



Action Plan Submitted: 01 September 2023

A Response to: Race Equality in Probation follow-up: A work in progress

Report Published: 07 September 2023

INTRODUCTION

Her Majesty's Inspectorate of Probation is the independent inspector of youth offending and probation services in England and Wales. It reports on the effectiveness of probation and youth offending service work with adults and children.

In response to the report, HMPPS/MoJ are required to draft a robust and timely action plan to address the recommendations. The action plan confirms whether recommendations are agreed, partly agreed or not agreed (see categorisations below). Where a recommendation is agreed or partly agreed, the action plan provides specific steps and actions to address these. Actions are clear, measurable, achievable and relevant with the owner and timescale of each step clearly identified. Action plans are published on the HMI Probation website. Progress against the implementation and delivery of the action plans will be monitored by HMPPS/MoJ and reviewed annually by HMI Probation.

| Term | Definition | Additional comment |
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| Agreed | All of the recommendation is agreed with, can be achieved and is affordable. | The response should clearly explain how the recommendation will be achieved along with timescales. Actions should be as SMART (Specific, Measurable, Achievable, Realistic and Time-bound) as possible. Actions should be specific enough to be tracked for progress. |
| Partly Agreed | Only part of the recommendation is agreed with, is achievable, affordable and will be implemented. This might be because we cannot implement the whole recommendation because of commissioning, policy, operational or affordability reasons. | The response must state clearly which part of the recommendation will be implemented along with SMART actions and tracked for progress. There must be an explanation of why we cannot fully agree the recommendation - this must state clearly whether this is due to commissioning, policy, operational or affordability reasons. |
| Not Agreed | The recommendation is not agreed and will not be implemented. This might be because of commissioning, policy, operational or affordability reasons. | The response must clearly state the reasons why we have chosen this option. There must be an explanation of why we cannot agree the recommendation - this must state clearly whether this is due to commissioning, policy, operational or affordability reasons. |



ACTION PLAN: Race Equality in Probation follow-up: A work in progress

| 1. Rec No | 2. Recommendation | 3. Agreed/ Partly Agreed/ Not Agreed | 4. Response Action Taken/Planned | 5. Responsible Owner | 6. Target Date |
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| Recommendations | | | | | |
| His Majesty's Prison and Probation Service should: | | | | | |
| 1. | Develop a national race equality strategy for service delivery. (Repeated recommendation) | Partly Agreed | <p>The recommendation can only be partly agreed at this time as the detailed design of the Race Disparity Unit has not yet concluded. HMPPS long-term commitment to racial equality was restated in the HMI Prisons Thematic response (March 2023) <u>thematic-review-of-the-experience-of-adult-male-prisoners-and-black-staff</u> and all strategic elements of race equality will be incorporated within the Professional Standards and Behaviours Unit from April 2024.</p> <p>The Professional Standards and Behaviours Group, which will include a new Race Disparity Unit, will be launched in April 2024. The RDU will serve as a national centre of expertise and will implement HMPPS national priorities for race equality.</p> <p>HMPPS will continue to ensure that activity relating to race equality is incorporated with our wider Inclusion activity. All of which will be evidence led and data driven with clear alignment to the Civil Service Diversity and Inclusion Strategy, Declaration on Government Reform, and Inclusive Britain report.</p> <p>HMPPS will ensure robust governance and senior accountability is in place to check, challenge and quality assure activities and to set clear measures to monitor and track progress. The effectiveness of internal / external scrutiny and audit panels will be improved, and the RDU will ensure that race specific work has appropriate consideration within HMPPS governance.</p> | Executive Director Strategy Planning and Performance Directorate | March 2025 |



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| 2. | <p>Develop learning programmes that enable probation staff to:</p> <ul style="list-style-type: none"> • Understand discrimination and its impact. • Provide culturally competent services. • Reflect on their anti-discriminatory practice. • Be confident in discussing racism and challenging discrimination. • Eradicate bias in decision-making. • Work effectively with interpreters. (Repeated recommendation) | Agreed | <p>Following successful pilots, the Race Action Programme (RAP) will launch the Inclusive Behaviour Programme (IBP) in late 2023. This programme will contain immersive learning and in person workshops to develop the knowledge, skills and improve behaviours in:</p> <ul style="list-style-type: none"> • Discrimination awareness and the skills to challenge these. • Calling in exercises within workshops that develop the skills of participants to ensure inclusion is part of all working practices. • Immersive learning that focuses on racism, and workshops that develop skills to challenge unacceptable behaviour. • Bias in decision making elements is included within all elements of the IBP. Additionally, staff can access information relevant to bias in decision making through the Diversity and Inclusion Learning and Development Hub. • The RAP and Effective Practice and Service Improvement Group (EPSIG) have created a best practice guide for the use of interpreters. The bite sized video will be uploaded for use in September 2023. <p>In addition, the Tackling Unacceptable Behaviour Unit (TUBU) is delivering a programme of awareness sessions under its Unacceptable Behaviour Change (UBC) Programme. The Programme consists of 5 sessions that are delivered over the course of 12 months and cover:</p> <ul style="list-style-type: none"> • Bullying Harassment Discrimination and Victimisation Awareness (defining what these behaviours are, the impact, how to challenge, early resolution, and support). • Importance of Psychological Safety (PS) in tackling unacceptable behaviour (including how to create psychologically safe teams, Active by-stander to Active up-stander, Leadership responsibility, PS, and diverse teams. • Gaslighting Awareness – Definition and impact of Gaslighting, identifying and challenging gaslighting behaviour, seeking support, and early resolution. • Microaggressions – Definitions and classifications of Microaggressions, impact of microaggressions, how they manifest, reflection on own behaviours, practically challenging microaggressions, options if experiencing unacceptable behaviour. | <p>Programme Director RAP</p> <p>Regional Probation Directors following the launch of the IBP</p> <p>Head of the Tackling Unacceptable Behaviours Unit</p> | <p>December 2023</p> <p>March 2024</p> |
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| | | | <ul style="list-style-type: none"> Psychological Safety to optimize team performance. <p>The UBC Programme has already been delivered to 1500 staff across Probation and HQ groups, and the team of facilitators are expanding to increase delivery over 2023/2024. TUBU aim to deliver the UBC programme to 10% of the workforce by March 2024 focussing on areas of need identified by Climate Assessments.</p> | | |
| 3. | Improve the quality of assessment and planning for minority ethnic people on probation and incorporate guidance on addressing culture, faith, and experiences of discrimination into any future assessment and planning tools. | Agreed | <p>As part of our strategic approach to rehabilitation HMPPS are focused on improving and coordinating assessment practice. Effective assessment is core to our ambition to ensure we provide the right approach for the right person.</p> <p>HMPPS have established the Assessing Risks, Needs and Strengths (ARNS) project and they are in the early stages of a major development that is anticipated to facilitate the eventual retirement and replacement of Offender Assessment System (OASys). ARNS have committed in the validity and reliability principles to tackle known issues of disproportionality and bias in assessment and aims to improve equity for people on probation/in prison. This includes tackling bias introduced by people (i.e., Practitioners using the assessment).</p> <p>The new assessment approach is being designed to include questions posed to the person on probation/in prison about their experiences. Learning and development will incorporate guidance on how to address those experiences.</p> <p>The Central Court Team (CCT) has collaborated with EPSIG to develop a new Practice Guidance for writing court reports that contains a section on 'Consideration of diversity, equality and inclusion'. This will be available for staff by the end of August 2023.</p> <p>The CCT has collaborated with EPSIG and is developing a Racial Equality Aide Memoire that is due for publication by the end of the year.</p> | <p>Head of Strategy and Delivery (ARNS)</p> <p>Central Court Team Probation Reform Programme</p> | <p>Minimal Viable Product (MVP) Q1 2024</p> <p>Q2 2026 Public Beta</p> <p>Complete</p> <p>December 2023</p> |



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| | | | <p>The CCT are developing a Court Pilot Learning package in the south-central region. This will aim to improve practitioner skills to enhance the quality of Pre-Sentence Reports (PSRs) for people from priority groups, so we can ensure Probation Officers (POs) are providing the right information and considering risks and needs for assessments to the Courts, to support sentencing decisions. Following the review of the pilot we aim to roll the package out nationally, with RAP supporting the Court skills training module.</p> | | December 2023 |
| 4. | <p>Provide materials for working with those convicted of racially motivated offences, supported with staff training, and consult with minority ethnic probation practitioners before allocating this type of case to them. (Repeated recommendation)</p> | Partly Agreed | <p>This recommendation is partly agreed as there is currently no mechanism to record consultation prior to allocating this type of case.</p> <p>Senior Probation Officers (SPOs) will always endeavour to discuss the allocation of specific cases with relevant staff prior to allocation. Regions have committed to reiterating this message to all SPOs given the number of new managers, and to emphasise the importance of this.</p> <p>The HMPPS Hate Crime Resource Pack is now completed and awaiting sign off through governance routes. Roll out to all Probation Service regions is planned between September and December 2023. The Resource Pack will support staff's knowledge and confidence in working with this offence type.</p> <p>HMPPS has set out its strategic direction to rehabilitation in the HMPPS Rehabilitation Strategy. How this applies to different cohorts, including the racially motivated offending cohort will be set out as part of the ongoing work to ensure HMPPS invest in the right provision of services, adjusting the service approach to groups where the evidence tells us there are differing offending-related needs and risks.</p> <p>Maintaining evidence informed Accredited Programmes is a process of continuous improvement, as such HMPPS is developing proposals for a future Accredited Programmes offer, building on what we know about what works in reducing reoffending, including findings from the recent studies (all published on Gov.UK). This programme of work aims to deliver a more streamlined and coherent service to drive</p> | <p>Regional Probation Director North-East and Equalities Lead</p> <p>Deputy Director Probation Workforce Programme</p> <p>Deputy Director Reducing Reoffending Interventions,</p> | <p>Complete</p> <p>December 2023</p> <p>Complete</p> <p>Ongoing</p> |



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| | | | <p>up quality, better invest in Continuous Professional Development for delivery staff, and increase the ability of HMPPS to evaluate impact and outcomes</p> <p>Depending on their risk-need-responsivity profile, people on probation with racially motivated crimes may also be selected to complete a Structured Intervention. These interventions contain a range of cognitive strategies designed to promote pro-social attitudes and thinking styles. Facilitators are trained to deliver interventions responsively to ensure that participants apply skills to address criminogenic needs relevant to their reoffending risk (which may include attitudes supporting racially motivated offending).</p> | Operations, and Investment | |
| 5. | Improve engagement with minority ethnic staff and seek to achieve parity of satisfaction with white staff. | Agreed | <p>The RAP has put in place several practical solutions which are designed to improve the experiences of ethnic minority staff. This includes improvements to the consistency and application of staff policies, creating a community of action-oriented race allies (and piloting of race allyship training), launch of the Diversity and Inclusion Hub and Inclusive Behaviours Programme, introduction of the progression buddies' scheme and a matching solution to ensure diverse representation on recruitment panels.</p> <p>All probation regions have deployed strategies for improved engagement with minority ethnic staff as captured in the regional strategic Equality Diversity and Inclusion (EDI) plans. The plans are reviewed via regional governance structures and the various products from RAP, where available, are being utilised as part of that process.</p> | Programme Director RAP Regional Probation Directors | Complete |
| 6. | Review formal and informal complaint and grievance procedures for staff, in consultation with minority ethnic staff, and make improvements to increase perceived | Agreed | All Human Resource (HR) policies are under a programme of review at present as part of a wider programme to harmonise policies across the Ministry of Justice (MoJ) and wider Civil Service. MoJ People Group has commenced reviewing the Grievance policy but has been unable to finalise this work due to HMPPS wanting to better understand the specific issues in HMPPS in terms of how policies are applied, and how to address the low levels of confidence and trust in the system. | Deputy Director HR in People Group | Quarter 1 2024 |



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| | fairness. (Repeated recommendation). | | <p>HMPPS has a wider programme of work tackling unacceptable behaviour (bullying, harassment, discrimination (BHD)), that it has been delivering since 2020 providing a confidential staff helpline, mediation service, specialist investigations service, Climate Assessments (understanding the lived experience and perceptions of staff at local business units) and a programme of awareness sessions.</p> <p>This work has provided HMPPS with a rich understanding of the issues as they present in unprofessional behaviours (BHD), and where such cases are not being handled well or fairly and in addition a better insight into the perceptions of confidentiality, impartiality, integrity, and fairness.</p> | | |
| Regional Probation Directors should: | | | | | |
| 7. | Ensure that minority ethnic people on probation have access to appropriate services and interventions while on probation and in the community. | Agreed | <p>The National Framework for Interventions (NFI) is due to be implemented from August 2023, bringing together existing processes in both custody and community to provide consistency in the design, delivery and evidence standards of non-accredited interventions which aim to support individuals change their attitudes, thinking, emotions and behaviours across prisons and probation.</p> <p>Application of the NFI will encourage providers and developers of interventions to consider how their intervention is accessible and responsive to the needs of individuals with protected characteristics (such as race). HMPPS Reducing Reoffending, Partnership and Accommodation Directorate will maintain a directory of all interventions that come via the NFI, which aims to enable us to determine the range of interventions available and where there are possible gaps in provision.</p> <p>The Probation Service (PS) will continue to expand the services and interventions available for People on Probation (PoP), utilising the Regional Outcomes Innovation Funds (ROIF) now available funding for the next three years has been confirmed.</p> <p>Regional Probation Directors (RPDs) will identify gaps in service provision to support ethnic minority PoP. This will be an iterative process commencing with the local</p> | <p>Deputy Director Reducing Reoffending Interventions, Operations, and Investment</p> <p>Regional Probation Directors</p> | <p>Complete</p> <p>Annual process – completed for 2023/4 and reviewed at 6-month</p> |



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| | | | <p>demographic knowledge of Regional Equality Managers (REMs) and heads of community integration, and subject to the needs of differing regions. Commissioning of local specialist services from third sector organisations utilising the ROIF has already commenced in several probation regions.</p> <p>Guidance for Commissioning and Co-Commissioning of Rehabilitative Services for PoP from Minority Ethnicities is now in place, supported by an evidence pack produced by the Insights Data Team, that will help regions and third sector organisations access and commission services. A register of third sector organisations is accessible through the internal internet to assist regions find appropriate services.</p> <p>To improve practitioners' knowledge of the services and resources available in minority ethnic communities to support PoP, heads of integration and Probation Delivery Units (PDUs), along with REMs will ensure the information is promoted through regular bulletins and newsletters.</p> <p>RPDs will be provided with a quarterly Management Information (MI) report by the regional Performance and Quality (P&Q) lead to evaluate the commissioned services, determine how often they are been accessed, and how effective they are.</p> | | stage and year end. |
| 8. | Provide a welcoming environment in probation premises that celebrates diversity. | Agreed | <p>To improve the environment in all probation premises so that PoP and staff from all protected characteristics feel welcome, included, and considered, Heads of Probation Delivery Units (PDUs) supported by REMs will:</p> <ul style="list-style-type: none"> • Promote cultural awareness events in reception, waiting areas, engagement spaces and staff areas through posters, murals, and information. • Display and promote information relating to the diversity calendar. • Engaging with PoP from ethnic minority backgrounds to seek their thoughts on how environments could be improved, so they feel more inclusive when attending premises. | Regional Probation Directors | December 2023 |



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| | | <ul style="list-style-type: none"> • PDU Heads will carry out six monthly checks of premises to ensure that environments are welcoming and promote diversity. They will share best identified practice to improve environments where/if required. • RPDs as part of their EDI plans, which are reviewed quarterly, will include ensuring probation premises provide a welcoming environment that celebrates diversity. <p>HMPPS have a long-term ambition to develop all the Probation Contact Centres to a standard that creates more welcoming and engaging environments. To that end we have developed a new Estates Design guide that will dictate what new properties, or properties with major redevelopment projects, will look and feel like. The Design Guide was created with input from the National Autistic Society and with help from MoJ Diversity and Inclusivity colleagues to ensure we address neural diversity issues. We have used this guide to enrich 51 sites as part of the Probation Reform Programme. We are in the process of completing a new business case for future Spending Review (SR) bids with the hope of bringing more probation sites up to this standard.</p> | Deputy Director Business Strategy and Change | Estates Development work – April 2027 |
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| Recommendations | |
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| Agreed | 6 |
| Partly Agreed | 2 |
| Not Agreed | 0 |
| Total | 8 |

