

AGENDA ITEM

REPORT TO CABINET

DATE 23 MARCH 2016

**REPORT OF CORPORATE
MANAGEMENT TEAM**

CABINET DECISION

Access and Communities and Community Safety – Lead Cabinet Member – Councillor Steve Nelson

Update on the delivery of Probation Services in Stockton

1. Summary

The purpose of this report is to provide cabinet with an update of the current arrangements in Cleveland following the Ministry of Justice 'Transforming Rehabilitation' programme 2013.

2. Recommendations

1. Cabinet notes the contents of the report

3. Reasons for the Recommendations/Decision(s)

This report is for information only

4. Members' Interests

Members (including co-opted Members) should consider whether they have a personal interest in any item, as defined in **paragraphs 9 and 11** of the Council's code of conduct and, if so, declare the existence and nature of that interest in accordance with and/or taking account of **paragraphs 12 - 17** of the code.

Where a Member regards him/herself as having a personal interest, as described in **paragraph 16** of the code, in any business of the Council he/she must then, **in accordance with paragraph 18** of the code, consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest and the business: -

- affects the members financial position or the financial position of a person or body described in **paragraph 17** of the code, or

- relates to the determining of any approval, consent, licence, permission or registration in relation to the member or any person or body described in **paragraph 17** of the code.

A Member with a personal interest, as described in **paragraph 18** of the code, may attend the meeting but must not take part in the consideration and voting upon the relevant item of business. However, a member with such an interest may make representations, answer questions or give evidence relating to that business before the business is considered or voted on, provided the public are also allowed to attend the meeting for the same purpose whether under a statutory right or otherwise (**paragraph 19** of the code)

Members may participate in any discussion and vote on a matter in which they have an interest, as described in **paragraph 18** of the code, where that interest relates to functions of the Council detailed in **paragraph 20** of the code.

Disclosable Pecuniary Interests

It is a criminal offence for a member to participate in any discussion or vote on a matter in which he/she has a disclosable pecuniary interest (and where an appropriate dispensation has not been granted) **paragraph 21** of the code.

Members are required to comply with any procedural rule adopted by the Council which requires a member to leave the meeting room whilst the meeting is discussing a matter in which that member has a disclosable pecuniary interest (**paragraph 22** of the code)

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Update on the delivery of Probation Services in Stockton

SUMMARY

The purpose of this report is to provide cabinet with an update of the current arrangements in Cleveland following the Ministry of Justice 'Transforming Rehabilitation' programme 2013.

RECOMMENDATIONS

1. Cabinet notes the content of the report

DETAIL

1. The 'Transforming Rehabilitation' approach led to a significant change in the management and delivery of probation services. Local Probation services were essentially split with 30% of the caseload (most serious offenders) allocated to the National Probation Service (NPS). The remaining 70% caseload was assigned to 35 Community Rehabilitation Companies (CRC) across England and Wales which were subsequently put out to tender. Expressions of interest were encouraged from both private companies and mutual organisations.
2. Prior to *Transforming Rehabilitation*, Durham Tees Valley Probation Trust was considered one of the highest performing services nationally. In an attempt to reduce the impact of change and to provide the best possible chance of maintaining service quality a not for profit Community Interest Company (CIC) was established to bid for the Durham Tees Valley CRC under the name of ARCC (Achieving Real Change for Communities). Following a successful bidding process ARCC won the contract to deliver probation services across Durham and Tees Valley. The contract which came into effect on 1st February 2015 is for an initial 7 years with the option for a further 3-year extension. ARCC is the only not for profit organisation nationally, delivering probation services. ARCC is made up of the following partners from the Public, Private and Third sectors:
 - Stockton-On-Tees Borough Council
 - Redcar and Cleveland Borough Council
 - Darlington Borough Council
 - Tees Esk and Wear Valley NHS Foundation Trust

- Thirteen Group
 - The Vardy Foundation
 - The Wise Group
 - Safe in Tees Valley
 - Changing Lives North East (CIC)
3. A key characteristic and motivation for the creation and continual development of the CRC is to put the needs of the community and the offender at the forefront of the service. While it is imperative that the overall budget is balanced the generation of significant profits is not a priority. Any profits that are generated through good practice and performance will be reinvested in the service. The CRC currently has a high level Service Delivery Manual which is available to all partners.

Durham Tees Valley Community Rehabilitation Company (CRC)

4. The current delivery model of the CRC consists of evidence based practice and reflects the high level vision for the organisation to deliver high quality services in partnership for the benefit of the public. The overall caseload for DTV CRC is 3,400, at a local authority level the delivery model consists of the following tiers:
- **35 Integrated Offender Management (IOM)** cases, selected in consultation with partners. These cases are those individuals who are deemed to cause the most significant harm to the wider community. An intensive approach is adopted with these cases including regular drug testing, supervision and monitoring with the aim of disrupting the offending pattern and reducing the level of repeat offending.
 - **Priority reoffending** cases, these will be identified internally by probation staff and consist of those individuals who regularly reoffend and have additional complex needs. There are plans to look at how other agencies and organisations can assist in the identification of this group as well as support a reduction in reoffending through additional treatment and services for the offender.
 - **Higher reoffending** cases, made up of those individuals who have high levels of reoffending and regularly come to the attention of Probation services
 - **Lower reoffending** cases, made up of those individuals who have committed limited or 'one off' offences and require limited supervision.

Across the whole caseload safeguarding and overall risks are continually assessed and managed. Depending on the outcome this could have an impact on the level of supervision/service.

Funding – Payment by results

5. Funding for the CRC is made up of a number of elements. 80% of funding is provided as a mainstream fee for service over the term of the contract. An additional 15% of funding is available subject to the performance metric being achieved. Under the new arrangements

for CRC's an element of the funding is allocated via 'Payment by Results'. This element of the funding does not come into effect until year three of the contract.

6. 'Payment by Results' element is split into two measures. The first is a Binary Measure i.e. an individual has offended or they have not, over a 12-month period. In order to pass this measure, 1.9% of the total CRC cohort must not offend over a 12-month period. The second measure is based on frequency of offences, and can only be accessed once CRC's have met the initial Binary measure.

Current development within the CRC

7. While business as usual was a key objective for the CRC as well as a smooth transition to new arrangements for all staff there are a number of key developments which have taken place and will have an impact on the delivery of the service over the coming months.
8. At present the CRC is in the process of a major Estates Strategy. By the end of March 2016 all staff will have relocated to Wetherby House on Portrack Lane. Under the new Estates Strategy there is a greater focus on a community hub approach, supporting and managing offenders within community settings. The identified community hubs in Stockton are:
 - Stockton Parish Church
 - Billingham Baptist Church
 - Thornaby Community Hub
 - A Way Out (accessed for female offenders only)
 - Work is ongoing with the Birchtree Practice to support the ongoing management of Integrated Offender Management (IOM) cases and Drug Rehabilitation Requirements (DRR)
9. All CRC staff have migrated onto a mobile I.T. system. This system enables staff to access all files and data from the various hub locations currently staff access the case recording and assessment tools supported by the Ministry of Justice, however, by December 2016 the CRC will move to its own bespoke case recording and assessment system. Nationally the CRC is the first to receive the provisional accreditation required to move to its own recording system.
10. The CRC is also in the process of developing a 'rate card' which is a means of obtaining income from the NPS and other CRC's for services that it offers, for example access to the 'Through the Gate Departure Lounge' is a resource which enables instant contact with offenders to address some of their immediate issues e.g. bus fare, prescriptions, food parcels etc. as they leave prison. This reduces the risk immediate reoffending or exposure to exploitation. The CRC currently has this resource in Holme House and this has featured in the National 'Through the Gate' Newsletter as a model of good practice.

National Probation Service (NPS)

The National Probation Service (NPS) is now subdivided into seven regions within the country and NPS Cleveland is part of the North East Division which extends from Northumbria to the

North as far as Lincolnshire to the South, made up of eight areas with the central hub located in Leeds.

11. NPS Cleveland is responsible for the areas of Stockton, Hartlepool, Middlesbrough and Redcar and Cleveland and is now separated from County Durham unlike the CRC which covers both areas. The key role of the NPS remains to protect the public, support victims and reduce reoffending achieving this through:

- Assessing risk and advising the courts to enable the effective sentencing and rehabilitation of all offenders
- Working in partnership with CRC's and other service providers and
- Directly managing those offenders in the community and before their release from custody who pose the highest risk of harm and who have committed the most serious crimes.

12. NPS manages offenders who pose a high or very high risk of causing serious harm as well as offenders sentenced to twelve months or more for violent or sexual offences which makes them eligible for consideration under MAPPA (Multi-agency Public Protection Arrangement).

13. NPS also manages offenders with a high risk of recidivism score using a new assessment tool (Risk of Serious Recidivism - RSR) working with a caseload of approximately 1300 offenders across the whole of Cleveland, just under half of whom are serving the custodial element of their sentence. NPS Cleveland now has a Head and Deputy Head of area and Probation Managers at each location as well as at Teesside Magistrates and Teesside Crown Court. There is also a Probation Manager in post as MAPPA Co-ordinator and a Probation Manager at both Nelson House and 13 The Crescent Approved Premises.

There has been considerable change during the last 16 months with the formation of NPS and CRC's. However, Cleveland NPS continues to work in partnership with the CRC and importantly remains a high performing area within the country and the North East. As with all organisations, finances are difficult and required resource reductions over the next twelve months will result in fewer staff with potentially higher caseloads.

14. While the CRC has vacated the previously shared probation buildings, it is the intention of NPS Cleveland to remain in all buildings except one in Middlesbrough where two teams will merge. There is good communication between the NPS and CRC through regular Interface meetings and ongoing positive relationships between senior managers. Both organisations are often represented at a number of the same meetings such as Safer Stockton Partnership (SSP) Local Safeguarding Children's Board (LSCB), Youth Offending Team (YOT) Management Board and the Vulnerable Exploited Missing Trafficked (VEMT) groups.

15. The NPS is also currently undertaking a review of its structure and practice known as the E3 Programme which stands for "Effectiveness, Efficiency, and Excellence". The NPS inherited a number of different ways of working and variations in the staffing models from the previous 35 Probation Trusts and this programme will address those variations and move the NPS towards a more consistent model of delivery, whilst providing a platform to continue to meet and, where possible, exceed the expectations of staff, offenders, victims, our partners and the public as a whole. The programme will introduce a standard operating model for the NPS, focusing on "how" the NPS delivers but not changing "what" is

delivered. Thus, stakeholders and partners can expect minimal if any disruption to the service received from NPS throughout this programme of change.

Inspection

16. Following the split an inspection was conducted by Her Majesty Inspectorate of Probation in August 2015 and looked at a sample of 35 case commencements of Court Orders and Prison Licences managed by both NPS and CRC. The feedback from this Inspection is to be aggregated and is yet to be published. The informal feedback given at the end of the inspection was very positive identifying good partnership working based on good decision making, strong analysis and risk management.

In July 2015, NPS Cleveland was also involved with an HMIP Inspection of Stockton Youth Offending Team (YOT) in relation to the transition arrangements from Youth to Adult Services. The headline findings in respect of NPS included feedback that staff in all organisations (YOT, NPS and CRC) were very knowledgeable and committed and had been very open and reflective in their meeting with the inspectors. The Inspection had been well organised and of particular note was the existence of a good transfer protocol with the NPS. Inspectors stated that they had seen lots of evidence of robust transfer practice in Stockton not seen in other areas: discussion with young people and other agencies; liaison with probation pre-transfer; three-way handover meetings and in some cases, post-transfer three way meetings.

FINANCIAL IMPLICATIONS

Stockton Borough Council is a member of the CRC management board ARCC (Achieving Real Change in Communities) and acts as a guarantor to a proportion of the operational funding required ensuring 'business as usual' following the implementation of the new arrangements.

SUSTAINABLE COMMUNITY STRATEGY IMPLICATIONS

Safer Communities – Effective delivery of Probation Services contributes to the overall aspiration of reducing crime and fear of crime within communities.

EQUALITIES IMPACT ASSESSMENT

This report is not subject to an Equality Impact Assessment

CONSULTATION INCLUDING WARD/COUNCILLORS

All Ward Councillors

Name of Contact Officer: Steven Hume
Post Title: Community Safety and Security Manager
Telephone No. 01642 527610
Email Address: steven.hume@stockton.gov.uk

Background Papers

Ward(s) and Ward Councillors: