



HM Prison &  
Probation Service

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A Response to: Independent Review of the Case of Joseph McCann

Report Published: 30<sup>th</sup> June 2020



## 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
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 <b>must</b> 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 <b>must</b> 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: Independent Review of the Case of Joseph McCann

1. Rec No	2. Recommendation	3. Agreed/ Partly Agreed/ Not Agreed	4. Response Action Taken/Planned	5. Responsible Owner (including named individuals and their functional role or department)	6. Target Date
	<b>HM Prison and Probation Service should:</b>				
1	Ensure that probation staff are able to access all relevant information about an individual, including from historical case records.	Agreed	<p>The National Probation Service (NPS) will improve access for probation officers to the Police Violent and Sex Offender Register (ViSOR), so that they do not need to rely on an administrator to check the record for them. Roll-out, including through Face to Face training, is on hold due to COVID-19 restrictions.</p> <p>The roll-out of the new Offender Management in Custody Model (OMiC) includes the provision of more probation officers in prisons, thereby improving their access to prison intelligence.</p> <p>Offender Managers will be able to easily access all relevant information on an offender from disparate systems through one channel</p>	<p>Chief Probation Officer &amp; Executive Director Women</p> <p>Executive Director of Safety and Rehabilitation</p> <p>Deputy Director of Digital Probation Services</p>	<p>June 2021</p> <p>Completed</p> <p>June 2022</p>
2	Ensure prisons comply with the requirement to share all relevant information, including from prison security departments and records of prison behaviour, with the Parole Board		<p>Prisons are currently required to share all relevant information about a prisoner's risk with the Parole Board by means of the reports which are mandated for each prisoner's parole review. The roll-out of OMiC will greatly assist delivery of this requirement by means of qualified probation officers being based in prisons, thereby improving access to all relevant information.</p> <p>Prison Group Directors, through the Security Audit, will hold Governors to account for the quality of prisons' work in sharing intelligence to inform public protection and offender management. This is in accordance with the Intelligence Collection, Management and Dissemination Policy Framework (PSI 2016-15) published in 2019, and the associated PSIs referenced within that framework.</p>	Deputy Director National Security Group, Deputy Director and Head of Public Protection Group	Ongoing



3	Place a requirement on prisons to share all relevant information, including from prison security departments and records of prison behaviour with probation offender managers in prison and in the community to assist with Parole reports and recommendations and with planning for release.	Agreed	<p>The National Intelligence Unit (NIU) in Her Majesty's Prison and Probation Service (HMPPS) are reviewing the model for the collection and sharing of intelligence both within and outside the agency. Part of the review involves looking at how to better serve the requirements of probation as well as prison. The new model will look to improve practices around reporting, handling and dissemination, including how intelligence transitions from custodial to community management.</p> <p>In the interim the NIU will promote guidance for prison staff in relation to security intelligence reporting and how it should support parole assessments and other statutory decisions.</p>	Head of National Intelligence Services and Assessments, Deputy Director National Security Group	<p>March 2021</p> <p>September 2020</p>
4	Ensure there is sufficient capacity in the approved premises estate to accommodate all high risk of harm offenders who require a placement.	Partly Agreed	<p>The Approved Premises Expansion Programme (APEX) is well underway, seeking to create a minimum of 200 additional bed spaces in Approved Premises (AP) nationally, to meet demand for AP residency and in support of the ministerial commitment. This is accepted in part as additional funding resource has yet to be secured.</p> <p>40 additional beds were secured in 2019/20 and it is anticipated that at least a further 40 places will be secured in 2020/21. Demand for AP places is regularly under review to ensure that additional bed-space is targeted appropriately.</p>	Deputy Director Residential and Accommodation Support Services	March 2024
	<b>National Probation Service should:</b>				
5	Ensure that the new recall framework is fully embedded in practice.	Agreed	<p>Regional Directors have provided assurance that all their staff have completed the mandatory training on recall.</p> <p>In January 2020, learning and development tools were launched to ensure effective and robust processes. This included training on mandatory requirements and guidance for probation staff involved in the recall, review and re-release of recalled prisoners. Guidance on managing the compliance and engagement of offenders on licence has also been updated. These changes include enhancing staff skills in the interpretation and analysis of information from various sources.</p>	<p>Chief Probation Officer &amp; Executive Director Women, Deputy Director and Head of Public Protection Group</p> <p>Deputy Director for the Probation Workforce Programme</p>	<p>Completed</p> <p>Completed</p>



6	Introduce quality assurance processes to review the consistency and outcomes of recall decisions. This should include cases where recall was considered but not instigated as well as cases where it was approved.	Agreed	The NPS is currently developing the Effective Proposals Framework 2 (EPF2) to ensure greater consistency in the application of licence conditions. It will then develop EPF3, to assist decision-making on recall (effectively, providing a technological aid to the existing operational guidance). This will allow management follow-up checks to be made, on a sample of cases, on decisions to recall and decisions not to recall.	Chief Probation Officer & Executive Director Women, Probation Deputy Director Courts	March 2021
			The Quality and Effective Practice Team (Q&E) in the Effective Practice and Service Improvement Group (EPSIG) will undertake to review the Alternatives to Recall guidance and associated quality assurance tool, determine its suitability for quality assurance of recall decision making, particularly in relation to measuring quality of decisions not to recall. Any necessary revisions will be made and the guidance and tool relaunched for use by regions to undertake first line assurance of recall decision making.	Head of Quality and Effective Practice	March 2021
			Q&E (EPSIG) will work with the Public Protection Group to revise, update and re-launch the lifer and Indeterminate Sentence for Public Protections (IPP) panel guidance documents in line with agreed recommendation from Multi Agency Public Protection Arrangements (MAPPA) assurance work.	Head of Quality and Effective Practice	October 2020
7	Ensure that recall decisions are recorded and implemented regardless of staff absence. A digital prompt should be built into the nDelius system to keep automatically reminding offender managers and their line managers of the need to execute a recall until this action is marked as completed or cancelled by the relevant ACO.	Agreed	In order to assure themselves that appropriate enforcement action has been taken in response to breaches of licence conditions, Local Delivery Unit (LDU) Heads will be required to review a sample of cases where the enforcement action was to recall an offender and a sample of cases where the decision was not to recall an offender. NPS will devise a methodology for this assurance process, with a view to implementing it from 1 October 2020.  HMPPS Digital will create a digital prompt to automatically remind responsible staff of the need to execute a recall until the action is marked as completed.	Chief Probation Officer & Executive Director Women, NPS Regional Directors	October 2020
				Deputy Director of Digital Probation Service	March 2022
8	Ensure that probation staff have adequate time to become familiar with complex cases for which they assume responsibility.	Agreed	HMPPS are currently designing enhanced supervision pilots to be delivered in the NPS, in which probation officers receive support to manage complex cases including cases of offenders receiving treatment for mental disorders, to test whether this will lead to improved outcomes.	Chief Probation Officer & Executive Director Women, Executive Director of Reducing Reoffending, Head of Psychology	December 2021



			<p>The Probation Workforce Programme will review the Workload Management Tool, and its application, to ensure accurate data capture on caseloads and resourcing, to inform management and resourcing decisions.</p> <p>Divisional Directors will review the use of the Offender Personality Disorder pathway in their divisions to ensure appropriate cases are screened in for practitioners to receive the required support to manage the complexities of the case.</p>	<p>Executive Director of the Probation Workforce Programme</p> <p>Chief Probation Officer &amp; Executive Director Women</p>	<p>December 2020</p> <p>October 2020</p>
9	Improve the professional training of qualified and experienced probation staff to enhance skills in interviewing; interpretation and analysis of information from different sources; and risk assessment.	Agreed	<p>The NPS has produced an updated and comprehensive guidance on assessing risk of serious harm and risk management planning. This will be promoted alongside changes to Offender Assessment System (OASys), which will support staff to produce robust risk management plans informed by assessment of risk factors evidenced to be connected to risk of sexual offending.</p> <p>The Probation Workforce Programme will review and update professional development learning products which enhance these skills for experienced staff including; "Managing people convicted of sexual offences", improved supervision training (SEEDS 2) and the probation element MAPPA, as we implement a new learning and development delivery model for probation. The new model will provide a sustainable, modernised approach to learning and development; staff will have easy access to high quality, practical learning resources that address their concerns and support day-to-day tasks. Management Information will track completion of learning.</p>	<p>Deputy Director and Head of Public Protection group</p> <p>Deputy Director for the Probation Workforce Programme</p>	<p>June 2020</p> <p>March 2021</p>
10	Review its supervision and contact arrangements for managing the most intimidating, complex and manipulative high risk of harm offenders	Agreed	<p>As outlined in relation to recommendation 7 HMPPS are currently designing enhanced supervision pilots to be delivered in the NPS, in which probation officers receive support to manage complex cases including cases of offenders receiving treatment for mental disorders, to test whether this will lead to improved outcomes.</p> <p>In the interim, HMPPS will issue guidance to NPS Regions on recommended contact levels for intimidating, complex and manipulative high risk of harm offenders, to assist probation officers in managing risk effectively and so protect the public.</p>	<p>Chief Probation Officer &amp; Executive Director Women, Executive Director of Reducing Reoffending, Head of Psychology</p> <p>Deputy Director and Head of Public Protection Group</p>	<p>December 2021</p> <p>October 2020</p>







	cases are prioritised and transfer is expedited.				
13	Ensure that there are clear and responsive arrangements for emergency referral to approved premises where required, to manage offenders who present a high risk of serious harm	Agreed	The process for emergency referral to AP will be reviewed and relaunched to ensure a clear national approach is implemented and managed across all AP Central Referral Units and within Offender Management Probation Delivery Units.	Deputy Director Residential and Accommodation Support Services	September 2020