**Review of Probation Delivery Levels – Position Statement as of w/c 19 April 2021**

**Cleared by Probation Gold on 20.04.21.**

**Thank you to all who continue to work to recover services.** **By working together, we were able to lift a number of national pauses as from w/c 12.04.21, to provide a level of service in all areas of Probation delivery.** This enables Regional Probation Directors and CRCs to take decisions based on local circumstances on the delivery levels of indoor UPW placements, face to face delivery of Accredited Programmes, home visits as part of Joint Working between Probation and Police for people convicted of sexual offences subject to MAPPA managementsand increased face to face contact in probation contact centres. We continue to be grateful for the support and efforts of all colleagues in relation to the recovery of services.

All decisions taken around recovery are guided by both Health and Safety and Public Heath teams (England and Wales, as appropriate). We continue to work with unions nationally and agreed caveats to support this progress are set out below. Trade unions engagement at a local level remains essential to moving forward.

**The advice to NPS staff in prisons and courts remains the same as for NPS workplaces both in England and Wales, staff should continue to work from home where possible**; however, they should attend their place of work (prison or court) as required. There is recognition however that this position will need to be responsive to the recovery progression of prisons and courts which has now begun. We will continue to discuss this with trade union colleagues nationally. However, decisions about the level of staff resource required in each prison or court should be determined locally by the NPS manager, who should then discuss this with the relevant parties, i.e. the Governor in a prison and the HMCTS Probation Lead in a court. We are aiming to focus discussions with national trade unions on the recovery of prisons w/c 26th April, considering the impact of recovery on Through The Gate provision and Offender Management in Custody.

**Approved Premises:** Considerations around the future further recovery progress in APs are underway, in conjunction with trade union colleagues nationally. Regular meetings are to be scheduled to consider this over the coming weeks and updates are to be provided through these position statements, as well as directly to the AP staff group.

**Steps taken towards recovery last week (not before w/c 12.04.21) included:**

* **Polygraphs Examinations:** Began delivering polygraph examination re-engagement plans with people on probation where possible, including virtual contact as required, scheduling of appointments, the booking of rooms in community contact centres etc. This is to support the return to polygraph examinations, where possible (not before 1 May).
* **Indoor UPW:** CRCs reviewed the pause on indoor UPW placements where appropriate, in line with the government’s National Roadmap. The maximum number of people at any one UPW placement site is to be determined by the risk assessment for that individual work placement.
* **Accredited Programmes**: The national pause on face to face group work was lifted to allow RPDs/CRCs to make decisions around accredited programme delivery in both smaller group (2-3 participants) and the primary format (4–12 participants) as appropriate, and in accordance with government direction of travel. Group size will be dependent on venue size and the ability to maintain social distancing. Delivery will be by 2 facilitators in accordance with accreditation. To support delivery, an information pack was shared in December 2020 which includes risk assessments and a H&S FAQ document. This is available on EQUIP and was shared via the Silver channel.
* **1-to-1 Supervision:** RPDs began to consider what level of service their teams are able to deliver as part of the Community Supervision EDM (previously named Offender Management EDM), including reporting arrangements into community contact centres. All decisions will be based on the need to continue to work in a Covid secure way, with social distancing in place.
* **Home Visits:** The national pause on some home visits was removed in line with a number of caveats, as set out in the Position Statement of 08.04.21.

**Information to inform delivery as from w/c26.04.21 is provided below:**

**Oral Fluid Drug Testing (OFDT) in the community: *Following the trial in 5 East of England PDUs, we will now proceed towards national resumption of Oral Fluid Drug Testing, not before w/c26.04.21, at which point the national pause will be lifted to allow decisions to be taken locally.******Points to note to support delivery are:***

* The feedback from the trials has been overwhelming positive, probation practitioners reported that they welcomed the reintroduction of testing as an additional tool to manage risk and support rehabilitation, and they felt reassured by the additional safety measures and procedures that have been put in place. Many people on probation also welcomed the reintroduction of testing, particularly those who were keen to prove their abstinence to their probation practitioner.
* Preparatory activity is already underway in regions; therefore, the plan is to move to national resumption of OFDT in probation contact centres, **not before 26th April.** Testing will initially be undertaken on high risk cases, medium risk cases where there are concerns about an escalation of risk, and any other cases of concern based upon the professional judgement of probation practitioners.
* Documentations to support the resumption of testing can be found on EQUIP. **Please note**: there has been slight amendments to the document set. The main amendment is to explicitly state that clinically vulnerable staff are also exempt supervising OFDT in line with AP testing and as stated in position statements.  This is not a change, as this was previously the expectation but was covered in the wider point regarding the completion of individual risk assessments for those supervising OFDT. However, this now makes the position clearer to avoid any confusion as the wider roll out of OFDT in community contact centres is considered.
* Decisions about how the re-introduction of this service will happen, when tests will take place and the staff who undertake tests should all be decided locally, **based on discussions with TUs** and in accordance with the agreed COVID Generic Risk Assessment process.

**Polygraph Examinations: *The national pause was lifted on 12.04.21, to allow re-engagement plans to begin to be delivered in preparation for the re-introduction of polygraph examinations taking place (not before 1st May). To support this re-introduction the supporting documentation is currently being reviewed by the Health teams: Health and Safety, HMPPS Public Health and Public Health Wales. We hope to have this work completed by the end of this week to allow for this to be shared to assist planning and preparation. This will include:***

* Confirmation of whether restrictions will need to be in place as to the number of sites to be visited per week by polygraph examiners.
* The PPE and type of face mask required for examinations.
* Polygraph examinations to only be carried out in community contact centres which are currently delivering Lateral Flow Covid testing, to allow examiners to be tested on arrival, unless Polygraph Examiners have access to home testing or a local community testing hub.
* No overnight stays for examiners.

**A further point to note to support the delivery of Polygraph examinations:** For oral hearing attendance after 1st May, the COM should ensure that they have checked with their DSOIU manager or local polygraph examiner in advance to find out if polygraph testing has recommenced or not in their region, to be able to inform the parole board if asked.

**Update on Home Visits for Probation staff within YOT/YOS teams and as part of Joint Working between Probation staff and Police colleagues for people convicted of sexual offences subject to MAPPA managements:**

* The Risk Assessment and EDMs have now both been reviewed, updated, and agreed with trade unions nationally. These documents are now available on EQUIP and should be accessed to inform any home visits to be undertaken. As such, home visits for **Probation staff within YOT/YOS teams and as part of Joint Working between Probation staff and Police colleagues for people convicted of sexual offences subject to MAPPA management can now take place as required, in accordance with the caveats as set out in the Position Statement of 08.04.21 (provided below for ease).**

**Home Visits for Probation staff within YOT/YOS teams: *The national pause on this service as lifted on the 12th April, to allow decisions to be taken based on local circumstances. This area of delivery will be subject to caveats that will include but not be limited to:***

* Home visits should only be undertaken where deemed as required to assess and manage the risk and / or vulnerability of a child AND where no other service is undertaking home visits to this individual and in doing so could inform the assessment and remove the need for a home visit to be undertaken by probation staff.
* An individual risk assessment must be carried out for the member of staff who will conduct the home visit, considering the prevalence rates both in the member of staff’s home and work areas and their family circumstances. This should be conducted for all staff who will undertake a home visit, even if a risk assessment has not been completed previously.

**Joint working between Probation staff and Police colleagues for people convicted of sexual offences subject to MAPPA management: *Joint working is recognised as key to managing risk. Home visits are one important aspect of this. As such, we agreed to lift the national pause to allow these to happen once again from 12th April, where it is deemed necessary for the management of that case and it is possible to deliver these based on local circumstances. However, where they are not possible other steps need to be taken to ensure effective information exchange and joint working. This area of delivery will be subject to caveats that will include but not be limited to:***

* An individual risk assessment must be carried out for the member of staff who will conduct the home visit, considering the prevalence rates both in the member of staff’s home and work areas and their family circumstances. This should be conducted for all staff who will undertake a home visit, even if a risk assessment has not been completed previously.
* A Covid risk assessment must also be carried out for the person on probation, prior to any home visit taking place, via telephone.
* Home visits should only be undertaken where deemed as required to assess and manage the risk of a person on probation and when the information required cannot be accessed from any other agency who may already be conducting home visits with this person.
* ARMS informed OASys is underpinned by the principle of joint assessment from the outset, with regular ongoing information sharing. This will not be done by other agencies. As set out in guidance, a joint home visit to complete the initial ARMS informed OASys will produce the most in depth assessment. These should be undertaken where it is deemed necessary for the management of that case, as set out above. Where it is not possible to undertake a home visit safely due to the pandemic (informed by the risks assessments outlined above), the probation practitioner can invite the police OM to attend the office interview, following Covid secure processes, and should plan to undertake a joint home visit when it is safe to do so.
* A risk assessment must be conducted on a case by case basis and in discussion with the police to determine if a joint home visit is required or whether joint work can be done in the office. The professional judgement of the staff who are familiar with the case will guide these decisions, supported by the line manager.