

An updated response to: Race Equality in Probation: The experiences of Black, Asian and minority ethnic probation service users and staff.

Report Published: 16 March 2021

Original Action Plan submitted: 19 May 2021

Updated Action Plan submitted: 20 October 2021

Final Action Plan update submitted: 06 May 2022

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 mus t 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: The experiences of Black, Asian and minority ethnic probation service users and staff.

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
	Directed to: Her Majesty's Prison and Probation Service should, by 31 March 2022:				
1.	Ensure that, in commissioning services for black, Asian and minority ethnic service users, small local community organisations can participate and provide interventions that	Agreed	Action Plan commitments (May 2021) Building on the investments in 2020-21 to support the sector, HMPPS will promote increased membership of the Contracted Rehabilitation Services by small community organisations who work within the ethnic minority community. This work (led by the newly created national commissioning support roles) within the Effective Practice and Service Improvement Group (EPSIG), will ensure the service needs of ethnic minority people on probation are fully considered in the development of future commissioning priorities. It will recognise the potential for additional or specific services that are culturally informed, to be designed. We will work with the sector to co-design the service and build the number of suitable potential providers able to carry out this work. A central team will be established to support the regions and future roll out training package(s) following a development period.	Head of Evaluation and Service Improvement Projects	January 2022
	are culturally informed and improve understanding between individuals and responsible officers with		Regional Probation Directors will ensure that in commissioning services that an analysis of local demographics has been undertaken and that services commissioned reflect the regional profile of ethnic minority people on probation. Regional Probation Directors will report on this to the Chief Probation Officer on a quarterly basis and will be required to demonstrate how the analysis has informed commissioning.	Chief Probation Officer and Executive Director for Women	March 2022
	different ethnicities.		The Race Action Programme (RAP) will create a register made up of national and regional ethnic minority and Voluntary and Community Sector (VCS) organisations and strive to better understand the barriers that smaller and specialist organisations face when seeking to provide services to the Probation Service. As part of the support for people on probation, the RAP will continue to work collaboratively with the HMPPS External Advisory and Scrutiny Panel (EASP) which includes ethnic minority people on probation organisations focused on improving service delivery to those in our care.	Senior Responsible Officer, Race Action Programme	September 2021

The Operational System and Assurance Group (OSAG) will provide assurance of the Contracted Rehabilitation Services providers as part of the Unified Probation model from September 2021. All providers will have been assured by a series of audits for the Contracted Rehabilitation Services by April 2022; the cycle will be repeated annually.	Head of Assurance, Risk Management & Governance	Commencing 2021
Progress against commitments (March 2022)		
A working group was formed in August 2021, with colleagues from the Probation Reform Programme Central Commissioning Team, Race Action Programme (RAP), Policy Lead for the Voluntary and Community Sector (VCS), Equalities Diversity and Inclusion Team (Probation Reform Programme), Female Offenders Policy Team, Effective Practice and Service Improvement Group and Insights Data Team. This group was formed to consult with key stakeholders on the formation of the first draft of 'Guidance for Commissioning and Co-Commissioning of Rehabilitative Services for People on Probation from Minority Ethnicities'.	Head of Evaluation and Service Improvement Projects	Complete
Clinks and third sector representatives have also been provided with a draft and a workshop held in January 2022, with representatives from third sector ethnic minority led organisations received positive feedback which is reflected in the guidance to inform regions about service design for minority ethnic individuals.		Complete
The guidance has been shared with Heads of Community Intervention and Regional Equality Managers for comment and review by the end of March 2022, with the aim of launch in late spring of 2022. The Insights Data Team has produced an evidence pack to accompany the guidance which has recently been shared with third sector representatives by Clinks and the regions for comment.		May 2022
In collaboration with Clinks, a roundtable event was held in January 2022 with representatives from the voluntary sector to discuss commissioning culture and use of grants in Probation. This has helped inform the Probation Services (PS) approach on how grants are used. The PS are developing a grant scheme to support regions commission local specialist services from third sector organisations, with ethnic minorities individuals identified as being the first cohort for whom support will be commissioned under the grant scheme. Launch of the grant scheme is planned for Summer 2022.		May 2022
Regional Probation directors, following the launch of the guidance in Spring 2022, will commence commissioning locally with third sector organisations where appropriate. This will be an iterative process commencing with the local demographic knowledge of regional equality managers and heads of community integration and subject to the needs of differing regions.	Chief Probation Officer and Executive Director for Women	June 2022
The Race Action Programme has created a register of third sector organisations which is accessible through the internal intranet.	Senior Responsible Officer, Race Action Programme	Complete

			The Operational and Systems Assurance Group (OSAG) have designed the audit methodology for Contracted Rehabilitation Services (CRS) and commenced these audits in January 2022. All relevant CRS providers will be assured by April/May 2022, with this cycle to be repeated annually.	Head of Assurance, Risk Management & Governance	May 2022
2.	Publish data on outcomes of probation supervision, breach, and recall of service users, to identify any disproportionality across different ethnic groups.	Agreed	Action Plan commitments (May 2021) HMPPS will publish data on outcomes of probation supervision, breach, and recall of people on probation, to identify any disproportionality across different ethnic groups. In the first instance this will include an additional chapter in the next HMPPS Offender Equalities report, to be published in November 2021. This information is already published for accommodation and employment outcomes by ethnic group. HMPPS will pilot the introduction of the Probation Equalities Monitoring Tool (EMT) in the West Midlands from April 2021, learning from the pilot will be incorporated into the implementation of the EMT across all Probation regions by October 2021. The tool will form part of the regional equalities planning, it will identify which outcomes/groups show disproportionality in each region with the expectation that these areas are focussed on and required actions are identified. Once embedded we will review options for expanding the scope of probation data included in the HMPPS Offender Equalities report.	Head of HMPPS Performance Data & Analytical Services Directorate (DASD) HMPPS Head of Diversity and Inclusion	November 2021 October 2021
			Progress against commitments (March 2022) An additional chapter for inclusion in the HMPPS Offender Equalities report was drafted in October 2021, with data now being available for inclusion. The report is published annually in November. The Probation Equality Monitoring Tool has now been launched across all probation regions.	Head of HMPPS Performance Data & Analytical Services Directorate (DASD) HMPPS Head of Diversity and Inclusion	Complete
3.	Review formal and informal complaint and grievance procedures for staff, in consultation with minority ethnic staff, and make improvements to increase perceived fairness.	Agreed	Action Plan commitments (May 2021) The HMPPS grievance procedure is being considered as part of the wider Human Resource policy transformation review. Initial draft Dispute Resolution policy statement and toolkit products have been produced for further stakeholder consultation, including with the Tackling Unacceptable Behaviour Unit and staff networks. Informal early engagement with HMPPS trade unions is currently underway. Further stakeholder engagement will be undertaken during March/April, along with wider research and analysis, with a view to agreeing clear, simplified but strengthened products, for formal agreement, to be completed by June 2021. The system will be fully implemented into supporting Information Technology by January 2022. Formal policy changes will be implemented when appropriate consultation and system configurations have been completed in line with the existing timeline. We will, however, start to share best practice with the business in advance of these dates where possible.	Human Resources Divisional Director	January 2022

We will develop products to enable managers to have difficult conversations and to manage these in a sensitive and culturally competent way including embedding this into the design of the Senior Probation Officer development programme and into the operational guidance for the revised framework.	Senior Responsible Officer Probation Workforce Programme	March 2022
Progress against commitments (March 2022)		
The HMPPS grievance procedure is being considered as part of the wider Human Resources (HR) policy transformation review. Draft Grievance Resolution policy statement, toolkit and supporting guidance products have been developed with thorough stakeholder consultation, including with the Tackling Unacceptable Behaviour Unit (TUBU), High Profile and Complex Casework team, HR Casework, Procedural Justice team, Audit, and Diversity and Inclusion (D&I) colleagues. Informal early engagement with HMPPS trade unions has also taken place. Specific consultation and focus groups have taken place with the Racial Inclusion and Striving for Equality (RISE) HMPPS Staff Network, along with the other HMPPS Staff Network groups. The draft policy documents are now progressing through the required governance forums including formal Trade Union consultation.	Human Resources Divisional Director	Complete
The draft policy products clearly specify the support routes for employees: TUBU, mediation, Early Resolution Helpline to ensure concerns are handled at the right level, with greater emphasis of informal resolution being the norm for most concerns. Wider research and analysis with other government departments and the Advisory, Conciliation and Arbitration Service (ACAS) has taken place with a view to agreeing clear, simplified but strengthened products. Implementation of the new policy framework including supporting Information Technology (IT) systems is being targeted for Quarter One of 2022. Formal policy changes will be implemented when appropriate trade union consultation and system configurations have been completed in line with the existing timeline. HMPPS will, however, start to share good practice with staff in advance of these dates where possible.		June 2022
The RAP programme has plans to inform and improve Learning and Development products in relation to cultural competence and design. The RAP is also involved in developing training for line managers to tackle having difficult conversations. RAP is aligned with MoJ Policy Harmonisation Project and have been part of the consultation process and workstream looking at staff policies	Senior Responsible Officer Probation Workforce Programme	August 2022
Trade Unions have been formally consulted and provided their feedback. Following this, further consultation has taken place with business managers and teams. Further drafting is being undertaken now, with another round of discussions with Trade Unions and staff networks planned for the second quarter of 2022.	Human Resources Divisional Director	September2022

			In March 2022, an external consultancy group was engaged to provide feedback on draft products and discuss options for implementation with a specific focus on race. The group's report has recently been received and is currently under review.		Complete
			Request for Change of Shared Services process has been submitted. Shared Services impact Assessment and costings have just been received. The changes include alterations to process and forms to improve monitoring and Management Information reporting.		March 2023
4.	Commission research into the effectiveness of interventions with black, Asian and minority ethnic service users who are subject to probation supervision in the community, including the	Agreed	Action Plan commitments (May 2021) Subject to data availability, quality and sample sizes; analysis by ethnic minority groups will be included in future impact and short-term outcome evaluations of HMPPS accredited offender behaviour programmes. For non-accredited interventions HMPPS will ensure any future approval processes take into account the needs of ethnic minority groups to ensure responsivity. Understanding what works to reduce reoffending and improve life chances for ethnic minorities, is listed as an area within the MoJ's published 'Areas of Research Interest'. This seeks to encourage academia, research bodies and funding providers to focus on evidence to support our priorities. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/94400_0/areas-of-research-interest.pdf	Executive Director Reducing Reoffending Deputy Director Criminal Justice Analytical Services	January 2022 This is ongoing work that will be reviewed in March 2022.
	potential impact of ethnic matching of responsible officers and service users.		Improvements are being made to case allocation, complemented by a new digital service and process updates, which will support Senior Probation Officers responsible for allocating decisions, to make informed allocation decisions that align to the unified tiering model and appropriately match practitioners to people on probation.	Senior Contract Manager Probation Programme	January 2022
			We will complete an initial thorough evidence review of this area, including looking at studies of matching therapists and other health care professionals with patients based on race/ethnicity, helping us to learn from what has worked (and what hasn't) and why. This will help us determine whether more research is needed and if so what design and set up might work best.	Deputy Director Insights Group	Initial review complete by December 2021
			Progress against commitments (March 2022)		
			In reviewing the current suite of offending behaviour programmes, to determine if there is a requirement to deliver Minority Ethnic specific programmes HMPPS has given consideration to developing a separate programme for minority ethnic individuals, drawing upon a literature review as part of this. Following the advice of a specially convened Correctional Services Advice and Accreditation Panel (CSAAP) panel which considered a separate provision for minority ethnic individuals HMPPS agreed it was not appropriate to develop Minority Ethnic specific programmes. Instead HMPPS intends to undertake work	Executive Director Reducing Reoffending Deputy Director Criminal Justice Analytical Services	Complete

			to maximise inclusion and sensitivity within new accredited programmes, that will be culturally inclusive in their design in that they meet the specific needs and acknowledge the issues and experiences of minority ethnic participants. HMPPS interventions services are incorporating CSAAP advice into our work plans. For any future outcome evaluations of accredited programmes, HMPPS still intend to look at results by ethnic group should there be sufficient sample size and quality data. The platform for the Workload Measurement Tool (WMT) has been transferred from external provider Kainos to MoJ Digital, including updated processes. Further updates are scheduled in the next six months including: A Senior Probation Officer (SPO) allocation tool, currently being piloted in Wrexham and Mold courts. Reclassification (and eventual removal) of case management support to reflect the Target Operating	Senior Contract Manager Probation Programme	September 2022
			 Rectassification (and eventual removal) of case management support to reflect the Target Operating Model (TOM). Update of the WMT following agreement of revised timings (Probation Reform Programme lead project). The Insights Group commissioned Dr Patrick Williams from Manchester University to undertake a Rapid Evidence Assessment to explore the benefits and disadvantages of matching people on probation to a probation officer on the basis of shared race, ethnicity or culture. The first draft has been completed which is currently under review and to be finalised by the end of March 2022. Meetings will take place with key stakeholders from April 2022 to discuss the findings, including implications for practice, staff training and research. This will inform any changes to policy and procedure. 	Deputy Director Insights Group	Complete
	The National Probation Service should, by 31 March 2022:				
5.	Develop a national race equality strategy for service delivery, which is supplemented by strategic needs assessments in each probation region, to ensure that ethnic minority service users are not disadvantaged and receive	Agreed	Action Plan commitments (May 2021) The Probation Service will develop a race equality strategy for people on probation drawing on the evidence base; activity within the Race Action Programme, including outcomes and evaluation from Cultural Competence training and support packages being developed for people on probation; plus regional assessments to identify and address areas of disproportionality. We will commit to producing an early draft of the strategy by Autumn 2021, with full publication in March 2022. There are several dependencies for the strategy which we will need to account for including the new national and regional commissioning arrangements and the roll out of our equalities monitoring tool, so that it can be properly informed by disproportionality data. Using data from the Equalities Monitoring Tool, HMPPS will develop and publish annual Regional Equality Reports and plans which identify and address the needs of people on probation.	Chief Probation Officer and Executive Director for Women and Senior Responsible Officer, Race Action Programme Chief Probation Officer	Draft strategy October 2021 March 2022 publication of strategy Annually from
	and receive culturally		Equality Reports and plans which identify and address the needs of people on probation.	Officer	March 2022

	appropriate services.				
			Progress against commitments (March 2022)		
			The policy framework 'Advancing Diversity and Inclusion for People on Probation and People in Prison' alongside the equivalent for staff is to be published by the end of Quarter 1 2022. This sets out the strategic diversity objectives for all People on Probation, covering all protected characteristics, and ensures that any policies written comply with the legal parameters set out within the framework. Some activities have been taken forward in advance of the output(s) of the probation equality monitoring tool. These are reflected in other parts of this action plan and are namely: • Researching the potential for matching ethnicity of probation practitioner with those on probation. • Provide commissioning guidance for procuring services from minority ethnic third sector providers. • Provide guidance to Pre-Sentence Report (PSR) authors to ensure proposals acknowledge any	Chief Probation Officer and Executive Director for Women and Senior Responsible Officer, Race Action Programme	June 2022
			racial trauma present. Ongoing research into Accredited Programmes.		
			An additional chapter for inclusion in the HMPPS Offender Equalities report was drafted in October 2021, with data now being available for inclusion. The report is published annually in November.		Complete
6.	Establish processes	Agreed	Action Plan commitments (May 2021)		
	for local recruitment to ensure probation staff reflect the diversity of local communities served, as well as national census data.		The Probation Workforce Programme (PWP) will undertake a detailed assessment of diversity across all grades of staff from all probation regions under the unified model, to identify which roles require a more focused approach to improve ethnic minority recruitment. Due to General Data Protection Regulation, we won't have any diversity data for incoming Community Rehabilitation Company staff prior to them joining in June 2021. Our Equality, Diversity, Inclusion and Belonging action plan sets out a minimum target of 60% for diversity declaration data for all staff in year one (ending March 2022), based on extensive engagement with analysts, Regional Equality Managers and other equalities experts. To achieve this, the PWP will undertake work to encourage incoming staff to provide their diversity data post transition, aiming for a minimum 60% completion rate for all staff and a stretch target of 80% in year one. The PWP will provide HMIP with a progress update in April 2022.	Deputy Director Probation Workforce Programme	March 2022
			The Probation Workforce Programme and the Race Action Programme will jointly establish a working group to develop the strategy and recommendations for regional ethnic minority recruitment targets, based on local ethnic minority populations within each region.	Human Resources Divisional Director and Director Race Action Programme	Working group in place July 2021

					Initial review of data December 2021 (6 months post reunification)
			Progress against commitments (October 2021)		
			A working group has been initiated with senior colleagues across HMPPS (inclusive of the Probation Workforce Programme) to discuss the development of a strategy for regional ethnic minority recruitment targets, based on local ethnic minority populations within each region. This will result in a detailed assessment of diversity across all grades of staff from all probation regions under the unified model and identify which roles require a more focused approach to improve ethnic minority recruitment. The December review is on track, as current staff declaration data is at 73% which is 10% over our statistically significant figure. The RAP Recruitment, Retention and Talent Management project also has a workstream specifically relating to the development of a HMPPS regional recruitment model, this includes looking at the progression of staff.	Human Resources Divisional Director and Director Race Action Programme Deputy Director Probation Workforce Programme	August 2022
			A resourcing Task and Finish Group has been established to drive through efficiencies and improvements in probation recruitment, to support the business in improving the staffing position across probation regions. A centralised recruitment delivery model will be established which will free up frontline resource / capacity to reduce the pressure on frontline operations and allow regional staff to focus more time on critical activities that support risk management and protect the public.		August 2022
7.	Set regional targets for progression of minority ethnic staff to management grades, supported by positive action programmes where appropriate.	Partly agreed	Action Plan commitments (May 2021) This recommendation is partly agreed at this time. The Probation Service will explore the evidence base prior to setting regional targets. The joint PWP and RAP working group will also develop a methodology to enable an effective exploration of the evidence base for regional target setting for progression for ethnic minority staff, drawing on evidence from across government, existing published research and via engagement with external organisations and partners. This will include collecting regional data post reunification of probation services to ensure that reporting thresholds can be met and comparison of regional probation staff profiles against the regional and local working age profile.	Deputy Director Probation Workforce Programme	March 2022
			 In addition, the RAP will: Design and deliver further positive action activity to support the progression of ethnic minority staff in the regions, including success profiles and advancement workshops. 	Director Race Action Programme	September 2021

 Develop a recruitment buddy system for ethnic minority staff. Develop a talent database for ethnic minority staff to support progression. The Probation Workforce Equality, Diversity, Inclusion and Belonging Action Plan will increase the diversity of our senior leaders.	Deputy Director Probation Workforce Programme	March 2023
Progress Against Commitments (March 2022) Discussions have taken place between the Working Group to agree a unified approach to the national and regional targets for the recruitment of probation staff to ensure that communities are accurately	Deputy Director Probation	Commenced
reflected. The agreed approach is that 14% will be the current national target, based on the 2011 census data, and that regional targets will be set based upon the regional diverse working populations.	Workforce Programme	June 2022
The Probation Service had hoped that the 2021 Census data would have been published by now, however, the Office for National Statistics updated that the proposed plans for the release of census 2021 data and analysis, which will begin in the early summer of 2022 in phases. As such, we have not had the latest information to enable us to set the accurate regional targets. Once the data has been released, the regional targets will be set.		(Subject to Census)
In the interim the Probation Workforce Programme has continued work to encourage probation staff to provide their diversity data. This includes raising awareness via All Staff events, Probation News and supporting Regional Equality Managers when delivering messages on the importance of diversity data. Since unification, we have seen a rise in the declaration rate.		September 2022
The Race Action Programme is currently working closely with Human Resources and Business Change to identify where gaps may exist within our recruitment strategy. Four meetings have taken place to date. The Race Action Programme will develop Outreach Guidance for regions to support targeted recruitment activities.	Director Race Action Programme	August 2022
The Race Action Programme is also currently developing a pilot within the East of England to test the efficacy of dedicated outreach work to improve awareness of the probation service and opportunities that exist; increase the numbers of minority ethnic applications for vacancies, and thereby an increased diverse workforce. This will also include having diverse recruitment panels to provide role models and diversity of thought. The timeline has not yet been set for this pilot, but we are hoping this will commence sometime in July 2022.		Commencing July 2022

8.	Ensure that all probation staff have individual development plans that consider possible future placements and potential for progression.	Agreed	Action Plan commitments (May 2021) The development of a new performance management system is being progressed, with full implementation across HMPPS agreed for April 2022. The new approach has a regular cycle of Manager/Staff member conversations at its core with a focus on development, wellbeing, career aspiration, along with performance, and a regular conversation template can be used to capture key discussion points and any agreed actions from these. Formal policy changes will be implemented when appropriate consultation and system configurations have been completed in line with the existing timeline. We will, however, start to share best practice with the business in advance of these dates where possible.	Human Resources Divisional Director	April 2022
			Progress against commitments (March 2022) A new Performance Management (PM) system has been developed in collaboration with HMPPS stakeholders and formal consultation with departmental trades unions is complete. A full implementation across HMPPS is agreed for April 2022. The new approach has a regular cycle of Manager/Staff member conversations at its core with a focus on development, wellbeing, career aspiration, along with performance, and a regular conversation template can be used to capture key discussion points and any agreed actions from these. Discussion of development is encouraged in these conversations and the performance guidance contains many prompts for these discussions. Quarterly Reviews are part of the new PM approach, where senior leaders assure themselves of overall compliance with the policy. Senior leaders will discuss performance over the last quarter and assure themselves that where any individuals have been identified for support in their development or potential to progress, that this is considered, and that support is in place. Although formal policy changes will be implemented in April 2022, Human Resources have begun an early adopter phase where 7 sites within HMPPS started practicing this approach between September and December 2021, that provided learning and feedback to inform the full implementation. Two of the sites fall within Probation Service and the focus will be around the regular performance conversations and one Quarterly Review. A number of Minority Ethnic development opportunities have been identified and shared through the Race Action Programme, including HMPPS Minority Ethnic Coaching Programme and MoJ Future Leader Senior Leader Schemes. Information about these will be available in a central page on the intranet for staff to easily access. The RAP has provided subject matter expertise into the development of the new performance management process.	Human Resources Divisional Director	Complete

			The new approach to performance management will be introduced from April 2022. This will include regular performance and development conversations and quarterly reviews as described in the updates above. This includes setting of performance expectations and capturing and regularly reviewing performance and development actions in the regular conversation template. The Early Adopter phase has concluded and insight from the business areas has helped inform the approach to April's implementation and has been shared with HR professionals via training sessions. Initial communications from Probation and Prison Chief Executives have been published on the Intranet and a new landing page for HMPPS staff will allow easy access to the templates and supporting guidance to support staff. For the Probation Service the template will sit together with those for the Competency Based Framework and Reflective Practice Supervision processes, so it is clear how these separate processes link together. The performance management template can be used to record performance objectives, development goals and aspirations, and is where key actions and discussion points can be captured further to the regular conversations. It provides a useful place within the on-going engagement process to capture staff member's development plans and actions taken to support this further to discussion in the regular cycle of conversation.		
9.	Ensure ongoing engagement, listening to the needs of minority ethnic staff, and involving them in developing policy and practice.	Agreed	Action Plan commitments (May 2021) The 'Let's Talk' series will continue to be delivered every quarter with current themes allowing staff to discuss challenges and celebrate successes. The Racial Inclusion and Striving for Equality (R.I.S.E) network will schedule a series of listening events starting in June 2021 and involve members from ethnic minority backgrounds. In February 2021 a series of listening events were held with ethnic minority staff from probation, which focussed on female staff. In April 2021 we will also launch a joint survey for ethnic minority staff in conjunction with the probation Unions and the R.I.S.E network, the results of which will further inform our work. Specific engagement with ethnic minority staff who previously worked for the community rehabilitation companies will also be undertaken once the new probation service is in place. A part of the Support project in the RAP, safe spaces for staff to have non-judgemental, culturally appropriate and confidential conversations will be rolled out by the end of 2021/22 - line managers will receive training in advance to facilitate these conversations with ethnic minority staff. The learning and concerns raised from the listening events will be discussed at national level to influence changes required in policies and procedures. The Diversity and Inclusion and RAP teams will co-ordinate work with business areas to drive improvements.	Senior Responsible Officer, Race Action Programme and Head of HMPPS Diversity and Inclusion	Quarterly listening events from June 2021 Staff survey results review July 2021 December 2021 Ongoing

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			Progress against commitments (March 2022)		
			As a result of this thematic inspection report, the Racial Inclusion and Striving for Equality (R.I.S.E) network held some focus groups with staff from all grades.	Senior Responsible Officer, Race Action Programme	December 2022
			 Diversity and Inclusion assisted the Race Action Programme with facilitating working groups with our R.I.S.E members for the Recruitment, Retention & Talent Management workstream, this is ongoing. R.I.S.E have started a piece of work around Success Profile and this will be specifically for Black and Asian staff only. There will be three sessions to upskill R.I.S.E members, providing them with all the pre learning competences, e-learning and then a mentee/coach to support them through their next job application. This will be advertised later this year. 	and Head of HMPPS Diversity and Inclusion	
			In May 2021 Community Rehabilitation Company (CRC) staff were included in the Black and Ethnic Minority Staff Group Survey which is currently being evaluated. This was a joint survey with the unions and employers, actions from the survey will be incorporated into the deliverables of the Race Action Programme, and where applicable the wider diversity and inclusion teams across HMPPS.		Complete
			A part of the Support and Safe Spaces project within the RAP, safe spaces for staff to have non-judgemental, culturally appropriate and confidential conversations will be piloted by the end of 2021/22. Presently the project is supporting the pilots of healing events within the Youth Custody Service (YCS) estate that give opportunity to minority ethnic staff to attend and engage within a Safe Space environment that allows for the lived experience in relation to understanding racial trauma / discrimination, tackling imposter syndrome and self-care. Similarly phase III and IV pilots will take place and be rolled out within the prison estate and HQ respectively. These are planned for the Summer of 2022. Latterly, line managers will receive the appropriate learning and development in advance to facilitate these conversations with ethnic minority staff.		August 2022
10.	Develop learning programmes that enable probation staff to:	Agreed	Action Plan commitments (May 2021) The Race Action Programme will lead on:		
	Understand discrimination and its impact. Provide culturally competent		The design and rollout of training to support cultural competence and awareness of race discrimination for line managers to facilitate conversations with ethnic minority staff will include: equipping line managers to facilitate safe space conversations; and frontline staff to facilitate conversations with people on probation, reflect on and embed anti-discriminatory practice, de-bias decision making and ensure needs of ethnic minority people on probation are met. A range of other learning and development opportunities will continue to be offered to staff via the Let's	Senior Responsible Officer, Race Action Programme	March 2022
	services. Reflect on their anti-		Talk Programme and targeted learning for different groups of staff and regionally commissioned learning via voluntary and community sector partners.		

discriminatory practice. Be confident in	The 'Belonging Approach' to Diversity, Inclusion and Wellbeing is a strategic learning priority for the Probation Service. The Learning and Development (L&D) Model will ensure that core operational learning products developed meet statutory equality duties. The newly developed Quality Assurance Framework		
discussing racism and challenging discrimination. Eradicate bias in decision-	for Probation learning products has set inclusivity as a core component of the quality of products, with evaluations including specific consideration of variable impacts of the product upon learners with protected characteristics. An Equality Analysis will be undertaken for all new products created through the L&D model. Products will be regularly reviewed under this framework, which includes a review of the Equality Analysis.		
making. • Work effectively with interpreters.	Alongside the work being undertaken by the Probation Workforce Programme in developing a new learning and development model and curriculum, the HMPPS Learning and Development (L&D) team and the Diversity and Inclusion (D&I) team are continuing to progress a collaborative piece of work aiming to improve access to, and the quality of, D&I learning products for all HMPPS staff.		
	The processes for booking an interpreter, and the guidance about the services that are available, are accessible to all probation staff via EQuiP. This guidance is reviewed and updated as changes are made to the service. During COVID-19, updated guidance on the remote use of interpreting services was added to EQuiP to increase remote access to interpreting services during this time. The use of interpreter's forms part of the induction for all new staff, the process for booking and accessing interpreter services on	Deputy Director for Business Strategy and Change	Complete
	EQuiP is part of the induction for all newly qualified Probation Officers, and newly appointed Probation Service Officers when they start with the probation service. We will also develop a new bite-size video learning product to highlight key skills needed in respect of working with interpreters/translators.	Deputy Director Effective Probation Practice	September 2021
	Progress against commitments (March 2022)		
	A London Initiative has been procured and delivered by Equality Works to line managers in the London Region. This is a three levelled delivery plan with initial awareness rolled out pre unification and level two of workshops taking place from April 2022 focusing on Inclusive Leadership (following a staff engagement event). Evaluation of the methodology and learning materials will inform future models moving forward. The Third element will be procuring learning products for all staff to complement the inclusive leadership workshops.	Senior Responsible Officer, Race Action Programme	Commencing April 2022
	The Race Action Programme have procured two external providers to scope and design learning materials to be delivered to Probation Service line managers and senior leaders commencing in May 2022. Two different types of methodologies will be piloted, and evaluation will be used to develop a national model.		Commencing May 2022
	The collaborative work between the Probation Service Design Faculty, HMPPS Learning and Development Team, Diversity and Inclusion teams and the Race Action Programme has culminated in		June 2022

			the development of a catalogue displaying all current learning materials. The catalogue will be the host for all new Diversity and Inclusion learning materials with a Curriculum Authority Governance Board managing and owning all materials held within it. All new learning products will follow agreed learning principles and will be part of a cyclic review process ensuring materials are evaluated, the impact on the organisation is measured and removed if required. Any identified gaps in delivery will be highlighted once the catalogue is published in June 2022 to allow for strategic planning. The RAP and EPSIG have created a best practice guide for the use of interpreters. The bite sized video is created but will not be hosted until the rollout of the renewed intranet which will facilitate bite sized videos.		August 2022
11.	Provide middle managers and senior leaders with training and ongoing support to manage diversity, complaints, grievance and discipline effectively.	Agreed	Action Plan commitments (May 2021) The Race Action Programme will develop and deliver initial pilots for managers and Senior Leaders ensuring consistency of Human Resources processes, that they are followed, and disproportionality is addressed. The pilots will be evaluated with a view to wider roll out and implementation. All learning products will be consistent with current policy and reviewed regularly to ensure compliance. An equality analysis will ensure all aspects of diversity and inclusion are embedded within the learning product and ensure any future delivery is based around learning from the pilots and evidence. The Leadership, Talent and Capability team will launch a programme to support high-potential individuals towards middle leader roles. The programme incorporates equality, diversity and inclusion throughout, and learners will cover a large variety of leadership content, which will assist them to manage diversity, complaints, grievance and discipline effectively.	Senior Responsible Officer, Race Action Programme Divisional Director Leadership Talent and Capability	March 2022 for pilots to be completed Programme launch June 2021; commencement September 2021
			Progress against commitments (March 2022) Following on from the London line manager training the Race Action Programme have commissioned two external providers through the Government Framework to design, develop and deliver pilots across HMPPS. One provider will deliver a cascade model initially delivering to the Probation Service Senior Leadership Team (SLT) and subsequently to probation regions. An evaluation strategy will be developed to ensure all aspects of pilots are evaluated and assessed. The second provider will offer a virtual reality delivery style, using technology and locally developed scenarios to discuss race disparity, discrimination and enabling line manager and senior leaders to understand and be able to manage the processes more effectively. The Race Action Programme will be working closely with the providers, culture leads and colleagues across HMPPS to ensure materials are aligned to the vision, values, behaviours and culture		June 2022

			expected from the staff group. An equality analysis, impact analysis and evaluation will be carried out prior to delivery to ensure all protected characteristics have been considered fully. SPARK is the name of the programme to support high-potential individual's towards middle leader roles. Whilst the majority of the time spent on the programme is in situ whilst undertaking their roles within the operational setting, they are provided with periods of classroom development and distance learning projects. Modules on equality, diversity and inclusion are not specifically delivered but "weave" these principles throughput the programmes of activity. A safe learning environment has been created to talk openly and transparently about all issues that relate to working relationships and collaborative working, using the Leadership Code as a framework. As this is a leadership programme, it addresses role modelling behaviours, expectations of acceptable behaviour and the importance of addressing behaviours that do not follow our values and principles. Likewise, all the facilitators on the programme are briefed and supported to address any behaviours they observe from the delegates on the programme that are unacceptable. There are learning modules that touch upon Human Resource (HR) procedures and policies within which discuss dealing effectively with grievances and disciplinaries.		Complete
12.	Improve the quality of pre-sentence reports on minority ethnic individuals to: Increase the proportion completed on adjournment. Ensure that the diversity of individuals is assessed and represented appropriately. Counter any conscious or unconscious or unconscious bias. Present convincing proposals	Agreed	Action Plan commitments (May 2021) The Probation Service will improve the quality of Pre-Sentence Report's (PSR's) by: Increasing the numbers of PSR's via the White paper pilot focusing on women, 18-25-year olds and those at risk of custodial sentence by September 2021. Ethnic minorities data will be monitored and recorded as part of a pilot to better understand what changes are required from both an operational and policy perspective. The pilot has created a new training strategy for Probation pilot Court teams. This includes specific learning on how to address unconscious bias, have conversations on race and trauma and how to recognise racial disparity in the criminal justice system. The broader learning package is designed to improve: the overall quality of the assessments and information contained within the PSR's. Improve quality assessment and the capability to write / present quality reports orally and in writing. the quality of court engagement and presence within the Court setting. Facilitate local meetings to help build and embed strong professional relationship across HM Courts and Tribunals Service and the Judiciary. Work to effectively manage the Equality Information Form, and commission a stakeholder engagement video to show its importance. Fourteen out of the fifteen pilot sites have an adaptation of the Effective Proposal Framework tool that aims to address unconscious bias in the preparation of oral reports. The pilot is testing the	Chief Probation Officer & Executive Director Women and the Deputy Director of Courts	April 2022

 assumption that rapidly produced assessments in a busy court setting are most at risk of being affected by unconscious bias, so the tool requires that the staff member pauses and reflects by requiring a second proposal. This tests the voracity and potential bias of the first choice. Increase the total number of PSR's to Courts following the introduction of the reforms set out in the HMPPS Target Operating Model. Establish court uplift and intended release of additional funding from the reform programme. Work with regions in relation to Court work and workforce planning Undertake data analysis on PSR outcomes for ethnic minority people on probation, and on ethnic minority people on probation sentenced without a PSR, commencing in April 2021. Development of a de-biasing decision-making package for PSR authors and line managers. Consult upon, develop and implement an Aid Memoire to support PSR interviews for ethnic minorities, that build upon the success of the Womens Aid Memoire Resource an agreed percentage of peer gatekeeping of PSRs ethnic minority defendants which will be implemented with a package to support court officers to give and receive constructive feedback. OSAG has assessed the quality of Court Advice. Within this audit we compared the quality of court advice for a sample of ethnic minority people on Probation to a sample of white people on Probation. The relevant (to the experience of ethnic minority people on probation) findings and recommendations from this Audit of the Quality of Court Advice will be addressed as part of the action plan in response to it. This work will be revisited in the future as part of our Quality Measures and will be ongoing from March 2022. 	Head of Assurance, Risk Management & Governance	October 2021 January 2022 Complete
Progress against commitments (March 2022) All areas have made significant progress with some activity finishing as it is contained with the pilot, however the finding from the pilot, particularly around the impact of training may inform national strategy, which will create a further workstream to roll out training nationally.	Chief Probation Officer & Executive Director Women and the Deputy	May 2022
 The Pre-Sentence Report (PSR) Pilot has increased the total volume of advice (Oral and Fast Delivery reports) going to court compared with the national counterparts. From April 2022, ethnic minority data will form part of the PSR pilot management information report. Nationally this data will also be collated in the new Court MI for all regions. The Equalities Monitoring Tool for Probation (P-EMT) dashboard launched in February 22. 	Director of Courts	Complete
 The pilot has delivered a new training package to all pilot sites (approx. 200 staff members), this was completed on March 2022. The pilot has launched a new feedback mechanism to evaluate the quality of reports as proxy to the impact of the training. The training includes specific learning on how to address unconscious bias, have conversations on race and trauma and how to recognise racial disparity in the criminal justice system. A round table meeting including Applied Language Solutions (ALS) to ended learning from new training. 		Complete

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			this Audit of the Quality of Court Advice will be addressed as part of the action plan in response to it. This work will be revisited in the future as part of our Quality Measures and will be ongoing from March 2022.		
13.	Improve the quality of OASys assessments on minority ethnic individuals, ensuring that: • Diversity factors and experience of discrimination and disadvantage are captured throughout. • The impact of discrimination and diversity factors are considered sufficiently in planning service delivery	Agreed	Action Plan commitments (May 2021) As part of the Transition learning package, we will design and deliver learning resources to all operational staff in the unified Probation Service. This will include navigating the quality assurance frameworks including Offender Assessment Systems (OASys), risk assessment, risk management and sentence planning. This learning will reinforce the requirement for practitioners to meet current quality standards on the consideration and inclusion of diversity factors when completing assessments and sentence plans. The Effective Practice and Service Improvement Group (EPSIG) will review the Assessment Quality Assurance tool and increase the emphasis on quality assessment of diversity and experience of discrimination. The review will take account of the Core Quality Management Framework under development within the Reform Programme. EPSIG will work with PWP to ensure that standards and expectations within the Assessment Quality Assurance tool are consistent with the learning packages referenced above. The Public Protection Group will review and update the OASys help text to reflect updated quality standards stipulated within Assessment Quality Assurance documents and better support assessors to capture diversity factors throughout, and to properly consider them in planning the sentence. OSAG will provide assurance on the quality of OASys assessments as part of their case management audits of the Probation Service which will continue annually.	Deputy Director Probation Workforce Programme Deputy Director Effective Practice and Service improvement Deputy Director Public Protection & Partnerships Public Protection Group Head of Assurance, Risk Management & Governance	June 2022 June 2021 March 2022 Commencing August 2021
			Progress against commitments (March 2022) The Assessment Quality Assurance (AQA) tool has been updated and a new version was released in July 2021. This involved extensive consultation with Quality Development Officer's and a number of Equality Managers. EPSIG met with the Workforce Programme in October 2021 to ensure the training is consistent with the expected quality standards as detailed in the AQA. The OASys Business Team has worked collaboratively with key stakeholders to improve the online help text. This guidance will support assessors to better consider diversity factors within their assessments and reflect how identified issues may impact on the individual they are managing.	Deputy Director Effective Practice and Service improvement Deputy Director Public Protection & Partnerships, Public Protection Group	Complete

			All sections, including the OASys help text have been updated and shared with staff, relevant departments and the staff support networks to ensure we have incorporated all relevant considerations. This was communicated to staff in February 2022. The Operational Systems Assurance Group (OSAG) have completed the first year of sentence management audits and delivered these in all 12 Probation Regions by December 2021. The updated sections to the Offender Assessment System (OASys) help text, have been incorporated into our audits to allow us to provide assurance that probation practitioners have considered diversity and protected characteristics throughout their assessments. OSAG are due to issue a Diversity and Inclusion Thematic report in May 2022, which brings in focus the Diversity and Inclusion findings from the sentence management audits.	Head of Assurance, Risk Management & Governance	Complete
14.	Provide programmes and materials for working with those convicted of racially motivated offences, supported with staff training, and consult with black, Asian and minority ethnic responsible officers before allocating this type of case to them.	Partly Agreed	Action Plan commitments (May 2021) This recommendation is partly agreed. We are committed to ensuring that future investment decisions in programmes are evidence informed. However, before commissioning the development of any specific programme or materials in this context, we will complete our current review of accredited programmes which encompasses all offence types, including provision of accredited programmes for those who have committed racially motivated offences. We will also look at the need for structured interventions for those convicted of racially motivated offences and consider our use of existing 'toolkits' to guide staff in this work, including the 'Murmur to Murder' toolkit as part of this work. Improvements are being made to case allocation, complemented by a new digital service and process updates, which will support Senior Probation Officers (SPO) responsible for allocating decisions, to make informed allocation decisions that align to the unified tiering model and appropriately match practitioners to people on probation. As part of this work, SPO guidance will be issued regarding the allocation of people on probation convicted of racially motivated offences, instructing that appropriate consultation should take place with ethnic minority probation practitioners before allocation decisions are made.	Executive Director Reducing Reoffending Senior Contract Manager Probation Programme	Review complete by January 2022 Case allocation Guidance in place January 2022
			Progress against commitments (March 2022) The Probation Service are currently preparing a Resource Pack on Working with Hate Crime which will go forward for SLT comment and amendment at the end of March. This is not specific to Race Hate Crime but addresses all the strands of Hate Crime—race, religion/ faith, disability, sexuality, transgender identity. The aim of this pack is to raise awareness, to improve Probation Practitioners' confidence in delivering this work, and to provide links to further resources. Although interest and concern in this area are high, the evidence base is underdeveloped and there is no consensus about any specialist approach which	Executive Director Reducing Reoffending	June 2022

			 would offer significant gains. In line with our strengths-based approach, the Resource Pack draws on generic probation practice to build social engagement and desistance. This requires building a strong and respectful working relationship, with individualized support for change. It also incorporates additional advice on careful consideration of appropriate allocation with support, as well as ensuring key indicators of developing risk are identified and appropriate referrals/consultations are accessed when required. The Workload Measurement Tool (WMT) has been re-platformed from external provider Kainos to MoJ Digital including updated processes. Further updates are scheduled in the next six months including: A Senior Probation Officer (SPO) allocation tool, currently being piloted in Wrexham and Mold courts. Reclassification (and eventual removal) of case management support to reflect the Target Operating Model (TOM). Update of the WMT following agreement of revised timings (Probation Reform Programme lead project). 	Senior Contract Manager Probation Programme	September 2022
15.	Consult minority ethnic service users about the appropriateness and quality of services and provide opportunities for former minority ethnic service users to act as volunteer mentors and in paid roles.	Agreed	 Action Plan commitments (May 2021) The Probation Service will improve the culture to one of inclusivity and opportunity for people with lived experience by: Ensuring that there are clear recruitment pathways for ex- people on probation into a variety of roles, including by making use of the "Going Forward into Employment Scheme", to bring their unique insight and experience into the service. Evaluating the impact of the recruitment pathways on ethnic minority groups, which will include consultation sessions with people on probation. Developing a specific approach for people on probation from an ethnic minority as part of the People on Probation Involvement plan by March 2022. Regional Probation Director's equality plans will ensure a proportionate representation of people on probation are engaged when undertaking a review of commissioning services under Contracted Rehabilitation Services. Quarterly assurance updates of engagement will be provided to the Diversity and Inclusion team, commencing March 2021. 	Deputy Director for Probation Workforce Programme Chief Probation Officer & Executive Director Women	May 2021
			Progress against commitments (March 2022) Opportunities are being made available for the employment of people with lived experience via the 'Going Forward into Employment (GFIE) scheme', across four regions- East Midlands, West	Deputy Director for Probation	Complete

	Midlands, North West and Yorkshire & Humber. A monitoring and evaluation strategy has also been developed. As of mid-March 2022, we have recruited our first lived experience candidate to a Probation Service vacancy and have also identified 51 Probation Service GFIE vacancies for those with lived experience.	Workforce Programme	
	The marketing team are measuring diversity metrics at different points in the Professional Qualification in Probation (PQiP) campaign. The Probation Workforce Programme's Capacity and Efficiency team is now leading on the analysis with the support of the Programme's Equality, Diversity, Inclusion and Belonging team. Much higher proportions of all ethnic groups passed Online Assessment Centres (OACs) in the Probation Services Officer (PSO) Progression campaign in PQiP 11 compared to all other campaigns (33.3% of Asian candidates, 36.1% of Black candidates and 36.4% of mixed and other ethnic groups). However, white candidates successful at OACs were even higher (56.2%). This higher pass rate for all groups may be a positive effect from the PQiP webinars held for the internal candidates to provide them with guidance for completing the assessment process, which were developed with input from PSOs from diverse backgrounds who previously failed PQiP.	Chief Probation Officer & Executive Director Women	
•	Specific work being undertaken for People on probation: O Researching the potential for matching ethnicity of probation practitioner with those on probation.		Complete
	 Provide commissioning guidance for procuring services from minority ethnic third sector providers. 		August 2022
	 Provide guidance to PSR authors to ensure proposals acknowledge any racial trauma present. 		June 2022
	o Ongoing research into Accredited Programmes.		Complete
	o Tool Kit on Hate Crime		June 2022
•	RPDs will facilitate consultation with People on probation when commissioning services once commissioning guidance is fully rolled out in the Spring 2022.		June 2022
•	A working party will be formed in May 2022 to look at progress on recruitment and to consult with ethnic minority people on probation. HMPPS have recently let a contract to St Giles Trust which will provide access to people with lived experience who will be consulted with on probation policy and procedure. The working party above will begin the process of consultation with this group and then hand over to St Giles once their contract commences.		May 2022

Recommendations	
Agreed	13
Partly Agreed	2
Not Agreed	0
Total	15