

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

9 February 2017

**REPORT OF SENIOR
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 Recommendation(s)/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)

AGENDA ITEM

REPORT TO CABINET

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**REPORT OF SENIOR
MANAGEMENT TEAM**

CABINET DECISION

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 relation to the delivery of Probation services in Cleveland.

RECOMMENDATIONS

1. Cabinet notes the contents 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. A not for profit Community Interest Company (CIC) was established and successfully bid for the Durham Tees Valley CRC under the name of ARCC (Achieving Real Change for Communities). The contract came into effect on 1st February 2015 and is in place 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)

Durham Tees Valley Community Rehabilitation Company (CRC)
3. 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:

- **70 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.
- **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

4. 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.
5. '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

6. Transformation activity has now been completed across the Durham Tees Valley CRC and the new management structure has bedded in, creating one operational division across the whole CRC area. The Stockton resource is located within the East Team along with Hartlepool. The key focus of the CRC is now on quality; sustaining the high levels of performance seen to date as well as driving high standards of professional practice.
7. Policies and Operational Guidance have been produced, standardising as far as possible the practice of CRC staff across the whole area, consolidating good practice. The CRC is an active partner in working with Stockton local authority and other partners to deliver safer communities.
8. Integrated Offender Management (IOM) delivery is ongoing and investment in the process has been sustained. Standards of service and contact levels have been agreed articulated and circulated to CRC colleagues and Police. Participants are now seen in the Stockton Police Station in order to retain joint working and deliver the best possible service. Stockton IOM has been highly successful in managing these participants. The CRC is actively looking at the IOM approach to Domestic Abuse, in partnership with Cleveland Police. This was pioneered in Nottingham, and is being explored with a view to safely managing key perpetrators in a similar way in Stockton.

9. Community Hub locations are continually reassessed
 - a. Hardwick has now closed because of poor attendance, with Hardwick residents preferring to attend the town centre location.
 - b. A Women's Only hub has opened in *A way out* to cater specifically for females
 - c. Stockton Parish church, Billingham Baptist Church and Robert Atkinson Centre Thornaby continue to be used extensively to deliver services to participants in the community.
10. The CRC along with the National Probation Service is currently in dialogue with the Multi Agency Childrens Safeguarding Hub (MACSH) regarding making best use of the resources there and developing joint protocols together. In addition to this the Vulnerable Exploited Missing Trafficked (VEMT) Lead actively circulates the VEMT perpetrators list to partner officers in order to manage effectively the risk these individuals pose to the community.
11. The CRC Partnership manager Robin Bonas is also working closely with Stockton Job Centre to improve the service delivered to participants, as part of the 'hard to reach' cohort of claimants. Together with NPS colleagues he has delivered briefings to Job Centre staff and attends the Stockton Employment Network. Building on from this work, the CRC is looking to work with the "Help in Crisis" organisation to deliver support to participants.

National Probation Service (NPS)

12. The National Offender Manager Service (NOMS) is an executive agency of the Ministry of Justice (MOJ). Its purpose is to protect the public and reduce re-offending by delivery of sentences of the Courts and supporting rehabilitation by helping offenders to reform their lives. This purpose is achieved by commissioning adult offender services in both custody and the community with the intention to provide "joined up" services for both the people they work with and NPS staff so that individuals experience is "safe, secure, fair and life changing". Offenders are provided with opportunities, support and encouragement to make positive changes in their lives.
13. 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 currently located in Leeds.
14. 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.
15. 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).

16. NPS also manages offenders with a high risk of recidivism score using an assessment tool (Risk of Serious Recidivism - RSR) working with a caseload of approximately 1500 offenders across the whole of Cleveland, just under half of whom are serving the custodial element of their sentence. 346 of these offenders reside in Stockton. NPS Cleveland is led by a Head of Area with Probation Managers at each location as well as managers at Teesside Magistrates and Teesside Crown Court. There is also a Probation Manager in post as MAPPA Co-ordinator.

Cleveland NPS remains one of the highest performing areas within the country and the North East. As with all organisations, finances are difficult and required resource reductions have resulted in the loss of a Deputy Head of Area in January 2017. However additional staff are currently being recruited and trained as Probation Service Officers (PSO's) who will supervise medium risk offenders whilst also offering support to Probation Officers.

17. During the last twelve months there have been some changes to the estates within Cleveland. Redcar office has now closed and all staff and offenders have relocated to the office in Southbank. In Middlesbrough the NPS now occupy only one building and due to the closure of Hartlepool Court Building in January 2017, have had to relocate probation staff to the Stockton office offering offender reporting instructions to Stockton or Peterlee. It is hoped that a reporting office will be located in Hartlepool in the future so that offenders will be seen in their home location.

There is continuing good communication between the NPS and CRC through regular Interface meetings and ongoing positive relationships between senior managers. Both organisations are required to attend a number of the same meetings such as Safer Stockton Partnership (SSP) Local Safeguarding Children's Board (LSCB), Youth Offending Team (YOT) Management Board, the Vulnerable Exploited Missing Trafficked (VEMT) groups and the Local Criminal Justice Board (LCJB).

18. 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". This programme is implementing a new operating model for the whole organisation as the NPS inherited a number of different ways of working and variations in the staffing models from the previous 35 Probation Trusts. E3 will address these 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 is 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.

19. E3 is providing the opportunity to

- provide increased value for money while reducing risk
- deliver the best possible services to offenders to achieve better outcomes
- consistently apply best practice principles with proactive learning from experience of others
- provide equality of opportunity for staff
- ensure professional standards are applied consistently

The implementation of E3 phase 1 is already beginning to show real benefits across the service with a number of significant developments:

- i. Varying licence conditions whereby heads of local delivery units now have the authority to vary licence conditions to assist in the management of risk without recalling offenders to prison. This allows heads to respond quicker to poor behaviour or risk escalation. This change will ensure that the NPS continue to prioritise public protection while ensuring consistency, quality and value for money.
- ii. PSO Deployment where the recruitment of PSO's will allow probation officers the time to manager offenders in accordance to risk and complexity of the offender needs, while PSO's manage lower risk offenders. As a result offender management units will become more dynamic with a greater transfer of skills and knowledge between staff.
- iii. Training: National training has been delivered in respect of parole reports, recalls and parole board oral hearings
- iv. National recruitment campaign; There are ongoing national campaigns to recruit more PSO's and PO's. This will ensure that staffing levels are sufficient to manager workloads.

Inspections

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 was published in summer 2016. The 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. A copy of the full report can be found at <https://www.justiceinspectrates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2016/08/Durham-QI-report.pdf>

A Court Thematic Inspection at Teesside Crown Court and Teesside Magistrates Court is due to take place week commencing 23 January 2017. This thematic inspection will be seeking to observe the preparation and delivery of oral reports and the delivery of enforcement proceedings in both magistrates' and Crown Court settings and to interview a range of groups and individuals which will include the local HMCTS (Her Majesty's Courts and Tribunals Service) manager, local Crown Court manager, magistrates, Judges, CRC senior manager and NPS staff.

LSCB's: NPS Cleveland also contributes to any partner inspections where necessary. This may include Local Safeguarding Children's Inspections. For example Redcar and Cleveland has an inspection commencing January 17th 2017.

COMMUNITY IMPACT IMPLICATIONS

No community impact implications, this report is for information only.

FINANCIAL IMPLICATIONS

Financial monitoring and reporting demonstrates that the CRC have established a sound financial position from which to develop their future operations. In supporting the development and operation of the CRC, the Council had previously agreed to make available a loan facility of £2m. In the context of their positive financial performance, the CRC Board have recently advised that they no longer require access to this loan facility. In a further demonstration of their confidence in the financial position, a short term loan from the Council of £0.5m, that had been granted in respect of working capital, has been repaid in full.

The Council is a member of the ARCC Management Board and provides a proportion of the performance guarantee required by the Ministry of Justice contract.

LEGAL IMPLICATIONS

No legal implications for this report.

RISK ASSESSMENT

This report provides members with an update on NPS and CRC activity and is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

COUNCIL PLAN POLICY PRINCIPLES AND PRIORITIES

The work of the NPS and CRC has a significant impact on all of the Council Plan policy principles and priorities through effective intervention with perpetrators and reducing the risk of victimisation.

Policy Principles:

- **Protecting the vulnerable through targeted intervention**
- **Promoting equality of opportunity through targeted intervention**
- **Developing strong and healthy communities**
- **Creating economic prosperity**

CORPORATE PARENTING IMPLICATIONS

This report does not contain any corporate parenting implications.

CONSULTATION INCLUDING WARD/COUNCILLORS

No consultation is necessary as this report is for information only.

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Education related? No

Background Papers

Ward(s) and Ward Councillors: All ward councillors

Property

This report has no impact on the Council's capital programme or asset management strategy.