

Colin Allars, NOMS Director of Probation & Sarah Payne, NOMS Director of Probation (Wales)

13.6.14

Dear Colin and Sarah

Thank you for your letter dated 10th June in response to my email of 6th June.

We appreciate that large projects such as TR are likely to experience teething problems and we recognise also that Probation staff and civil servants alike have worked extremely hard both before and since 1st June, to ensure service continuity at a high standard. The fact remains that the timetable that was imposed on us all has severely compromised the ability of Probation staff to undertake their roles efficiently and effectively and ultimately this will pose a serious risk to public protection. This risk is now compounded by the introduction of a wholly illogical operating model.

We recognise that Section 9 of the Offender Management Act 2007 provides the basis on which authorisation may be granted. The fact remains that PI 31/14 (still not received in draft) is the vehicle by which this authorisation is granted - otherwise why would you issue it at all? It was trailed as a 'major' Instruction and it was to have been available in early May. There remains a pre-existing PI authorising Probation Trust staff in this matter and to the best of our knowledge this has yet to be cancelled despite the fact that it is now effectively redundant. So our concerns on this front remain.

We would be pleased to receive copies of the reminders that you have sent, presumably to CRC CEOs and Deputy Directors of the NPS (as well as a copy of a template interim CRC contract). Your letter makes no reference to the other Probation Instruction we cited regarding the role of Court Duty staff. It is true, I have had a telephone conversation with someone in NOMS regarding PI 31/14, but to describe this as "discussions on the key principles" would be something of an exaggeration. I am not aware of any other discussions involving either UNISON or GMB/SCOOP. As you will know, the agreed consultation period with the unions over draft Probation Instructions is 28 days and hence the timetable I posited in my email last week.

Based on intelligence we continue to receive from our members, Napo remains very concerned about (lack of) access to information based on the new operating model - RBAC issues as you describe them. As just one very small but illustrative example, a Social Services Child Protection Team contacted the last known supervising officer of an UPW Community Order. The Order had been completed and the PSO staff member now no longer has access to the closed record. She works now for a CRC. All closed records are held by the NPS. Of course, Social Services can be referred on, but to whom? Certainly not someone familiar with the case. Delay is built in as is lack of knowledge.

These RBAC issues appear to be structural rather than local and temporary problems as you describe them. They are then compounded by a myriad of other structural illogicalities reported to us, both of an ICT nature and otherwise. Another example would be the draft 48 page Probation Instruction we are currently considering regarding risk escalation. How anyone can be expected to take all this in, let alone operate it, is frankly beyond me. Again it builds in delay and bureaucracy that was not there before. Napo would therefore reiterate our concern that, in effect, it is a racing certainty that these logical inconsistencies and in particular the bars on information access, will be contributory if not causal factors in future failures to prevent SFOs.

We are disappointed that you are not minded to put the TOM on ice as we have suggested and therefore we feel bound to share our concerns more widely. A Parliamentary Briefing to this effect has already been issued by us.

Yours

Mike McClelland

National Official, Napo