individual and must address:**
 - **the purpose of the sentence**
 - **the level of risk of serious harm and reoffending the individual poses**
 - **the needs, strengths, equality, and diversity needs relevant to the individual**
 - **the mode and frequency of contact with the person on probation**
- **A risk management plan must be completed for all cases where risk is assessed as medium risk of serious harm or above.**
- **Consideration of MAPPA eligibility and decisions on the category and level of management must be made and recorded in all relevant cases. The appropriate MAPPA Registration and completed referrals must be added to the person on probations case record**
see *Multi-Agency Public Protection Arrangements (MAPPA) section for more information.*

10.1 Risk assessment requires consideration of:

- Static risk factors: unchangeable factors such as number of previous convictions, date of birth etc.
- Dynamic risk factors: subject to change, such as employment, level of substance misuse etc.

Assessment tools

10.2 Structured assessment tools have been found to produce better predictions of proven reoffending than unstructured professional judgement, which can be subject to bias. Outlined below are the main tools in use at present.

- Risk of Serious Recidivism (RSR)

10.3 RSR was initially developed as an actuarial risk predictor tool that predicts the likelihood of the individual committing a seriously harmful offence¹⁰ that results in a conviction over a 2-year period. This tool was used to support allocation as part of the Transforming

¹⁰ seriously harmful offence is, "An event, which is life-threatening and/or traumatic, from which recovery, whether physical or psychological, can be expected to be difficult or impossible".

Rehabilitation programme in 2014. As a consequence, the wider importance of the RSR as a key element of the Risk of Serious Harm process was lost.

- 10.4 RSR is the most up to date and accurate predictor of risk of seriously harmful offending behaviour. It is important for practitioners to be aware that RSR should be used alongside other predictor scores and the practitioner's professional judgement to analyse risk of harm throughout a sentence not just at commencement.

More information can be found in the *Risk of Serious Recidivism (RSR) User Guidance on EQUIP*.

- OASys Sexual reconviction Predictor (OSP) tool

- 10.5 OSP is the static risk assessment tool used to assess the likelihood of proven sexual reoffending in eligible individuals convicted of sexual/sexually motivated offences. OSP is scored and displayed within OASys and produces two outcomes: OSP/C which predicts the likelihood of contact reoffending and OSP/I which predicts the likelihood of reoffending linked to indecent images of children. OSP is only calculated for individuals recorded on OASys as male. OSP is not calculated where the individual's gender has been recorded on OASys as female., OSP can be used to inform overall risk assessment and to identify cases eligible for accredited programmes and mandatory polygraph testing.

More information can be found in the *OASys Sexual Predictor Score OSP guidance on EQUIP*.

- The Offender Group Reconviction Scale (OGRS)

- 10.6 OGRS is a predictor of general re-offending based only on static risks – age, gender, current offence, and criminal history. Embedded within the OASys tool, it produces predictions for individual offenders. The OGRS score provides practitioners with the percentage likelihood of general reconviction and can be used to help form decisions about what interventions may be most appropriate to address offending behaviour.

More information can be found here: <https://core.ac.uk/download/pdf/1556521.pdf>

- Spousal Assault Risk Assessment Tool (SARA)

- 10.7 For the purpose of the SARA tool, the definition of spousal assault is: *Any actual, attempted or threatened physical harm perpetrated by a man or woman against someone with whom he or she has, or has had, an intimate, sexual relationship.*

- 10.8 Embedded within OASys, the SARA tool was devised as an evidence-based clinical 'checklist' of risk factors, comprised of 20 key items which were identified from an empirical review of spousal assault literature undertaken in Canada in 2000. The SARA element of OASys must be completed for all individuals who have perpetrated intimate partner abuse and reviewed whenever the OASys assessment is reviewed.

- 10.9 It is not limited to gender, or victim or perpetrator ethnicity, or physical injury alone, and can be used to assess both male and female perpetrators involved in heterosexual and same-sex relationships. (N.B. this tool is not suitable for assessing parental or sibling abuse.) The outcome of this tool does not provide a 'score' in the way that actuarial tools do. Instead, it should be seen as a systematic method of collecting, assessing, and combining information into risk assessments - which is defined as 'structured professional judgement.'

When undertaken correctly it improves the transparency and consistency of decisions made and draws attention to certain risk factors, raising awareness of their importance in relation to supervision and interventions that may be available. Therefore, SARA is only as good as:-

- The information that is inputted.
- The quality of the analysis of that information.

More information can be found in the *SARA Guidance* on EQuiP.

- OASys - The Offender Assessment System

10.10 OASys is the current tool used for recording the assessment of the risks posed by, and needs of, any person on probation. The purpose of the tool is to aid the practitioner to make a structured professional judgement in managing the sentence in order to:

- Assess how likely an individual is to be reconvicted
- Identify offending-related risks and needs
- Assess the Risk of Serious Harm posed to self and others
- Devise an individualised Risk Management Plan
- Link the assessment of needs and risk to a Sentence Plan.

10.11 Alongside static and dynamic predictors of general and violent reoffending, the information gathered from other relevant sources and other professionals should be utilised for a practitioner to apply their professional judgement, to assess the risks and needs of the individual.

10.12 Mandatory expectations for completion of an OASys assessment for people in the community are outlined in National Standards, which can be found here > *National Standards - English (Master)* (justice.gov.uk)

Professionally informed assessment - Dynamic assessment

10.13 **How** an assessment is undertaken is as important as the outcome. The best evidence available tells us the person on probation should be actively involved in their assessment and empowered to identify issues themselves; working out what they want to achieve, what their needs and strengths are as well as what barriers need to be addressed.

10.14 Research findings highlight the importance of understanding individuals' circumstances and characteristics. A robust assessment will analyse the person on probation's:

- Risks of further offending
- Risks of harm posed
- Criminogenic need
- Other needs – not directly related to offending, but of importance to the individual
- Protective factors / strengths
- Motivation to change

10.15 **Unpaid work assessment** – see *Appendix iii – Single requirement orders Unpaid work requirement (UPW)* for specific guidance on UPW assessments.

Assessment of likelihood of further offending

10.16 The actuarial tools outlined above, will provide practitioners with the best indication for the risks of:

- General reoffending
- Seriously harmful offending,
- Sexual offending
- Violent offending

10.17 These scores will form part of the evidence practitioners must analyse to inform any risk management plan and determining the best interventions available to reduce reoffending and risk of serious harm. These scores are particularly relevant when assessing suitability for accredited programmes, (AcP) structured interventions (SI) and commissioned rehabilitation services (CRS).

Assessment of risk of serious harm

10.18 The OASys risk assessment tool defines “serious harm” as:

“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”.

10.19 A good risk assessment must consider and include the following:

- evidence based
- specific to the individual – evidence from previous sections of OASys should be pulled through and addressed
- use risk predictor scores
- Considers factors that may increase risk
- Considers protective factors/strengths that may mitigate the risk, including any restrictions required
- Assessment of immediacy/ imminence of the risk
- Avoids bias
- makes logical sense based on the evidence
- has a solid rationale evidencing the professional judgement applied to assign level of risk.

10.20 Good risk assessments form the foundations of a risk management. We assess risk to:

- identify those who may potentially cause serious harm.
- provide a framework for a plan to manage that risk, including identifying where the responsibility for this lies.
- protect victims and potential victims
- make effective use of the Risk, Need and Responsivity principles - This makes sure that interventions take account of the individual and their needs and are matched to the risks.

10.21 Practitioners can find detailed guidance in relation to risk assessments here > *Risk-of-Serious-Harm-Guidance-March-2022.pdf*. Cohort specific risk of serious harm factors are addressed in **Specific cohorts** section of this document.

10.22 To ensure that due consideration is given to the victim’s views it is important that the probation practitioner contacts the Victim Liaison Officer (VLO) during the sentence. This enables the VLO to work with the victim to provide them with a voice in decisions such as, parole reports, recall report and exclusion zones. Contact between the practitioner and VLO will also inform other support and future engagement with the victim. Guidance for practitioners can be found in EQUIP. here > *Victim Liaison Officer VLO Guidance (justice.gov.uk)*

Assessment of needs

10.23 All people have needs, from basic needs for food and shelter to self-actualisation (self-improvement), as outlined in Maslow’s hierarchy of needs.¹¹ Criminogenic needs are those identified in the RNR model and are needs that are often correlated to criminal behaviours. Within OASys, the following factors are scored as criminogenic needs: accommodation; education, training, and employment; relationships; lifestyle; drugs misuse; alcohol misuse; thinking and behaviour; and attitudes.

10.24 Probation practitioners are expected to engage with the person on probation and other relevant agencies to support their work to assess criminogenic needs and will help practitioners to:

¹¹ Maslow's hierarchy of needs - Wikipedia

- prioritise interventions – by understanding the person’s needs and level of motivation to working on the behaviours associated with those needs
- work with the person on probation to set goals, evaluate progress and celebrate successes

Assessment of motivation

- 10.25 Motivation to change is pivotal to desistance and can be assessed using frameworks such as the well-established Prochaska and DiClemente's 'cycle of change' model¹². Assessing an individual’s position on the cycle of change, (how motivated they are to address factors impacting offending related behaviour) helps the practitioner consider the best approach to take, and to identify the right interventions required – and what sequence to undertake them in to enable the individual to move forward.

Home visits

- 10.26 The HMPPS *Home Visits Policy Framework* was first published in 2021 and outlines the expectations for undertaking a home visit for all sentence types. Research shows us that individuals benefit when supervision is interactive and engaging, and this includes having home visits - which should be more than just verification of where someone lives. By seeing individuals in their own environment and with people they reside with, practitioners can analyse information gathered from supervision sessions or other agencies and use it to as a further tool to building a positive working relationship.

National Standards 2021 states:

‘Consideration of conducting a home visit should be made in all cases. Where a home visit is not undertaken, the reasons are recorded.’

- 10.27 HMI Probation Case Assessments and Rules guidance considers how contact with people on probation should be sufficient to monitor risk of harm, and to provide the responsible officer with opportunities to make an ongoing assessment.

“The nature of contact should reflect the level and nature of the risk of harm; Where appropriate, it should include planned and unplanned home visits, face-to-face meetings, and meetings at different times of day.....We expect to see home visits used in all cases where there are child safeguarding or domestic abuse issues, unless there is a specific reason for not doing this (for example, the service user is resident in approved premises). In these cases, it may be good practice to conduct home visits to understand the circumstances in which the person on probation lives, and to meet partners and other family members.”

Further information on these topics can be found here:

- OASys and Assessment - HMPPS Intranet (gsi.gov.uk)
- Assessment (justiceinspectrates.gov.uk)
- Risk-of-Serious-Harm-Guidance (gsi.gov.uk)
- oasys-needs-adhoc-stats.pdf (publishing.service.gov.uk)
- EQUIP
- Sentence Planning
- Risk of Serious Recidivism (RSR)
- Victim Liaison Officer VLO Guidance (justice.gov.uk)
- OSP Policy Framework
- OASys Sexual Predictor Score OSP
- SARA
- OASys
- Tiering Framework Case Allocation guide

¹² Stages-of-Change.pdf

- Risk of Serious Harm (RoSH) (justice.gov.uk)

11 **Sentence Planning**

- **The person on probation should be involved with the sentence planning and objective setting.**
- **The delivery of the plan should be sequenced to meet the risk and needs of the person on probation most effectively.**

11.1 All individuals subject to probation supervision are required to have a sentence plan, the purpose of which is to address the identified needs and risks and to specify how the sentence of the court will be delivered.

11.2 Section 4 of the National Standards outlines the requirements of an assessment and sentence plan, highlighting that a sentence plan should:

- be completed in collaboration with the individual.
- Identify the risk of serious harm, reoffending, and the needs of the individual.
- Identify the equality and diversity needs relevant to the individual
- Include a completed risk management plan where the individual presents a medium /high or v high risk of serious harm
- Clearly identify the role and expectations of others involved in the delivery of the sentence

11.3 The sentence plan should be underpinned by a strengths-based approach. In this way, it will include a combination of the service users' strengths, their own goals and what is necessary to reduce the RoSH and support desistance.

Objective setting

11.4 The objectives should; focus on desistance, contain any protective factors, incorporate any existing strengths, be outcome focused and must be SMART (Specific, Measurable, Achievable, Realistic, Time limited). The RNR model should be applied when considering which objectives to set

Sequencing

11.5 The undertaking of the sentence plan objectives should be sequenced logically, according to what should take priority, considering both the individual's own priorities and the professional judgement of the practitioner. It may be necessary to provide interventions which stabilise and motivate an individual before providing an intervention targeted at reducing their risk of reoffending or causing serious harm. For example, someone with a chronic substance misuse problem may need to address this before they are in a position to address their offending behaviour.

Variation in Wales

11.6 The Centralised Operational, Resettlement, Referral and Evaluation (CORRE) Hub is a key element of the Wales unified model design. The CORRE Hub will assist probation practitioners through identifying suitable interventions, helping to build sentence plans, completing referrals in a timely manner, monitoring progress of the person on probation and keeping the sentence on track.

11.7 The primary role of the probation practitioner in assessment, planning, implementing, and reviewing will not be impacted by the work of the CORRE Hub as the practitioner retains overall responsibility for the key sentence management functions, with the CORRE Hub assisting in the identification of providers, sequencing of interventions and ensuring that services are brokered on time. More information on CORRE can be found on EQuiP. [here >](#)

Further information on this topic can be found here

EQuIP

- Sentence Planning (justice.gov.uk)
- Sentence Planning and Objective Setting (Master) (justice.gov.uk)
- PI 13 2014 Sentence Planning - expired but still valid (Master) (justice.gov.uk)

12 Managing the sentence

- People serving a community order or suspended sentence order with a rehabilitation activity requirement (RAR) or those released on licence (excluding PSS period), must receive a minimum of one face-to-face appointment every calendar month with a probation practitioner.
- People on probation assessed as a high risk of serious harm or above, must receive a minimum of one face-to-face appointment every week with a probation practitioner. *(N.B. excludes single requirement unpaid work and those in PSS period)*
- The probation practitioner should consider the purpose of appointments offered to determine the frequency and mode of contact with the person on probation, to best deliver the sentence of the court.
- Throughout the period of sentence management, where a planned change in level of contact is made, a professional judgement decision should be added to the person on probation's case records outlining the rationale for the change.
- The probation practitioner should prepare the person on probation to undertake all activity set out in the plan to meet the requirements of the sentence.
- The probation practitioner should be proactive in co-ordinating and engaging directly with those delivering rehabilitative interventions to ensure that all necessary information is exchanged and the person on probation is fully supported to achieve the desired outcomes.
- The direct delivery of rehabilitative change work should be undertaken by the probation practitioner with relevant cases, in accordance with the requirements of the sentence and sentence plan objective.
- Probation practitioners must be responsive to the person on probation's changes in risk and need, ensuring liaison with relevant agencies is undertaken and seek management oversight where relevant.

Sentence management appointments and RAR appointments

- 12.1 There is a difference between sentence management expectations for those sentenced to a RAR and those who do not have this requirement. **RAR allows for ongoing planned sentence management appointments, to the end of the Order.**
- 12.2 For non-RAR cases sentence management appointments either have to be arranged as part of a specific requirement (whilst this is active) or triggered by the probation duty to 'keep in touch' with the person on probation, once the requirements have all completed. The 'keep in touch' duty requires any reporting instructions with the person on probation to be 'necessary and proportionate'. 'Keep in touch' appointments are not subject to National Standards minimum levels of contact. Further information on this can be found in *appendix iii - Keep in touch duty.*
- 12.3 Sentence Management appointments are used to support the overall management of the sentence whether the individual is subject to Community Order, SSO, or Licence. They

provide the main vehicle by which the relationship between the responsible probation practitioner and person on probation is built. These appointments are required under National Standards (*EQuIP link: National Standards*).

- 12.4 Sentence Management appointments may take place in different settings, in person or remotely via the use of telephony or digital technology (*EQuIP link:- Blended Supervision*) and contacts may be used for the purpose of assessment and planning, enforcement, reviewing progress against the sentence plan, addressing risk concerns or safeguarding issues, supporting compliance, investigation of intelligence, providing information, building or sustaining motivation to change, signposting and referrals, and/or general monitoring.
- 12.5 For Community Order cases, delivery of structured change work can only be undertaken as part of a rehabilitation activity requirement and should be recorded as a RAR day, utilising the appropriate Non-Statutory Intervention (NSI).
- 12.6 For Licence cases, delivery of structured change work required under a Licence condition, may take place, and be recorded under the Sentence Management appointment. The appropriate NSI should be used to record delivery using an approved toolkit.
- 12.7 Sentence Management appointments and RAR days serve different purposes, and probation practitioners are **required to record the content of these contacts separately**, using NDelius. The current functionality of NDelius means that different information and data is captured under the separate contacts. Both are necessary to support performance monitoring and data capture to provide assurance that the sentence of the Court is being delivered.

Further details can be found in *appendix iii - Rehabilitation activity requirement (RAR)*.

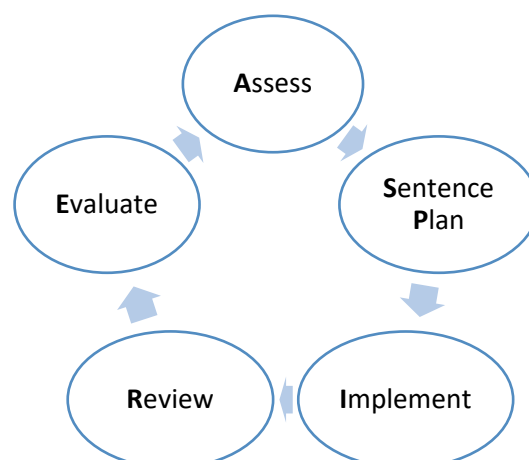
Further information on this topic can be found here:

EQuIP

- CRI021 NSI - Non-Statutory Interventions (Master) ([justice.gov.uk](https://www.justice.gov.uk))
- Rehabilitation Activity Requirement (RAR) ([justice.gov.uk](https://www.justice.gov.uk))
- Advice Note Off Menu RAR NSI Recording for NDelius (Master) ([justice.gov.uk](https://www.justice.gov.uk))

Sentence management delivery

- 12.8 HMI Probation core inspections¹³ judge the quality of delivery in individual cases against their Domain Practice Standards. Domain 2 Standards inspect sentence management activity that cover the stages of the ASPIRE process:



- **Assessment** - of risks, needs, strengths, responsivity

¹³ HMI Probation standards - Our standards and ratings ([justiceinspectorates.gov.uk](https://www.justiceinspectorates.gov.uk))

- Sentence Planning – setting objectives, sequencing interventions
- Implementation – undertaking change work, maintaining records, addressing issues arising
- Review – evidence of progress, celebrating success, reviewing risks and needs
- Evaluate – reflect on progress, approach, next steps

12.9 This cyclical model reflects the evidence (such as desistance research) indicating that change is typically a non-linear process. This model will be used to consider the elements of sentence management and how they align with the core principles of assess, protect, and change through the lens of a typical journey undertaken by a person on probation upon commencement of probation supervision in the community.

Establishing a relationship

12.10 The theories underpinning probation practice outlined in Appendix i of this policy provide a clear evidence base around the importance of a good working relationship to support desistance, and to work within the ASPIRE model.

12.11 National Standards for the implementation and delivery of the sentence, places a focus on ensuring that the person on probation is prepared for, and supported to undertake the sentence plan objectives, which should be sequenced to meet the risks and needs of the individual most effectively.

This preparation and support is facilitated through the building of an effective working relationship between the individual and the practitioner that supports the person on probation to make positive change through feeling valued and engaged, as opposed to feeling part of a process that is being done to them.

Frequency and modes of contact

12.12 The level, pattern and type of contact planned should be appropriate within the requirements of the sentence, proportionate to the case, and set at a level that meets assessed risk and needs of the individual; with practitioners applying professional judgement when considering the mode and frequency of contact.

12.13 HMI Probation Case Assessments and Rules guidance¹⁴ considers how contact with people on probation should be sufficient to monitor risk of harm, and to provide the responsible officer with opportunities to make an ongoing assessment, stating:

‘Contact with people on probation should be sufficient to deliver constructive interventions, monitor risk of serious harm, and to provide the probation practitioner with opportunities to make an ongoing assessment. For cases assessed as presenting high or very high risk of serious harm, weekly contact should be maintained other than in exceptional circumstances. The nature of contact should reflect the level and nature of the risk of harm. Where appropriate, it should include planned and unplanned home visits, face-to-face meetings, and meetings at different times of day’.

12.14 National Standards outlines the minimum expected contact requirements as one face to face¹⁵ appointment every calendar month with a Probation Practitioner. There is currently little available evidence in relation to the impact of different modes of contact on the successful delivery of the sentence or efficacy of remote contact supporting desistance. This standard ensures that direct face to face contact remains central to sentence management. These core sessions should be of a sufficient length and quality to support the assess, protect, change principles, and can include:

- undertaking assessment and planning,

¹⁴ [Probation-Domain-Two-CARaG-v2.5-publication-070618.pdf](#)

¹⁵ Face to face = where a probation practitioner and the individual they are supervising are in the same physical space, such as an interview room

- reviewing progress against the sentence plan,
- attending to risk concerns, safeguarding,
- supporting compliance,
- sustaining and increasing motivation and engagement,
- providing information / signposting
- engaging in change work.
- enforcement,

12.15 For those people on probation who are assessed as a high risk of serious harm or above, the contact must be a minimum of weekly in person contact, with the allocated probation practitioner wherever possible. This will support the management and monitoring of risk. It is for the practitioner to decide whether there is a need to see the individual more than once a week, and this should be considered in the context of the purpose of the sessions. The current sentence management (2022-2024) resource model allows resource for those individuals supervised by probation in the community, with a Rehabilitation Requirement Activity, and all released on licence (except for PSS period), to receive one monthly in person sentence management appointment, with additional assumptions applied to provide resource for:

- High risk of serious harm cases (Tier A & B) to receive weekly supervision
- Medium risk of serious harm cases (Tier C) to receive fortnightly supervision
- Low risk of serious harm cases (Tier D) to receive monthly supervision
- High complexity: All cases with level 3 complexity of needs have additional resource to support enhanced contact to address those needs, and/or support the change activity being undertaken to address them by others.

12.16 These additional contacts will not necessarily be face to face and may not be as in depth as the monthly in person session. The Target Operating Model includes the ambition to utilise new digital/telecommunication technologies as part of innovating and refreshing the approaches taken to engagement with people on probation. Further detail can be found in the *Blended Supervision Guidance* on EQuIP.

Consideration of protective factors / strengths

12.17 Strengths-based approaches concentrate on the inherent strengths of individuals and their network of support, deploying personal strengths to empower the individual and support desistance. This approach of giving individuals a voice, treating them with respect and generating trust are all important ingredients of desistance and procedural justice.

12.18 Wherever possible, the person on probation should be actively involved in their assessment. The concepts of self-efficacy and self-determination (the individual taking charge of their own life) recognises the individuals' responsibilities and the need for them to determine their own future behaviour and find their own solutions; supporting the concept of 'do with' not 'do to'.

Effective interventions

12.19 A core role of the Probation Service in the Criminal Justice System is to deliver the sentence of the Court. Practitioners have a crucial role in ensuring the effectiveness of the interventions through a variety of actions, **including actively assessing, developing, and managing delivery of the sentence plan, overseeing the selection and sequencing of appropriate rehabilitative interventions, and reinforcing progress and new skills that support rehabilitative ambitions.**

12.20 Having options of different interventions provides opportunities to consider what might be the right offer for the individual. This supports wider rehabilitation ambitions of supporting people to make changes that enable them to lead safe, offence free, fulfilling lives and contributes to reducing re-offending. The formal guidance - *Interventions Overview for the Unified Probation Model* provides an overview of each of the rehabilitative intervention offers that can be delivered to people on probation, and articulates where there are links and

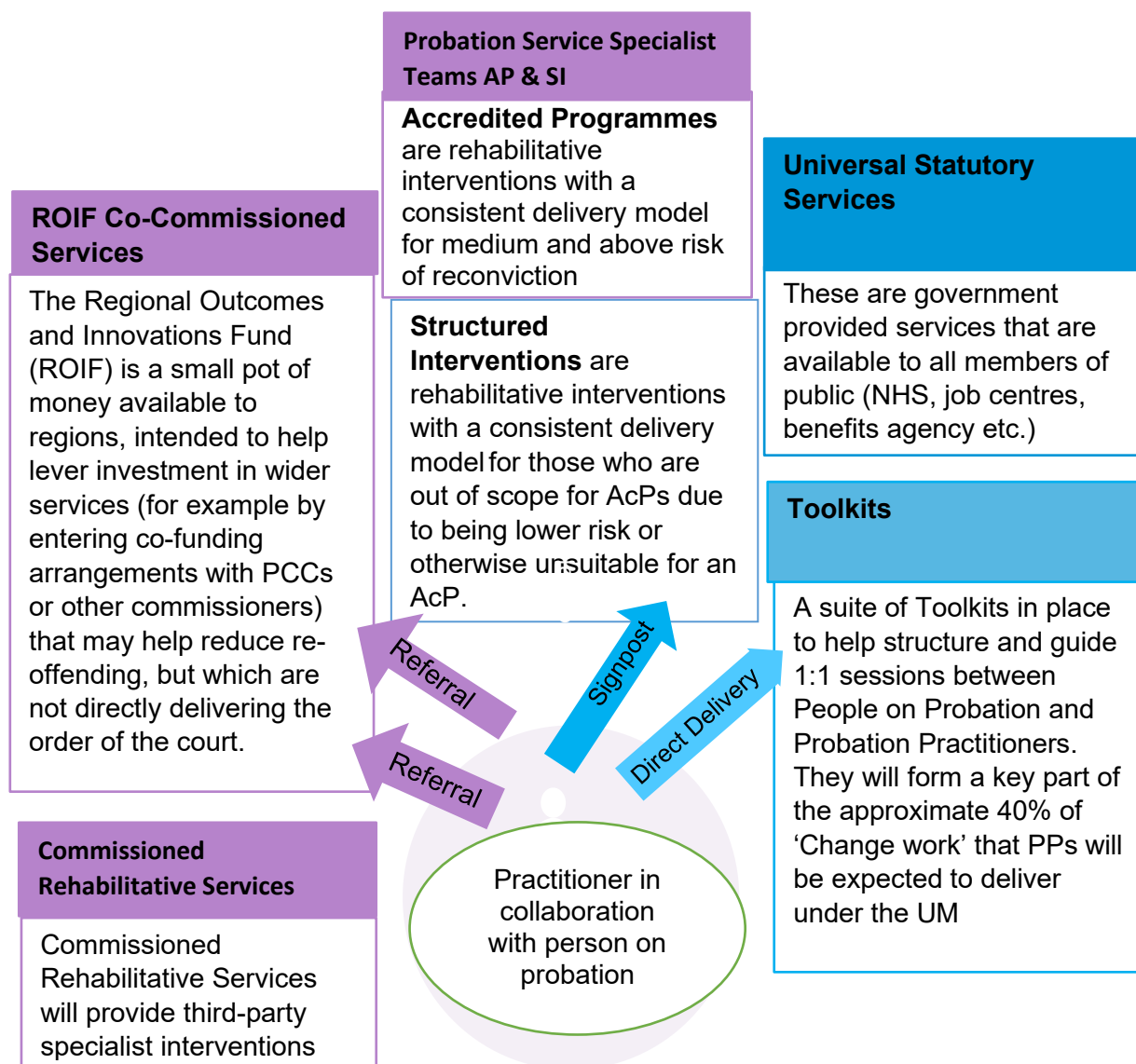
interdependencies between interventions as well as highlighting differences and areas of independence for each of the interventions.

- 12.21 As people's needs can be multiple and complex one intervention type alone, especially for people with higher risk and needs, may not attend sufficiently to all areas that are assessed as requiring attention. Equally, practitioners work with people who have fewer needs and are lower risk and providing them with intensive unnecessary intervention may in fact not only waste precious resources but could in certain circumstances increase their risk of re-offending.
- 12.22 Intervention delivery will form a significant part of sentence planning and should be proportionate to the nature and length of the order/licence. Interventions will include work delivered individually in supervision, in a group and by Commissioned Rehabilitative Services. Referrals to the CRS should indicate the individual's complexity level and the outcomes sought as well as additional information which will assist the provider deliver interventions which are tailored to meet individual need. To support desistance practice social capital should be promoted through the use of external provision. Desistance research also recognises the importance of maturity and consideration should be given to level and rate of maturity, as increasing maturity often accompanies a reduction in reoffending.

Further information on this topic can be found here:

EQuIP:

- Accredited Programmes ([justice.gov.uk](https://www.justice.gov.uk))
- Co-Commissioning ([justice.gov.uk](https://www.justice.gov.uk))
- Commissioned Rehabilitative Services (CRS) ([justice.gov.uk](https://www.justice.gov.uk))
- 7 Minute Briefing - CRS Right First Time
- 7 Minute Briefing - CRS Right First Time WALES
- Interventions (Structured Interventions)
- Approved Toolkits ([justice.gov.uk](https://www.justice.gov.uk))
- National Standards ([justice.gov.uk](https://www.justice.gov.uk))



13 Case recording

- **Case records must be updated within one working day of the contact.**
- **Where professional judgement is used the rationale behind decisions must be clearly recorded.**

13.1 National standards require:

'case recording with or with reference to the person on probation to be updated on the case management system within one working day.'

Case notes should be a contemporaneous record of the contact between probation practitioner and person on probation (as well as other contacts the practitioner may have with other parties). Timely completion of records reduces the risk of losing information that has been gathered, or decisions and professional judgements that may have been made. High-quality recording will also show the quality of the relationship between practitioner and person on probation.

13.2 The CRISS model (Check in, Review, Implement, Summarise and Set tasks) was introduced as part of SEEDS2. The aim of the model being to support the structuring of sentence management sessions so that they are focused, have a clear purpose and a planned outcome linked to the risk and needs of person on probation.

13.3 Using the CRISS model supports practitioners to demonstrate that the sentence plan objectives are being actively implemented and/or risk management strategies are being implemented.

13.4 When considering case recording, the practitioner should think about the purpose the records serve and what a reader may need. Things to consider include:

- Providing a concise summary that show the practitioners professional analysis, decision making and evaluation.
- Records should distinguish between fact and opinion and contain sufficient information to support probation practitioner tasks.
- Most casework will include a communication between professionals across different agencies. The best records will include this information but direct the reader to the outcome and how this has impacted the person on probation / management of the sentence.
- The case record is not just a repository of information. It should be a tool that assists practitioners in planning and making appropriate decisions. Description without analysis makes it difficult to understand how and why critical decisions have been made.
- Consider the purpose of each recording. For example, when recording a home visit, the record is not just about the reason for the visit itself, but also its contribution to the whole assessment of the person on probation's risk and needs.
- The record should clearly reflect the person on probation's motivation, experiences, attitudes, and opinions about their progress.

Further information on this topic can be found here:

- Strengthening probation, building confidence - GOV.UK (www.gov.uk) EQuIP
- CRISS (justice.gov.uk)

14 Reviewing progress

- **The assessment and plan must be reviewed whenever there is information indicating a significant change has occurred that impacts on the risk of re-offending and/or serious harm posed by the person on probation**
- **At each review, an evaluation of progress and the extent to which the objectives of the sentence plan have been achieved should be undertaken.**
- **Review of progress must be made in line with the specific requirements of the community order, suspended sentence order or licence (e.g., review of UPW progress in line with UPW guidance¹⁶). Proposing changes to community order requirements or licence conditions may be considered, including an application for early revocation for good progress¹⁷.**

14.1 An ongoing review of progress will be undertaken in sentence management appointments and is an integral part of both the ASPIRE and CRISS model. Supported by desistance and the risk, need and responsivity models, regularly reviewing progress enables:

- recognition of achievements and progress made
- meaningful involvement of the individual in the sentence planning process
- identification of any changes in risks, needs and strengths
- intervention to address barriers or resistance to engagement
- an individualised approach to sentence management

¹⁶ See > *Practice Guidance 6 and 9 month progress reviews (Master)* (justice.gov.uk)

¹⁷ *Make decision to revoke order (Master)* (justice.gov.uk)

- dynamic assessment through continual evaluation and analysis

Review of the person on probation's assessment and sentence plan

14.2 National Standards includes a requirement that:

'the assessment and plan is reviewed whenever there is information indicating a significant change that impacts on the risk of re-offending and/or serious harm posed by the person on probation'.

Significant change / event

14.3 Where there are significant changes to an individual's risk of reoffending and/or serious harm then assessments and supervision plans will need to be reviewed within the assessment tool.

Significant changes are those which have a material impact on the management of the case, actions required to manage risk, meet the individual's needs, and protect victims. Examples include:

- Change in risk
 - a repeat or escalation of previous risk-related behaviour,
 - emergence of new risk-related behaviour,
 - reductions in risk (e.g., successful completion of an intervention)
 - allegations of a new (harmful) offence.
 - following recall
- Change in needs
- Change in identified strengths or protective factors

A review is also required in the following circumstances:

- Case transfer
- When enforcement is actioned – breach outcome / recall
- Parole report
- Lifer/IPP annual review panel
- When an assessment is more than 12 months old

Further information on this topic can be found here:

- OASys and Assessment - HMPPS Intranet (gsi.gov.uk)
- Procedural justice (justiceinspectorates.gov.uk)

EQuIP

- Manage the Community Sentence (Master) (justice.gov.uk)
- Risk of Serious Harm (RoSH) Guidance (Master) (justice.gov.uk)
- Assess and Review Offender
- 7-minute briefing – Offender Management - Procedural Justice/Positive Reinforcement

15 Compliance and Enforcement

Please also refer to *Enforcement Policy Framework* for full list of requirements and expectations.

- **The probation practitioner should determine the acceptability of a person on probation's failure to attend an appointment or lack of engagement with the purpose of the sentence, in accordance with relevant policy frameworks and practice guidance. The rationale for the decision and subsequent action should be recorded.**

- **The probation practitioner should actively engage with the person on probation, other relevant agencies and seek management oversight where relevant to make an informed decision as to how to promote compliance with the sentence and address concerns.**
- **Where a person on probation poses an immediate risk of serious harm, appropriate action must be taken in line with the sentence type and relevant policy frameworks.**

Setting expectations

- 15.1 The level of compliance and quality of the engagement shown by people on probation can be influenced by the way the probation practitioner works and engages with individuals on probation. This is supported by:
- quality pre-release work
 - clear induction processes
 - applying principles of procedural justice
 - appropriate responses to non-compliance
 - correct and reasonable use of enforcement action
- 15.2 The adoption of a procedurally just approach from the start of engagement with the person on probation is a key factor to support and encourage compliance.

Deteriorating compliance

- 15.3 When engagement or compliance starts to deteriorate, it is important that practitioners look at any change in behaviour and consider:
- taking a professionally curious approach to identify the context and any issues that could be addressed to support re-engagement
 - liaison with other agencies involved to gather their views
 - utilising a variety of approaches to attempt re-engagement – this could include undertaking a home visit, making phone contact, speaking to others involved
 - reflecting on and questioning potential assumptions or personal bias
 - reasons for any patterns of repeated missed appointments / noncompliance, consideration that indicate whether there is deliberate frustration of sentence management or a collection of genuine issues
 - engaging with their line manager for oversight and discussion of the case if they are unsure of how to respond to the situation
- 15.4 For those on licence, some breaches of the conditions of release may not necessitate a recall and therefore consideration should be given to whether more support or further restrictive measures could be added to the risk management plan, to continue the ongoing effective management of the individuals on licence. Further information on alternatives to recall can be found on EQuIP here > *Alternatives to Recall (justice.gov.uk)*
- 15.5 If the individual's risk has escalated to the level where even by imposing additional licence conditions or controls, the public cannot be adequately protected, then recall of the person to custody should be initiated. Recall action should be taken in line with the assessment of Risk of Serious Harm (ROSH). This will take place in discussion with the Senior Probation Officer (SPO) and Probation Delivery Unit (PDU) Head.
- 15.6 The evidence that applying procedural justice principles to probation practice helps individuals accept and abide with decisions made by those in authority is robust. It is therefore important that this approach is taken, and that the enforcement of sentences are fairly applied, in order to have a positive impact on future engagement.

- 15.7 This aim is supported by section 9 of National Standards which outlines the expectations when enforcing a sentence, and is underpinned by the *2021 Enforcement Policy Framework* which sets out mandatory requirements and timescales for action.
- 15.8 Where decisions are made in relation to enforcement action it is important that the rationale and evidence for the decisions are clear and defensible. This should be recorded on case records to demonstrate the thinking behind the decision and any additional information that may have considered. This enables others who may work on the case to understand what has happened and why.
- 15.9 This clear recording of rationale is relevant for both community and licence management but is particularly important when considering recall action. In relevant cases this should include having a discussion with the line manager, as per touch points model.
- 15.10 Recall is a tool to support risk management but needs to be closely balanced with the impact of taking away a person's liberty. Therefore, it is important that the evidence base for the decision to recall is clear. This includes:
- giving due regard to potential bias in decision making
 - balancing the risk to the public with possible protective factors
 - where alternatives to recall, such as where monitoring can be enhanced to manage the risk of serious harm then this should be explored
 - ensuring any actions taken are proportional to the risk of harm and reoffending
 - consideration of impact and disruption enforcement action may have on the individual - such as disruption to or loss of accommodation, support services, impact on children / family (particularly relevant for women on probation)

Discussion with the person on probation

- 15.11 Although it may not always be possible, where any type of breach has occurred, it is best practice to hold a conversation with the person on probation about the nature and consequences of the breach. The principles of procedural justice should be utilised to support the conversation.
- 15.12 During this discussion it is important that the practitioner:
- supports the individual to understand where things have gone wrong
 - create a genuine sense of collaboration and joint understanding of what went wrong and how to move forward
 - explore the persons behaviours that contributed to enforcement action, identifying which parts of the behaviour were acceptable (e.g., feeling angry/anxious about something) and not acceptable (e.g., becoming aggressive, missing appointments)
 - try to avoid a power-driven, 'do to' response even if the individual is resistant to taking responsibility
 - clarify what the expectations are going forward, therefore creating more likelihood of future compliance
- 15.13 Reports – breach / recall
- Mandatory requirements for breach are addressed in the *Enforcement Policy Framework*.
 - Mandatory requirements for recall action are outlined in the *Recall, review, and re-release of recalled prisoners* policy framework.
 - Links to best practice guidance's are provided at the end of this section.
- 15.14 When writing a breach or recall report, it is important that the practitioner ensures the report is factually correct, with accurate information and articulates the following:
- why the enforcement allegation has been brought (including how and when the individual was instructed to attend and behave)
 - details of missed appointments or unacceptable behaviour

- where there have been acceptable absences, the reasons and rationale for accepting these
- details of any evidence provided and an explanation as to why it has not been accepted
- whether diversity factors have impacted on the breach (both in terms of protected characteristics and individual circumstances), and whether any of these considerations have impacted on the individual's ability to comply
- actions taken as part of the overall sentence management and in response to specific issues that may have arisen that affected compliance (including any steps taken over and above the sending of warning letters e.g., additional engagement sessions, home visits, referrals for additional support)
- a considered assessment of the reasons for non-compliance, how enduring they are assessed to be, and any solutions or ongoing barriers identified
- the rationale for any decision making
- an analysis of the impact of the work carried out as part of the sentence plan (including the development or maintenance of protective factors) and how this relates to risk of harm and reoffending
- information relating to any previous breaches or amendments to the order and assess the impact of such proceedings
- reference to the overall engagement of the offender and her /his attitude towards the breach and the Order going forward
- changes to the risk that the person presents - being clear about the level of risk and the nature of the risk posed
- an evidence based recommendation to the Court on how to deal with the breach

Further information on this topic can be found here:

- Evidence Summary - Debiasing Decision Making 20.07.18 (2).pdf
- Recall, review and re-release of recalled prisoners - GOV.UK (www.gov.uk)
- Working with Recalled Prisoners, Best Practice Guide (publishing.service.gov.uk)

EQuIP

- Compliance (justice.gov.uk)
- Evidence Based Practice Summary - Encouraging compliance and cooperation
- Compliance and Engagement on Licence (justice.gov.uk)
- Professional Judgement (justice.gov.uk)
- Procedural Justice
- Enforcement Policy Framework (Master) (justice.gov.uk)
- Decision making (justice.gov.uk)
- Breach (justice.gov.uk)
- Breach - Report (justice.gov.uk)
- Professional Judgement (justice.gov.uk)
- Alternatives to Recall (justice.gov.uk)
- In Hours Recall Decision Tree (Monday-Friday 9am-5pm)
- Out of Hours Recall Decision Tree - AP and non-AP (after 5pm/weekend/BH)
- Recall (justice.gov.uk)
- Recording Recall Decisions (justice.gov.uk)
- Touchpoints Model (TPM) (justice.gov.uk)

Specific cohorts

16 **Adult Safeguarding**

- 16.1 The Care Act 2014 provides the statutory framework for the provision of adult social care and adult safeguarding. It created a single, consistent route to establishing an entitlement to public care and support for all adults with needs for care and support.

- 16.2 The term 'safeguarding' means protecting an adult's right to live in safety, free from abuse and neglect. It encompasses work with an adult who has care and support needs to help keep them safe from significant harm. Both The Care Act 2014, and the Social Services and Well-being (Wales) Act 2014 defines an adult at risk as someone who:
- has needs for care and support (whether or not the local authority is meeting any of these needs) and
 - is experiencing, or is at risk of, abuse or neglect; and
 - as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of, abuse or neglect
- 16.3 Probation practitioners should be aware of the overlap between adult safeguarding and domestic abuse. It is important to recognise that while some adults with care and support needs may be victims of domestic abuse, some may be perpetrators of domestic abuse, with the abuse being hidden or unrecognised. The abuse may have been present for many years and the perpetrator's disability, mental health, substance misuse and/or care and support needs may have been used as an excuse for the abusive behaviour.
- 16.4 If an assessment reveals a person on probation has unmet care and support needs or may benefit from preventative support, consideration should be given to making a referral to local authority adult social care. The individual must consent to the referral being made unless there are safeguarding, or other public protection concerns where a referral may be made without consent.
- 16.5 See section 19 *Domestic abuse* for further information where adult safeguarding relates to domestic abuse concerns.

Further guidance on care and support needs is given in the *Safeguarding Adults - Practice Guidance*.

Further information on this topic can be found here:

- Safeguarding adults at risk of offending in the community with care and support needs – practice guidance
- Home Office County Lines Guidance Sept2018.pdf
- Let's stop 'cuckooing' | Crimestoppers (crimestoppers-uk.org)
- Safeguarding policy: protecting vulnerable adults - GOV.UK (www.gov.uk)
- Examples_of_harm_in_relation_to_adults.pdf (publishing.service.gov.uk)
- Care and support statutory guidance - GOV.UK (www.gov.uk)

EQuIP

- Modern Day Slavery (justice.gov.uk)
- Modern Day Slavery (MDS) and Human Trafficking 7 Minute Briefing (justice.gov.uk)
- 7 minute briefing - Honour Crime (Master) (justice.gov.uk)
- Ex Armed Services Personnel (justice.gov.uk)
- Safeguarding Adults (justice.gov.uk)
- Safeguarding Adults - NPS Practice Guidance (Master) (justice.gov.uk)
- MARAC (justice.gov.uk)

17 **Care leavers**

- 17.1 HMPPS is committed to the Care Leaver Covenant (CLC) which is part of the government's *keep on caring* strategy to support people leaving care to become independent. Within probation practice, the definition of someone who is care experienced is:

‘a person who has previously been in the care of the local authority as a child, regardless of their current age, the time they spent in care or whether they might meet the legal definition of a ‘Care Leaver’.

Care Leavers that qualify for local authority support are those between the ages of 18-25

- 17.2 Care experienced people are vastly overrepresented in the Criminal Justice System (CJS), with research suggesting around 25% of people in prison have been in care as a child.¹⁸ It is suspected that in the female population, this percentage may be even higher.¹⁹

It is important to note that although highly overrepresented, only a small percentage of people who have been in care end up in the CJS.

- 17.3 Care experience can be an uncomfortable topic for discussion. The person on probation who has experienced care, may not easily trust their allocated probation practitioner, so it may be necessary to wait until a strong working relationship is established before discussing in any depth. It is also possible that the person does not know that they were in care. Some children are placed by the local authorities into secure units or with other family members, and the individual may not realise that this was a formal care arrangement.
- 17.4 Practitioners should try to recognise the impact that these experiences may have had on an individual. For example, care experienced people are more likely to have experienced abuse or neglect or other traumas and may present with adverse reactions to authority; therefore, practitioners should try to work with care experienced people in a trauma informed way where possible.
- 17.5 Some care experienced people may not have developed the necessary maturity to make good choices; sentence planning should be informed by an assessment of maturity using the maturity screening tool. Use of the ‘Choices and Changes’ resource pack should be considered when working with care experienced people, under the age of 25.

Further information on this topic can be found here:

- Strategy for care-experienced people (gsi.gov.uk)
- Care Leaver Covenant - GOV.UK (www.gov.uk)

EQuiP

- 7 Minute Briefing - Care Experienced with Policy Framework (Master)
- Working with People Who Have Experienced Care (Master) (justice.gov.uk)
- Care experienced (justice.gov.uk)
- CRI023 Advice Note Recording Care Experienced Information in NDelius
- Becoming Trauma Informed Toolkit (justice.gov.uk)
- Trauma Responsive (justice.gov.uk)
- Choices and Changes (justice.gov.uk)

18 **Child safeguarding**

Please also refer to *Child Safeguarding Policy Framework* for full list of requirements and expectations.

- 18.1 A child is defined as anyone who has not yet reached their 18th birthday. The governmental statutory guidance *Working together to safeguard children* identifies two key principles that underpin effective safeguarding arrangements:

¹⁸ Bernam, G., & Dar, A. (2013). *Parliament.uk*. Retrieved from Prison Population Statistics: http://www.antoniocasella.eu/nume/Berman_2013.pdf

¹⁹ Fitzpatrick, C., Williams, P., & Coyne, D. (2016). Supporting looked after children and care leavers in the Criminal Justice System: Emergent themes and strategies for change. (226), 8-13.

- safeguarding is everyone's responsibility: for services to be effective each professional and organisation should play their full part; and
- a child-centred approach: for services to be effective they should be based on a clear understanding of the needs and views of children

18.2 Probation practitioners will come into contact with people on probation who have offended against a child, pose a risk of harm to children even though they have not been convicted of an offence against a child and/or are parents or carers of children. Staff are therefore, well placed not only to identify those who pose a risk of harm to children, but also to identify children who may be at heightened risk of involvement in (or exposure to) criminal or anti-social behaviour and/or other poor outcomes.

18.3 Child safeguarding is defined as:

- protecting children from maltreatment
- preventing impairment of children's health or development
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
- taking action to enable all children to have the best outcomes

18.4 Using professional curiosity to safeguard children is a process of adopting a healthy scepticism and taking an investigative approach to casework. It involves looking, listening, and questioning. It also involves verifying information that is obtained, rather than making assumptions or accepting the presentation of circumstances at face value. Professional curiosity can mitigate against superficial compliance and deliberate efforts to manipulate staff and is a vital aspect of safeguarding which will support complex professional judgements on risk and individual need.

18.5 Where viable, staff **should not wait** in any case where significant safeguarding concerns arise. New or escalating concerns should be discussed with the line manager (or other Senior Probation Officer) and a referral made to Children's Services within 24 hours of identifying the risk – as per *HMPPS Child Safeguarding Policy Framework*. Additionally, home visit should be undertaken as soon as possible to inform assessment of risk, with the home visit policy requiring:

- Where new or escalating child safeguarding concerns arise, a home visit must be undertaken within 10 working days from identification of the concern.
- A home visit must be conducted to any person on probation assessed as high/very high risk of serious harm to children, within 15 working days of the start of supervision (or upon assessment of this level of risk if this occurs during the supervision period).
- A home visit must be conducted for any other person on probation with identified child safeguarding concerns, within the first 6 weeks of the start of supervision.

18.6 For all child safeguarding cases, there is an expectation that all staff will receive appropriate supervision and have an opportunity to discuss child safeguarding cases with their line manager, in line the touch points model (TPM) and reflective practice supervision standards (RPSS). The *HMPPS Child safeguarding Policy framework* provides operational staff with a more detailed summary of what they are required to do as part of their safeguarding responsibilities and includes a guidance section which provides general information and advice on child safeguarding expected practice.

Further information on this topic can be found here:

- Child Safeguarding Policy Framework (publishing.service.gov.uk)
- Working together to safeguard children - GOV.UK (www.gov.uk)
- Tackling Child Sexual Abuse Strategy 2021 (publishing.service.gov.uk)
- Mandatory child protection training | NSPCC Learning
- What to do if you are worried a child is being abused (publishing.service.gov.uk)

EQuIP

- Child Protection Arrangements (CPA) (justice.gov.uk)
- Child Protection Case Conference (CPCC) (justice.gov.uk)
- Child Safeguarding (justice.gov.uk)
- Child sexual exploitation (justice.gov.uk)
- Professional Curiosity (justice.gov.uk)
- HMPPS Child Safeguarding Enquiries Template
- Touchpoints Model (TPM) (justice.gov.uk)

19 Domestic abuse

Please also refer to *Domestic Abuse Policy Framework* for full list of requirements and expectations

- 19.1 The probation service recognises the significant harm caused by domestic abuse and engages in partnership working, to effectively manage individuals assessed as posing a risk of domestic abuse, and where appropriate, working with Multi Agency Public Protection Arrangements (MAPPA) in order to manage those identified as high risk of serious harm, to reduce the likelihood of re-offending and to reduce the risk of serious harm to victims. The service also engages with Multi Agency Risk Assessment Conference (MARAC) particularly in relation to domestic abuse victims identified as at high risk of harm.
- 19.2 The *Domestic Abuse Policy Framework* sets out HMPPS' commitment to reducing domestic abuse-related re-offending and the risk of serious harm associated with it, to provide interventions to support rehabilitation and ensure staff at all levels understand what is expected of them, and to ensure that action is taken to safeguard adults and children at risk.
- 19.3 In every case where domestic abuse has been identified as a relevant factor, the responsible probation practitioner must:
- consider the need to take immediate action to protect victims and children (possibly ahead of formal completion of an OASys and RMP), particularly immediately after an individual is released from custody, or when protective bail conditions have been lifted after sentencing
 - establish immediately where the individual is living, monitor living arrangements on an ongoing basis and act where required, to safeguard victims and children
 - assess the risk factors related to serious harm and of the likelihood of domestic abuse-related re-offending using OASys or other HMPPS approved risk assessment system, such as SARA for intimate partner abuse
 - be clear about who is at risk, including identified adults and children, and articulate any safeguarding concerns
 - adopt and maintain an investigative approach to ensure that information about the individual's circumstances and risk is up to date
 - liaise with people and organisations with an interest in the individual and/or the victim and any children, to gather and share information to aid our risk assessment.
 - request information about police callouts, periodically throughout sentence and record the fact that it has been requested in the relevant case management system.
 - follow up if requested information is not forthcoming
 - monitor the individual's relationships and any changes in behaviour or changes in circumstances that might indicate either an increase or a reduction in risk; and,
 - act on new information, review, and update OASys, RMP and SARA where any significant change occurs that may impact on risk of serious harm

- conduct a home visit for any person on probation assessed as high/very high risk of serious harm of domestic abuse within 15 working days of the start of supervision (or upon assessment of this level of risk if this occurs during the supervision period)
 - For any other person on probation assessed as any other level of risk of serious harm of domestic abuse a home visit must be conducted within the first 6 weeks of the start of supervision.
- where new or escalating adult safeguarding concerns arise, undertake a home visit within 10 working days of the identification of concern
- consider undertaking a further home visit at the point of termination of supervision

Further information on this topic can be found here:

- Domestic Abuse Act 2021: overarching factsheet - GOV.UK (www.gov.uk)
- EQuIP
- Domestic Abuse Policy Framework (Master) (justice.gov.uk)
 - Domestic Abuse (DA) (justice.gov.uk)
 - Domestic Abuse - Controlling or Coercive Behaviour - Statutory Guidance (Master)
 - SARA (justice.gov.uk)
 - Domestic Abuse Support Officer (DASO) - PLW Referral (Partner Link Worker) (justice.gov.uk)
 - Public Protection - Domestic Abuse (justice.gov.uk)
 - Building Better Relationships (BBR) (justice.gov.uk)
 - Skills for Relationships Toolkit (SRT) (justice.gov.uk)
 - MARAC (justice.gov.uk)

20 **Ethnic minorities**

- 20.1 For the majority of minority ethnic people in the Criminal Justice System (CJS), racism is a daily experience, from direct racism, including verbal abuse and bullying, to less direct racism experienced through a lack of representation in the community (including criminal justice services). This unfairness makes the undertaking of a procedurally just approach even more important to support the sense of fair treatment whilst subject to probation supervision.
- 20.2 Recent evidence²⁰ highlighted the importance of building positive identities that support the long-term desistance of ethnic minority individuals in the criminal justice system, particularly in the context of the multiple disadvantages that are faced by young black and Muslim men. Desistance research supports the benefits of an individualised approach, and this is particularly relevant to respond to the way in which cultural factors mediate the process for each individual.
- 20.3 National Standards 2021 introduced the following standard:
- ‘The Diversity and Inclusion Form (DIF) information is captured, recorded and placed in the individual’s records and implications considered in preparation of a report, initial sentence plan and during sentence plan reviews.’
- 20.4 Information contained within the DIF provides the basis of the organisational understanding of the demographic profile of those subject to probation supervision. It captures diversity information so that it can be utilised to promote equality and to ensure that the Probation Service meets the Public Sector Equality Duty under the Equality Act 2010.

• ²⁰ The effectiveness of rehabilitative services for Black, Asian, and Minority Ethnic people: a rapid evidence assessment (publishing.service.gov.uk)

20.5 Once information is captured it also needs to be considered by the probation practitioner and used to inform sentence planning with the individual. More information can be found in the *Diversity and equality considerations* section of this document.

Further information on this topic can be found here:

- The effectiveness of rehabilitative services for Black, Asian, and Minority Ethnic people: a rapid evidence assessment (publishing.service.gov.uk)
- [Race_Equality_in_Probation_AP-2022_Update.pdf](#) (publishing.service.gov.uk)

EQuIP

- 7 Minute Briefing - Minority Ethnic Women (Master) (justice.gov.uk)
- 7 Minute Briefing - Young Adults BAME Recall (Master) (justice.gov.uk)
- Evidence Summary - Debiasing Decision Making
- Translation (justice.gov.uk)

21 **Ex Armed Service Personnel (ex ASP)**

21.1 The term Ex-ASP relates to all those aged 18 years and over, who have served in the military in any capacity for one day or more, drawing a day's pay. This includes the Army, Royal Air Force, Navy and Reservists. The term 'veteran' is sometimes used to describe the same cohort; however, the term 'Ex-ASP' is more widely accepted / preferred by Ex-ASP and should be used instead where possible.

21.2 The Ministry of Justice and HMPPS have a commitment to ensure that members of the Armed Forces are not disadvantaged within the Criminal Justice System in line with the Armed forces Covenant²¹

21.3 Whilst most individuals make the transition back to civilian life successfully, some struggle often leading to complex issues particularly in relation to mental health, which require assessments to be informed by an understanding of the potential implications of the ex-armed services status. This unique community which has a culture of normalized violence associated with the role of a soldier is built upon bespoke control measures which do not exist outside of the military. For this reason, ex Armed Forces people on probation should be classed as a distinct group due to their training in the use of normalized violence and the removal of protective factors which combined with alcohol and mental health issues produces a risk to those working with them.

21.4 The evidence base suggests that Ex-ASP are different to other cohorts within the Criminal Justice System (CJS) in terms of their offending behaviour, criminogenic needs, and responsivity factors, and recommends that Ex-ASP should be recognised as a distinct and culturally diverse population of People in Prison and on Probation. For example:

- It is estimated that between 3.5% - 17% of total prison population are Ex-ASP
- They are more likely to be White, older Males
- They are more likely to have mental and physical health, and alcohol misuse needs
- They are more closely associated with violence, sexual and motoring offences
- Ex-ASP who are struggling may be less likely to seek help in general or accept help from 'others' (non-Ex-ASP) and may be at risk of social isolation and feeling like they don't belong due to their living arrangements, family situation, lacking links with the local community and/or lacking a positive sense of identity.

²¹ The Armed Forces covenant is a promise from the nation to ensure that those who serve or who have served in the Armed Forces, and their families, are treated with fairness and respect in the communities, economy, and society they serve with their lives. It ensures that the Armed Forces Community face no disadvantage when accessing both private and public services.

21.5 What to pay attention to:

For some people on probation in this cohort, general life and coping skills may be limited as housing, healthcare and food are all provided from the day of enlistment. It is not unusual for a person to expect these things to be provided to them upon discharge, particularly if they joined at a young age and have not lived in the civilian community independently. Adopting an investigative approach to support an assessment of how the individual is coping with the transition to civilian life can be particularly beneficial. Things to consider include:

- Identify if the Ex-ASP will benefit from assistance with practical elements of civilian life – their routine, living arrangements, budgeting, administrative and other tasks related to wider services such as local council, utilities etc.
- Identify if the Ex-ASP has any unmet health needs (both physical and mental) and consider how this interacts with other needs/factors, for example anxiety/depression combined with alcohol misuse, combat exposure/PTSD, or dementia (especially for older persons).
- Consider if anything can be done to improve their well-being more generally and their levels of engagement in healthy behaviours and social interaction, or lack thereof.
- Proactively seek to make/strengthen contact with Ex-ASP local/national organisations/charities which support Ex-ASP with a criminal record.
- Identify any close relationships to establish what can be done to support significant others in the life of the Ex-ASP, and vice versa, how to support the Ex-ASP while considering their close relationships. It's important to consider close relationships (spouses/partners, children, parents, siblings, and any other significant persons to the Ex-ASP) and both their role in the well-being and rehabilitation of the Ex-ASP, as well as the impact of having an Ex-ASP as a close relationship (e.g., as a partner, husband, father, brother etc.).

Further information on this topic can be found here:

- Ex Armed Forces Personnel ([justice.gov.uk](https://www.justice.gov.uk))
 - 7 Minute Briefing - Ex Armed Services Personnel (Master) ([justice.gov.uk](https://www.justice.gov.uk))
 - Good Practice guidance - Ex-ASP v1.0 (Master) ([justice.gov.uk](https://www.justice.gov.uk))
- Other:
- The System Learning Team (within Insights Group | Strategy, Planning & Performance Directorate | HMPPS) has collated evidence on Ex-ASP in the CJS and can offer specifications for tailored wrap-around services. Contact insights.probation@justice.gov.uk for more information.
 - Via the Ex-ASP SPOC for your region

22 **Foreign National Offenders (FNO)**

22.1 A foreign national offender is anyone remanded or convicted on criminal charges who does not have an absolute legal right to remain in the United Kingdom. Even if deportation is not mentioned in court at sentencing, the case of any foreign national prisoner is referred to Home Office Immigration Enforcement (HOIE)

22.2 Deportation will be considered, where:

- A foreign national has served or is serving a custodial sentence of 12 months or more; or,
- Has an aggregate of 2 or 3 custodial sentences over a 5 year period; or,
- Has been convicted of a serious drug offence (excluding possession) and received a custodial sentence of any length

- 22.3 Foreign National Offenders (FNOs) currently make up approximately 13% of the Prison Population of England and Wales²². Whilst the Home Office may seek deportation action, this is not always a foregone conclusion and the majority of FNOs will be released into the community even if initially immigration detained by the Home Office. Therefore, sentence management responsibilities of the probation practitioner should continue in parallel with any immigration enforcement action from the Home Office.
- 22.4 There have been instances of an incorrect assumption of deportation being made, resulting in the FNO receiving less support and sentence management, leaving people inadvertently disadvantaged. Work undertaken by practitioners with this cohort, is the same as general practice. FNO's could be released at any time and it is therefore crucial a risk management plan is completed, and contingencies are considered regardless of Home Office interest.
- 22.5 The Probation Service offers a full service to FNOs, and they can be referred to Commissioned Rehabilitative Services (CRS) as well as undertake the full spectrum of interventions available. However, there may be some barriers where English is not an individual's first language.
- 22.6 The MOJ's Equality responsibilities apply equally to FNOs and the FNO Coordination Hub will collaborate with practitioners and Policy Colleagues to reduce FNO intersectionality.

Further information on this topic can be found here:

- Practitioners can email the following mailbox for a complex case escalation service particularly where there are blockages to release: PSFNOCoordinationHub@justice.gov.uk
- Foreign_National_Prisoner_Guidance_-_November_2020.pdf (publishing.service.gov.uk)
- Foreign-national-offenders-mental-health-and-the-criminal-justice-system.pdf (nacro.org.uk)
EQuIP
- HOIE Overview for Offender Managers (Master) (justice.gov.uk)
- Foreign National Offenders FNO (justice.gov.uk)
- Foreign National Offenders FNO - FAQs - Practitioner Briefing (justice.gov.uk)
- PI 26 2014 - Release on Licence for Foreign National Offenders Pending Deportation (justice.gov.uk)
- PI 52 2014 - Request for Risk information to HOIE - Annex A (justice.gov.uk)

23 Hospital Orders / Restricted Patients

- 23.1 Mentally disordered offenders who are subject to sections 47/49, section 45A or sections 37/41 are collectively known as restricted patients. More information about restricted patients can be found here > *Mentally disordered offenders: The Restricted Patient System 2017 - GOV.UK* (www.gov.uk)

Hospital Orders

- 23.2 A hospital order is not a punishment; the individual is effectively diverted away from the criminal justice system and into the secure hospital system for treatment.

²² <https://www.gov.uk/government/statistics/offender-management-statistics-quarterly-october-to-december-2020>

- 23.3 Under section 37 of the MHA, courts may make a hospital order admitting the individual to hospital for treatment rather than imposing a prison sentence. The decision to impose a hospital order is at the discretion of the court but it must be satisfied, on the written or oral evidence of two registered medical practitioners, that the person is suffering from a mental disorder of a nature or degree which makes it appropriate for them to be detained in hospital for medical treatment, and that such treatment is available, and that with regard to the circumstances of the case (including the nature of the offence and the character and criminal history of the offender), that a hospital order is the most appropriate means of dealing with them.
- 23.4 Management of Hospital Orders falls outside of the sentence management expectation set out in this policy. Management of hospital orders is the responsibility of clinicians whilst the patient is in hospital and of social supervisors and clinicians when the patient is discharged into the community. The Justice Secretary has oversight through the Mental Health Casework Section (MHCS) in HMPPS.
- 23.5 The exception to this is MAPPA, the majority of Hospital Order patients are MAPPA eligible. Most cases are level 1 management with the lead agency the relevant Mental Health Trust, but some cases are level 2 or 3, and these patients should be routinely discussed at MAPPA meetings and the views of MAPPA will be sought by MHCS when the hospital is seeking community access and/or discharge for the patient. More information on MAPPA and restricted patients can be found here > *Multi-Agency Public Protection Arrangements (MAPPA) and the Restricted Patient System - GOV.UK (www.gov.uk)*

Sentenced prisoners transferred under the Mental Health Act

- 23.6 Patients who are transferred from prison to hospital under section 47 or section 49 of the Mental Health Act 1983 (MHA) or who are sentenced to a prison sentence with a hospital and limitation direction (s45A) will have the same sentence management tasks as other prisoners including allocation of a Prison Offender Manager (POM) in line with the custodial sentence management model, handover to a Community Offender Manager (COM) at the appropriate point and licence management. Further information can be found here > *Licence conditions Policy Framework - GOV.UK (www.gov.uk) para 3.72*

Further information on this topic can be found here:

- Mentally disordered offenders: The Restricted Patient System 2017 - GOV.UK (www.gov.uk)
- Multi-Agency Public Protection Arrangements (MAPPA) and the Restricted Patient System - GOV.UK (www.gov.uk)
- Licence conditions Policy Framework - GOV.UK (www.gov.uk) para 3.72 [EQuIP](#).
- Hospital Orders (justice.gov.uk)
- Mental Health Act 1983 - Summary Section 47-49 (justice.gov.uk)
- OMiC - Restricted Patients - Manage in Hospital (justice.gov.uk)

24 Integrated Offender Management (IOM)

- 24.1 Whilst there is no current HMPPS IOM Policy Framework in place, this cohort are identified as a key priority area, and work with this group is addressed under the IOM strategy.
- 24.2 The Sentence Management model currently supports at least weekly contact with the probation practitioner for this group, regardless of tier level, to support risk management activity and information sharing.
- 24.3 The IOM cohort receive additional supervision from probation, as well as police offender management. This supervision is based on the RNR and desistance models to address criminogenic needs and build positive relationships.
- 24.4 The Home Visit Policy Framework requires the following mandatory actions to be undertaken:

- A home visit must be conducted for any person on probation placed in the IOM cohort within 10 working days of placement in this cohort.
- Anyone placed into the IOM cohort are required to have a joint probation/police home visit undertaken within 10 days of induction into IOM. Additionally, regular monthly home visits are required as part of the enhanced supervision element for this cohort.

24.5 In 2021, legislation introduced compulsory GPS tagging for people on probation convicted of specific acquisitive crimes, serving a Standard Determinate Sentence of 12 months or over who are released/ re-released on licence to reside within one of the 19 in-scope Police Force Areas (PFA).

24.6 New eligibility criteria will come into effect from 26 October 2022, extending the cohort to those serving Standard Determinate Sentences of 90 days and over. The legislation mandates that these individuals must be tagged for the duration of their licence, up to a maximum of 12 months. This is a mandatory initiative and therefore all eligible people on probation must be tagged. (N.B. PSS is not included.)

24.7 Probation practitioners have direct access to the Acquisitive Crime Portal and can track the person on licence, while Police benefit from a Crime Mapping Service offered by the Ministry of Justice (MoJ) Hub. The GPS tagging data is automatically input into these portals to support the probation practitioners with sentence management and rehabilitation.

Further information on this topic can be found here:

- Neighbourhood Crime IOM strategy (publishing.service.gov.uk)
EQuIP
- Integrated Offender Management (IOM) (justice.gov.uk)
- Electronic Monitoring EM - Acquisitive Crime AC (justice.gov.uk)

25 **Lifers and IPP**

25.1 **Lifers:** A sentence of imprisonment for life must be imposed, where the criteria in sections 274 or 285 are met²³, with conviction for murder carrying a mandatory life sentence.

25.2 For lifers, mandatory contact periods are required from the point of release until the individual has spent at least 5 continuous years of satisfactory compliance in the community (unless exceptional circumstances can be evidenced which would suggest an earlier point at which supervision should drop to less than monthly.) Continuous means that any period of recall to prison and subsequent re-release will restart the 5-year requirement.

25.3 Lifer Review Panels were introduced in 2018 and provide a process through which the management and progress of lifers in the community can be monitored and reviewed at significant points. These panels are not a replacement for processes such as sentence planning, or MAPPA but rather provide a specific focus on the ongoing management of lifer cases in the community and in particular in relation to the implementation of risk management measures and actions.

25.4 Practitioners must prepare for and engage with a panel at the following points;

- initial lifer panel review within 3 months of release
- annual reviews from the date of the initial review

²³ Sentencing Act 2020 ([legislation.gov .uk](https://legislation.gov.uk))

- panel reviews for any case where there has been a significant change in circumstance / request to suspend supervision
- Suspension of supervision can only be considered after 10 continuous years of satisfactory compliance in the community (unless exceptional circumstances can be evidenced.). Where it is deemed appropriate to reinstate active supervision of a lifer, a timely Lifer Panel will be convened to consider the evidence and to take a decision on whether a formal application should be submitted to the Parole Board for a decision

25.5 **IPP:** The Imprisonment for Public Protection (IPP) sentence was a form of indeterminate sentence introduced by s.225 of the Criminal Justice Act 2003. Despite the abolishment of this sentence, there remains a number of individuals who continue to serve their sentence and remain imprisoned for public protection and a significant number who are recalled to prison each year, having breached the terms of their licence.

25.6 For IPPs, mandatory contact periods are required from the point of release until the individual has spent at least 5 continuous years of satisfactory compliance in the community (unless exceptional circumstances can be evidenced which would suggest an earlier point at which supervision should drop to less than monthly). Continuous means that any period of recall to prison and subsequent re-release will restart the 5-year requirement.

25.7 IPP's have progression panels, which commence in custody. The overall objective of progression panels is to support an individual's progression through their sentence, to the point of release and to maintain successful compliance with their licence. Panels begin for eligible cases whilst the individual is in custody, typically during the period of COM responsibility occurring 8 months prior to the Tariff Expiry Date (TED) or review date and within the 6 weeks following any Parole knockback.

25.8 10 years after initial release on licence, consideration of suitability for IPP termination is a statutory requirement. This is not affected by recalls or periods of imprisonment and should also go through the panel. Once the 10 years has been reached, yearly referrals to the Parole Board are required until the Parole Board agrees termination the licence.

25.8 Practitioners must prepare for and engage with a panel at the following point in the community:

- initial panel within 3 months of release
- relocation following a period in an Approved Premises.
- where there is a risk of recall
- when approaching the 5 continuous years in the community, at which point suspension of supervision can be considered.
- when approaching 10 years after initial release (and every year thereafter where termination has not been agreed)

N.B. Any IPP cases actively managed at MAPPA Level 2 or 3 are excluded and do not require a progression panel.

Further information on this topic can be found here:

- Lifer (justice.gov.uk)
- Life Sentence Prisoners (Master) (justice.gov.uk)
- Community Lifer Panels Guidance (Master) (justice.gov.uk)
- IPP Progression Panels Guidance (Master) (justice.gov.uk)
- [managing-parole-eligible-offenders-licence-pf.pdf \(publishing.service.gov.uk\)](http://publishing.service.gov.uk)

26 Multi-Agency Public Protection Arrangements (MAPPA)

26.1 MAPPA is a formal mechanism through which agencies can better discharge their statutory responsibilities and protect the public in a co-ordinated manner. MAPPA facilitates agencies to assess and manage individuals on a multi-agency basis by working together, sharing information and meeting to ensure that effective plans are put in place. The value of MAPPA comes from the active exchange and collaboration among key agencies that enables a collective view of the individual and a more informed overall picture of the context and relevant circumstances, so that the right decisions about the management of that person's risk can be made and acted upon.

26.2 The lead MAPPA agencies with responsible authority are the Prison and Probation Service and the Police with additional agencies such as Social Services, Housing, Health participating as they have a duty to cooperate. Agencies retain their full statutory responsibilities and obligations at all times. All individuals subject to MAPPA are assessed to establish the level of risk of harm they pose to the public - risk management plans are then worked out for each offender to manage those risks.

26.3 There are two main categories of MAPPA offenders relevant to the case allocation process.

- Category 1 – Sexual Offenders
- Category 2 – Violent Offenders (note this category also includes some sex offenders not covered under Category 1)
- Category 3 - Other Dangerous Offenders that may or may not have a current conviction. These individuals will normally have been assessed as posing a high risk of serious harm and by nature of the risk they pose, require a multi-agency approach at MAPPA for a period of time. Probation practitioners will discuss potential referrals with local MAPPA coordinators, post sentence.
- Category 4 – Terrorist Offenders, introduced in Summer 2022, further information can be found here > *Identification and Notification of MAPPA Offenders (updated 2022) - Multi-Agency Public Protection Arrangements - MAPPA (justice.gov.uk)*

26.4 Levels of MAPPA management:

- Level 1 (ordinary agency management) - where the risks posed by the individual can be managed by the lead agency. This does not mean that other agencies will not be involved, only that once the formal screening process is complete, the lead agency is confident that their risk management plan is sufficiently robust to manage the identified risks and that there are no barriers to the implementation of agreed multi-agency actions, and therefore it is not considered necessary to refer the case to a Level 2 or 3 MAPPA meeting
- Level 2 (active multi-agency management) - is necessary where:
 - Formal multi-agency meetings would add value to the lead agency's management of the risk of serious harm posed, **and** one, or more, of the following applies:
 - The person on probation is assessed as posing a high or very high risk of serious harm.
 - The case has been previously managed at Level 3 but no longer requires Level 3 management.
 - Exceptionally, the risk level is lower, but the case requires the active involvement and co-ordination of interventions from other agencies to manage the presenting risks of serious harm.
- Level 3 (active enhanced multi-agency management) - reserved for those that meet Level 2 criteria, but risk management requires senior representation from the Responsible Authority and Duty-to-Co-operate agencies. This may be when there is a perceived need to commit significant resources at short notice or where, although not assessed as high or very high risk of serious harm, there is a high likelihood of

media scrutiny or public interest in the management of the case and there is a need to ensure that public confidence in the criminal justice system is maintained.

- 26.5 A home visit must be conducted for any person on probation subject to MAPPA Level 2 or Level 3, within 15 working days of the start of supervision (or at point of level setting if this occurs during the supervision period).
- 26.6 Having determined MAPPA eligibility, MAPPA Registration information must be added to the Person on Probation case record.
- 26.7 ViSOR is a national confidential database that supports MAPPA. It facilitates the effective sharing of information and intelligence on violent and sexual offenders between the three MAPPA Responsible Authority agencies (police, probation, and prisons), as well as the recording of joint risk assessments and risk management plans. ViSOR assists in the end-to-end management of specific individuals and improves the capacity to share intelligence and improve the safe transfer of key information when people move areas. Practitioner requirements for the use and recording on ViSOR can be found in *PI 56 2014 - Mandatory Use of Visor*.

Further information on this topic can be found here:

- MAPPA Guidance - Multi-Agency Public Protection Arrangements - MAPPA (justice.gov.uk)
- Offences specified in Schedule 15 to the Criminal Justice Act 2003 - Multi-Agency Public Protection Arrangements - MAPPA
- Probation service management of MAPPA level 1 cases Policy Framework - GOV.UK (www.gov.uk)

EQuIP

- 7 minute briefing - MAPPA (Master) (justice.gov.uk)
- CRI016 MAPPA Registrations (Master) (justice.gov.uk)
- ViSOR (justice.gov.uk)
- Touchpoints Model (TPM) (justice.gov.uk)

27 National Security Division (NSD)

27.1 The National Security Division (NSD) extend enhanced management requirements to all the high/very high risk of serious harm cohorts managed by their specialist units, this includes category 4 MAPPA nominals, Critical Public Protection Cases (CPPC), Serious Organised Crime (SOC) cases and people convicted under the Terrorist Act legislation (TACT). These requirements are applied as these individuals present the greatest risk to the public and require a more intensive level of scrutiny and monitoring.

27.2 The NSD has the capability to deliver sentence management to an enhanced level of National Standards that will include:

- An extended period of a minimum of fortnightly reporting
- Increased home (resettlement) visits
- Extended stays in Approved Premises
- Extended periods subject to GPS electronic monitoring tags
- Polygraph examinations

Further information can be found in *Annex A of the National Standards*.

Further information on this topic can be found here:

- Strengthening probation, building confidence - GOV.UK (www.gov.uk)
- National Standards (justice.gov.uk)
- Home Visit (justice.gov.uk)
- National Security / Organised Crime (Master) (justice.gov.uk)
- Identification and Notification of MAPPA Offenders (updated 2022) - Multi-Agency Public Protection Arrangements - MAPPA (justice.gov.uk)

28 Offender Personality Disorder (OPD)

28.1 The National Offender Personality Disorder Pathway is jointly commissioned by the National Health Service (NHS) and HMPPS to deliver a pathway of psychologically informed services for those who have offended and meet the pathway criteria. The person on probation or in prison does not require a formal diagnosis of having a personality disorder to meet the criteria to be screened in to OPD Pathway or access its services.

28.2 The pathway is for:

Men who are or have been:

- assessed as high or very high risk of serious harm on their current sentence and / or
- have a history of serious violent and sexual offences
- experience significant psychological and relational difficulties, as identified in specific categories within the assessment of risk and needs, with a demonstratable link between these two issues and their risk

28.3 **Women** who for their current sentence, are:

- MAPPA-eligible or
- have a high or very high risk of serious harm score
- experiencing significant psychological and relational difficulties, to a level which has significant and severe consequences for themselves and others, as measured by scoring 10 or more on the OASys Women's OPD Screening tool

28.4 Cases must be checked against the eligibility criteria for the Offender Personality Disorder (OPD) Pathway. Practitioners need to ensure the screening tool has been applied to all eligible cases. The result of this screening must be evidenced on the case record and including any rationale for seeking or deciding not to seek a consultation.

28.5 Where an OPD pathway formulation has been sought, this should be the golden thread through assessment and planning activities.

Further information on this topic can be found here:

- Practitioner guide: Working with people in the Criminal Justice System showing Personality Difficulties - Third edition (publishing.service.gov.uk)

EQuIP

- Male OPD screen (Master) (justice.gov.uk)
- Women's OPD Screening Template (WOPD) (Master) (justice.gov.uk)
- OASys Guidance OPD February 2019 (Master) (justice.gov.uk)
- Offender Personality Disorder (OPD) (justice.gov.uk)
- Offender-Personality-Disorder-Strategy-Summary for women
- OPD Core OM service guidance for probation and prison locations v2.2 (Master) (justice.gov.uk)
- 7 Minute Briefing - OPD CORE OM (Master) (justice.gov.uk)

29 People convicted of sexual offences (PCoSO)

29.1 The HMPPS approach to the Management and Rehabilitation of People Convicted of Sexual Offences draws together existing requirements and advice for work with people convicted of sexual offences.

- 29.2 This document reiterates the use of principles of 'risk, need and responsivity' to:
- allocate resources according to risk, with higher risk people needing proportionately more intervention than lower risk people.
 - target and attempt to address those criminogenic needs which are known to be related to reoffending
 - be responsive to the individual's learning style, motivation, and personal circumstances (includes needs related to level of ability, disability, preference, culture and so on)
- 29.3 Risk of reconviction for men convicted of sexual offences is assessed based on static risk factors using the OASys Sexual reoffending Predictor (OSP). There is currently no actuarial risk assessment tool available for women.
- 29.4 Risk, needs and strengths are assessed using OASys. When assessing people convicted of sexual offences using OASys, of any gender, three additional questions are triggered, relating to criminogenic needs specific to sexual offending. These are:
- 6.12: Emotional congruence with children/feeling closer to children than adults
 - 11.11: Sexual preoccupation
 - 11.12: Offence related sexual interests
- 29.5 A joint home visit by Police and Probation is an important element of the joint assessment process. Timescales for the undertaking of this visit are outlined in the Home visit policy framework and require a home visit to:
- be conducted to everyone subject to notification requirements (regardless of level of risk) within 15 working days of the start of supervision (or upon registration if this occurs during the supervision period)
 - be conducted to all individuals convicted of sexual offences assessed as high/very high risk of serious harm within 15 working days of the start of supervision (or upon assessment of this level of risk if this occurs during the supervision period)
 - for those convicted of sexual offences who are medium risk of serious harm, a home visit must be conducted within the first 6 weeks of the start of supervision
 - for those convicted of sexual offences who are low risk of serious harm, a home visit must be conducted within the first 12 weeks of the start of supervision
- NB: exception applies to anyone subject to single requirement Unpaid Work where a home visit is subject to practitioner professional judgement
- 29.6 Most people on supervision for a sexual conviction will also be subject to notification requirements (Part 2 of the Sexual Offences Act 2003 – see *Multi -Agency Public Protection Arrangements (MAPPA) section*). This means that they will be managed under Category 1 of MAPPA for the duration of their required notification period (i.e., beyond the period of community sentence or licence supervision in most cases) and will be allocated a police offender manager. Whilst the individual is subject to probation supervision, the Probation Service are lead agency and are therefore responsible for completing the risk assessment and risk management plan.
- 29.7 Working closely with the police to share relevant information across the period of probation supervision is essential to the effective assessment and management of people with sexual convictions. The risk management plan should set out all measures that will be taken to manage the risk posed including details of police-specific measures such as Sexual Harm Prevention Orders. The completed OASys Risk of Serious Harm summary and Risk Management Plan must be shared with the police by uploading it to ViSOR.
- 29.8 As well as robust risk management planning, practitioners should consider what relevant rehabilitative activity should be carried out. This is considered in detail in the approach

document²⁴ but depending on the needs of the individual may include the use of accredited programmes, toolkits, or other rehabilitative activity as described in the approach.

29.9 Some individuals will be eligible for polygraph testing on a mandatory or discretionary basis. The eligibility criteria is as follows:

- Is aged 18 years and over
- Is subject to post-release licence having received a custodial sentence of 12 months or more for a relevant sexual offence as per Part 2 of Schedule 15 of the Criminal Justice Act (2003)
- Is assessed as High/Very High Risk of Serious Harm using OASys and High/Very High risk of sexual reconviction using OSP/C

Full details are set out in the *Polygraph examination licence condition policy framework*

Further information on this topic can be found here:

- HMPPS approach to the Management and Rehabilitation of People Convicted of Sexual Offence (gsi.gov.uk)
- Implementation and use of OASys Sexual reoffending Predictor (OSP) Policy Framework] (publishing.service.gov.uk)
- Guidance on Part 2 of Sexual Offences Act (publishing.service.gov.uk)
- Polygraph examination licence condition policy framework - GOV.UK (www.gov.uk)

EQuIP

- Sex Offenders (Master) (justice.gov.uk)
- Sex Offender Registration (justice.gov.uk)
- Sexual Offending 1-2-1 and Programme Work (Master) (justice.gov.uk)
- Accredited Programmes (Master) (justice.gov.uk)
- Approved Toolkits (Master) (justice.gov.uk)
- Maps for Change - M4C (justice.gov.uk)
- OSP Guidance for Practitioners (Master) (justice.gov.uk)

30 Post Sentence Supervision (PSS)

Please also refer to *Post Sentence Supervision Requirements Policy Framework* for full list of requirements and expectations.

- 30.1 The *Post Sentence Supervision Requirements Policy Framework* aims to ensure that staff are aware of the post sentence supervision (PSS) requirements which apply to an individual during their PSS period, and highlight that the licence and PSS periods are two similar but separate periods of supervision.
- 30.2 The length of the PSS period will depend on the length of the licence period, as the two combined will result in a 12-month long community phase, with the PSS period commences on the expiry of the licence period.
- 30.3 The end point of the PSS period is calculated by adding 12 months to the Conditional Release Date (CRD), as adjusted by relevant remand/tagged bail and unlawfully at large time. This means that generally the length of the PSS period will be equivalent to 12 months minus the length of the licence period.

• ²⁴ HMPPS approach to the Management and Rehabilitation of People Convicted of Sexual Offence (gsi.gov.uk)

The National Standard for minimum monthly contact, and the requirement to see individuals who are high RoSH on a weekly basis does not apply to people subject to PSS. The focus of this period is on rehabilitation and levels of contact should be subject to the practitioner's professional judgement.

Further information on this topic can be found here:

- Post Sentence Supervision Requirements Policy Framework (Master) ([justice.gov.uk](https://www.justice.gov.uk))
- Breach - Post Sentence Supervision (PSS) ([justice.gov.uk](https://www.justice.gov.uk))
- Unlawfully at Large (UAL) ([justice.gov.uk](https://www.justice.gov.uk))

31 Short Prison Sentence cohort

31.1 A Short Sentence Function (SSF) aims to provide a responsive, prompt, and flexible service for adults serving short prison sentences, with a bespoke service for women, who are allocated directly to the community under the custodial sentence management model. Short Sentence Function will be a dedicated service for all people on probation with 10 months or less to serve in prison at point of sentence.

The core objectives are to:

- sustain any support already in place in the community
- improve engagement and fast track into services.

31.2 Short sentences should be viewed as parts of a longer journey not a series of separate events, where possible, maintaining continuity of professional relationships. A golden thread of building and maintaining trust must run throughout; supporting people on probation to feel safe, engage with services and develop hope in their capacity to make changes.

31.3 Specifications for Commissioned Rehabilitative Service providers include a fast-track referral route to be provided for people in prison with imminent release dates. There is a presumption that fast track referrals follow the risk principal framework and are arranged locally.

31.4 Full National Design Principles for Short Sentence function are set out in the Pre-release Guidance, key principles following release include:

- Probation practitioners are expected to complete the initial sentence plan post release in addition to the pre-release OASys. An OASys review may be required immediately following release or soon after, based on changes in risks and needs at the point of release/days following release
- The person leaving prison will be seen by the probation practitioner on the day of release or within 24 working hours if due to travel or other reporting requirements they are unable to report on day of release. If released on a Friday, there is scope to report to probation on a Monday - risk permitting if other appointments would better reduce risk or needed for accommodation/ HDC/primary health care. They will also be visited at their home address as one of their initial resettlement contacts.
- There is a requirement to have enhanced post release contact. As a minimum this is outlined as contact in line with National Standards, plus at least 2 contacts during the first 2 weeks of release for continuity of support, and a bridge between prison and community.

32 Women

Please also refer to *Women's Policy Framework* for a full list of requirements and expectations.

- 32.1 The Women's Policy framework notes that the Probation Service must meet three specific requirements in relation to the management of female supervised individuals:
- Female supervised individuals should be offered the option of a female responsible officer / probation practitioner.
 - When attending meetings with their probation practitioner they should be offered the option of being interviewed in a female-only environment.
 - They should be offered the option of not being placed in an all-male work environment as part of an Unpaid Work or Attendance Centre requirement.
- 32.2 Evidence shows that a gender informed approach that is built on the theories of women's crime, considering the characteristics of women who offend and factors that affect the response of women to interventions is more effective in helping women turn their lives around than a gender-neutral approach.
- 32.3 Specialist rehabilitative services have been commissioned from the private and voluntary sectors through the Dynamic Framework. Commissioned Rehabilitative Services (CRS) providers for the holistic women's contracts have been appointed in every Police and Crime Commissioner (PCC) area across every region and include resettlement interventions (such as accommodation) as well as interventions which can be used as part of a RAR.
- 32.4 Having a single Women's Specific Service is intended to ensure that the interventions are responsive to the specific needs and characteristics of women. Service delivery should be in an environment which is safe and suitable for women and by staff who are trained in trauma-informed and trauma-responsive approaches. Where possible, probation practitioner co-location with women's services can help build professional relationships and serve to reinforce the principles of collaborative and holistic working.

Taking a trauma informed approach

- 32.5 Being trauma *informed* requires an understanding of the impact and prevalence of trauma amongst people on probation and takes trauma into account as a treatment or sentence plan is developed. Being trauma *responsive* seeks to anticipate the potential existence of trauma so its aftermath can be appropriately addressed, and practitioners work in ways that do not re-traumatise or trigger the individual they are working with.
- 32.6 This approach should be utilised across all people on probation, as trauma affects both males and females. However, female supervised individuals can be amongst the most vulnerable of all, in both the prevalence and complexity of their needs. Many experience chaotic lifestyles involving substance misuse, mental health problems, homelessness, and offending behaviour – these are often the product of a life of abuse and trauma.
- 32.7 Women who have experienced trauma can behave in challenging ways. Practitioners should consider what steps could be taken to avoid, or minimise, adding additional stress or inadvertently reminding people of their past traumas. Gaining an understanding of the triggers for trauma survivors is key – this approach has been found to deliver better assessment and delivery of interventions for women. Meaningful engagement will support women to feel safe, by giving them capacity to face and overcome trauma triggers and new adversities in the future.
- 32.7 It is important to remember that women have a 'distinct, gender-specific route into offending and will require an equally gender sensitive route to rehabilitation and desistance.'

Further information on this topic can be found here:

- Women's Policy Framework (publishing.service.gov.uk)
- Effective interventions for Women offenders: A Rapid Evidence Assessment (publishing.service.gov.uk)
- Better outcome for women offenders (publishing.service.gov.uk)
- Ending Violence Against Women and Girls Strategy 2016-2020

- About the offender management in custody (OMiC) model (sharepoint.com)

EQuiP

- 7 Minute Briefing - Trauma Responsive Working with Women (Master)
- Women (justice.gov.uk)
- Becoming Trauma Informed Toolkit (justice.gov.uk)
- Trauma Responsive (justice.gov.uk)

33 **Young adults**

Please also refer to *Probation Service Management of Young Adults Policy Framework* for a full list of requirements and expectations.

- 33.1 There is a substantial and increasing body of evidence that Probation’s approach to working with Young Adults should, where possible, be distinct to reflect the particular needs of this age group in order to secure positive outcomes. A key consideration for this cohort is the need to understand an individual’s level of maturity.
- 33.2 The *Young Adults Policy Framework* supports this aim and seeks to bring together the mandatory actions that relate to Young Adults and equip staff with focused guidance to work with Young Adults in the most effective way.

Further information on this topic can be found here:

- Taking account of maturity (t2a.org.uk)
- Probation Service Management of Young Adults Policy Framework - GOV.UK
- Transition of Young People from the Children and Young People Secure Estate to Adult Custody Policy Framework - GOV.UK (www.gov.uk)

EQuiP

- Engaging young adults (justice.gov.uk)
- Young adults (justice.gov.uk)
- Approved Toolkits - Choices and Changes Resource Pack - A Resource Pack Supporting Young Adult Men (justice.gov.uk)
- Effective Approaches with Young Adults - Probation Guide
- Choices and Changes - Resource pack supporting young adult men
- Choices and Changes (justice.gov.uk)
- Next steps programme (justice.gov.uk)

34 **Diversity and equality considerations**

- 34.1 Practitioners are required to consider the diversity and equality needs of each person on probation that they work with and be responsive to these in developing an individualised sentence plan.
- 34.2 Understanding and responding to individual diverse needs is essential to engaging people on probation effectively in their assessment and sentence planning. Tailoring interventions to the diverse needs of the people on probation encourages referrals to more appropriate services which fully engage service users. Understanding diversity is an important means of addressing disproportionate outcomes among different groups of offenders. The principle of responsivity highlights how services are expected to address individual offenders’ specific needs – including protected characteristics.
- 34.3 There are nine protected characteristics in the Equality Act, with each characteristic potentially impacting on the individuals experience of the criminal justice system and probation supervision. When working with people on probation, it is important to understand

how their protected characteristics may impact upon their needs and responsivity. Whilst not an exhaustive list, examples of things that should be considered for each characteristic are identified below.

- 34.4 **Race:** Black and minority ethnic groups appear to be overrepresented in the criminal justice system (CJS) and are more likely to state that they have had negative and/or traumatic experiences within various systems including the CJS, Education and Social Care. Past negative experiences may present as a barrier to engagement and every effort should be made to discuss concerns, (where the individual is prepared to talk about their experiences) and consider ways to improve collaborative working and the building of trust.
- 34.5 **Age:** There is a substantial and increasing body of evidence that to secure positive outcomes, the Probation Service's approach to working with young adults should, where possible, be distinct to reflect the particular maturity needs of this age group. At the other end of the age range, there is an increasing cohort of older people on probation, who will be more likely to have health and social care needs. Being responsive to these needs may require pro-active liaison with health and local authority services. Research and evaluation tell us that:
- Young adults are more likely to re-offend, be recalled or breach community orders than their older counterparts.
 - Care experienced people are vastly overrepresented in the Criminal Justice System (CJS), with research suggesting around 25% of people in prison have been in care as a child (It is suspected that in the female population, this percentage may be even higher ²⁵)
 - Older people on probation are more likely to have complex needs including sensory impairments, multiple healthcare needs, disabilities, and poor mobility. They are more likely to be retired and need meaningful activity and social connections.
- 34.6 **Disability:** Under the Equality Act 2010, disability is defined as a physical or mental condition likely to last 12 months or over and that impacts on work/day to day living.' A third of people in the criminal justice system are thought to be neurodiverse - this term covers different conditions, including autism, traumatic brain injury, and learning difficulties and disabilities. Some neurodiverse individuals retain or understand information differently, and consideration around learning styles and ways to engage with the individual need to be assessed.
- 34.7 **Sex:** The best available evidence suggests that we should invest in gender-informed interventions that consider the impact of the trauma many women on probation have experienced. Approximately half of women in prison have been emotionally, physically, or sexually abused as a child, suffered domestic abuse, or been assessed as suffering from anxiety and depression (compared to 19% of the female population in the UK).²⁶ More information can be found in the *Women* section of this document.
- 34.8 **Gender reassignment:** In recent years, there have been numerous research reports which indicate that people who are transgender have higher rates of mental health problems, self-harm, and suicide.²⁷ Hate crimes against trans people have risen 332% from 2015-2021.
- 34.9 The management of individuals who are transgender, particularly in custodial and Approved Premises settings, must seek to protect both the welfare and rights of the individual, and the welfare and rights of others in custody/AP around them. With the welfare and rights of others, it is important to note that an individualised risk assessment is based on the type of offending behaviour posed by an individual, as being transgender does not make someone a risk to

²⁵ Working with People Who Have Experienced Care, good practice guidance 2002 (justice.gov.uk)

²⁷ The Care and Management of individuals who are Transgender Policy Framework (Master) (justice.gov.uk)

others. Joint working with prisons/probation and AP's will better ensure accurate assessments are completed.

- 34.10 **Sexual orientation:** There is a wealth of research reports showing that in comparison to heterosexual people LGBT+ (lesbian, gay, transgender, bisexual, and questioning) people have higher rates of mental health issues, self-harm & suicide. In addition, there's a greater risk of disownment, and/or domestic family abuse, which means that family ties are not always appropriate and often people will have a 'chosen family' of close friends which replicate a familial type relationship. Some LGBT+ individuals may not be 'out' to their family or those they spend time or live with. The personal situation should be identified prior to any engagement with others in their life (such as undertaking a home visit) to ensure the practitioner is aware
- 34.11 It is recognised that LGBT+ individuals, (particularly trans people), will be more likely to have been subjected to hate crime/hate incidents and may have negative experiences of authority that could be a barrier to engagement.
- 34.12 **Maternity and parenthood:** Women are frequently sole carers for dependent children; the incarceration of mothers often results in their children being placed outside of the immediate family, and parental imprisonment is classified as an Adverse Childhood Experience (ACE). Children's education, health and wellbeing are often affected and the instability they face in childhood affects their future life chances.
- 34.13 **Religion and belief:** Faith can provide a positive support system to support desistance, enabling individuals to draw on their belief system to gain confidence, feel motivated to overcome any setbacks and build long-term resilience.
- 34.14 **Marriage and civil partnership:** Maintenance of good relationships can be a strong hook to support desistance. Maintaining family ties makes it easier for a prisoner to reintegrate into society, and a practitioner understanding of family dynamics can provide valuable insight to support the assessment of risks and need.
- 34.15 All people on probation should be treated with respect and dignity and without any disadvantage on the basis of their protected characteristics. The practitioner should consider the ability of the individual to engage with requirements and seek to mitigate any barriers to ensure interventions are targeted and effective. This may include engaging specialist service providers specifically to meet diversity needs. Being responsive to the individual's diversity needs, recognising their unique circumstances and linking them in with relevant services or support groups can help build social capital and support a move towards a pro-social identity.

Further information on this topic can be found here:

- New strategy needed for older offenders (bcha.org.uk)
- Probation Service Management of Young Adults Policy Framework - GOV.UK (www.gov.uk)
- Equality Act 2010: guidance - GOV.UK (www.gov.uk)
- Race Equality in Probation Action Plan - GOV.UK (www.gov.uk)
- Supporting older people with convictions | Recoop EQUIP
- Working with People Who Have Experienced Care, good practice guidance 2002 (justice.gov.uk)
- Policy Framework - Women (Master) (justice.gov.uk)
- The Care and Management of individuals who are Transgender Policy Framework (Master) (justice.gov.uk)
- Neurodiversity in the criminal justice system: a review of evidence (justiceinspectorates.gov.uk)
- Faith Partnership Framework (PF) (justice.gov.uk)

Appendix i – Evidence based approaches to practice

1 Desistance theory

Definition: the act or process of ceasing, especially from a criminal or antisocial behaviour:

Understanding desistance helps probation practitioners explore the processes by which people cease offending and informs strengths-based approaches to work with the individual. The term ‘assisted desistance’ has been used to describe the role that probation (and other agencies) can play, recognising that individuals can be supported to desist from crime but there are too many factors at play for an agency to ‘cause’ desistance.²⁸

Some of the key principles identified include:

- **Building positive relationships:** Personal and professional relationships where there is trust and respect are key to change - **This is one of the key principles within the sentence management operating model.**
- **Individualised approach:** The process of giving up crime is different for each person; delivery needs to be individualised. A further principle is the need to work **with**, rather than **on** the person on probation, taking a collaborative approach to sentence planning and goal setting.
- **Strengths based approach:** Promoting a range of protective factors and taking a strengths-based approach should be part of the supervision process.
- **Building social capital:** Desistance is related to the external and social aspects of a person’s life as well as to internal/psychological factors; individuals are more likely to desist ‘*when they have strong ties to family and community, employment that fulfils them, recognition of their worth from others, feelings of hope and self-efficacy, and a sense of meaning and purpose in their lives*’ (Maruna and Mann, 2019²⁹).

²⁸ Desistance – general practice principles (justiceinspectorates.gov.uk)

²⁹ Maruna-and-Mann-Feb-19-Reconciling-desistance-and-what-works.pdf (gsi.gov.uk)

Further information on this topic can be found here:

- [Maruna-and-Mann-Feb-19-Reconciling-desistance-and-what-works.pdf \(gsi.gov.uk\)](#)
- [Desistance – general practice principles \(justiceinspectorates.gov.uk\)](#)
- [Social capital building supporting the desistance \(justiceinspectorates.gov.uk\)](#)
- [Desistance from crime and probation supervision: Comparing experiences of English and French probationers - Ruwani Fernando, 2021 \(sagepub.com\)](#)
- [Desistance research and probation practice | Iriss](#)

2 The Risk-Need-Responsivity model (RNR)

Adherence to the core RNR principles has been found to be associated with reductions in reoffending. The three core RNR principles are:

- The **risk principle** tells us we should match the level of service we provide to the risk presented by the individual based upon their likelihood of reoffending.
- The **need principle** is about what should be done – identified criminogenic needs should be the focus of targeted interventions, rather than other needs which are not related to offending behaviour
- The **responsivity principle** is about **how** to deliver the work in a way that is consistent with the abilities and learning style of the individual. General responsivity suggests the use of cognitive/social learning methods to influence behaviour, and specific responsivity is about tailoring interventions to the strengths, learning styles and personality of the individual. (NB supervision skills are also an aspect of responsivity.)

Criminogenic needs are those dynamic factors which independently contribute to or support offending. A review of the current literature has identified the 'central eight' key risk/need factors that should be addressed:

- criminal history > to move to desisting from criminal activity
- pro-criminal attitudes > to move to a non-criminal identity
- pro-criminal associates > move away from peers engaged in offending
- anti-social personality pattern > improve emotional management/impulsivity
- relationships (family/partner) > to build positive and supportive relationship
- school/work > increasing potential through employment
- substance abuse > to reduce use / abstain
- leisure/recreation > engage in pro social activities

The RNR principles have been criticised for neglecting people's strengths at the expense of removing criminogenic needs. However, this criticism is misplaced as targeting criminogenic needs should not be about trying to remove strategies or characteristics. Instead, rehabilitative intervention should be about building repertoires, not restricting them. Targeting criminogenic needs involves listening to the individual, instilling hope, and drawing out strengths.

Further information on this topic can be found here:

- The Risk-Need-Responsivity Model (justiceinspectorates.gov.uk)
- The Risk-Need-Responsivity Model: How Do Probation Officers Implement the Principles of Effective Intervention? - Jill Viglione, 2019 (sagepub.com)
- HMPPS evidence based practice summary; principles of good risk and need assessment in a criminal justice setting, Nov 21, *First Look Summary* (gsi.gov.uk)

3 Skills for Effective Engagement and Development and Staff Supervision (SEEDS2) / Reflective practice

The Probation Service aims to be an outcome-focused, learning organisation which puts people and relationships at its heart. Desistance theory asserts that positive relationships are fundamental and requires practitioners to be person-centred in their work, to tailor their approaches to the individual's circumstances rather than relying on a one size fits all approach.

SEEDS2 uses a person centred, relational approach to practice, to ensure we get the best outcomes for people on probation. The SEEDS2 learning product is evidence-based and has been updated in line with latest research to incorporate more information on reflective practice and emotional labour.

This person-centred approach also expands to staff supervision, Reflective Practice Supervision (RPS), facilitated by the line manager is designed to provide protected time for reflection by practitioners on their most challenging and complex cases, in support of their ongoing professional development.

The Reflective Practice Supervision Standards are underpinned by SEEDS2 and the associated principles:

- 'The engaging practitioner' is one who has the skills and capacities to build effective relationships with the person on probation, recognising that person-centred practice is a powerful vehicle for changing behaviour, managing risk, and reducing reoffending.
- This requires practitioners to regularly reflect on their practice as a fundamental part of ongoing professional development and in order to inform the judgements they make every day.
- 'The enabling framework' recognises that the behaviour and actions of managers, both at SPO and senior levels, has a significant impact on the extent of engagement by practitioners with people on probation - they can enable or inhibit.
- When managers model person-centred practice in their management style and use facilitation skills to support staff to think through complex issues, they are likely to become more engaging and authoritative in their professional roles.

From this model comes key skills and techniques that practitioners will develop during their training, and will include the use of:

- Motivational interviewing skills and principles
- Pro-Social modelling
- Cognitive behavioural techniques
- Use of CRISS model (*see > EQUIP CRISS guidance*)
- Use of ASPIRE model for sentence management (*see justiceinspectorates.gov.uk*)

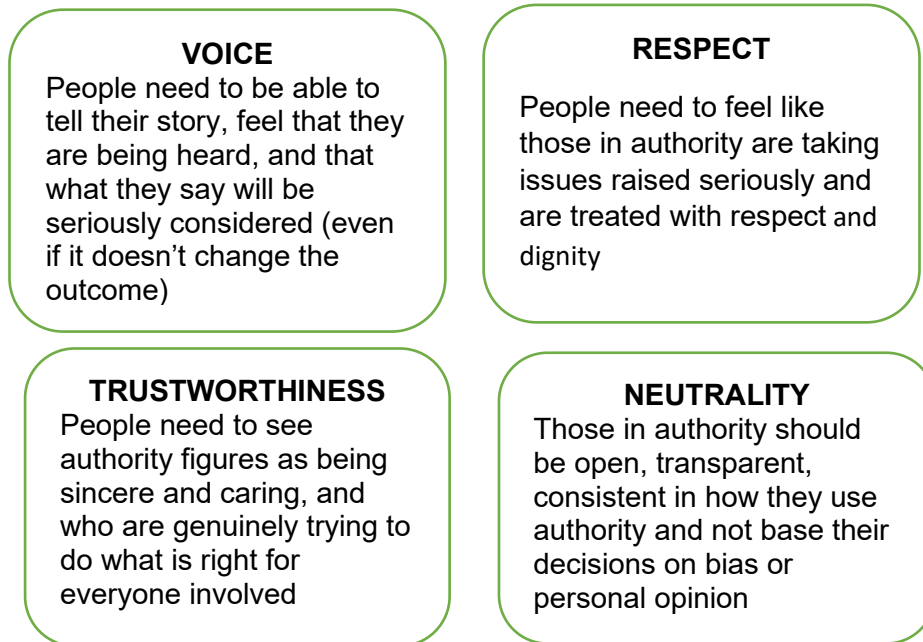
Further information on this topic can be found here:

- An Evaluation of the Implementation of Reflective Practice Supervision Standards in the National Probation Service (shu.ac.uk)
- Supervision skills (justiceinspectors.gov.uk)
- PS Reflective Practice Supervision Standards May 2022.pdf
EQuIP
- RPSS (justice.gov.uk)
- RPSS Engagement Skills Refresher (justice.gov.uk)
SEEDS2 Managers course page links;
- Course: Probation Service Skills for Effective Engagement, Development and Supervision 2 (SEEDS2) for Managers course (mydevelopment.org.uk)
- Course: Probation Service Skills for Effective Engagement, Development and Supervision 2 (SEEDS2) for Managers – Digital Resources (mydevelopment.org.uk)
SEEDS2 Practitioners course page links;
- Course: Probation Service Skills for Effective Engagement, Development and Supervision 2 (SEEDS2) For practitioners (mydevelopment.org.uk)
- Course: Probation Service Skills for Effective Engagement, Development and Supervision 2 (SEEDS2) for Practitioners – Digital Resources (mydevelopment.org.uk)

4 Procedural justice / legitimate authority

There is evidence that when people feel decisions and processes are made fairly, particularly from the first point of contact, they are more likely to trust authority figures, respect rules and follow them; making engagement and compliance more likely, even when the decisions or processes are not in their favour (such as breach/ recall).

There are four principles to procedural justice:



Some examples of working in a procedurally just way include:

- explaining how processes will work and why they are like they are
- explaining how decisions will be made as early as possible

- explaining the reasoning behind decisions that are made (especially if the decision is not in the person's favour)
- making sure people have a chance to 'tell their story' and ask questions
- summarising what has been said to assure them they have been heard

Further information on this topic can be found here:

- Procedural justice (justiceinspectrates.gov.uk)
- Procedural Justice - HMPPS Intranet (gsi.gov.uk)
- Procedural justice in practice (hmppsinsights.co.uk)
- HMPPS Procedural Justice - YouTube

EQuIP

- Procedural Justice
- Procedural Justice - 7 minute Briefing

5 Professional curiosity

In 2020, The National Probation Service's Effective Practice Team defined professional curiosity as a ***'process of always questioning and seeking verification for the information you are given rather than making assumptions or accepting things at face value'***.³⁰

It has also been described as the need to practice ***'respectful uncertainty'***, through applying critical evaluation to any information received and maintaining an open mind.

Research undertaken by Sheffield Hallam University³¹, in 2020, provided the first study of professional curiosity amongst probation practitioners in England and Wales. This asked participants *'What does professional curiosity mean to you?'* Over half the respondents considered it being risk focused. Other responses indicated that staff saw it being about gathering information and developing rapport with the person on probation.

The focus on risk has to some degree been driven by various serious case review findings which raised issues of 'missed opportunities' and 'lack of curiosity', suggesting the aim of professional curiosity is to identify the potential risks posed. Analysis of these case reviews raised the concept of professionals needing to be prepared to *'think the unthinkable'*³². For practitioners this creates an inherent tension as there may be conflict between building positive trusting relationships, whilst simultaneously exercising a level of 'mistrust'.

The Sheffield Hallam study concludes that: *'Professional curiosity holds the potential to be useful for improving the effectiveness of probation and social work through 'better' risk management. But it can also be used to improve relationships between service users and practitioners, provide practitioners with a space in which to reflect upon and interrogate their own practice enabling people to engage with best practice and available evidence.'*

Seeing the alignment between professional curiosity and reflective practice provides practitioners with a way of examining available evidence, checking thinking, assessing whether there is any bias or assumptions being applied and, while a gut reaction should not

³⁰ 7 Minute Briefing- Professional Curiosity, Effective Probation Practice Division 03/01/2020

³¹ What does professional curiosity mean to you?: an exploration of professional curiosity in probation *The British Journal of Social Work*, Volume 52, Issue 1, January 2022, Pages 554–572, <https://doi.org/10.1093/bjsw/bcab019>, 14 February 2021

³² Naqvi, S. (2013) 'Thinking the Unthinkable'. *Professional Social Work*, available online at basw_30935-9.pdf

be a guiding principle of practice, practitioners should not be afraid to explore areas, which do not seem correct by looking for available evidence and information.

In line with the other evidence led approaches to practice outlined in this framework, professional curiosity requires practitioners to be interested, curious, sceptical, critical, systematic, compassionate, reflective, and confident in deploying evidence informed supervision skills.

Further information on this topic can be found here:

- What does professional curiosity mean to you?: an exploration of professional curiosity in probation *The British Journal of Social Work*, Volume 52, Issue 1, January 2022, Pages 554–572, <https://doi.org/10.1093/bjsw/bcab019>, 14 February 2021
 - Professional curiosity & challenge – resources for practitioners: Manchester Safeguarding Boards (manchestersafeguardingpartnership.co.uk)
 - Putting professional curiosity into practice (justiceinspectorates.gov.uk)
- EQuiP
- Professional Curiosity (justice.gov.uk)
 - 7 Minute Briefing- Professional Curiosity (Master) (justice.gov.uk)

6 Professional Judgement

Though much cited, there is no definition of professional judgement (PJ) in probation practice. PJ can also be referred to as making effective decisions based on a clear rationale.

Exercising professional judgement means practitioners taking responsibility and being able to account for actions taken, in all circumstances. Probation practitioners must be prepared to provide sound, evidence-based rationale to support their decisions

Training in evidence-based practice supports the development of professional judgement. Probation practitioners must acquire academic knowledge and practical experience to build knowledge, and to formulate and apply professional judgment to practice. The Probation Service is committed to supporting practitioners with continuous professional development that supports effective decision making.

Ways of working that support PJ decision making include:

- gathering all available information – including being clear about what information may be missing
- considering holistically the risks and needs relevant to the decision (*this may be related to the person on probation, victims, the public etc*)
- consultation with others where required – this may be within the organisation with colleagues or managers or external partnership agencies
- use of reflective practice - considering if there is any bias present and mitigate against it
- clearly record the rationale for the decision made at the time

Appendix ii – Legislation, policy, and guidance

The range of sentence management work is large and diverse, made up of statutory duties and mandatory activities, as outlined in legislation and policy, along with national and regional good practice expectations and local variations. Mandatory activities are an organisational priority and consist of the following:

1 **Police Crime Sentencing and Courts (PCSC) Act 2022**

The Police, Crime, Sentencing and Courts bill received royal assent in April 2022, with changes coming into effect in 2023. The government stated the intention of this bill was to introduce tougher sentencing for the most serious offences and end halfway release from prison for the most serious crimes. There is also a commitment to ensuring an agile criminal justice system to support rehabilitation by reducing the time it takes for some sentences to become spent.

Key changes affecting probation are:

Senior Attendance Centres – These have now been abolished, and instead RAR delivery will be used to offer a more consistent and individually tailored option.

UPW consultation – Not yet commenced, but once in place Regional Probation Directors will need to consult annually with key stakeholder groups when considering strategic planning exercises for UPW delivery.

Supervision powers – It inserts a new subsection (1A) into section 215 and section 301 of the Sentencing Code, which provides responsible officers with the power to require a person on probation serving a community order or a suspended sentence order to attend an appointment with the responsible officer or other person for the purposes of ensuring the individual complies with rehabilitative requirements or where there are public protection concerns.

It inserts a new subsection (1B) which imposes a duty on the person on probation to comply with any instruction given by a responsible officer in accordance with the power in subsection (1A), and also inserts a new subsection (2A) which clarifies that the new power

(to attend an appointment with the responsible officer and duty on the offender to keep in touch with their responsible officer) provided by this clause apply until the end date specified on the community order has been reached, even where all community requirements have been complied with.

It is expected that the circumstances in which these powers will apply will be rare as opposed to routine. Greater detail will be provided once these powers come into effect – expected April 2023.

2 Sentencing Act 2020³³

This Act brings together the legislative provisions which the Court refers to when sentencing offenders. It also covers powers of responsible officers (RO). Of relevance for practitioners are:

- Part 3 – court procedure when sentencing, which includes pre-sentence reports
- Part 9 – community sentences
- Part 10 – custodial sentences which includes suspended sentence orders

3 Offender Rehabilitation Act 2014

What was historically known as ‘supervision’ changed as a result of the Offender Rehabilitation Act (ORA) 2014. The ORA made changes to three main areas of the sentencing framework:

- 1) The expansion of licence to individuals released from short custodial sentences of less than 12 months.
- 2) Creation of a Post-Sentence Supervision (PSS) period that follows licence for released from custodial sentences of less than 2 years.
- 3) Changes to Community Order and Suspended Sentence Order requirements, particularly the introduction of the Rehabilitation Activity Requirement (RAR).

The ORA created the Rehabilitation Activity Requirement (RAR) and replaced the Supervision and Activity Requirements for offences committed on or after 1 February 2015. Under the RAR, the Court does not specify the activity or activities the person on probation must participate in. Instead, this is left to the discretion of the Responsible Officer (RO).

The RAR is designed to provide maximum flexibility for probation practitioners to deliver rehabilitation activities during the sentence that address identified criminogenic needs and achieve a reduction in the likelihood of re-offending. The RO has discretion as to how to use the number of RAR days and as such decides what interventions are suitable for the person on probation to undertake.

4 Equality Act 2010

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. It replaced previous anti-discrimination laws with a single Act, making the law easier to understand and strengthening protection in some situations. It sets out the different ways in which it is unlawful to treat someone. This act also contains a public sector duty to advance diversity and equality in all aspects of work. Ensuring consideration of individuals

³³ Sentencing Act 2020 (legislation.gov.uk)

protected characteristics, and tailoring sentence management to their needs supports this ambition.

5 **Offender Management Act 2007**³⁴

This sets the overall framework within which probation staff work, the duties on the Secretary of State (SoS), and other providers rather than individual duties on staff. This act provides the powers for probation to provide supervision and undertake rehabilitation work with persons charged with or convicted of offences.

6 **Human Rights Act 1998**³⁵

The Human Rights Act came into force in the UK in October 2000 and sets out the fundamental rights and freedoms that everyone in the UK is entitled to. It incorporates the rights set out in the European Convention on Human Rights (ECHR) into domestic British law. This legislation is particularly relevant where restrictions on liberty need to balance different rights be built into these processes.

7 **Policy Frameworks:**³⁶

HMPPS Policy Frameworks (PF) are gradually replacing or superseding previous Probation Instructions (PI). These documents outline mandatory activities that are required by prison and/or probation practitioners. Details of specific policies will be addressed in the cohort specific section of this policy.

Further information on probation policies can be found here:

- *EQuiP*
- *Policy Frameworks*

8 **National Standards (NS):**

Since 1992, there have been National Standards for probation, issued by the Secretary of State, to guide probation practitioners. National Standards provide a clear articulation of the expected actions to effectively manage a sentence of the court. The standards were reviewed to support the unification of Probation Service and published on 26 June 2021.

NS set the minimum expectation for how staff deliver key probation services and is a core document that staff will refer back to in their work, in order to check they are working effectively. NS also forms a key part of OSAG's Good Industry Practice (GIP) and will be used as a point of reference by HMI Probation. As with any authoritative, statutory expectations or guidelines, the standards should be followed by practitioners unless there are good reasons not to do so (for example when required to work under an exceptional delivery model).

The 2021 standards have been used to identify the majority of key mandatory activities that practitioners must undertake, and formed the basis of the review of the probation workload measurement tool in 2022, where mandatory and responsive activities were defined as follows:

Mandatory activities – these are probation sentence management activities outlined in legislation and mandated policies, that are considered an organisational priority. The mandated list of activities utilised in the sentence management resource model and probation workload measurement tool were informed by subject matter experts and engagement with

³⁴ Offender Management Act 2007 (legislation.gov.uk)

³⁵ Human Rights Act 1998 (legislation.gov.uk)

³⁶ Policy frameworks index - GOV.UK (www.gov.uk)

frontline staff, during the spring of 2022. It is assumed that these require approximately 80% of a probation practitioner's available case management time.

Responsive activities – these are currently unspecified sentence management activities that cover tasks such as dealing with unplanned situations and crisis management. Responsive activities are wide ranging, an example being, the work generated by a person on probation contacting their supervisor with an urgent issue such as accommodation falling through. Responsive activities may also include additional time spent undertaking core sentence management requirements. The amount of time spent on being responsive to the risk and needs of an individual is assumed on average, to vary according to the tier of a case.

Further information on National Standards can be found here:

- Strengthening probation, building confidence - GOV.UK (www.gov.uk)
EQuIP
- National Standards (justice.gov.uk)

9 Performance measures

Probation practitioners will be aware of service levels (also known as performance measures), which will drive activities to be prioritised. Some will be aligned to National Standards expectations, others will not. They are activities that may be subject to change dependent upon what is identified as priority area of delivery to the business, with outputs that can be measured through a service level rather than a quality assessment.

Further information on this topic can be found here:

EQuIP

- Performance Framework (justice.gov.uk)

10 Quality measures

The Core Quality Management Framework (CQMF) draws together the Probation Service's primary assurance and improvement activities into a national framework, based on the principle that quality management activities should be built in at, or nearest to the point of service delivery (Tier One quality assurance).

The CQMF includes assurance activity which is distinct from that existing outside of the framework in Tiers two (quality assurance through OSAG) and Tier three (external validation via HMI Probation and other official bodies). The CQMF is intended to position local quality assurance activity in the wider quality management context and drives a mutually supportive approach. In the longer-term the CQMF will play a key role in the drive to continuously improve service delivery and the journey towards becoming a High Reliability Organisation.

One of the key elements of the first line of assurance activity is ensuring reflective supervision occurs between practitioner and line manager. This provides mutual quality assurance of the management of cases discussed and supports professional development through reflection and learning. It enables emotionally informed practice, alongside the recognition of recognising the emotional challenges of the work. Whilst the emphasis of RPSS is predominantly on learning through reflection, it does also provide a vehicle of individual case assurance and can be used in conjunction with other forms of supervision and managerial oversight.

Further information on CQMF can be found here:

EQuIP

- Core Quality Management Framework

11 Professional standards

Professional standards for the Probation Service are currently in development and will provide the clear articulation of 'how' work should be undertaken by outlining requirements for occupational competence and the knowledge and skills individuals need to develop and perform effectively and competently in the workplace.

12 Professional qualifications

Every role within the probation service requires a level of learning and competence. All staff who are new in post must complete the required learning during their first six months of practice. Existing staff should work with their line managers to determine the activity that would be most beneficial for them to complete. There are 4 main types at present:

- Mandatory learning – probation staff are legally required to complete this learning (applicable to all staff)
- Required learning - is necessary to effectively undertake a specific role
- Desired learning - will help an individual to carry out their role more successfully
- Optional learning - is all additional learning which is not role specific, this learning will support the development of breadth of practice, specialist knowledge and skills and supports career development

More information is available here > Learning based on roles – Welcome Hub (hmppsintranet.org.uk)

Appendix iii – Single requirement orders

Outlined below are the current single requirements that can be imposed on a Community Order (CO) or Suspended Sentence Order (SSO). Three of these requirements – curfew, electronic monitoring and exclusion requirement do not require allocation to a probation practitioner.

For all other single requirement orders, the case will require the following:

- allocation to a probation practitioner
- completion of a sentence plan
- termination only at the end of the order period* Different for SA **Community Orders** with UPW – these are terminated when the hours are completed

As outlined in the body of this document, it is the RAR that provides the vehicle for sentence management appointments and sits within the National Standards requirements for minimum contact.

Practitioners may be contacted by other agencies who are working with or monitoring the individual subject to a standalone requirement. The sharing of appropriate information is a process integral to meeting the HMPPS business objectives. The *Information Sharing Policy Framework* provides guidance and support to practitioners on this topic.

Keep in touch duty

For these Non RAR or single requirement orders, practitioners may wish to make use of the 'keep in touch' (KiT) duty. This is currently subject to local variation, and will be subject to change once S139 of the PCSC act is implemented (see sec 4 *Legislation* for more details) This KiT option allows practitioners to issue an enforceable appointment where it is necessary and proportionate to have contact with the individual. The KiT cannot be used by the probation practitioner to directly undertake rehabilitative or change activity.

It will be subject to professional judgement as to when KiT should be used, but some examples include when information is received from other agencies that may result in enforcement action or indicate a change in level of risk or need. Practitioners should be mindful of the following:

- Where information / intelligence has been received from other agencies involved with the individual, the practitioner may wish to issue an appointment to engage in exploring behaviours, reinforce topics and skills previously covered, reinforce potential enforcement outcomes if there is further noncompliance, or signpost to additional voluntary services which may be of benefit to the person on probation.
- If information received relates to public protection concerns which are new and not covered by previous activity and/or requirement on the order, specific work to address this may not be undertaken, as this risks exceeding the original intention of the sentence. Instead, appointments may be used to sign-post to voluntary services, monitor behaviour/progress and determine whether additional referrals are needed to other agencies.

Alcohol abstinence and monitoring requirement

The AAMR imposes a total ban on consuming alcohol for up to a maximum of 120 days. An alcohol monitoring tag is used to monitor compliance with this requirement. The alcohol ban begins as soon as the sentence is imposed, even before the tag has been fitted. To maximise the effectiveness of alcohol monitoring and enforcement activity, a probation practitioner will be the Responsible Officer for Community Orders and Suspended Sentence Orders with an AAMR, even where it is a standalone requirement. This includes standalone AAMRs.

The electronic monitoring service provider (EMS) can provide factual and technical information however, the RO will be required to:

- carry out the standard procedures for a start of order assessment of risk and needs
- advise the service user on issues relating to their case
- decide what action to take in the event of non-compliance
- update case records with any actions taken relating to an alert received

Further information on this topic can be found here:

- Probation Alcohol monitoring guidance v3.pdf
- Alcohol Abstinence and Monitoring Requirement (AAMR) ([justice.gov.uk](https://www.justice.gov.uk))
- Welcome to AM pack for Probation Practitioners in England and Wales (Master) ([justice.gov.uk](https://www.justice.gov.uk))
- Alcohol Misuse ([justice.gov.uk](https://www.justice.gov.uk))
- Sentencing Act 2020 ([legislation.gov.uk](https://www.legislation.gov.uk))

Alcohol treatment requirement (ATR)

Under Section 212 of the Criminal Justice Act 2003, an ATR was initially made available to courts as a sentencing option for offences committed on or after 4 April 2005 for those aged 18 or over as part of a CO or an SSO. Section 212 of the Criminal Justice Act was replaced by the Sentencing Act 2020, which provides DRR as an available option under Section 201 of the 2020 Act.

The accepted standard for commencement of treatment is within 14 days from sentence for an ATR.

The Alcohol Treatment Requirement (ATR) focuses on those who are dependent on alcohol or whose alcohol use contributes to their offending. The aim is to reduce or eliminate the individual's dependency on alcohol.

Further information on this topic can be found here:

- Alcohol Misuse (justice.gov.uk)
- Alcohol Treatment Requirement (ATR) (justice.gov.uk)
- Commissioning Group for data room v2.doc (publishing.service.gov.uk)
- Sentencing Act 2020 (legislation.gov.uk)

Curfew requirement*

As a single requirement order, probation practitioners will not be involved with the management of the sentence and are not required to complete a sentence plan.

Further information on this topic can be found here:

- Curfew Requirement (justice.gov.uk)
- Sentencing Act 2020 (legislation.gov.uk)

Drug Rehabilitation Requirement (DRR)

Under Section 209 of the Criminal Justice Act 2003, a Drug Rehabilitation Requirement (DRR), comprising structured treatment and regular drug testing, was initially made available to courts as a sentencing option for offences committed on or after 4 April 2005. Section 209 of the Criminal Justice Act was replaced by the Sentencing Act 2020, which provides DRR as an available option under Section 201 of the 2020 Act. A DRR can be made as part of a community order (CO) or a suspended sentence order (SSO). The amount and intensity of the drug treatment delivered under the DRR can be tailored to individual needs regardless of the seriousness of the offence.

Further information on this topic can be found here:

- Commissioning Group for data room v2.doc (publishing.service.gov.uk)
- EQuIP
- DRRs and Progress Reports (Master) (justice.gov.uk)
 - DRR Assessments (justice.gov.uk)
 - Sentencing Act 2020 (legislation.gov.uk)

Electronic Monitoring requirement (EM)*

As a single requirement order, probation practitioners will not be involved with the management of the sentence and are not required to complete a sentence plan, the responsibility for managing Electronic Monitoring single requirement orders rests with the EM.

Further information on this topic can be found here:

- Electronic Monitoring (EM) Stand-alone cases on Delius (justice.gov.uk)
- Police Crime Sentencing and Courts Act – Welcome Hub (hmpps.intranet.org.uk)
- <https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2022/01/EM-Thematic-Presentation-Jan-2022.pdf>

EQuIP

- PI 01 2019 Information Sharing and Effective Management of Electronic Monitoring Requirements (Master) (justice.gov.uk)
- Mandatory Enquiries for Electronic Monitoring FAQ (Master) (justice.gov.uk)

- Advice Note Recording COs and SSOs with Standalone EM (Master) (justice.gov.uk)
- Sentencing Act 2020 (legislation.gov.uk)
- Seven 7 Minute Briefing - Embedding Electronic Monitoring (justice.gov.uk)

Exclusion requirement*

As a single requirement order, probation practitioners will not be involved with the management of the sentence and are not required to complete a sentence plan.

Further information on this topic can be found here:

- Exclusion Requirement (Master) (justice.gov.uk)
- Sentencing Act 2020 (legislation.gov.uk)

Foreign travel prohibition requirement

This requirement prohibiting the individual from travelling, on a particular day or days, or for a particular period, to a particular country or territory (or particular countries or territories) outside the British Islands.

Further information on this topic can be found here:

- Sentencing Act 2020 (legislation.gov.uk)

Mental health treatment requirement

Under Section 207 of the Criminal Justice Act 2003, a Mental Health Treatment Requirement (MHTR) was initially made available to the courts as a sentencing option for offences committed on or after 4 April 2005. Section 207 of the Criminal Justice Act was replaced by the Sentencing Act 2020, which provides MHTR as an available option under Section 201 of the 2020 Act. The requirement directs an individual to undergo mental health treatment as part of a community sentence or suspended sentence order. This requirement can be used in relation to any mental health issue including personality disorders. The type of treatment is not defined and can cover a wide range of interventions.

Further information on this topic can be found here:

- Commissioning Group for data room v2.doc (publishing.service.gov.uk)
- Sentencing Act 2020 (legislation.gov.uk)

Programme requirement

A programme requirement directs the individual to participate in an accredited programme at a particular place and comply with instructions given.

Further information on this topic can be found here:

- Sentencing Act 2020 (legislation.gov.uk)
- Accredited Programmes (justice.gov.uk)
- Accredited Programmes Information (Master) (justice.gov.uk)

Prohibited activity requirement

This requirement requires the individual to refrain from participating in activities—

- (a) on one or more particular days, or
- (b) for a particular period.

The Order will specify

- (a) the activities from which the individual must refrain;
- (b) the day or days on which, or the period for which, the individual must refrain from those activities.

Further information on this topic can be found here:

- Sentencing Act 2020 (legislation.gov.uk)
- Prohibited Activity Requirement (Master) (justice.gov.uk)

Rehabilitation activity requirement (RAR)

A RAR requires the individual to comply with any instructions given by the responsible officer to do either or both of the following:-

- (a) attend appointments;
- (b) participate in activities.

The maximum number of days on which the person on probation may be instructed to participate in activities must be specified by the Court and is contained in the relevant order.

Change work delivered and recorded under a RAR day must meet set criteria:

- ✓ Pre-planned work that forms part of what is included within the person's Supervision and Sentence Plan
- ✓ Activity is evidenced as targeting criminogenic needs for that individual
- ✓ Structured
- ✓ Enforceable
- ✓ Has a clear rationale for why it will work
- ✓ Must be delivered within available RAR days

Probation practitioners delivering 1:1 change work as part of a RAR, are encouraged to use an approved toolkit from the Approved Suite of Probation Practitioner Toolkits. Delivery is recorded using the appropriate NDelius NSI.

In exceptional circumstances, probation practitioners may use bespoke materials to deliver 1:1 change work and record this using the 'Off-Menu' NDelius NSI. Such bespoke work must meet the RAR criteria and is subject to management oversight.

Further information on this topic can be found here:

- Sentencing Act 2020 (legislation.gov.uk)
- CRI021 NSI - Non-Statutory Interventions (Master) (justice.gov.uk)
- Rehabilitation Activity Requirement (RAR) (justice.gov.uk)
- RAR Quick Guide (Master) (justice.gov.uk)
- Advice Note Off Menu RAR NSI Recording for NDelius (Master) (justice.gov.uk)

Residence requirement

For this requirement, the individual must reside—

- (a) at a particular place ("the required place"), or
- (b) if the order so permits, at the required place or, with the prior approval of the responsible officer, at some other place.

A relevant order imposing a residence requirement must specify—

- (a) the required place,
- (b) the required period, and

(c) if the person is to be permitted to reside at some other place with the prior approval of the responsible officer, that fact.

A hostel or other institution may not be specified as the required place, except on the recommendation of an officer of a provider of probation services.

Further information on this topic can be found here:

- Residence Requirement (Master) (justice.gov.uk)
- Sentencing Act 2020 (legislation.gov.uk)

Unpaid work requirement (UPW)

If the individual is sentenced to a single requirement of Unpaid Work the decision to have a dedicated Unpaid Work teams lies with the Regional Probation Director and single requirement cases may therefore be allocated to a generic sentence management team or an UPW specific team.

UPW requirements must be completed within 12 months of the initial sentence date.

For these orders the practitioner is required to:

- Complete unpaid work induction paperwork, UPW digital assessment and sentence plan.

The digital unpaid work assessment will need to be completed by the responsible officer prior to the person on probation starting their UPW, which should be within 15 working days of commencement of their Order.

It is good practice to complete the Unpaid Work assessment within 5 working days of the first attended appointment. Doing this gives the Placement Coordinator sufficient time to read the assessment, speak to the person on probation, and then find and allocate them to a suitable project. This effectively supports prompt commencement of the Unpaid Work Requirement within 15 working days of sentence. Further information on this can be found here> *Unpaid Work Assessment Tool – (hmpps.intranet.org.uk)*

- Review of progress at 6 and 9 months is required (unless hours completed) If there are outstanding hours and it is unlikely, they will be completed in time, an application should made to the Court for the requirement to be extended or if necessary revoked and resentenced.
- Decide what actions to take in the event of non-compliance.
- Complete a termination assessment.
- The undertaking of a home visit is not a mandatory requirement for this cohort, and professional judgement should be applied in deciding whether one is required.
- Only a RAR requirement provides the engine to undertake sentence management appointment. Where there are concerns in relation to risk, the expectation is to share the information with relevant other agencies, and update case records and assessments accordingly.

Further information on this topic can be found here:

- Unpaid Work (UPW) (justice.gov.uk)

- [PI 04 2019 Unpaid Work \(Master\) \(justice.gov.uk\)](https://justice.gov.uk)
- [Community Payback Operations Manual \(Master\) \(justice.gov.uk\)](https://justice.gov.uk)
- [Unpaid Work Assessment Tool – \(hmppsintranet.org.uk\)](https://hmppsintranet.org.uk)