



# Annual Report

1<sup>st</sup> SEPTEMBER 2013 – 31<sup>st</sup> AUGUST 2014



*Monitoring fairness and respect for people in custody*

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## **SECTION 1**

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### **Statutory Role of the IMB**

The Prison Act 1952 and the Immigration and Asylum Act 1999 require every prison and IRC to be monitored by an independent Board appointed by the Secretary of State from members of the community in which the prison or centre is situated.

The Board is specifically charged to:

- a) satisfy itself as to the humane and just treatment of those held in custody within its prison and the range and adequacy of the programmes preparing them for release.
- b) inform promptly the Secretary of State, or any official to whom he has delegated authority as it judges appropriate, any concern it has.
- c) report annually to the Secretary of State on how well the prison has met the standards and requirements placed on it and what impact these have on those in its custody.

To enable the Board to carry out these duties effectively its members have right of access to every prisoner and every part of the prison and also to the prison's records.

## **SECTION 2**

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### **Composition of Chelmsford IMB**

Nick Adams - Chair

Graham Herbing - Vice Chair (and Board Development Officer from April 2014)

Diana Peacock – Vice Chair (from October 2013)

Emma Hewat - Board Development Officer (to April 2014)

Paul Norton – Ashley (resigned May 2014)

Kate Abbott (retired December 2013)

Sarah Carr (resigned December 2013)

Gill Castle

Barry Catling

Lyndall Collins

Tony Evans

Graham Finch

Maureen Findlay (resigned October 2013)

Danyl Fletcher (resigned April 2014)

Stephen Harriman

Joe Hayden

Robert Hunt

Andrew Johnson (resigned April 2014)

Russell Pearson

Rod Salmon

Brian Wellman

## SECTION 3

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### Description of HMP/YOI Chelmsford

1. There has been a prison on this site in Chelmsford since 1819. The original Prison was built in the traditional 'spokes of a wheel' design of three storeys – once four, when part was below ground. Three further wings have been added this century and a variety of other facilities, include Healthcare and Daycare Centres, Education facilities, a Gymnasium and artificial grass sports pitch, a Multi-Faith Room, Library, Kitchen, Laundry, Recycling Centre, Visitors Centre and a variety of offices housing prison and agency staff.
2. Chelmsford is currently designated a 'Complex' Local, Category B prison and, as such, a large proportion of the prisoners held are on remand. The average stay of a prisoner at Chelmsford is just a few weeks, which leads to a high turnover, with a large number of transfers to and from Court and other establishments each day.
3. At the beginning of the reporting period the Prison's Operational Capacity was 594, following the closure of B Wing in the older part of the prison at the beginning of 2013. This wing was bought back into use in May 2014 and at the end of the reporting period the Operational Capacity was 745.
4. For part of the reporting period the Prison has had a temporary Governor and Deputy and, following the retirement of a significant number of experienced and senior officers, has relied on a number of officers 'detached' from other establishments to cover staff shortages. A new permanent Governor was appointed in March 2014.
5. HMP Chelmsford continues to hold Young Prisoners (YPs) and Adult Prisoners; both on remand and sentenced, with sentences ranging from a few weeks to life. For much of the period under review, the prison population had reduced but, following the re-opening of B Wing, is again close to capacity, although the number of YPs, averaging 60 throughout the reporting period, is significantly lower than in recent years.
6. During the last few years, there have been significant changes in the way in which certain services have been provided to or on behalf of the Prison. Care UK runs Healthcare, A4e provides Education, Resettlement is supported by NACRO, ELS, Seetec, Money Advice Centre, Tribal, WDP Chelmsford, Atos and Job Centre Plus. Looking ahead, the services currently provided by the Prison's Resettlement department and the in-prison Probation team are due to be replaced by third party organisations during the 2014/2015 reporting period.

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## SECTION 4

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### Executive Summary

1. The Board is concerned that the loss of a large number of experienced Supervising Officers (SOs) and Wing Officers (WOs), during the reporting period, has had a significant negative impact on the care and safety of prisoners.

Less experienced officers were supported by fewer SOs throughout the Prison and, during this period, there were significantly fewer officers on each wing to care for and manage a similar number of prisoners. In addition a number of officers were on temporary detachment from other establishments.

The Prison's 'Personal Officer' scheme, where each prisoner should have access to a named officer if they have a problem, appeared to be largely ineffective and the deployment of 'detached' officers has meant that these officers' knowledge of individual prisoners was limited.

The increased number of adjudications and GOoD reviews and our observations during rota visits throughout the reporting period, suggest that the incidence of bullying, low-level violence, and disobedience by prisoners has increased.

2. The Board is also concerned about the large number of prisoners on 'open ACCTs', throughout the reporting period. As a result, the amount of time required by Wing and Healthcare officers to effectively monitor prisoners on an ACCT, and to record written observations, was substantial, as was the time required of SOs to manage regular ACCT reviews, an essential part of this process.

While commending the Prison for its use of ACCTs as part of a process to ensure the safety of prisoners, given the extreme pressure on its key resources, the Board is concerned that more resources may have been spent on administering the system than on vital time spent with these vulnerable prisoners

3. One of the Prison Service's key responsibilities is reducing re-offending and the Board is frustrated that the continuous changes to the Prison's role and population and the lack of data relating to prisoners after release, has made it almost impossible to assess the Prison's performance in this area.

Given the high percentage of Chelmsford's population who are on remand, awaiting trial or sentence, the Board is also concerned that there appeared to be no formal, funded process to assist remand prisoners to maintain family relationships, accommodation and employment prospects, if they are subsequently released. The Prison does not currently maintain statistics regarding the number of prisoners in this situation but has agreed to do so in future.

4. The Board is concerned that the poor and deteriorating physical condition of A Wing, particularly the Segregation Unit, may have had a negative impact on the generally excellent care provided by its officers.

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## **SECTION 5**

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### **Safer Custody**

Reductions in the numbers of SOs and WOs during the reporting period have negatively impacted the Prison's ability to maintain its good record on Safer Custody. The reduction in the number of full time Violence Reduction officers has necessitated changes in the way in which Wing Officers were involved. New staffing levels have meant that Personal Officers had less time to interact with prisoners.

The temporary closure of B Wing during the reporting period also limited the Prison's ability to relocate difficult prisoners, with potential implications for violence reduction programmes.

Although the number of violent incidents fell during this period, this may be attributable, in part, to the reduction in the number of YPs and the reduced population resulting from the closure of B wing.

The 'Listening' programme has been very successful, and there has been regular availability of new Listeners on Prison training courses. However, the Board questions whether a team of 18 Listeners is sufficient for a prison of Chelmsford's population.

The Board is pleased to note that the Prison has now introduced 'Complex Needs Meetings', which have contributed to a reduction in violent incidents. This multi-disciplinary approach should encourage better liaison and improved information sharing between all relevant parties.

The Board is also pleased to note that the Prison is currently developing a formal 'Safeguarding Policy' for 'Adults at Risk' (previously described as 'Vulnerable Adults'), in conjunction with the local authority.

The Board notes that the ACCT process is being improved, however it remains concerned that entries made in the ACCT documents lacked sufficient focus.

The Board however regrets the reduced use of Mediation, the result of a reduction in the numbers of trained officers, together with lack of funding. Previously this innovative service was reported to have had a high success rate.

Sadly there were two Deaths in Custody in the Prison, during the reporting period, in November 2013 and in March 2014.

## **SECTION 6**

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### **Healthcare and Mental Health**

In last year's report the Board expressed its concerns about the inability of the Healthcare provider – Care UK - to provide sufficient numbers of doctors and, in particular, senior nursing staff, to ensure the level of cover required to safeguard prisoners.

Care UK have told us that they have since renegotiated their contract for the supply of Healthcare services which has had a positive impact on their ability to recruit and retain staff. Board members have observed that there has been an improvement in communication and support between management and doctors, nurses and pharmacists.

The Healthcare provider has also reported that training has improved and is available both online and in-house for all nursing staff. Again Board members have noted that the take up by Healthcare nurses of courses offered, appears to be very encouraging.

Board members have also attended a significant number of Healthcare meetings during the reporting period and have seen evidence to suggest that sufficient numbers of doctors and nurses were in place. However, although the Board recognises that during the reporting period the numbers of nurses increased, it also notes that Care UK continued to rely heavily on agency staff.

The responsibility for a number of in-patient Healthcare beds has been transferred to North Essex Partnership Foundation Trust (NEPT) the mental health provider, which it is hoped will, in future, lead to better outcomes for all prisoners requiring healthcare services.

Throughout the reporting period however, the Board has been of the view that a significant number of the prisoners in Healthcare should, more appropriately, have been held in a secure mental health facility, a view, which has often been supported by Healthcare officers and staff. Decisions to transfer some very challenging and vulnerable prisoners to such a facility however take, in the Board's view, far too long to be made and transfers far too long to achieve.

While acknowledging that some progress has been made during the last year, the Board notes that the 26% of the total IMB applications recorded during the reporting period, which concerned Healthcare issues, remained a worryingly high proportion of the total and will therefore continue to monitor closely this vital area of the Prison's operations.

## **SECTION 7**

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### **Reducing Re-offending**

Given the current emphasis on reducing re-offending it was decided to group together in one section, the Prison's main activities that, in principle, could impact the rate of re-offending.

#### Resettlement

At the beginning of the reporting period, the Prison's sentence planning process appeared to have been particularly successful, but the way in which this work is carried out is changing, with Probation Officers, who had done much of this work in prison, being replaced, through a tender process, by Community Rehabilitation Companies (CRCs). Past observations of the quality of services provided by other third party contractors, suggest that the Board will need to monitor this area of the Prison even more closely, in the future.

The Resettlement process, which begins at the prisoner induction stage, is also changing. Until recently, informal support to help remand prisoners to retain accommodation and, where possible, jobs, appears to have been relatively successful, as has similar work for convicted prisoners on release. In the latter part of the reporting period however, the proportion of remand prisoners has significantly increased and it is doubtful whether an informal process will be adequate, in future, for such a large number of remand prisoners.

Regrettably a lack of informative data available to the Prison, and consequently the Board, has hampered the Board's ability to make useful qualitative judgements and, in particular, the data collected by the Prison relating to NOMS targets, has not been helpful in terms of measuring outcomes.

#### Education

Education, which is currently provided by A4e, is intended to be an important part of the national 'Reducing Re-offending Strategy', giving prisoners knowledge and skills that can be put to profitable use in the workplace, after release, and to enhance their sense of self-worth.

However, during the reporting period, the Prison's Education budget was cut by some 20%. There are no targets for the delivery of education, but a range of KPI's is used to evaluate success including recruitment, performance and achievement. Some improvements appear to have been made to delivery of classes. Funding is now dependent on 'achievement of qualifications' rather than 'hours delivered' and the Board questions whether this is an effective approach.

Attendance at education has, in the Board's view, been too low. Better performance data should be available to ensure that action can be taken if attendance targets are not achieved.

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The part time (split) working education regime has put additional pressures on teaching staff, requiring them to come up with a course delivery strategy that enables this regime to be effectively serviced by the Education team.

The Prison's 'core day' has been extended, but no additional OLASS funding has been available, which has led to further cuts in the programme. A 'split regime' has been implemented, in line with Prison Service strategy for local prisons, which means that a duplicate education programme has run, morning and afternoons, so that most courses are now part time. Vocational courses have continued to run on a full time basis and this has increased access to Education but means that qualifications take longer to achieve. There is still no assurance that when a prisoner completes a unit there will be a follow on unit available, either at HMP Chelmsford, or elsewhere.

The Board is disappointed to note that in-cell education has only been available in exceptional circumstances and that some prisoners have been locked up with nothing constructive to do.

The Board is also concerned that the numbers of prisoners using the Prison's well-equipped Library has fallen, and that not all prisoners have had regular scheduled access to this facility.

#### Purposeful Activity

The Board feels that the provision of employment remains limited but notes the good practice and consistency of work activity in the areas of the Kitchen, Laundry and Recycling.

National NOMS work-related KPTs may be being met but the Board has again had great difficulty interrogating the Prison's OMU system to obtain basic data regarding prisoner activity.

Informal questioning of many prisoners on all Wings, throughout the year, suggests however that, while prisoners may not be allocated to an activity of their choice, most are allocated to some work or education, within an acceptable time frame after arrival but we will continue to monitor the situation.

The Board is disappointed that the barber training and art sessions ceased during the reporting period and that the Prison's IT Academy (PICTA) was closed for half this period, and remains closed at the time of writing, thus leaving prisoners unable to achieve useful IT related training and qualifications.

We are also disappointed that the Prison's 'Enterprise Unit', which undertakes work for an external manufacturing company, has still not been able to expand and that for example, in one week in May 2014, only one session was at full capacity. Board members have observed prisoners, in work places, playing cards or chatting, well before the end of a session, because the task was not of long enough duration.

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The Board is concerned that the work allocation process did not always match provision to the need effectively and we shall continue to monitor this area, as job allocation is more complicated under the new split regime. Attendance at work and education is reported to be increasing however and refusals decreasing. The regime is constantly under review and the Board continues to monitor its impact on the time, which prisoners spend out of their cells.

## **SECTION 8**

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### **Segregation Unit, Care and Separation, Close Supervision**

The physical environment of the Segregation Unit, in A Wing, in the oldest part of the Prison continued to be poor for both prisoners and staff, as stated in previous Reports and as referred to in greater detail in Section 10 of this report.

During the reporting period, the Board's weekly rota reports have evidenced timely and appropriate contact by the Unit's officers with Board members, ensuring that prisoners have early access to duty IMB members.

Examination of the documentation relating to prisoners placed on GOoD has generally indicated that they have been of a satisfactory standard. The Board has also attended prisoner adjudications and segregation review meetings on a regular basis, throughout the reporting period.

Overall the Board has been impressed by the commitment of the Segregation Unit officers and the care that has been shown to individual prisoners. However, on a number occasions throughout the reporting period, the Board reported concerns about, what it felt, was the informal manner and inappropriate language used during a minority of GOoD reviews.

The Board is satisfied that use of cellular confinement and special accommodation has been broadly appropriate, and that dirty protests were dealt with satisfactorily.

## SECTION 9

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### Equality and Inclusion

Through its monitoring and general observations, the Board is satisfied that throughout the reporting period, the Prison had in place a suitable written Equalities Policy and a robust process to allow it to monitor and deal with reported breaches of this policy. These included regular meetings, which were chaired by a member of the Prison's SMT and attended by representatives of most disciplines within the Prison.

Wing Equality Representatives also attended, but the Board notes that the high turnover of prisoners made their appointment and retention, difficult, but also notes that efforts are being made to overcome this problem.

Use of the Prison's 'Equalities Monitoring Tool', which extracts and compares its own statistics with data held by NOMIS, showing a cross section of the entire prison population, is at a very early stage, but the Board commends the work of the Chelmsford Equalities Team in this regard.

The Board notes however that this detailed analysis focuses primarily on Race/Ethnicity and that statistics were not generally published for other characteristics, but understands that this additional information is being requested from NOMIS in order that future analysis and associated judgements are as effective as they can be.

Discrimination Incident Report Forms have been made freely available to prisoners, staff and visitors, to report Equalities related concerns or complaints, however the Board has some concern that the relatively low incidence of their use may indicate a lack of awareness by prisoners of the Equalities team, its policies and procedures or, more worryingly, a lack of willingness by them to participate and/or report incidents.

The Board understands that the training of staff, Equalities representatives and prisoners is currently being reviewed as a result, together with the advertising of policy and procedures to staff, visitors and the prison population in general and we shall continue to monitor the situation.

## SECTION 10

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### Residential Services

In the oldest part of the establishment, following the 'mothballing' and subsequent re-opening of B Wing, the Prison has taken the opportunity to refurbish elements of both B & C Wings

The Board is however concerned that, during the reporting period, the physical condition of A Wing, which houses the Segregation Unit, has been very poor and has continued to deteriorate, with cells often being out of use and prisoners complaining of them being cold, dark and dank.

In particular the condition of the showers in the Segregation Unit was extremely bad and, in our view, unhygienic. The walls and ceiling were continuously damp, even when the showers were not in use, a large area of wall tiles is missing with the exposed wall completely wet and the floor was also in a very bad condition.

As stated in last year's report, the Board believes that unless major refurbishment of this area of the Prison is carried out, conditions will continue to deteriorate to the detriment of the wellbeing of the prisoners and staff.

'Disabled' cells have been installed on other Wings but the Segregation Unit is an area of the Prison, which is still not fully accessible.

The Prison has a budget of only £1.96 per day to feed each prisoner and, as a result, only one hot meal a day is provided. Despite this, the Prison's Kitchen does its best to produce healthy and low cost meals and its efforts to make its own bread rolls and pastry is to be applauded.

Prisoners, in particular younger more active individuals, have however continued to tell us that the quantity, as well as the quality of the food provided, remained an issue and we believe that in YOI only institutions, the budget per prisoner is greater, in recognition of the needs of younger, growing prisoners.

The external areas surrounding the majority of the wings were often in a very poor state, despite the Prison's efforts with regular cleaning parties being employed.

Large amounts of litter, including discarded food, items of clothing, toiletries, cutlery, and plates was often evident and with very many of the window guards being broken or missing, it remained too easy for prisoners simply to throw their rubbish from their cell windows.

## SECTION 11

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### Board Statistics

<b>Recommended Complement of Board members</b>	<b>19</b>
<b>Number of Board members at the start of the reporting period</b>	<b>21</b>
<b>Number of Board members at the end of the reporting period</b>	<b>15</b>
<b>Number of new members joining within the reporting period</b>	<b>0</b>
<b>Number of members leaving within reporting period</b>	<b>6</b>
<b>Total number of Board meetings during reporting period</b>	<b>12</b>
<b>Total number of visits to the Establishment excluding Board meetings</b>	225
<b>Total number of Segregation Reviews attended</b>	98
<b>Total number of Meetings attended</b>	57
<b>Date of Annual Team Performance Review</b>	12/06/14

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## SECTION 12

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### Applications to the Board

Code	Subject	2010/11	2011/12	2012/13	2013/14
A	Accommodation	3	12	1	1
B	Adjudications	4	3	3	0
C	Equality & Diversity (inc religion)	1	3	2	8
D	Education/employment/training	16	9	10	4
E	Family/visits inc mail & phone	10	2	8	3
F	Food/kitchen related	3	5	3	3
G	Health related	34	33	36	32
H	Property	25	21	24	25
I	Sentence related (Inc. HDC, ROTL, parole, release dates, re-cat etc.)	1	2	4	8
J	Staff/prisoner/detainee concerns inc. bullying	23	14	10	13
K	Transfers	9	9	4	7
L	Miscellaneous	28	13	17	18
	<b>Total number of IMB applications</b>	<b>157</b>	<b>126</b>	<b>122</b>	<b>122</b>

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## SECTION 13

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### Glossary

**ACCT** Assessment Care in Custody Teamwork  
**CRC** Community Rehabilitation Company  
**Detached Duty** Temporary detachment from another establishment  
**GOoD** Good Order or Discipline  
**ELS** Employment Learning and Skills  
**HDC** Home Detention Curfew  
**HMP** Her Majesty's Prison  
**IEP** Incentive-based Regimes and Earned Privileges  
**IMB** Independent Monitoring Board  
**IRC** Immigration and Removal Centre  
**KPI** Key Performance Indicator  
**KPT** Key Performance Target  
**Listeners** Prisoners trained to provide a confidential 'Listening' service to other prisoners  
**NACRO** National Association for the Care and Rehabilitation of Offenders  
**NEPT** North Essex Partnership Trust  
**NOMS** National Offender Management Service  
**NOMIS** National Offender Managements Information System  
**NCS** National Careers Service  
**OLASS** Offender's Learning and Skills Service  
**OMU** Offender Management Unit  
**PICTA** Prison ICT Academy  
**ROTL** Release on Temporary Licence  
**SO** Supervising Officer (formally Senior Officer)  
**VP** Vulnerable Prisoner  
**YOI** Young Offenders Institution  
**YPs** Young Prisoners (aged 18 - 21 years)  
**VRQ** Vocationally Related Qualification  
**WO** Wing Officer