

H M PRISON SWALESIDE



ANNUAL REPORT

From: 1st May 2013
To: 30th April 2014

Section 1

STATUTORY ROLE OF THE INDEPENDENT MONITORING BOARD (IMB)

The Prisons Act 1952 requires 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 availability 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, 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.

Section 2

CONTENTS

Section 1	STATUTORY ROLE OF THE IMB	1
Section 2	CONTENTS	2
Section 3	DESCRIPTION OF THE PRISON	3
Section 4	EXECUTIVE SUMMARY: 4.1 Particular issues requiring a response 4.2 Other issues of concern or excellence not requiring a response 4.3 Overall judgement 4.4 Previous year's concerns	4 5 6 6 6
Section 5	SPECIFIC AREAS 5.1 Equality and Inclusion 5.2 Education, Learning and Skills 5.3 Attitude, Thinking and Behaviour Training (ATB). 5.4 Purposeful Activity 5.5 Healthcare, Mental Health and Substance Misuse 5.6 Safer Custody 5.7 Segregation 5.8 Residential Services (includes accommodation, food, catering and kitchens)	7 7 7 8 8 9 10 11 12
Section 6	OTHER AREAS OF THE REGIME 6.1 Adjudications 6.2 Access to Justice 6.3 Care Team 6.4 Chaplaincy 6.5 Gymnasium 6.6 Offender Management Unit 6.7 Pathways 6.8 Probation 6.9 Psychology 6.10 Prison Vision 6.11 RAPt (Rehabilitation for Addicted Prisoners trust) 6.12 Reception 6.13 Requests and Complaints 6.14 Security 6.15 Visits 6.16 Works	13 13 13 14 14 14 14 14 15 15 15 15 16 16 16 16 16 16
Section 7	THE WORK OF THE INDEPENDENT MONITORING BOARD 7.1 Membership 7.2 Recruitment 7.3 Visits to the Prison 7.4 Training 7.5 Applications 7.6 Confidential Access 7.7 Board Statistics	18 18 18 18 18 19 20
Section 8	GLOSSARY OF PRISON-RELATED ABBREVIATIONS USED	22

Section 3

DESCRIPTION OF THE PRISON

The Prison was opened in August 1988 and forms part of a group with HMPs Standford Hill and Elmley.

Sheppey prisons have separate Governors. Some administrative services are shared such as Finance, Industries and Human Resources. Resettlement is provided direct from Swaleside rather than by the team at Standford Hill as in the past.

The establishment is primarily a Category B Lifer Main Centre training prison which accepts first and second stage lifers, section two automatics and IPP (Indeterminate Public Protection) prisoners. As of end April 2014 there are 667 B category, 414 C category and 19 D category prisoners in the overall population. The number of category C prisoners has gone up by 182 since the last Annual Report. Movement to C category prisons has been difficult during the year. Between 1st May 2013 and 30th April 2014, 52 prisoners were released from Swaleside, of whom 13 were for deportation. At the end of April, there were no foreign national prisoners who had completed their sentence awaiting deportation.

The normal criterion for acceptance of determinate prisoners is that they are serving more than four years with a minimum of eighteen months to their parole eligibility date.

The certified normal accommodation is 1112 in single cells over eight wings.

The contractor delivering Healthcare is IC24 Integrated Care and for Education is The Manchester College.

All figures recorded in this report are as of 30th April 2014 unless otherwise stated.

Section 4

EXECUTIVE SUMMARY

During the year, Swaleside has undergone the Benchmarking Process with a view to moving to the New Ways of Working (NWOW). NWOW has not yet been introduced due to an insufficient number of staff in the establishment, safety being the main issue. Too many staff were allowed voluntary redundancy during the year due to lack of forward planning by NOMS and as a result, a vast amount of irreplaceable experience was lost. Recruiting new staff is a major problem. As a consequence of having too few staff, it was necessary to change the regime resulting in prisoners being locked up for longer periods. Whilst the Governor's priority is safety for the staff and prisoners, from the standpoint of the treatment of prisoners, this situation is unacceptable.

Given the shortages of staff, partly brought about by the introduction of VEDs by NOMS, the Governor and staff have managed to maintain a safe and secure environment.

Low staffing levels, coupled with staff absences, have led to inordinate pressure on the working staff. However, the relationship between prisoners and staff is good.

During this challenging period, the Governor introduced excellent communication with prisoners and staff. As a result, the prisoners have been very understanding of the restrictions brought about by the change in regime. This has helped to maintain a safe environment, which has greatly assisted the good relations between staff and prisoners.

A facility has been introduced for prisoners with personality disorders. It has the potential to be of great therapeutic benefit.

The import of contraband into the prison and the trading between prisoners (particularly of medication) is a continuing problem.

The Board is concerned that there has been an increase in the number of weapons found and an increasing sophistication of their manufacture.

There were 72 assaults, 52 of which were prisoner on prisoner and 22 prisoner on staff.

Many hospital appointments were cancelled due to the lack of escort staff.

The Over 50s Forum and Veterans Group have now become firmly established.

The occupation of the Segregation Unit was at a very high level throughout the year and housed some very difficult prisoners.

Use of Force documentation was not produced to the Board as agreed and for much of the year was inadequately completed.

The Special Cells had to be used on a fairly regular basis but in the Board's view, except for two occasions, the use was fully justified.

The Constant Watch cell was used regularly throughout the whole year.

The Access to Justice computers for use by prisoners have been lying idle for over a year.

Throughout the year there has been a backlog of OASys reports which had increased to over 300 by the end of the reporting period. This has had an adverse effect on the progression of prisoners.

The time delay between a prisoner submitting a Request Complaint form and receiving a meaningful reply is unacceptably long.

The Board remains concerned about the high level of Tramadol prescribing.

It is disturbing to note, given that Swaleside is not the prisoners' first prison, there were so many prisoners on Substance Misuse Programmes.

4.1 Particular Issues Requiring a Response from the Minister

- 4.1.1 Low numbers of staff have impacted the Regime to the unacceptable detriment of the prisoners (*Sections 5.4 Purposeful Activity; 5.5 Healthcare; 5.6 Safer Custody; 5.7 Segregation; 5.8 Residential Services; 6.1 Adjudication; 6.6 OMU; 6.8 Probation; 6.12 Reception; Appendix 1 Letter to Ministry of Justice*)
- 4.1.2 Lack of Access to Justice facilities (*Section 6.2 Access to Justice*)
- 4.1.3 Too many prisoners with severe psychiatric problems in Swaleside and difficulty in getting help in a short timescale (*Section 5.5 Healthcare, Mental Health and Substance Misuse*)
- 4.1.4 Low level of Cat C moves and lack of movement of prisoners (*Section 3*)
- 4.1.5 Prisoners coming to Swaleside with less than 4 years to serve (*Section 5.5 Healthcare, Mental Health and Substance Misuse*)

Particular Issues Requiring a Response from IC24 Integrated Health

- 4.1.6 Prescribing and control of Tramadol (*Section 5.5 Healthcare, Mental Health and Substance Misuse*)
- 4.1.7 The number of nurses has increased although there remains a shortage. (*Section 5.5 Healthcare, Mental Health and Substance Misuse*)

Particular Issues Requiring a Response from NOMS

- 4.1.7 NWOW has not been implemented due to shortage of staff (*Appendix 1 Letter to Ministry of Justice*)
- 4.1.8 Lack of escort staff (*Sections 5.5 Healthcare, Mental Health and Substance Misuse; 6.8 Probation; Appendix 1 Letter to Ministry of Justice*)
- 4.1.9 There are many prisoners with incomplete OASys reports (*Section 6.6 OMU; Appendix 1 Letter to Ministry of Justice*)
- 4.1.10 Category C moves and lack of movement of prisoners (*Section 3 Description of the Prison*)
- 4.1.11 Prisoners coming to Swaleside with less than 4 years to serve (*Section 5.5 Healthcare, Mental Health and Substance Misuse*)
- 4.1.12 Lack of space on vans for property (*Section 6.12 Reception*)
- 4.1.13 Lack of Access to Justice facilities (*Section 6.2 Access to Justice*)
- 4.1.14 Lack of a suitable room in Healthcare where ACCT interviews can take place (*Section 5.5 Healthcare, Mental Health and Substance Misuse*)
- 4.1.15 The need to relocate Constant Watch cell (*Section 5.5 Healthcare, Mental Health and Substance Misuse*)
- 4.1.16 The effect the moratorium on recruitment of trade posts has had in relation to delays in minor works (*Sections 6.16 Works; 5.8.1 Accommodation*)

Particular Issues Requiring a Response from Governor

- 4.1.16 The Segregation Unit requires a regular number of staff experienced in the working of the unit to function effectively. (*Section 5.7 Segregation; Appendix 1 Letter to Ministry of Justice*)
- 4.1.17 High level of staff sickness impacting the Regime. (*Section 6.3 The Care Team*)
- 4.1.18 There is a lack of Use of Force documentation. (*Section 5.7 Segregation*)
- 4.1.19 Use of 50% of £2.50 sanction instead of increases of other sanctions (*Section 6.1 Adjudications*)
- 4.1.20 Backlog in Reception work – (*Section 6.12 Reception; Appendix 1 Letter to Ministry of Justice*)
- 4.1.21 Continuing problem of contraband and weapons (*Section 6.14 Security*)
- 4.1.22 Trading of medication between prisoners (*Section 5.5 Healthcare, Mental Health and Substance Misuse*)
- 4.1.23 Lack of awareness by some Segregation staff of role of IMB (*Section 5.7 Segregation*)
- 4.1.24 Lack of Access to Justice facilities (*Section 6.2 Access to Justice*)
- 4.1.25 Wing heating and showers (*Section 5.8.1 Accommodation*)

4.2 Other issues of concern or excellence not requiring a response

- 4.2.1 Positive outcomes from the Over 50s Forum (*Section 5.1 Equality and Inclusion*)
- 4.2.2 Introduction of the Mediation training for prisoners Section (*5.1 Equality and Inclusion*)
- 4.2.3 Introduction of the Pathways Programme (*Section 6.7 Pathways – also Appendix 2*)
- 4.2.4 Communications from the Governor to Staff and prisoners (*Section 40*)
- 4.2.5 The acceptance by prisoners of the regime changes (*Section 5.8 Residential Services*)
- 4.2.6 Good relationship between staff and prisoners (*Section 5.8 Residential Services*)

4.3 Overall judgement

Swaleside has maintained a safe and decent environment for prisoners despite the challenges of shortage of staff and budget constraints. The Board is concerned with the level of violence and the quantities of weapons, mobile phones and contraband found. Swaleside has many prisoners who are very difficult to manage.

It is to be hoped that the strict regime, now in operation, does not continue for too long. Prisoners need their association time.

Staff morale has improved through the year and they have dealt with the diverse problems they confront with discipline and care, although their numbers have been limited. The Board hopes that the NWOW will be introduced as soon as it is safe to do so.

4.4 Previous year's concerns:

The impact of the budget cuts mentioned last year has been exacerbated by further cuts.

Morale of staff during the reporting period remained variable with high sickness levels.

Progression of Category C prisoner to Category C prisons has worsened and is causing difficulties.

The number of prisoners taking and trading Tramadol has increased.

Section 5

SPECIFIC AREAS

5.1 Equality and Inclusion

In our last report the Board hoped that the amalgamation of duties of Equality Manager and Custodial Manager for the Segregation Unit would work satisfactorily. It transpired that it was impracticable because the duties in the Segregation Unit required a full time manager.

At the beginning of the reporting year, Equality Meetings and Older Peoples Forums were held irregularly, paperwork was not completed but special days for different groups were still held.

Since December, there have been two members of staff allocated to carry out Safer Custody and Equality and Inclusion work and they are both very committed to this role. All paperwork is now submitted to the Board for monitoring and we have one member committed to go to meetings. Over the reporting year, 49 Discrimination Incident Report Forms (DIRFs) have been investigated, 47 from prisoners and two from staff. Of the prisoner issues, 19 were for disability, 12 for race issues and 16 for religious issues. Only three were proven.

From March 2014, 10-20% of the DIRFs have been reviewed by an independent party and she has been able to give advice on good practice. A mediation service has also been introduced where prisoners and staff can speak to the perpetrator of the discriminatory action in a safe and secure environment.

The Equality Team is looking to enhance staff and prisoners' perception of the use of the DIRF so that there is confidence that the form can be used to challenge perpetrators and to give support to those who have been affected by the discrimination.

Future planned events include Older Prisoner Well-Being Days, Gay, Bi-Sexual and Transgender meetings, a Traveller Engagement Project and a further Black History Month.

A room has been found to facilitate weekly "get togethers" for the over 50s prisoners – a positive outcome to requests from the Over 50s Forum.

A group meeting of prisoners, who have served in the armed forces, takes place every month. One of the issues arising from these meetings is a request from the group to have access to an army psychiatrist. Such provision is being investigated by prison staff.

5.2 Education, Learning and Skills

Major changes have occurred in the organisation of education generally at Swaleside and although the delivery is still through The Manchester College, a more direct supervision is applied through the Learning and Skills Department. Following this change, a recent Ofsted inspection found an improved quality in education and no findings of 'inadequate'. There is now close working with the Activities Department, particularly to ensure that the importance of functional skills and personal development is given precedence over working and other activities. The availability of functional skills development in workshops has been a major factor in the move to ensure that all prisoners reach level 1 in Maths and English.

The significant curriculum changes also include Gateway to Employment targeted at prisoners within 6 months of release and Employability Skills leading to NVQ and other qualifications.

Success rates for the year are projected to be above 80% across the whole range.

The restriction on ICT usage during the year for security reasons caused disruption to education and even now, ICT may not be used on non-ICT courses. The slow rate of security clearance severely affects the full use of all courses.

5.3 Attitude, Thinking and Behaviour Training (ATB).

The department has been successful in providing the Resolve and Thinking Skills Programme (TSP) courses and is currently introducing Building Better Relationships, Healthy Relationship Programmes and the Self Change Programme. The success has allowed the target of 204 to be exceeded and a KPT of 215 was reached. This target was reached despite some Officers having to be used as cover for the general prison regime. The expectation of the staffing of the department becoming non-operational with existing Officers having to move had a dramatic effect on morale and has recently meant the loss of eight Officers, mainly to the Home Office Immigration Service which offers superior terms.

5.4 Purposeful Activity

Industries – Long term unemployment rose because workshop capacity had not been increased commensurate with the residential cells of the prison. There have now been positive moves to ameliorate this position. Re-arrangement of some of the workshops has resulted in more prisoners being employed without increasing risk. One company has moved to another prison and the vacated workshop will soon be reused. The workshop that we reported last year as not being fit for purpose has now been redesigned with partition walls being taken down to facilitate the monitoring of prisoners. The reduction in staffing levels throughout the prison has had an adverse effect on the employment of new arrivals. There were long delays in the security clearance of newly arrived prisoners.

DHL – This company provides canteen services for 6,800 prisoners in 11 prisons in London and the South East. This enables prisoners to purchase toiletries, tobacco, food etc. It is the main employer in Swaleside with a minimum of 85 prisoners required each day. This requirement is rarely met due to prisoners' needs for healthcare, educations, visits etc. It is planned that some education courses will be held in the DHL workshop which will reduce the number of hours that prisoners in education are away from the workshop. Pilfering of chocolate and other confectionery products is still an issue but there has been some reduction on the previous year.

The prisoners working in the DHL Workshop are all housed on E wing.

Library – Issues of books and DVDs were down due to closures and lack of prison staff at the beginning of the year. However, a new timetable introduced in January has improved access and in March and April issues were up 70% and 65% respectively on last year.

The 2014 Six Book Challenge was launched with chocolate bars, dictionaries or puzzle books as prizes. The author, Martina Cole, visited the prison and addressed a group of 75 prisoners. This was a national prize for winning a silver award in the 2013 Six Book Challenge. Three Orderlies attained their Level 2 Qualification in Supporting Customers.

The Readers with Conviction Book Club is currently reading the Booker shortlisted titles and had a visit from the author, Patrick de Witt, organised by the Literacy Trust and funded by the Booker Prize Foundation. He had chosen 3 prisons to visit out of 14 taking part nationally.

5.5 Healthcare, Mental Health and Substance Misuse

The primary healthcare service is run by IC24 Integrated Care. Recruitment of nurses continues but it is always difficult to employ staff on Sheppey. However, less agency nurses work in Healthcare than at this time last year. The GP service continues to provide consistency of doctors and a choice of doctor for prisoners.

The high level of Tramadol prescription by doctors and the continued trading of the drug by prisoners remains a major concern to the Board. New changes in its legal status will be a challenge for Healthcare. It is to be hoped that the ruling may lead to reduced trading as the drug will have to be distributed in a controlled manner.

Only one officer is in the Recovery Unit from Monday to Friday but NWOW has identified the need for an additional officer when it goes live. Long term condition clinics are undertaken weekly by a nurse and/or GP. These are rotated between Asthma, Coronary Heart Disease, Epilepsy and Diabetes. The staff in the Recovery Unit continue to impress the Board. They have managed to relocate long term occupants, who the professionals deemed to have no medical reason for being there, back onto the wings. These prisoners are now making good progress on the wings. There are difficult patients in the Recovery Unit and the Constant Watch cell has been in use most of the year. The Constant Watch cell has been acknowledged to be in the wrong place as it is opposite the entrance to the Recovery Unit. Work is planned to move it to a less "public" location in the Unit.

Unfortunately the Dental waiting list increased again this year. The Commissioners, however, have financed additional sessions to address this problem.

Swaleside has 42 prisoners on substance misuse treatment, 32 on Methadone; nine on Buprenorphine and one on Lofexadine.

Integrated Drug Treatment System (IDTS), formerly with Healthcare, has merged with the psychosocial RAPt team to form The Substance Misuse Service. The IDTS element is now located on G wing, where it is intended to locate all prisoners with a need for this service

Some prisoners are transferred into the establishment with multiple complex needs from a health/mental health and substance misuse viewpoint. Many come from Segregation Units. A number of prisoners on substance misuse programmes are included in those being assessed for the new PIPE (Psychologically Informed Planned Environment) on F Wing. It is unfortunate that several prisoners have been released back into the community whilst still undergoing substance misuse treatment. This often arises because Swaleside has had a number of prisoners transfer in with short periods to serve.

The provision of mental health treatment continues to be of great concern. It often takes a very long time to get a patient into a special unit for treatment. Inreach, who are commissioned by Oxleas, runs a good service but is extremely busy with some very challenging cases. Board members regularly monitor the Clinical Psychologists' weekly meetings.

ACCT reviews of inpatients are regularly held in Healthcare - the IMB attend together with Chaplaincy, Inreach and a Custodial Manager. The room, in which these reviews are held, is not the most suitable place as the interviews are often interrupted by staff, phone calls or other patients looking in through the window.

Patient Representative Meetings are held regularly, which improves communication of problems the prisoners have with Healthcare.

Healthcare applications to the Board have increased a little but often prisoners send in multiple applications to the Board during the year.

Healthcare complaints are now dealt with by IC24.

Due to the shortage of Officers to provide escort services, there has been a serious problem in maintaining hospital appointments. This has led to a large number of hospital appointments being cancelled, resulting in extra stress for Healthcare staff and prisoners as well as unnecessary cost for the NHS. One prisoner had three hospital appointments cancelled over a short period. This issue continues but the Governor and Healthcare now work together to prioritise hospital appointments. The Board wrote to the Minister in January 2014 voicing our concerns; see Appendix 1.

Healthcare is always clean and the staff are extremely helpful and cooperative when approached about an issue with a prisoner.

5.6 Safer Custody

There have been three deaths in custody (DIC) in the reporting year which appear to have been through natural causes. The Board has observed in previous years the long delays between death in custody and the coroner's inquest. There are still eight outstanding cases – going back to March 2011. The new coroner has taken action to speed up the time between a DIC and the inquest.

There have been 178 ACCTs opened, of which 18 were transferred in from other establishments and 23 were re-opened cases. The Constant Watch cell has been used nearly the whole of the year – not just by the prisoners of Swaleside but by those from other establishments, particularly HMP Elmley, when their Constant Watch cells were already occupied. The reviews of prisoners on constant watch have been well attended, not only by the Duty Governor or Custodial Manager, but by the Chaplaincy, IMB and Inreach.

There are regular Safety Custody meetings which are often attended by a member of the IMB. The number of Listeners had been depleted and it was apparent that, if one duty Listener was occupied, the next on the duty rota was not being used. This led to problems for prisoners waiting for a Listener. Action has now been taken on both issues; additional Listeners have been recruited and the attention of staff and Operations was drawn to the correct procedure for the use of Listeners. Prisoner representatives have had some very innovative ideas which were discussed at Safer Custody meetings, one of these being that the prison should consider giving mediation training to selected prisoners on each wing. This has been done on some wings and has been successful in calming down several confrontational situations. This is particularly important at this time – since reduced staff has led to a more severe regime to ensure safety within the prison. There are more lockdowns leading to increased frustration amongst prisoners with lack of time for showering and making telephone calls to their families. However, prisoners have been well informed by the

Governor when lockdowns are due to take place following the introduction of a weekly bulletin.

5.7 Segregation

In April 2013 the Segregation Unit was going through a bad time – prisoners were flooding or wrecking cells, setting off fire alarms and making threats to staff on a daily basis. The Unit became a very stressful place to work. During the past reporting year, various policies were introduced:

1. Prisoners seeking transfers were told when they arrived in the Unit that they would remain there for a minimum time of 3-6 months and that a quick transfer was not an option.
2. If a prisoner was offering threats of violence to staff and the staff felt the threat was genuine, the staff were empowered to keep the prisoner behind the door or put the prisoner on a 3 or 4 man unlock in order to test compliance. Once compliance was met over a sustained period the restriction would be removed.
3. A restricted regime was used to help manage prisoners back to normal location. Staff used their interpersonal skills to convince prisoners that the Unit was not the best place to get a transfer or to progress in their Sentence Plan.

Since prisoners now have to pay for damage to property there has been a noticeable decrease in the damaging of cells.

The staff in the Unit are to be commended for their discipline, compassion and fortitude in dealing with some very difficult prisoners. Their work has been made more difficult by the absence of the regular experienced staff on occasion. The shortage of staff in the establishment has led to Segregation staff being reallocated resulting in lockdowns of the unit. The lockdowns result in frustration for the prisoners if certain facilities, such as exercise, phone calls and showers, are not provided leading to them venting their frustrations on the staff. The Board remains concerned at the lack of sufficient experienced Officers for the continuance of a safe regime. Inexperienced Officers often do not understand the role of the IMB in monitoring Segregation.

The Board checks the ACCT documentation and sits in on the Segregation Reviews. Appropriate Healthcare staff have not always been present at the reviews.

Last year, the Board reported that the log of Use of Force, Control & Restraint (C&R) and of Special Accommodation was incomplete, with one month missing from the log and a large number of forms not completed by staff involved in the incidents. This year, the position is worse. The log was converted to a spreadsheet and the column identifying the IMB member informed was omitted. Despite several reminders, it was not included and the weekly schedule of Use of Force incidents was rarely supplied to the IMB as agreed. Whilst there are completed Use of Force forms from October forward, the records for the early part of the year are incomplete or missing altogether. The Governor has taken action but there seems to have been a lack of understanding among some staff of the importance of these documents.

As far as use of Special Accommodation is concerned, the Board is usually advised when a prisoner is moved there and the prisoner is seen as soon as is practicable. The Board believes that its use has been fully justified and reflects the fact that the Swaleside population has an ever increasing number of very difficult prisoners.

However, on two occasions an unfurnished cell was used inappropriately because there was not a cell available to house a prisoner in the unit. No effort was made to provide any furniture and until it was noticed by a Board member, no documentation was produced. Both occasions were brought to the attention of a governor. One special accommodation cell has no camera for observation.

The body belt was used once in the year, the first occasion of its use for many years. The IMB was informed of its use.

5.8 Residential Services (includes accommodation, food, catering and kitchens)

This has been a very challenging year. It has been characterised by periods of relative stability, punctuated by outbreaks of violence, with 52 prisoner on prisoner and 22 instances of violence towards staff. There was an increasing number of concerted gang-related incidents and recurrent problems with the production of "hooch", clear distilled liquor and weapons.

The low numbers of staff led to the necessity of a revised regime on the wings. This included some loss of association during the week and at weekends. Despite this, the relationship between staff and prisoners has been good and very much assisted by the good communication between the Governor and prisoners.

The shortage of staff has led to a lack of consistency of staffing on the wings and as a consequence, much accumulated knowledge about wing operation and prisoners has been lost. Numbers of staff have been made up on wings by taking Officers from such areas as Reception, Segregation, Gym, OMU and ATB exacerbating difficulty in those areas.

At the end of the reporting year a severely disabled prisoner arrived at Swaleside, which led to a Social Care partnership between the prison and Kent County Council.

5.8.1 Accommodation

The wings are generally clean. However, prisoners require constant reminders to maintain standards in the selfcook areas. Failure to do so results in temporary closure.

On some wings the showers need better maintenance and there were still some complaints about inadequate heating during winter.

5.8.2 Food, Catering and Kitchen

The kitchen continues to produce a good standard of food within the confines of budgetary constraints which are affected inter alia by the high cost of faith and special meals. At times, cleanliness of the kitchen has been an issue. Prisoners working in the kitchen have not always been given time to shower before being locked up in their wings.

Section 6

OTHER AREAS OF THE PRISON REGIME:

6.1 Adjudications

Members of the Board continue to monitor adjudications on a regular basis. As the Board has commented in the Annual Reports for several years, it remains concerned that there are regularly awards of loss of 50% of earnings for prisoners earning only £2.50 a week rather than leaving their pay intact and increasing other sanctions.

The level of adjudications is down on last year at just over 932 (1,150), including as follows:-

350 cases of possessing an unauthorised article (up 50),
25 for administering a controlled drug (down 25),
200 for refusal to obey a lawful order (down 85),
75 for threats to staff (down 25),
130 for violence (no change),
45 for breaches of Health and Safety (up 10),
55 for damage to property (down 20).

120 adjudications were dismissed or did not proceed (up 20).

Adjudications laid for possession of mobile phones and chargers, etc at 96 were down by 10%. There was a decrease of 12% to 110 in adjudications for possession of fermented liquid (hooch). There was again a significant increase in adjudications for possession of a weapon, particularly prior to December, since when the number has reduced. Adjudications for assaults, both prisoner on prisoner and prisoner on staff and fights between prisoners have remained similar to last year, which suggests that the prison has stabilised somewhat.

However, it must be noted that these figures may be misleading as fewer searches were made due to lack of staff.

6.2 Access to Justice

The necessary laptops have been in the prison for over a year but have not been initialised and consequently are still not available for use by entitled prisoners. The prison is reliant on a member of staff from another prison to carry out the initialisation task.

6.3 The Care Team

The Care Team has a suite which has proved invaluable for talking to staff in a neutral area. The prospect of change to NWOW has caused staff many concerns and the Care Team has tried to discuss these concerns and allay their worries. Reassurance and understanding of situations is so important to the morale of staff.

Staff sickness levels have been high and the Care Team has spent a great deal of their time helping staff to return to work. It has also dealt with staff problems and may have prevented sick leave. Every call for help or advice, day or night, is answered. The Care Team continues to be invaluable to Swaleside staff and provides outstanding support including being available to staff who have given evidence at inquests, which can be a highly stressful experience.

The Board is impressed with its work.

6.4 Chaplaincy

The Chaplaincy Team continues to minister to the spiritual and pastoral needs of prisoners. The team has been under strength throughout the period.

In addition to 204 Church of England, 181 Roman Catholic and 322 Muslim prisoners, other faiths are represented and the department has visits from Pagan, Mormon, Quaker, Jehovah Witness, Buddhist, Sikh, Jewish, Hindu, Salvation Army, Free Church and Methodist chaplains.

All new prisoners are seen by a member of the Chaplaincy team soon after arrival. During the last year the Chaplaincy Department has liaised with prisoners families where there has been serious illness (38) and bereavement (71).

Major religious festivals are recognised and, where appropriate, special catering arrangements made. Memorial services have been held in the prison for prisoners who died in custody for family and prisoners to attend.

6.5 Gymnasium

The Gym continues to be extremely popular with prisoners. Staff offer a wide range of tailored activities for all ages and abilities. It continues to work with Healthcare and Education to encourage and support prisoners, with basic literacy and numeracy classes held within the Gym.

Staff are extremely adaptable and supportive to the needs of the prison and prisoners, changing, curtailing or cancelling programmes at short notice to deal with staff shortages throughout the prison.

6.6 Offender Management Unit (OMU)

For several years, the Board has raised concerns over the reduction in OMU staffing. In 2012 the staffing level was 20, in 2013 it was 16 and at the time of writing this report, it is down to 10.5. In 2013, the Board felt this was unacceptable with 150 outstanding OASys (Offender Assessment System) reports. This has now increased to over 300. The lack of OMU staff means that many of the wing clinics that the Board has previously praised, no longer take place on a regular basis. The promised "ring fencing" of OMU staff did not happen. The absence of OASys reports means a delay in identifying risk factors with a consequent effect on recategorisation, parole hearings and potential release.

6.7 Pathways

Pathways Service is a new service which opened in January 2014 and at the end of April was already managing 45 clients. It forms part of the national Offender Personality Disorder (OPD) strategy, covering a catchment area of London, the South of England and South Wales. The service is jointly delivered by the Prison Service and the London Pathways Partnership (LPP), in collaboration with the catchment area Probation Trusts. LPP is a partnership of four NHS Trusts: Oxleas NHS Foundation Trust, South London, Maudsley and East London NHS.

The Pathways Service is a Psychologically Informed Planned Environment (PIPE). PIPE is a specifically designed environment where staff members have additional training to help them develop an increased understanding of their work. This understanding enables them to create an enhanced safe and supportive environment, in order to facilitate the development of those who live there. There is an emphasis on establishing relationships and attention is paid to interpersonal difficulties, for example those issues that might be linked to personality disorder. The service is a partnership between NOMS and the NHS, and this is reflected in close partnership working between the clinical and operational staff on the unit.

Pathways is the first PIPE to offer engagement, treatment and progression services for men from the south of England region. It has been designed for Cat B or C adult male prisoners with emotional, relationship and behavioural difficulties that prevent them completing their sentence plan. The broad aim is to assist the men to progress successfully to life in the community, maintaining their own safety and that of others, and gaining an improved level of psychological, social and physical wellbeing.

Pathways service is in one part of F wing and the aim is for the service to extend over the whole wing.

*See Appendix 2 for further information

6.8 Probation

The small Probation Department works closely with the OMU department and liaises with outside Probation Officers. The Senior Probation Officer also covers HMPs Standford Hill and Elmley and has two full time staff. The shortage of uniformed staff for escorting prisoners restricts the use of the video link to outside probation offices. This results in home Probation Officers having to travel to Swaleside for prisoner interviews and wastes considerable time, at a financial cost to the Probation Service.

6.9 Psychology

The Forensic Psychology Department writes reports on prisoners for the Parole Board. It is short of Trainee Forensic Psychologists but is hopeful that a recent advertising campaign will produce applicants.

6.10 Prison Vision

This initiative, which started on G Wing and was reported last year, has now been put on hold. Once the new regime is fully in place, it is hoped to restart the programme as it has many positive benefits for the prisoners and the establishment.

6.11 RAPT

RAPT is housed on H wing, which is the drug free wing. The RAPT team operates the related courses to provide assistance to the prisoners in becoming and remaining drug free. Although the aim is for the wing to be free of all drugs, the staffing and space difficulties have meant that this has not been met and the required searches and blood testing have not taken place. This has led to the aims of the wing being taken less seriously by some residents, who think that they can “get away” with drug use. The necessity to use space on this wing for prisoners, who are not committed to remaining or becoming drug free, also waters down

the ethos of the wing. It has to be said that despite these difficulties, the wing staff do a professional job in difficult circumstances to try to ensure that the drug level is contained.

6.12 Reception

The number of prisoners passing through Reception has been high and frequently exceeded the number for which the department is profiled. The pressure on Reception has been exacerbated by the frequent delivery of prisoners towards the end of the day.

There was a serious build-up of property items to be processed at the end of 2013 but this was dealt with. At one point in the year, there were 150 complaints unanswered. However, the year has ended with Reception in reasonable order. The situation was not helped by the continual diversion of Reception staff to cover shortfalls on the wings.

There have been continuing issues with prisoners' property during transfer to and from the prison. The transport is often unable to take all the property belonging to prisoners. As a result the Board has received many complaints regarding missing items.

6.13 Requests and Complaints (RCF)

3516 complaint forms, an increase of 400 over last year, were submitted during the year with 3379 responded to within the prescribed timescale. However, this is misleading because an acknowledgement is treated as a timely response and the full response may take substantially longer to reach the complainant. The acknowledgement gives no indication of the date by which the prisoner can expect a full response. Unsurprisingly, this leads to considerable frustration for the prisoner concerned and often, re-submission of the complaint.

6.14 Security

Proactive intelligence-led searching continues to be successful with large numbers of mobile phones, sim cards, "hooch", distilled liqueur, drugs and weapons being found, including a cache in the Mosque. Mandatory Drug Testing did not take place until the last two months of the reporting period. The import and trafficking of contraband continues to be a challenging problem for the Security staff.

The Board often hears at Segregation Reviews that pressure is being applied to prisoners to convert to Islam. Extremism is a growing concern.

Security meetings are held monthly and a member of the Board attends.

6.15 Visits

During the year, a change in practice was introduced whereby visitors were admitted to the Visits Hall before the prisoners so that the starting time for visits could be more easily met. Although on occasions visits have nonetheless started late, this change of practice has generally worked well. Visits may now be booked on line and the procedure is managed jointly for all three Sheppey prisons.

6.16 Works

Most of the major capital projects have been completed more or less on schedule. However, the Traka access system took longer to install than had been planned. The Works Manager now provides the Board with schedules and technical information on individual major works projects.

Minor works continue to suffer delays due, in part, to a difficulty in recruiting for trade posts. These are issues, which impact most directly on prisoners, problems with shower facilities being a good example. This situation appears to have been exacerbated by a moratorium on recruitment pending the contracting out of the Works function in 2015. In that context, there is concern at the possible loss of staff used to working and managing this function in a prison environment.

Section 7

THE WORK OF THE INDEPENDENT MONITORING BOARD

Apart from the main duties of the Board, members have areas of special interest which are reported on to the Board at its monthly meeting.

The IMB Chair attends Senior Management Team meetings and quarterly meetings with the Area Manager, the latter being chaired by the IMB Area Representative, who at the time of writing this report, is a member of the Swaleside Board.

7.1 Membership

The Board comprises 12 members, two of whom are in training. There are four women and eight men including two JPs. Only one member lives on the Isle of Sheppey.

7.2 Recruitment

The Board participates in the Kent Recruitment Cluster. Advertising for members is done jointly for the participating prisons with the help of IMB Secretariat via the internet, thus reducing costs. During the year, two new members were appointed.

All members of the Board are white and it has so far proved impossible to recruit members of ethnic minorities.

7.3 Visits to the Prison

Members of the Board made 482 visits to the prison in the reporting year. Apart from Board meetings, one member was usually in the prison each weekday. Compromises continue to be made as to which areas of the prison are monitored, though Members attempted to visit their areas of special interest as well as the Segregation Unit, Healthcare and the Kitchen and to attend Segregation Unit and ACCT reviews on their rota visits. It is hoped that, with increased numbers, the level of compromises will be reduced.

7.4 Training

The Annual Team Performance Review Questionnaire was completed and some areas for improvement were identified.

Three members completed their training during the year.

7.5 Applications

The Board received 1063 applications during the reporting period compared to 909 last year. The number of applications from prisoners in Segregation has increased threefold and is reflective of a number of very difficult prisoners who have been resident there during the year. The level of applications about property remains a concern.

During the reporting period 492 (389 last year) of the applications were taken 'on the hoof', the remainder being written. Details of all applications are fully recorded by the Board.

7.6 Confidential Access

The Board received 10 confidential access applications (19 last year). As last year, none were worthy of the Confidential Access procedure and appeared to be an attempt to bypass the normal system. These applications were returned to the sender with an appropriate message.

7.7 BOARD STATISTICS	
Recommended Complement of Board Members	19
Number of Board members at the start of the reporting period	11
Number of Board members at the end of the reporting period	12
Number of new members joining within the reporting period	2*
Number of members leaving within reporting period	1
Total number of Board meetings during reporting period	12
Total number of visits to the Establishment	482
Total number of segregation reviews held	Not available
Total number of segregation reviews attended	365
Date of Annual Team Performance Review	June 2014

* One member appointed in April 2014

Section 7 (continued).

Statistics on Applications

Code	Subject	2010/11	2011/12	2012/13	2013/14
A	Accommodation	34	109	38	34
B	Adjudications	36	36	33	74
C	Equality & Diversity (inc religion)	16	9	10	4
D	Education/employment/training inc IEP	100	79	75	58
E 1	Family/Visits inc mail & phone	59	75	52	79
E 2	Finance/pay				59
F	Food/kitchen related	10	19	27	15
G	Health related	114	80	95	111
H 1	Property (within current establishment)	58	105	84	142
H 2	Property (during transfer/in another establishment)	101	60	61	71
H 3	Canteen, facilities, catalogue shopping, Argos	47	32	13	44
I	Sentence related (inc HDC, ROTL, parole, release dates, re-cat etc)	146	113	70	85
J	Staff/prisoner/detainee concerns inc bullying	32	31	28	10
K	Transfers	71	84	134	84
L	Miscellaneous	107	165	189	193
	Total number of applications	931	997	909	1063
	Of total: number of IMB Confidential Access was	17	16	19	10

Section 8

GLOSSARY OF PRISON-RELATED ABBREVIATIONS USED

ACCT Assessment, Care in Custody & Teamwork (replacement for F2052SH)
GPs General Practitioners
Gym Gymnasium
HC Healthcare
IDTS Integrated Drug Treatment System
IEP Incentives and Earned Privileges – Prisoners can be on Basic, Entry, Standard or Enhanced
IMB Independent Monitoring Board
IPP Indeterminate sentence for Public Protection
KPT Key Performance Target
NWOW New Ways of Working
OASys Offender Assessment System – computerised risk & needs assessment
OMU Offender Management Unit – work on sentence planning & progress
PIPE Psychologically Informed Planned Environment
RAPt Rehabilitation for Addicted Prisoners Trust
RCF Requests and Complaints
SMT Senior Management Team

Section 9

Appendix 1

Copy of letter sent by Chair of Board, Swaleside IMB

10th January 2014

Jeremy Wright MP
Ministry of Justice
102 Petty France
London
SW1H 9AJ

Dear Mr. Wright,

The Board has asked me to write to you to present our concerns over staffing levels at Swaleside.

We understand that budgetary constraints were required but the release of a high number of experienced staff through the Voluntary Early Departure Scheme (VEDS) has had an unacceptable impact on the day to day running of the prison. Examples of this include:

- A shortage of staff to escort prisoners to hospital appointments. This has a knock on effect in the NHS. There were over 50 missed appointments in December due to lack of staff to escort prisoners.
- 300 outstanding Offender Assessment System (OASys) reports during the last part of 2013. This causes delays in recategorisation, movements and parole of prisoners leading to frustration and anger by prisoners. In a prison such as Swaleside, these completed reports ought to arrive with the prisoner.
- Staff are moved to the Wings from other essential functions to allow normal regimes to continue. In particular, Reception staff are frequently moved which has had an adverse affect in processing property and the answering of complaints from prisoners. At the end of 2013 there were approximately 100 outstanding complaint forms.
- Wings are regularly “shut down” leading to the loss of association and more time in cells for prisoners. For example this occurred on 36 occasions in December.
- An inordinate amount of time has needed to be spent in Operations to ensure that minimum staffing levels are met.

We have to commend the Governor for the way she has been attempting to mitigate the effects of the above difficulties. She has done this by good communication with prisoners, staff and the POA and excellent leadership.

We are pleased to see that recruitment is taking place. However, this will be no substitute for the huge loss of experience. We would like your assurance that staff recruitment will continue and that staffing levels will be maintained in the future.

Yours faithfully,

Sally Murch Chair IMB

cc. The Rt. Hon. David Cameron MP
The Rt. Hon. Chris Grayling
Michael Spurr
Gordon Henderson MP
Peter Judges IMB National Council Rep

Appendix 2

The PIPE at Swaleside currently has two functions, an Engagement and a Treatment function. They are currently limited to an intake of 45 men, 30 engagement and 15 treatment, and given the overwhelming number of referrals, the service is now at full capacity given the staff available. The Engagement service is designed to assist and motivate individuals who have struggled to engage with their sentence plans and progress within the prison system. This may be related to interpersonal and emotional problems that are linked to personality difficulties. The Treatment service offers a more intensive, but flexible therapeutic programme for men who are able to engage in group and individual interventions to address personality, emotional and relationship difficulties.

The core PIPE elements in the service are adhered to, which means that there is an emphasis on developing good interpersonal relationships with the men and on staff development through training and supervision. Structured and therapeutic groups are offered which focus on understanding personality difficulties, emotional self management and issues related to living in a community. They also offer a rich and varied programme of socially creative activities, led by operational staff and or the prisoners themselves, and these include allotment gardening, quiz evenings, mural design, debate and discussion groups. They have a dedicated PE instructor and the men are encouraged to keep fit. They have invited in Third Sector providers, for example the Geese Theatre and Good Vibrations. These socially creative and third sector activities are an integral part of a PIPE, breaking down barriers, developing social and communication skills, enhancing self esteem and giving the men the opportunity to engage in activities related to real life outside (for example managing the production and distribution of honey from our bees).

Men engaged with the service are encouraged to participate in the normal prison regime as far as possible, for example attending education or maintaining jobs. The PIPE provides something of a “secure home” a supportive environment to which the men can return from their everyday activities.

The service has been positively received by both the prisoners and the Pathways staff. In a recent **survey prisoners expressed the following views:**

- “The groups are helping me to understand my behaviour and deal with things better”
- “There is good staff support – things are explained to me and they seem sincere”
- “There is less of a barrier between staff and prisoners”
- “Staff are surprisingly easy to talk to and always seem interested”

And staff have said:

- “I just love it – having the time do your job properly and give prisoners the support that they need”
- “It is amazing how just listening to someone can help”
- “It can be challenging at times but it is rewarding to see the changes in people”