



Independent Monitoring Board

HMP Nottingham

Annual Report

To Her Majesty's Secretary of State at the Ministry of Justice

For the period

1st March 2013 to 28th February 2014

Section 1 Statutory Role of the IMB

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

The Board is specifically charged to:

- (1) 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.
- (2) Inform promptly the Secretary of State, or any official to whom he has delegated authority as it judges appropriate, of any concern it has.
- (3) 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.

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Section 3 Description of the Prison

3.1 Capacity and Category

At the beginning of the reporting period, HMP Nottingham had an operational capacity of 1060 prisoners with a CNA (Certified Normal Accommodation) of 723; during the latter part of 2013 the operational capacity was gradually increased to 1100, in facilities designated Category B.

Accommodation is arranged on seven wings, all of modern design. During the year ambitious plans to differentiate the wings for specified categories of prisoner were prepared and some progress made towards implementation. This included a plan to designate B Wing for Category C prisoners which would have gone some way towards addressing the issue we raised in our report last year about men being held in more restrictive conditions than risk requires. This plan has yet to be fully implemented and will face constant challenge because of the crowded nature of the prison estate which leaves little spare capacity to allow for differentiation. (Section 4.4.2)

Young offenders, mostly on remand, continue to be accommodated throughout the prison as do adult prisoners. Our concerns in our previous report about the co-location of remand prisoners with sentenced prisoners remain unaddressed. F wing has been designated for older prisoners and prisoners serving longer sentences, with G wing continuing to house vulnerable prisoners. We welcome moves during the year to limit G Wing prisoners to those prisoners who are vulnerable because of their offence, and not to include prisoners with debt or other social problems.

Outside agencies (including voluntary groups) delivering services to the prison include Nottinghamshire Healthcare, Milton Keynes College for Education, PACT (Prison Advice & Care Trust) which manages the Visitors' Centre and the provision of refreshments in the visits halls, NACRO (National Association for the Care and Resettlement of Offenders) and Emmanuel House.

3.2 Operation

As the reporting period progressed almost all of the initiatives which had been conceived within the concept of a Community Prison four years ago were discontinued; this seemed mostly to result from the need to reduce costs. The prison has therefore returned to being a local facility serving the courts of Nottingham and Derby and the corresponding counties.

In practice, many of those accommodated are not local men; they may be on remand to a local court but from elsewhere, transferred in from other prisons to ease overcrowding of the system as a whole, or moved to Nottingham because of difficulties accommodating them at another prison. It is difficult to see how this situation could be avoided but it does create problems for prisoners and their families if they are located a long way from home. Given the present emphasis on rehabilitation and the importance a stable home and family can have in this objective, any improvements in the situation would be welcome. The increase to 1100 seemed to exacerbate this problem in that it provided capacity for overcrowding transfers from London and other cities.

A proportion of the prisoners are foreign nationals, including a small number of detainees held beyond their sentence and unsuitable for detention centres because of the nature of their offence. Although during parts of the year the prison has operated below its maximum capacity, it has been observed that the closure of a number of prisons and the consequent transfer of prisoners to other establishments has started to put pressure on the accommodation for 'first night' prisoners being moved to Nottingham. This has also knock-on

effects with regard to the potential for these prisons to receive visitors from more distant parts of the country.

Incorrect roll calls continued to be a matter of concern for the Board as they were last year because of the effect this has had on both staff, when an imbalance occurs at the end of shift, and on prisoners who have not been able to attend Healthcare appointments, visits, purposeful activity etc., but there was a noticeable improvement in this particular operational difficulty during the year.

In late September changes to staffing and operational procedures were introduced as a result of the 'benchmarking' exercise carried out in late 2012. Thereafter, all aspects of the prison seemed to be dominated by these changes, perhaps unsurprisingly in view of a staff compliment reduction of about 25% (140 officers purporting to save £5m). Staff have been clearly challenged by what is expected of them and prison management have directed a great deal of their time to addressing day by day difficulties. These have included wings locked down on a rotation basis, prisoners denied the opportunity to attend work or education, some prisoners occasionally being unable to carry out domestic and personal activities and difficulties in ensuring that all prisoners can access the library and collective worship. There is evidence that the persistent disruption to the regime was causing unrest amongst prisoners

The gym has been closed on many days and the re-location of uniformed personnel from the offender management unit led to a significant backlog in the preparation of sentence plans. Towards the end of the reporting period, the prison was consulting on a revised deployment scheme. Whilst it is highly regrettable that the necessity of doing this curtails prisoners' access to purposeful activities, we welcomed the prospect of a more settled regime and the facilitating of a more predictable timetable for prisoners.

The roots of the problems at HMP Nottingham are difficult to identify conclusively, but amongst the contributory factors we would include the fact that the establishment is a busy local prison with a churn of about 4000 prisoners per year. On a daily basis this can involve the transit of around of 55 prisoners a day, many of whom are returning from court but nevertheless have to pass through reception and healthcare, with half having to be inducted.

Local prisons fulfil many functions which are nothing to do with local offenders so that in the course of the reporting period we have noted reception of prisoners with heightened needs from Cat A prisons, from Cat D prisons, from a local secure mental health institution, from YOIs (Youth Offender Institutions) and from immigration removal centres in addition to receptions from the local courts and other prisons.

Reducing staff absence is a high priority for management and there is no doubt that sickness, together with phased returns, has caused staffing difficulties. Towards the end of the reporting period, on one wing two thirds of the designated staff were absent for some reason, leaving the gaps to be filled by staff unfamiliar with the wing; some on detached duty from other establishments. It seems to us likely that staff pressured by the sort of problems they have faced at Nottingham are at increasing risk of themselves falling sick. For prisoners this has meant a diminished regime and, in terms of overall effectiveness of rehabilitation, a diminution of therapeutic support

On a daily basis the overwhelming majority of staff are dedicated and hardworking, often working longer than their scheduled shifts to ensure that the work is done. There have been numerous instances during the year when staff have acted promptly in situations where either prisoners or they were at risk. In January a situation arose where a small number of prisoners returning from exercise attacked an officer and obtained keys. It is clear to us that the prompt and assertive action of staff, led by governors, served to keep everyone in the

prison safe and prevented the situation escalating into a major indiscipline event and we commend that action. We also wish to acknowledge the compliant behaviour of the majority of prisoners on that occasion. There was considerable damage and a number of minor physical injuries but none requiring hospital treatment.

Section 4 Executive summary

4.1 Summary

The Board's main concerns this year relate to the impact of the Benchmarking process, the results of which were fully introduced in September 2014 and are well documented in Section 3.2. et al.

The Board feels that the changes made are unsustainable and will lead to more prisoner disruption with a further reduction in already low staff morale.

4.2 Particular Issues Requiring a Response

4.2.1 Policy Matters for the attention of the Justice Minister/National Offender Management Service (NOMS)

4.2.1.1 Benchmarking

As reported in Section 3.2, the reduced staffing levels which came into effect in September 2013 as a result of the nationally imposed benchmarking operation, have severely stretched the prison's resources, resulting in frequent cancellation of education, library, work, exercise sessions, gym sessions, etc. Of necessity, officers are often required to work on Wings other than the one to which they are nominally designated resulting in reduced opportunities to develop relationships with prisoners and the virtual collapse of an effective Personal Officer scheme. Of particular concern is the lack of properly assessed and trained officers designated to duties in the SARU (Separation and Resettlement Unit). (Section 5.7.1)

4.2.1.2 Prison Food

The amount of money allocated to prison food at £1.93 (to be increased to £2.03) per prisoner per day is unsustainable. (Section 5.8.2) The Board requests that the Minister reviews this as a matter of urgency given the food inflation rate since the reduction from its previous level in 2012 of £2.10. Whilst it may be noted in Section 7.3 that the actual number of Applications regarding food have fallen dramatically since last year, in 2012/13 complaints were heightened due to the concerns about horse meat entering the food chain, and by the fears of Muslim prisoners of contamination of their food by non-halal meat and more significantly, pork products. Whilst visiting serveries IMB members are frequently accosted by prisoners complaining about both the quantity and quality of food, and more recently the lack of fresh fruit, despite there being few complaints recorded in the complaints books held on the serveries and prisoners' Applications.

4.2.1.3 Revised IEP Rules (Incentives and Earned Privilege)

The implementation of the new IEP rules are starting to have an effect on prisoners with a fair degree of dissatisfaction being expressed by prisoners who under the new rules do not qualify for Enhanced status and are therefore being downgraded, or alternatively as Standard prisoners can see little opportunity to become Enhanced. Additionally, as reported in Sections 4.3 and 5.5, if OASys (Offender Assessment System) reports are not being completed as early as could be the case and prisoners are therefore unable to comply with sentence plans that don't exist.

Included in the revised IEP rules is the requirement for remand prisoners, who may potentially have progressed to Enhanced status whilst on remand, to revert to Entry level once convicted. This makes no sense to the Board and we would be grateful for an explanation of the intended purpose of this aspect of the policy.

The Board is pleased that there is now a national Facilities List, something we recommended in our 2011/12 report which was dismissed at the time.

4.2.1.4 Prisoner Transfers

The Board understands that during the reporting period there has been a reduction in the allocation of transport between establishments. This has been partly responsible for the rise in Applications under the category designated Sentence Related, due to prisoners being unable to be relocated nearer to friends and family, something which the MOJ has in the past stated as being beneficial to prisoners' rehabilitation. The Board will appreciate some clarity on this apparent contradiction.

4.2.1.5 Bed Watches – Hospital Appointments

The Board understands there was no consideration in the Benchmarking process to allow for the loss of operational staff due to bed watches and prisoners being transported to hospital appointments. This inevitable reduction in the operational ability of a prison must vary from establishment to establishment and so the Board would like the Minister's view on when this anomalous situation will be addressed. In Nottingham the effect of there not being such a contingency has resulted to some degree in unscheduled restrictions on the prisoners' regime on several occasions. It should be noted that HMP Nottingham does not have a hospital wing and therefore all conditions requiring hospitalisation have to take place off site.

4.2.1.6 Prisoners' Monies on Transfer

When prisoners are moved from a private prison to a public prison, their monies are sent to the public prison in the form of a cheque. On a public to public transfer this transaction is carried out electronically. It is the view of the Board that the electronic system should be universal to speed the process of money transfer, make the exercise more secure and less costly to manage.

4.2.1.7 Prisoners Transferred from Rampton Secure Hospital

During the year there has been an influx of prisoners transferred from Rampton secure hospital to HMP Nottingham. We understand this is because HMP Nottingham is deemed to be the nearest local prison to Rampton (although HMP Lincoln is much nearer and also a Cat B establishment). However this creates an additional strain of accommodating this raft of difficult prisoners, who without exception have outstanding mental health issues, and frequently are not from the locality, which thereby reduces opportunities for family contact. Twelve such prisoners have been transferred during the year, some clearly unsuitable for a Category B establishment. Regrettably the process to have the most difficult prisoners re-categorised moves exceedingly slowly, causing frustration for staff and 'cell blocking' where such prisoners have to be held in the SARU for an extended period.

4.3. Operational matters

Because of the pressure to keep wings functioning, staff from the OMU (Offender Management Unit) are frequently used to as backfill for officer shortages on wings and other prisoner facing locations. This has resulted in delays in producing OASYS reports including the potential transfer of prisoners to more suitable locations. Although we have been assured that the most pressing reviews are being carried out (e.g. for those prisoners nearing the end of their sentence) such a 'stop gap' approach can only lead to further problems downstream as backlogs increase.

4.4. Previous Year's Concerns

4.4.1 Prisoners with Mental Health Problems

Whilst there has been an improvement in the amount of time prisoners with serious mental health problems spend at the prison before a more suitable location is found, as reported in Section 4.2.1.7, the Board is now concerned with the increase in discharges from the local high security hospital to HMP Nottingham. Such prisoners are deemed as having reached the end of their treatment programme at the secure hospital, or as not complying with their treatment programme.

4.4.2 Cat C Prisoners

Again there has been no improvement in the allocation of Cat C prisoners to Cat C establishments during the year. Often more than 40% of Nottingham's prisoner population is awaiting such dispersal. Whilst steps are in hand to allocate one Wing to Cat C prisoners their treatment and privileges are no different to those of the remaining prisoners despite proposals mooted earlier in the year for this to be addressed.

4.4.3 Late Arrival from Courts

Once more we are forced to express our concern at the impact on prisoners due to late arrivals from the courts, resulting in prisoners sometimes not being settled in cell accommodation until late in the evening; with staff being unable to leave at the appointed end of their shift, and we are seriously worried that the pressure created by this situation risks missing signs of distress in prisoners at this vulnerable time. The situation is further exacerbated by the staff reductions caused by Benchmarking in so much as prisoners are taken piecemeal to the first night centre, which is not co-located with Reception, increasing the time taken to process and settle new arrivals. (Section 6.1.2).

Section 5 Mandatory Reports

5.1 Equality & Inclusion

5.1.1 General

The Equality Action team mentioned in the last report has been replaced by the Community Cohesion and Equalities committee which meets monthly and produces action plans for the Equalities Manager. One of the items discussed is the DIRF system (Discrimination Incident Reporting Form). The Board is concerned that the prison is not following the expected timescales in dealing with these complaints; indeed there is currently a three month backlog.

In our previous report we noted with satisfaction that a Governor Grade had taken responsibility for monitoring each protected characteristic group. It is unfortunate that the intended periodic monitoring meetings had still not been implemented at the end of this reporting period. We are assured that this is now imminent and look forward to a more proactive approach to inclusion.

The centralisation of work allocation, undertaken primarily to ensure equality, has been implemented although there have been incidences of 'preferred' prisoners being allocated work on the wings during the year. These often come to our attention when the appointed prisoner has not been paid but it is difficult for us to have a full picture of work allocation. The commitment of the Governor and his team to securing equal treatment is a reassuring aspect of the changing culture of the prison, but continues to be 'work in progress'. Efforts on the part of staff have made significant progress in ensuring that at least one member of each servery team is a Muslim so that the separation of halal food can be monitored.

The staffing challenges have had some impact on equality issues and we are most aware of this in relation to a number of occasions when prisoners were unable to attend collective worship as is their right. Cooperation between residential staff and the chaplaincy following our complaints has gone a significant way to resolving the tensions this issue was causing.

The detention of Foreign Nationals beyond their sentence is of particular concern to the Board as statistics show that such prisoners are at greater risk of self-harm when they are not moved to detention centres to await deportation.

5.1.2 Disability

During the year 225 prisoners (~20%) were on average are declared to have a disability, with 100 having a mental health issue. We are constantly concerned about the placement of prisoners with severe mental health problems at HMP Nottingham and the amount of time it can take following assessment to move them to more suitable surroundings. All too often they have to stay in the SARU because they cannot be kept safe on normal location. We know that both prison and healthcare staff put a great deal of effort into resolving these problems which are typically the result of the shortage of resources beyond the establishment but this is little consolation to the prisoners who are in need of care.

Reorganisation of residential areas during 2013 has resulted in the designation of F Wing for older prisoners and those with severe disabilities; this is ongoing work and there have been some worrying incidents of violence on the wing, but it is anticipated that in time it will become a settled environment for less robust prisoners. The Equalities Team has also been focussing on reasonable adjustment and we commend their efforts to ensure that those with sensory and mobility difficulties are assisted to the best possible extent so that they can engage in prison life.

5.1.3 Remand Prisoners

Some two years ago the Inspectorate produced a themed report about the treatment of Remand prisoners. The pressure of overcrowding has seemingly made it impossible to make much progress with any of the issues highlighted, although we have raised the matter from time to time with the Governor, bearing in mind that at any one time between 25 and 30% of those at HMP Nottingham will be remand prisoners. There is no segregation of remand and convicted prisoners on the wings, including prisoners under 21. We observe the use of the word 'offender' on signage around the establishment and have pointed out that it is factually inaccurate and that the only appropriate word would be 'prisoner' but it seems the use of the word reflects contracts with outside agencies – 'offender health' and 'offender learning and skills' are examples of this. NOMS may wish to reflect upon this matter.

5.2 Education, Learning and Skills

Learning and Skills are provided by Milton Keynes College under an OLASS 4 (Offender Learning and Skills Service) contract. The Board is mindful of the context of education/training at HMP Nottingham, in particular that many prisoners stay only for a short period of time and, more significantly, approximately 50% did not complete their school education.

Insofar as the teaching itself is concerned a lot of good work is carried out in the classrooms. As a Board we receive very few applications from prisoners about the standard of teaching and the management's analysis indicates that the quality of teaching has improved in comparison with what was on offer from the previous provider. On our regular visits Board members have observed many prisoners who are engaged with their work and clearly deriving benefit from it.

A particularly impressive development is that prisoners are being consulted – a recent survey elicited 505 responses which is a high figure. In addition there is a student council with representatives from every class that as of June 2013 meets monthly. Sensible suggestions are pursued if practicable e.g. a request for a web design course has been implemented.

A full Ofsted inspection is anticipated in the near future and a grade 2 (Good) is expected according to the management's self-assessment.

The main area of difficulty is attendance which, as against maximum capacity from August 2013, is at 62%. The Board is of the view that increasing that figure should be a top priority and management are committed to doing so. The issue is one of logistics i.e. there are frequent problems in getting prisoners from the wings to the classrooms and there are clashes with other prisoner commitments such as medical appointments and family and legal visits. Management is continually trying to improve arrangements but the task is far from straightforward and is directly connected to the benchmarking problems mentioned elsewhere in this report.

The Board gives credit to the prisoners, the teaching staff and management for the good work that is being undertaken which has resulted in a significant increase in outcomes and the Board hopes that attendance will be substantially improved in the near future.

In December 2013, the National Prison Radio Association presented the prison with an award for the 'Best Interview'. The interview was based around a discussion with a learner about his time in a Jamaican prison. The Board wishes to add its own congratulations to the team behind this project.

It is disappointing to report that the library service within the prison continues to be seriously underused. Indeed, following the contraction in staffing throughout the establishment, the number of prisoners taking out library material has not exceeded 15% of the prison population. Even more concerning is the failure of several wings to provide any access to the library in recent months. In every instance a lack of staffing is cited as the reason for this failure, but it is also in part a failure to appropriately prioritise library access and to think creatively about improving the situation. The library is a valuable resource for prisoners, which at present is not utilised effectively.

5.3 Healthcare and Mental Health

5.3.1 Healthcare

Four meetings of the Strategic Health Partnership Board were planned and held for this reporting period though the issue of members' availability for attending all meetings remains problematic.

Robust questioning of the prison healthcare providers in meeting performance levels is improving, although the proposed operational meetings outlined in the last annual report have not yet been implemented but are planned to go ahead shortly.

The Strategic Healthcare Partnership Board Commissioners plan to review the overall position of healthcare provision and how to support the healthcare providers. Leaflets are being distributed to prisoners and staff inviting comments on existing provisions and possible improvements. Comments received will help shape NHS England's five year strategy plan for providing prison healthcare.

Relationships between the IMB and healthcare staff varies depending on the individuals involved. It appears that the role of IMB is often not understood and in some situations misunderstandings colour the attitude towards IMB members. A member of the IMB has never been invited to speak at healthcare staff induction sessions.

Also, the absence of healthcare involvement in prisoner induction programmes continues despite mention in the last two annual reports. Consequently, prisoners continue to have little understanding of unavoidable time lapses from a request to actually receiving a healthcare appointment. Many prisoners are unaware of the health service complaint system (PALS – Patient Advice and Liaison Service) and instead use the IMB application to make a complaint of a healthcare nature.

Prisoners use IMB application forms to complain about response failures to a PALS complaint. Since the Health Care Manager deals personally with each complaint, unacceptable delays occur when the manager is absent from the prison.

Many of the complaints received centre around medication provided on repeat prescription in the community being reviewed and reduced after a consultation with the prison's medical staff. This is clearly a matter in which the IMB has no mandate to question.

DNA (Did Not Attend) levels remain unacceptably high at 14% despite the implementation of healthcare checks through P-NOMIS (Prison National Offender Management Information System) to avoid appointments clashing with prisoner visits. Healthcare staff do not check P-NOMIS lists of prisoner release or court appearances but this is now to be implemented

Prisoners have complained that refusal to attend is often cited as a reason for DNA when appointment slips have not been received, cell doors were not unlocked for them to attend an appointment or they were out on the wing and not collected. Steps are being taken to

rectify this with appointment slips being distributed the day prior to the appointment by healthcare staff instead of by prison staff. To help reduce DNA levels Prisoners will now be given a PIN phone number to enable them to cancel unwanted appointments themselves.

Problems have occurred with prisoner late arrivals on Friday evening without their medication. A member of the prison healthcare team has to contact the prisoner's GP surgery which is often closed over a weekend to verify the prisoners prescribed drugs before prison doctors will issue them. This sometimes results in the interruption of essential drug therapy for up to four days and is particularly concerning for those with mental health illnesses.

There is no physiotherapy provision within the prison but gym instructors offer gym programmes to prisoners with sports type injuries and certain medical conditions after an initial assessment.

Prisoners 65 years and over are not included in the national bowel cancer screening programme. Discussions are taking place to find a way to make inclusion possible.

More prisoners are now taking up the offer of screening for Hepatitis A, B, & C. Sexual health screening is offered to each prisoner and access to the New Leaf programme helps prisoners to give up smoking.

The healthcare provider is taking over the responsibility for sub-contracted healthcare workers in the prison. It is working towards holding lunch time nurse led clinics in the purpose built clinical area between F& G wing which at present is underutilised. This can be accessed separately by F wing with its enhanced care area and G wing, the vulnerable prisoner wing. This will reduce the need to move vulnerable prisoners to the main clinical area.

Vulnerable prisoners requiring a specialist consultation outside the lunch hour sometimes wait longer for an appointment due to concerns regarding their safety. This may medically disadvantage them compared with the rest of the prison population.

5.3.2 Mental Health

Discussions are taking place to implement an integrated mental health team which will give total cover Monday to Friday and emergency cover at weekends, evenings and through the night.

Mental health screening of prisoners is part of the reception process and depending on the risk assessment level some prisoners are placed in the enhanced care area on F wing for further observation and assessment.

Some mental health nurses have reported that the reduction in prison officer numbers makes them feel more isolated and impinges on their ability to care effectively for vulnerable prisoners.

Difficulties are being experienced in recruiting prison healthcare nursing staff and for the first time agency staff have been used but with the proviso that the same staff are sent to the prison for at least 6 months. As well as the cost implications with the increasing reliance on agency staff this can also affect the continuity of health care for prisoners.

5.4 Purposeful Activity (Includes Work)

During the early part of the year there were some promising developments in the securing of outside contracts; although most were low skills activities one notable success saw the textile workshop producing high quality garments on sub-contract to a local company.

Towards the end of the period plans were reaching the final stages for the introduction of a bicycle refurbishment workshop. The efforts of those who have worked hard to secure contracts in what continues to be a challenging market situation are clearly commendable.

Comments about the low skills aspects of the available work have been made by us in previous reports and are frequently made by other Boards so we merely note here that little of what prisoners do in relation to purposeful activity can be regarded as skills enhancing. Perhaps the notable exception to this is the work experience and training that takes place in the kitchen and staff restaurant; the Board was delighted to learn that a prisoner who had been released on temporary licence (the first such at HMP Nottingham) to do a catering job was able to continue with the employment following his release. We believe that there have been other prisoners who have managed to secure catering employment as a result of the skills they have developed in prison but these success stories are difficult to track, especially because it has not yet been possible for the prison to persuade an employer to be openly associated with such a story. (Section 5.8.3)

However, the overall experience of prisoners in relation to purposeful activity during the second half of the reporting period has been far from positive. Under the benchmarking structure prisoners are typically scheduled to work for half days so this represents a reduction in the allocation of purposeful activity. The issue has been compounded by the persistent difficulties in getting men to work because of the staffing difficulties described in Section 3.2

On some days attendance at workshops has been below 50%, mostly because wings are locked down but sometimes a combination of factors including shortage of staff in the workshops themselves. By the final two months of the reporting period the situation had become so difficult that the staff managing the workshops were declining contracts because they no longer felt able to guarantee delivery against commercial contract agreements.

The prison has taken care to continue to pay prisoners for non-attendance beyond the control of the individual and this may well have helped to keep the situation calm. However, prisoners frequently complain to us about the lack of routine and uncertainty. It is difficult to conclude other than that purposeful activity during the early period of the new regime was not contributing very much to rehabilitation. The Board was hopeful that the considerable effort being made in the spring of 2014 to modify procedures and make the whole regime more workable would improve attendance, but at the time of writing the restrictions under those modified procedures had had little positive impact on overall attendance percentages.

5.5 Resettlement

Like so many other areas of the prison, Offender Management has suffered from sporadic staff shortages as uniformed staff located in the unit have been deployed temporarily to fill vacant prisoner facing, and therefore more urgent, positions. As a result, HMP Nottingham, in line with many other establishments has a very large backlog of OASys assessments and we have received complaints from prisoners who believe this is affecting their sentence planning and ability to progress within the IEP system. At the time of writing there was no evidence of the problem being successfully tackled.

As we reported last year, the governor gave priority to making the Home Detention Curfew (HDC) system more effective and there was for some time a continuing rise in the number of early releases which had the effect of reducing the prison population and giving more prisoners the ability to settle back into a non-custodial life. More recently this trend has been arrested by national concerns following reports of further offending by men released on HDC.

The prison's target for prisoners having a place to live when discharged was 86.5%. On a monthly basis this was met throughout the year with the exception of February 2014. Regrettably, this means a significant number of prisoners are being released annually from HMP Nottingham with nowhere to live, either because they were homeless prior to imprisonment or because they have lost their accommodation whilst in prison. The Local Authorities and housing agencies are themselves under considerable funding pressures so it has been especially pleasing that the prison has managed to work with outside agencies to run a monthly housing clinic. This had some teething problems, again associated with staff shortages, but is now being given priority. As we reported last year, we strongly believe that ex-offenders do best if they have a place to live, become employed and receive positive support post-release and plenty of research evidence supports this view. The internal pressure on resources during the latter part of the reporting period meant that links with local employers and agencies reduced, although prisoners can access good quality help with employment related matters through the service provided by Futures.

Prisoners moved to HMP Nottingham late in their sentences as part of overcrowding relocations, so that they are miles from home and family and have no opportunity to engage with local agencies, have sometimes sought our help and we would like to draw particular attention to this group of people. If the concept of a Resettlement Prison, to be introduced in the autumn of 2014, is to have any meaning, this is one of the issues which NOMS will need to address.

5.6 Safer Custody

The Board continues to support the Governor's policy of not transferring prisoners to other Establishments who have committed serious assaults on prisoners or staff until the Police have completed their enquiries. In particular this gives support to Officers injured in the course of their duties. This comment is, however, made against the background of the concern felt by the Board of the number of prisoners who have committed assaults during the year on either staff or fellow prisoners (Section 5.7.2)

The number of Listeners has fluctuated throughout the year as to be expected with the constant movement of prisoners, but the Board was pleased to note the efforts made to increase this complement.

There were four deaths in custody during the year, one of which was self-inflicted. Inquests take place after all prison deaths and IMB members attend as appropriate. Deaths in custody are always sad and we send our condolences to the families of the deceased.

5.7 Segregation, Care & Separation, Close Supervision/Security

5.7.1 Segregation, Care & Separation Unit

All 12 cells in the SARU are often fully occupied with a constant churn of prisoners. During a period in November 2013, twenty six offenders were segregated in a 13 day period. The IMB monitors the holding of prisoners in the SARU by observing the Segregation Review Boards thrice weekly. The presence of healthcare staff at these reviews has improved during the year, particularly where a prisoner's mental health is of concern.

Prisoners located in the SARU frequently have a high propensity to violence. A number of prisoners held in segregation have mental ill-health or severe personality disorder problems. At one point towards the end of the reporting period, one prisoner was on a four man unlock, two men on a three man unlock and one on a two man unlock.

Such offenders have very particular support needs and reasonable adjustments need to be made so that they are not unfairly treated or disadvantaged. Treatment of prisoners in such a restrictive regime is not appropriate or fair to the prisoner or staff. The restricted conditions and lack of a therapeutic environment may exacerbate mental illness or behavioural problems, which in turn puts staff at a higher risk of assault.

Prisoners on an open ACCT (Assessment, Care in Custody & Teamwork) are only kept in segregation under 'exceptional circumstances'. In HMP Nottingham there are often prisoners on an ACCT in the segregation unit, although arguably circumstances may have justified the segregation being exceptional, we do not think the conditions are appropriate for someone who is considered to be at risk of self-harm.

It is important that staff in the SARU in particular are selected and trained according to PSO 1700 (Prison Service Order) requirements to enable them to 'maintain a positive ethos within the unit and ensure that all prisoners are treated decently, fairly and with dignity'. Following the Benchmarking exercise, it has not always been possible to complement the SARU with selected and trained staff. This is a concern to the Board as the lack of a dedicated staff cohort makes it virtually impossible for staff to identify and manage risks or positively engage with prisoners and establish constructive relationships with them. Staffing levels and staff sickness are such that often 'guest' staff are used to make up the staff quota. As per other parts of the prison, lack of officers in the prison overall has necessitated frequent 'lockdowns'. Additionally, Adjudications have had to be abandoned due to paperwork not being issued in the laid down time frame due to a shortage of trained staff. This situation is not helped by the current night rota only using SARU accredited staff on 10 weeks out of 52, thus minimising the amount of useful work that can be accomplished during the overnight period in the remaining weeks.

Some important records have been found to be non-compliant during a recent audit. Training is however in place so that staff have the correct briefing and understanding of the procedures.

5.7.2 Violence Reduction

Assaults on staff and prisoner on prisoner violence have not diminished during the year. Preliminary figures show there were 64 assaults on staff and 162 prisoner on prisoner, (These figures may not tally with official statistics due to the potential application of different validation rules).

Our concern is that with the now customary lock downs on a rotational basis, this situation is in danger of escalating.

Serious incidents are unpredictable, high risk and hugely disruptive for the prison and sometimes cause prisoners to be locked in their cells when they might otherwise have been able to be out of cell. We have no issues with the way the prison deals with such incidents in general but would like to draw attention to what appears to be an increasing use of PAVA spray to subdue prisoners during the resolution of incidents. Whilst on each of the occasions it has been used recently we do not disagree with the decisions made, we would like to be confident that NOMS keeps such use across the wider estate under review, given the acute pain it causes to the prisoner in the hours after it is used.

5.7.3 Security

The Board welcomes the increased effort and subsequent success in detecting mobile phones held by prisoners, using newer technology with phone detectors and blockers.

There has been a worrying trend during the year in the detection of 'legal highs' being brought into the prison. Staff in the visits halls have remained vigilant, supported by extensive CCTV coverage and have therefore been able to intercept 'passes' on several occasions.

5.8 Residential Services (Accommodation, Food, Catering, and Kitchens)

5.8.1 Accommodation

Although the cells in the SARU were fully refurbished with more resilient fittings, it was disappointing to note that wilful destruction could still render accommodation unusable relatively easily. Indeed this situation pertained within one week of the refurbishment being completed. It is now four years since the commissioning of the new build facilities at HMP Nottingham and although some basic redecoration work is undertaken by prisoners, communal areas in particular show signs of wear from heavy usage.

As yet the message does not seem fully to have percolated to prisoners that damage to prison property can result in restitution for the cost of refurbishment.

5.8.2. Food/Catering

The Board continues to receive complaints about food, which given the daily spend allowance of £1.93 per prisoner, to be increased £2.03 (which is not even at the level of 2012), is hardly surprising. With food price inflation generally running ahead of inflation as calculated by the CPI/RPI indices, the prison struggles to cope and has had to remove 'luxury' items such as fruit from the menu. We no longer believe that prisoners are provided with five portions of fruit and vegetables every day.

There seems to be an understanding that it is possible to transfer funds from other budgets to supplement food costs, but the Board believes there should be no necessity for this as adequate provision should be made in the food budget.

5.8.3 Kitchens

The Bistro, which offers service to the prison staff remains popular and is a welcome facility for providing useful work to suitable prisoners. Experience gained in the Bistro, including attaining professional qualifications, can assist prisoners in their eventual resettlement into the community.

With the reduction in the officer complement post September 2013, problems have started to occur regarding catering issues. There are now no officers designated to supervise the serving of food, monitoring of food temperatures when the trolleys arrive on the wings, and the subsequent return of the trolleys to be re-heated for the next meal. This is a potentially dangerous situation as the recording of food temperatures is a mandatory requirement without which there is no audit trail should there be an outbreak of food poisoning, and not returning trolleys in a timely manner puts pressure on the kitchen to have the trolleys at the correct temperature before loading them with the next meal.

During the year there were issues regarding menu choices with many prisoners being defaulted to the vegetarian menu option. There were a variety of problems causing this to

happen, but it now appears to have been largely eradicated by the provision of new equipment which scans the menu choices more efficiently and reports occurrences of the default option being applied which can be investigated in real time.

Section 6 Other Areas on Which the Board Wishes to Report.

6.1 Induction/Reception

6.1.1 Induction

Given that the prison's capacity was increased to 1100 during the reporting period, not all prisoners are located initially in the first night centre (C Wing). This has meant that on occasions prisoners have not received their induction session in a timely manner.

6.1.2 Reception

The Board continues to be concerned about delays in prisoners being transferred from courts and the consequent very late times at which they are eventually settled into cells. Whilst there was some improvement in buses arriving past the designated time, transfers from far away courts continues to cause issues. Buses arriving just in time, often several simultaneously, cause bottlenecks in Reception because there are only fixed numbers of staff, both prison and Healthcare, to process their admission. The process of transferring prisoners to their initial accommodation is taking significantly longer than previously as prisoners can only be moved singly. This increases the period after prisoners are initially processed through Reception, and so potentially exacerbates the risk of problems arising in the holding rooms.

We would like to acknowledge the efforts frequently made by staff, managers and governors who stay very late to improve this situation.

6.2 Time out of cell

Throughout the report we have repeatedly made reference to the effects staff shortages have on prisoners' daily routine. Whilst the new regime introduced in April 2014 will give more stability we believe this situation is far from ideal. During lockdowns, prisoners are deprived of opportunities for education, use of the telephones, gym, showers, association, etc., all of which, when in place, are conducive to a more settled, structured and manageable environment. (Sections 3.2, 5.2, 5.4)

During the year the number of visitor sessions has been reduced by four sessions per week, with no visits available on Mondays and Wednesdays. Whilst the sessions that have been removed were the least popular, there was an indication that evening sessions would be introduced to compensate, however, this has not come to fruition.

Section 7 Work of the Independent Monitoring Board

7.1. Board Statistics

Recommended complement	20
Number at start of reporting period	13
Number at end of reporting period	13
Number of new members during reporting period	3
Number leaving during reporting period	3
Number of Board meetings during the reporting period	12
Total visits to the Establishment	430
Total number of Segregation reviews held	140
Total number of Segregation reviews attended	123
Date of Annual Team Performance Review	June 2013

Individual members of the Board have worked well and each contributed their skills to make an effective and harmonious team. All 12 Board meetings during the reporting year have been attended by either the Governor or Deputy Governor. In addition, most meetings commence with a training session about an aspect of the prison service covering such topics such as catering, mental health, drug misuse, security, etc.

7.2. Duties

The Board has continued to monitor the prison through a weekly rota visit; members also visit to attend Reviews in the SARU, deal with Applications and monitor the work of the prison through attending a wide range of meetings. The organisation of our work continues to evolve; taking a flexible approach has allowed us to cover all responsibilities in spite of fluctuating membership.

No visits to other Establishments were undertaken during the reporting period although we hosted a visit from HMP Lowdham Grange. Members have completed National Courses as appropriate. Two members attended the National Conference in March 2013.

A number of serious incidents took place during the year necessitating the opening of the Command Suite. On most occasions a member of the IMB attended the incident, which allowed the Board to update and refine its operational procedures.

7.3. Applications

Code	Subject	2009/10	2010/11	2011/12	2012/13	2013/14
A	Accommodation				42	22
B	Adjudications				6	9
C	Equality & Diversity (inc Religion)				21	17
D	Education/employment/training inc IEP				31	43
E1	Family visits inc mail & phone				29	41
E2	Finance/pay				10	31
F	Food/kitchen related				81	15
G	Health related				32	88
H1	Property (within current establishment)				43	48
H2	Property (during transfer/in another establishment)				53	36
H3	Canteen, facilities, catalogue shopping, Argos				12	4
I	Sentence related (inc HDC, ROTL, parole, release dates, re-cat, etc.)				21	46
J	Staff/prisoner/detainee concerns inc bullying				43	60
K	Transfers				19	45
L	Miscellaneous				62	46
	Total number of IMB applications	257	444	482	490	517
	Of total: number of IMB Confidential Access was:				1	0

The increase in 2010 when compared to 2009 has to be set against the fact that the prison did not reach the then full capacity until July 2010. We do not have any concerns about the level of applications, which appear to have stabilised, although coping with unpredictable peaks of over 20 has challenged our resources on occasions.

A breakdown of the figures into the categories above is not available where no data is shown. As reported previously this is due to the figures being lost during two accommodation moves.

Total complaints categorised for 2012/13 and 2013/14 is higher than the number of Applications due to some Applications raising multiple issues.