

Probation Institute Policy Statement

A Regulatory Body for Probation, Rehabilitation and Resettlement staff

Introduction

The Probation Institute Position Paper on Professional Development and Training was launched in June 2016. The Position Paper makes clear proposals for

- A Regulatory Body for Probation, Rehabilitation and Resettlement requiring registration by practitioners and managers
- A Continuous Professional Development Scheme for Probation, Rehabilitation and Resettlement

Probation Institute Position Paper Recommendation - *“There is a compelling case for the establishment of an independent process to set and coordinate training and qualification requirements for priority roles in Probation, Rehabilitation and Resettlement organisations”*

1. The Case for a Regulatory Body

Probation was once neatly boxed into a single organisational structure with the probation officer as the key professional role. In the past 30 years this has changed with both diversification of roles and a range of operational sites for probation practice. For some years there has been a call for an independent professional body to recognise this increasing complexity and plurality in delivery recognising the growing range of roles from case administrator, probation service officer, resettlement worker to probation officer and manager.

During the Transforming Rehabilitation changes it was recognised that such a body would be helpful and the Probation Institute was launched formally in early 2014. In the last two years the infrastructure needed to support the profession has been put in place. The Probation Institute is now ready to operate as a regulatory body for the probation, rehabilitation and resettlement sector. Recent official reports from the Audit Office, HMI Probation and Prisons, Public Accounts Committee and Clinks, have demonstrated that such a role would help buttress systems and support individuals where practice has been slow to settle under the new arrangements.

The splitting of services between the National Probation Service (NPS), the Community Rehabilitation Companies (CRCs) and the Tier 2 and 3 voluntary sector providers provides a rich set of possibilities for the delivery of high quality practices. But this deregulation, the many official reports tells us, has led to more of a fracturing of services. Serious concerns about the impact of Transforming Rehabilitation on services to achieve the supervision, rehabilitation and resettlement of offenders include excessive high risk case loads, agencies struggling to meet demands, severe financial pressures, loss of staff through stress, redundancy and disillusionment and loss of valued voluntary and community rehabilitation services.

This wholesale and somewhat rushed re-shaping of delivery has led to staff feeling uncertain of role and struggling to meet the demands of these new systems. HMI Probation has produced a range of reports, both thematic and individual agency, whose common concerns focus on public safety, public accountability and the management of risk. Jointly with HMI Prisons a damning report on Through the Gate services was also presented. We know staff want to deliver high quality services but feel their professional status is being undermined by the problems identified in organisational change and therefore would regard an independent reference point to be acknowledged as professionals as vital. This will also help promote practice and the importance of continuing professional development to help ensure high standards prevail in the probation, rehabilitation and resettlement sector.

The growing plurality of Probation, Rehabilitation and Resettlement services whilst most visible in the private CRCs, this has also occurred in prisons, youth training centres, and policing. Where services are contracted out and privatised previous training and qualification requirements are rarely transferred. Probation, Rehabilitation and Resettlement as a sector is now highly unregulated in terms of professional standards and qualifications.

The case for a Regulatory Body is founded on the need for consistent, coherent and agreed standards and qualifications to which all practitioners and managers adhere; to be a profession. The case is underpinned by the continuous need to manage risk, to treat individuals with respect and dignity, and to develop staff for improved practice outcomes. This paper recognises this changing world and the contribution that a Regulatory Body will play in alleviate the issues identified and supporting the provision of high quality practice.

2. Functions and Governance of Regulatory Body for Probation, Rehabilitation and Resettlement

The introduction of an Independent Regulatory Body for Probation, Rehabilitation and Resettlement would establish firmly that all work in this occupational field must be recognized as professional, underpinned by an integrated framework of professional development and values.

2.1 Governance and Authority

A Regulatory Body would be independent of government, reflecting the increasing range of organization types, and the need to avoid unnecessary impact from political events. It would include representation from membership, employers, higher education, sector skills council and trade unions. It would work collaboratively to define and set down the standards and to ensure compliance through Registration, effectively it would become the “lead body” for the industry which is now extensive and includes employers of many different types.

Many of the bodies which perform this range of functions become Chartered Institutes over time. However many do not start with a Charter, and have taken on these function by virtue of being

- Professional Bodies - CIPD – Chartered Institute of Personnel and Development began as a Professional Association becoming chartered in 2000),

- Lead Industry Bodies - CITB - the Construction Industry Training Board began as a Lead Body for its industry
- Awarding Organisations – CMI - The Chartered Management Institute was awarded a Charter after becoming an Awarding Organisation.

The authority of a Regulatory Body comes from Registration of Practitioners and Regulation of Standards and Qualifications. Individuals who fail to register, or who are de-registered should not be employed in the sector.

2.2 Endorse a Code of Ethics

The Probation Institute launched the Probation Code of Ethics in 2014. The code will be reviewed through consultation regularly to ensure that it remains inclusive, relevant and appropriate.

2.3 Set Standards of Competence aligned to roles and levels

The Professional Development Framework launched by the Probation Institute in October 2015 sets out standards of competence, learning and qualifications for Probation, Rehabilitation and Resettlement, offering a map for practitioners and managers to identify routes for progression throughout a career in the field, aligned to the levels on the Probation Institute Professional Register. Learning, competence, qualifications and values are tied together by Registration which requires ongoing evidence of competence at agreed intervals. The Regulatory Body would adopt and maintain the Framework.

2.4 Define appropriate Learning and Qualifications for roles

The Professional Development Framework aligns qualifications to roles where this is clear, but considerable further work is required by a Regulatory Body working with partners in vocational and academic providers to align all suitable roles to appropriate qualifications. The Regulatory Body will promote advanced practice through higher education and research

2.4 Insist on Registration

The Probation Register is currently voluntary. Registered Practitioners are requested to submit their professional qualifications and professional development plans on Registration and to resubmit every 3 years. The Probation Register encourages and promotes recognised Continuous Professional Development.

Under a Regulatory Body registration would be compulsory for all practitioners and managers working in the Probation, Rehabilitation and Resettlement. Registration and CPD would be sampled at agreed intervals to ensure that members keep up to date. Individuals could be de-registered either to information of unprofessional conduct and which would be tested and open to challenge.

2.5 Set expectations of practice led research and advanced learning

The Probation Institute Research Committee and Academic Advisory Panel has published guidance on the use of research in practice and is developing guidance on research standards for the sector. A Regulatory Body would encourage and promote advanced practice and research across the sector

2.5 Introduce and regulate Continuous Professional Development through an inclusive and comprehensive scheme for all practitioners

A CPD structure and scheme should be inclusive and accessible; it should set the expectation that practitioners and practice managers will continue to learn and enhance their practice, and that they can demonstrate this.

A CPD scheme for probation, rehabilitation and resettlement would therefore formally recognise the achievement of learning, competence and qualifications, underpinned by professional values as set out in the Probation Institute Professional Development Framework and the Code of Ethics.

It will be important that the scheme introduced by the Regulatory Body recognises the wide range of ways in which practitioners and managers learn, and encourages practitioners and managers to recognise when learning opportunities arise, to reflect on and describe their learning.

The Probation Institute Probation Practice and Training Committee has considered options for a CPD model and recommends that a system is introduced in which

- CPD must be recorded and must show that it meets recognised learning outcomes aligned to the Professional Development Framework at an appropriate level and record agreed learning hours

Over time the scheme should progress to include

- A Points System in which CPD events can attract an number of points agreed with the Regulatory body

2.6 Approve training providers delivering to the standards and frameworks, at all levels

The Probation Institute operates a Learning Provider Endorsement Scheme through which learning providers in the sector are invited to meet quality standards and can promote their services through the Probation Institute Website. The Regulatory Body would extend this scheme.

3. Strategy for Implementation

Approval to become a Regulatory Body is a significant challenge, however there is evidence (CRCs, Napo, ABPO, Unison) to suggest that the sector recognises that the current lack of regulation is untenable and that steps must be taken to strengthen professional standards. Building on the current infrastructure the Probation Institute could be ready to operate as a Regulatory Body with six months of formal agreement. A series of meetings is currently planned with key stakeholders which will enable us to begin to seek these agreements.

We are seeking to:

1. Get formal support from all the relevant agencies within the probation, rehabilitation and resettlement sector and we would welcome any observations from within the sector to help move the proposal forward.

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2. Initiate discussions with the key constituencies of the Ministry of Justice and the National Probation Service which can endorse this proposal.
3. Plan the operational changes needed to ensure a Regulatory Body is successfully developed. There would need to be a graduated start, in which the increased, compulsory registrations would provide the necessary funding for all probation staff. Discussions with organisations and individuals will help in deciding the best way to achieve this.
4. The Regulatory Body once fully operative would proceed to become a Chartered Institute.

Professor Paul Senior, Chair
Helen Schofield, Acting Chief Executive Officer

On behalf of the PI Board of Directors
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