



Ministry of **JUSTICE**

National Offender
Management Service

Probation Qualifications Regulatory Framework 2010 (England and Wales)

1. Introduction

This document sets out the regulations covering the provision of the qualifications, described in the **Probation Qualifications Framework (2010)**, available to those who practise professionally in the provision of probation services in England and Wales.

These regulations apply to the Higher Education and Vocational Qualifications, established under the authority of the Secretary of State for Justice as per Section 10 of The Offender Management Act 2007, Part 1. They supersede the Regulatory Framework for the arrangements for the Diploma in Probation Studies issued in April 1999, and apply to the qualifications in the Probation Qualifications Framework which come into effect from 1 April 2010.

2. Probation Qualifications Framework (PQF)

The PQF sets out the learning and occupational competence that needs to be demonstrated to qualify as a Probation Services' Officer (PSO) and the learning and qualifications necessary to enable PSOs to become eligible to apply to work in the substantive role of Probation Officer (PO) in England and Wales. It also outlines the pathways by which individuals with a variety of previous qualifications may achieve these qualifications and eligibility. All the qualifications in the PQF are recognised and fully transferable across England and Wales.

2.1 Qualification Pathways

The PQF comprises three discrete learner pathways which individuals can pursue to become qualified probation practitioners. There is one pathway to become qualified as a Probation Services' Officer. There are two pathways to become eligible to apply for the Probation Officer role. All pathways have two possible routes of entry:

- **Pathway to qualified Probation Services Officer** (the 'VQ3 Pathway') for existing, and for new entrant, unqualified PSOs.
- **Pathway to Probation Officer eligibility** (the 'Honours Degree Pathway') for existing, and for new entrant, qualified PSOs.
- **Pathway to Probation Officer eligibility** (the 'Graduate Diploma Pathway')

for existing, and for new entrant PSOs with a relevant degree.

2.1.1 Pathway to qualified Probation Services Officer (the 'VQ3 Pathway')

All newly recruited probation practitioners will be provided with the Gateway to Practice induction programme. This is a mandatory induction to their work place, their role, and to the purpose, vision and values of NOMS in the context of delivering probation services. It also outlines how risk of serious harm is assessed and managed, and how the importance of working as a member of a public protection agency is central to this.

The Gateway to Practice will normally be completed within the first ten working days of an individuals' initial appointment, and before they undertake any work on further qualifications or work with offenders on their own. The maximum time scale for completion can be extended to twenty working days, where the employer feels this is justified. Further details and guidance on the Gateway to Practice programme is provided in the [Appendix to 2.1.1a](#).

Existing, unqualified PSOs will normally not need to undertake the Gateway to Practice. They may, prior to 2015, move directly onto the learning pathway necessary to complete the PSO formal qualification. This is a Vocational Qualification Diploma in Probation Practice at level 3.

The Vocational Qualification level 3 Diploma in Probation Practice is designed to enable unqualified PSOs to demonstrate occupational competence in the delivery of appropriate probation outcomes when working with lower risk offenders. It also provides them with a potential career pathway towards becoming qualified to be eligible for the role of Probation Officer. It is mandatory for all newly recruited unqualified PSOs, who are not on the Graduate Diploma route, to work towards this award on completion of the Gateway to Practice.

From April 2010, new PSOs should complete the Vocational Qualification level 3 within 12 months of appointment Existing PSOs will be expected to complete in an equivalent timeframe. In exceptional circumstances the maximum time to achieve the qualification can be extended to 18 months. Pro rata arrangements can be made for part time staff. Further details and guidance on the level 3 Vocational Qualification is provided in the [Appendix to 2.1.1b](#).

The level 3 Vocational Qualification integrates with an appropriate programme of directed, work-based learning and development, together with supervised and assessed practice. Individuals completing this Vocational Qualification successfully become qualified Probation Services' Officers.

2.1.2 Pathway to Probation Officer eligibility (the ‘Honours Degree pathway’)

This pathway provides qualified PSOs with a career progression pathway, subject to employer selection, by which they can become qualified for the Probation Officer role. It comprises a three-part Honours Degree together with a further Vocational Qualification Diploma in Probation Practice level 5. It is designed to enable PSOs to progress to demonstrate the occupational competence required of Probation Officer posts, including working with offenders who present a high risk of harm to others.

Part 1 of the Degree consists of 120 academic credits at level 4, and Part 2 of 120 academic credits at level 5. Six units of the Vocational Qualification at level 5 will also be completed during part 2 and articulated towards the Degree. The successful completion of both Part 1 and Part 2 leads to the award of a Foundation Degree.

Although Part 1 and Part 2 are each notionally equivalent to an academic ‘year’, the expected time taken to complete them is flexible according to the delivery model required to meet the needs of staff in the workplace. However, employers are entitled to set reasonable maximum limits so as to preserve their workforce planning intentions.

Part 3 of the Honours Degree also consists of 120 academic credits at level 6 and 6 further vocational units at level 5/6. Those taking this final component of the Honours Degree programme will normally be expected to have concluded their academic studies within 9 months. Further details and guidance on arrangements for the Honours Degree is provided in the [Appendix to 2.1.2a](#).

The Vocational Qualification element of this pathway sits alongside the academic element and consists of 12 units split between Part 2 and Part 3 of the Degree. Three of these units are at level 6, but the qualification overall is at Level 5. Both the academic and vocational parts integrate with an appropriate programme of supervised and assessed practice. Further details and guidance on the level 5 Vocational Qualification is provided in the [Appendix to 2.1.2b](#).

The successful completion of the Honours Degree and the level 5 Vocational Qualification normally leads to individuals becoming qualified to be eligible to apply for Probation Officer roles.

2.1.3 Pathway to Probation Officer eligibility (the ‘Graduate Diploma Pathway’)

This pathway is designed to provide a direct route for newly appointed and existing PSOs with relevant degrees to qualify for Probation Officer roles without having to pursue a further Honours Degree. To be eligible for recruitment and selection onto the Graduate Diploma Pathway individuals must already hold an appropriate, recognised relevant Honours Degree. Guidance and a list of qualifications that provide eligibility for recruitment and/or selection to this pathway are set out in [Appendix to 2.1.3a](#).

All newly recruited PSOs on the Graduate Diploma pathway will be provided with the Gateway to Practice induction programme. This is the same programme as that used at the start of the VQ3 pathway referred to above.

The major elements of the pathway are the Graduate Diploma together with the Vocational Qualification Diploma at level 5, in Probation Practice. They are designed to enable appropriately qualified graduate entrants to progress and demonstrate the occupational competence required of Probation Officer posts, including working with offenders who present a high risk of harm to others.

The Graduate Diploma consists of 120 academic credits at level 6. The content of the Graduate Diploma and Part 3 of the Honours Degree are the same.

The Vocational Qualification element of this pathway sits alongside the Graduate Diploma programme. It has two principal parts. The first part consists of a set of 6 units at level 5. The second part consists of a further set of 6 units, 3 at level 5 and 3 at level 6 (but the award overall is at level 5).

The first set of 6 units should normally be completed within 6 months of appointment. The second set of 6 units is done in tandem with the Graduate Diploma and both should normally be completed in the following 9 months. Pro rata arrangements can be made for part time staff. Both sets of units integrate with an appropriate programme of supervised and assessed practice. Further details and guidance on the level 5 Vocational Qualification is provided in the [Appendix to 2.1.2b](#).

Those taking the Graduate Diploma will normally be expected to have concluded the level 5 vocational qualification and academic studies within 15 months.

Successful completion of the Graduate Diploma and the level 5 Vocational Qualification leads to individuals becoming qualified to apply for Probation Officer roles. Further details and guidance on the Graduate Diploma is provided in the [Appendix to 2.1.3b](#).

3. Requirements and Responsibilities of Key Partners

The effective delivery of the various qualifications pathways requires the co-ordinated efforts of a number of organisations, bodies and individuals. Their roles, responsibilities and the obligations placed upon them are set out here:

3.1 NOMS Human Resource Directorate

3.1.1 Contracts out Higher Education provision

The NOMS HR Directorate is responsible, on behalf of NOMS, for procuring and establishing contracts with recognised Higher Education Institutions (HEIs) for the provision of the Degree and Graduate Diploma qualifications.

The contracted provision will be such that there is sufficient flexibility, capacity potential and geographical coverage in both England and Wales to meet Probation Service Providers' projected needs for qualifications.

3.1.2 Purchases Higher Education provision from contractors

The NOMS HR Directorate will purchase places on the Degree and Graduate Diploma qualifications from one or more appropriate contracted HEI, in line with the number of places each Probation Service Provider formally states they require. In doing so, it will have in place appropriate mechanisms to ensure that the risk of over-forecasting by Probation Service Providers is minimised. (See also 3.2.1, below.)

3.1.3 Manages contract(s) and contractual relationship(s) with HE contractor(s)

The management of the contract(s) and contractual relationship(s) between NOMS and the HEIs is the responsibility of the NOMS HR Directorate. However, in doing so it may request or establish other bodies (such as the Probation Qualifications Assurance Board, below) to act on its behalf to perform specific non-executive functions.

3.1.4 Creates and owns fit for purpose curriculum for HE qualifications and the Gateway to Practice

The maintenance of fit for purpose curriculum of the Degree and Graduate Diploma qualifications, and of the Gateway to Practice programme, is the responsibility of the HR Directorate, and it will have in place active mechanisms for ensuring that this is achieved based on the principle of continuous improvement.

3.1.5 Creates and jointly owns the Vocational Qualifications

In liaison with the Awarding Organisation and Skills for Justice, the NOMS HR Directorate will be responsible for owning and maintaining the Vocational Qualifications and their content, together with the associated guidance in respect of assessment criteria. It will ensure that the units in the qualifications are based on relevant Occupational Standards and reflect current probation practice. It will provide necessary advice to Vocational Qualification providers, for example in matters of interpretation.

3.1.6 Undertakes periodic stakeholder consultation to ensure that probation qualifications remain fit for purpose

As part of ensuring that the qualifications in the Probation Qualifications Framework remain relevant and fit for purpose, the NOMS HR Directorate will undertake periodic consultations with relevant stakeholders. These will include probation services commissioners and providers, qualifications providers, sector and educational bodies, and staff representative bodies.

3.1.7 Oversees the assurance of quality in qualification delivery

Contracted HEIs and appointed Assessment Centres will have their own internal quality systems which they will, properly, operate and maintain. Nonetheless, the HR Directorate will have its own quality assurance systems in place to ensure that uniform quality and standards across all contracted HEIs and appointed Assessment Centres, and across both nations, are achieved and maintained. These systems will be operated on its behalf by the Probation Qualifications Assurance Board (see 3.6, below) and will be based on the principle of continuous improvement.

3.1.8 Commissions appropriate services from Skills for Justice and other bodies

The NOMS HR Directorate will commission services from Skills for Justice and other appropriate organisations, as appropriate. It will do this so as to ensure that the Probation Qualifications Framework, and the qualifications within it, align with national frameworks and other standards-based requirements, remain fit for purpose, can be further developed to meet emerging future requirements, and continue to enable Ministers to fulfil their duties under legislation.

3.1.9 Works through the National Negotiating Committee on employee national terms and conditions impacts

Where there are issues, risks or impacts relating to employee national terms and conditions arising from the arrangements for implementing the PQF, the NOMS HR Directorate will ensure that these are raised with the NNC so that appropriate resolution(s) may be sought.

3.1.10 Convenes the Probation Qualifications Assurance Board and issues its Terms of Reference

The mandate of the Probation Qualifications Assurance Board, and its Terms of Reference, can be found in 3.6, below.

3.1.11 Provides national communications, publicity, information, guidance

The NOMS HR Directorate will publish and circulate relevant materials in support of the PQF and its associated arrangements for the benefit of appropriate stakeholders, and to ensure that Ministers are able to fulfil their obligations under legislation.

3.2 Providers of Probation Services commissioned by Directors of Offender Management

3.2.1 Forward plan qualified workforce requirements

Probation Service Providers (PSPs) will forward plan their future requirements for a qualified workforce so that they can inform the NOMS HR Directorate and their commissioning Director of Offender Management of the number of places that they will require on the Honours Degree and Graduate Diploma pathways. Further details are given in the [Appendix to 3.2.1](#).

3.2.2 Recruit staff on to qualification pathways

It is the responsibility of PSPs, as employers, to recruit new or existing practitioners onto the appropriate qualification pathway. In the case of the Honours Degree and Graduate Diploma pathways, PSPs must ensure that the contracted HEI is involved in the process for assessing whether or not eligible potential learners have reasonable prospects for completing the programme successfully. PSPs will also ensure that individual Learning Agreements are established for each learner undertaking a qualification in the PQF. Guidance for employers is set out in the [Appendix to 3.2.2a](#).

3.2.3 Provide Gateway to Practice to newly recruited staff

PSPs will provide all newly recruited practitioners with the Gateway to Practice induction programme. They will ensure that individuals complete this programme satisfactorily, normally within the first ten working days of an individual's initial appointment and before undertaking any work on further qualifications or working with offenders on their own. Further details of the Gateway to Practice are given in [Appendix to 2.1.1a](#).

3.2.4 Commission, pay for and manage Vocational Qualifications

PSPs will commission Vocational Qualifications from Vocational Qualifications Providers who are able to meet the requirements of section 3.4, below, under the terms of a Service Level Agreement or contract agreed between the two parties.

PSPs will register all staff undertaking Vocational Qualifications with the approved Assessment Centre of the Vocational Qualifications Provider (also see 3.4, below), and will be liable for all fees charged by the Awarding Organisation and/or the Assessment Centre. PSPs will be accountable to Directors of Offender Management for the suitability and quality of arrangements in place, and that they represent value for money.

PSPs will register all new unqualified PSOs, who are not undertaking the Graduate Diploma pathway, for the Vocational Qualification level 3 immediately upon completion of the Gateway to Practice and ensure completion normally occurs within 12 months of appointment (18 months maximum). Pro rata arrangements can be made for part time staff.

PSPs will give existing PSOs, who express an interest, the opportunity to register for the Vocational Qualification at level 3 prior to 1 April 2015. Full NVQs level 3 in Community Justice, registered before end September 2010, can be considered as equivalent, but new registrations thereafter should be for the Vocational Qualification level 3 Diploma in Probation Practice.

3.2.5 Arrange practice, and manage its supervision and assessment

PSPs will ensure that appropriate and relevant practice experience and learning opportunities are provided for each individual undertaking a qualification's pathway.

They will ensure that this provision is rooted in probation practice, and that each individual is exposed to a sufficient variety of job roles to enable them to evidence properly their vocational qualification.

All those undertaking qualifications pathways must complete a minimum period of 120 days of supervised practice for each vocational qualification.

PSPs will be responsible for the suitability and quality of arrangements in place for the appropriate line management, practice supervision and availability for assessment of individuals on qualifications pathways, and that they represent value for money. The effectiveness of these arrangements will fall within the scope of the scrutiny activities of the Probation Qualifications Assurance Board.

They will also hold to account and provide direction, development opportunities and support for staff responsible for the learning of PSOs on PQF pathways. This will include clarity for the learner on the respective tasks of line management, practice tutoring/mentoring, assessment and internal verification. PSPs may determine their own job role titles, but must ensure a clear separation of responsibilities and lines of accountability in order to maintain the integrity of the assessment, supervision and line management processes. Further guidance is given in [Appendix to 3.2.5](#).

3.2.6 Manage the provision of a directed learning and development programme for those on the PSO pathway

All newly recruited PSOs will undertake a directed learning and development programme that will, amongst other things, provide underpinning knowledge for the level 3 Vocational Qualification and the initial 6 level 5 units undertaken on the Graduate Diploma pathway. For the time being the curriculum for this will be that which was set out for Stage 2 of the PSO Learning & Development Programme in Probation Circulars 18/2007 and 15/2008(see extract in [Appendix to 3.2.6](#))

3.2.7 Provide general employer functions for, and set up Learning Agreements with, those on pathways

Employing PSPs will have explicit and specific arrangements in place for providing line management, performance management and HR functions for individuals, and for ensuring they are properly informed of their terms and conditions of service and all standards, codes, regulations, legislation and the like with which they are obliged to comply.

They will also establish individual Learning Agreements with each learner undertaking a qualification, against which that individual's progress can be monitored under local performance management arrangements. See also 3.5.4, below. Further guidance is given in the [Appendix to 3.2.2b](#).

3.2.8 Monitor progress of learners

The Learning Agreement also clarifies the obligations placed on the learner. Where a learner's performance is reported by the qualification provider as not being satisfactory PSPs will agree with the qualification provider to take supportive measures to deal with the situation. If these measures do not resolve the situation or the PSP identifies other aspects of unsatisfactory performance then the PSP has the discretion, if appropriate, to invoke further performance management procedures that are reasonable and proportionate. See also 3.5.4, below, and [Appendix to 3.2.8](#).

3.3 Higher Education Provider(s)

3.3.1 Deliver the Higher Education qualifications service according to the agreed contract

Contracted HEI(s) will provide qualifications in accordance with the contract(s) agreed with NOMS, and in accordance with any contract variations that may be agreed subsequently. They will also participate fully in meetings designed to ensure contract compliance when required. Further details are given in the [Appendix to 3.3.1](#).

3.3.2 Contribute as required to NOMS' mechanisms for assuring quality

In addition to any terms and conditions that may be specified in formal contract documents, the contracted HEI(s) will conform to the Probation HE Qualifications Code of Practice (see the [Appendix to 3.3.2](#).) and will play an active role in working with PSPs' management structures and Vocational Qualification providers to ensure the smooth running of the contracted programmes.

This includes liaison with national and local learning management and support functions, with employers and with individual learners to facilitate the effective day-to-day delivery of the qualifications service. They will also participate fully in the quality assurance mechanisms established under the auspices of the Probation Qualifications Assurance Board (the Assurance Board). See also 3.6, below.

3.3.3 Contribute as required to NOMS' mechanism for maintaining fit for purpose curriculum

Through the Assurance Board, the contracted HEI(s) will be required to play an active role in ensuring that the curriculum for qualifications is reviewed regularly and is kept up to date with changes in probation practice.

3.4 Vocational Qualification Provider(s)

3.4.1 Deliver the vocational qualifications service according to the contract or Service Level Agreement

Providers of the Vocational Qualifications at levels 3 and 5 will deliver them through Assessment Centres which:

- are approved by the Qualification Awarding Organisation
- deliver their service in line with the agreed Service Level Agreement or contract
- conform to the Probation Vocational Qualification Code of Practice set out in the [Appendix to 3.4.1](#).
- will work in partnership with the contracted HE providers to ensure effective integration of the vocational and academic qualifications

3.4.2 Contribute as required to NOMS' mechanisms for assuring quality

Assessment Centres will participate fully in assuring the quality of provision by:

- providing regular evidence of the effectiveness of their own internal systems for assuring quality that meets the requirements of the agreed SLA or contract
- conforming to the quality assurance and verification requirements placed upon them by the Awarding Organisation
- facilitating the effective operation of HE providers' own quality assurance systems
- conforming with, participating in, and providing evidence to the quality assurance systems operated by the Assurance Board

3.4.3 Contribute as required to NOMS' mechanism for maintaining fit for purpose curriculum

Assessment Centres have a duty to contribute to the maintenance of fit for purpose curriculum and content of qualifications, and in particular:

- work in partnership with the contracted HE providers to ensure effective integration of the vocational and academic qualifications and to maintain their currency by ensuring that the curriculum is kept up to date and reflects current professional practice
- use their evaluation and other quality assurance systems to identify potential changes or improvements to the qualifications to the Assurance Board.
- contribute to any reviews of qualifications as specified by the Assurance Board.

- comply with guidance (e.g. on interpretation) that may be issued by the NOMS HR Directorate from time to time

3.5 Learners

3.5.1 Abide by the employment terms and conditions (rights and responsibilities) of their employing Probation Service Provider

Each learner will have been recruited to meet employers' local needs and requirements. Learners will sign a letter of appointment confirming their understanding and acceptance of the terms and conditions under which they are appointed.

3.5.2 Work in accordance with NOMS' stated Vision and Values, and to the national priorities and national standards set out by NOMS for the provision of probation services.

Learners will contribute to NOMS' purpose of working to protect the public and reduce re-offending by delivering the punishment and orders of the courts and by helping offenders to reform their lives. They will work within nationally agreed standards and priorities which may change from time to time, and will contribute to performance monitoring and evaluation of their work

3.5.3 In working with offenders, victims and partner organisations abide by the commitments to upholding the law, to equality, and to confidentiality in the provision of probation services.

There is a common law duty on every employee and therefore learner to respect confidentiality in the course of their work, as well as a requirement to abide by specific legislation such as that relating to data protection, anti-discrimination measures, race relations and the like. In addition, there is a duty on learners to demonstrate pro-social behaviours – an ability to engage others in the process of change, an understanding of difference, a valuing of diversity, respect for others and an understanding of different priorities when working with others.

3.5.4 Ensure satisfactory progress is maintained when undertaking all components of their individual Learning

Learners have a duty to maintain satisfactory progress against their Learning Agreement, by achieving agreed targets within specified timescales, during all elements of their journey through a qualification pathway. See also 3.2.7, above.

Equally, employers have a duty to monitor their progress under local performance management arrangements and, in the interests of ensuring that public money is well spent and that their organisation has the qualified staff it needs, where performance is not satisfactory they are entitled to take informal and formal measures, which are reasonable and proportionate, to deal with the situation. See also 3.2.8, above.

3.6 Probation Qualifications Assurance Board

3.6.1 Discharges its duties as set out in its Terms of Reference.

These are set out in the [Appendix to 3.6.1](#).

4 Maintenance of the Regulatory Framework

4.1 Updating

The Regulatory Framework will be updated from time to time as appropriate. Updates are the responsibility of the NOMS HR Directorate and those that are made will be communicated to the appropriate parties as soon as they have been authorised.

4.2 Interpretation

Any issues or matters of interpretation should be addressed to the NOMS HR Directorate in the first instance. The NOMS HR Directorate will be the final arbiter of interpretation should any issues or matters not be resolved by normal professional dialogue.

5. Glossary

Assurance Board - Probation Qualifications Assurance Board

HE - Higher Education

HEI - Higher Education Institution

HR - Human Resources

NNC - National Negotiating Committee

NOMS - National Offender Management Service

PSO - Probation Services' Officer

PSO L&D Programme - Probation Services' Officer Learning and Development programme based on Probation Circulars 18/2007 and 15/2008

PSP - Probation Service Provider- including Probation Trusts and Areas.

PQF - Probation Qualifications Framework

SLA Service Level Agreement

VQ3 - Vocational Qualification Diploma at Level 3 in Probation Practice

VQ5 - Vocational Qualification Diploma at level 5 in Probation Practice.

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