



**Independent Monitoring Board**

**HMP Nottingham**

**Annual Report**

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

**For the period**

**1<sup>st</sup> March 2015 to 29<sup>th</sup> February 2016**

## **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**

HMP Nottingham had an operational capacity of 1060 prisoners with a Certified Normal Accommodation (CNA) of 723. The accommodation at HMP Nottingham is designed for Category B prisoners although other categories of prisoners are housed, notably approximately 51% Category C prisoners at the end of the reporting period, up from 38% in our last annual report.

Accommodation is arranged on seven Wings, all of modern design. During the year the first night centre which had hitherto had been located on C Wing was moved to D Wing, partly to increase capacity and partly as a security measure. F Wing ceased to be designated for older prisoners and prisoners serving longer sentences and has now become a non-smoking Wing, with G Wing continuing to house vulnerable prisoners (VPs). G Wing is now limited to prisoners who are vulnerable because of their offence, rather than for other reasons. However, from time to time the number of vulnerable prisoners exceeds the available space. This results in a number of VPs being housed elsewhere, notably on D Wing. Young offenders, mostly on remand, are accommodated throughout the prison as are adult prisoners.

Outside agencies delivering services to the prison include Nottinghamshire Healthcare, Milton Keynes College for Education and PACT (Prison Advice & Care Trust) which manages the Visitors' Centre and the provision of refreshments in the visits hall. The prison engages with a large number of local outside agencies in partnership to provide resettlement services.

Although the prison is designated a local facility serving the courts of Nottingham and Derby and the corresponding counties, in practice, many of those accommodated are not from the locality. 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. A small proportion of the prisoners are foreign nationals, including some detainees held beyond their sentence and unsuitable for detention centres because of the nature of their offence.

## **Section 4 Executive Summary**

### **4.1 Summary**

The Board recognises the efforts of the prison management and staff and the progress made during the reporting period to provide a more stable regime to prisoners. Attendance at activities has improved and there have been particular improvements in education, purposeful activity and resettlement services. However, throughout the summer of 2015 the provision of both services and opportunities to prisoners proved challenging to the prison and in consequence prisoner access to things such as healthcare, education and employment was often below 50% of capacity. In addition, the introduction of the new resettlement services was initially marked by a dip in provision.

The Board is concerned by the prevalence of New Psychoactive Substances (NPS) in the prison, which is having a destabilising impact. The use of such substances can lead to unpredictable and violent behaviour, debt, bullying, harmful effects on the health of prisoners and significant strain on prison resources when prisoners require treatment (see section 6.1).

The Board is concerned about levels of violence and the number and seriousness of assaults on prisoners and staff (see section 5.6.1).

The Board is concerned by the number of prisoners with significant mental health problems and the lack of suitable accommodation within the prison system. Prisoners with severe problems can end up spending lengthy periods in Segregation because their behaviour makes it unsafe to accommodate them on normal location and alternative accommodation cannot be found in the system (see sections 5.3.2, 5.7 and 5.8.1).

There have been frequent shortages of essential items of clothing and kit such as pillows, bedding and kettles, which impact on the ability of the prison to provide a regime which ensures decency (see section 5.8.1).

The Reception processes can be lengthy and prisoners often do not reach their cells until late at night (see sections 6.3). The Induction process, while improved, is still inconsistent and requires improvement (see section 6.2).

Despite improvements during the reporting year, staffing levels are still problematic, leading to frequent interruption of activities and prisoner frustration that officers do not have time to resolve simple issues for them.

### **4.2 Particular Issues Requiring a Response**

#### **4.2.1 Policy Matters for the attention of the Minister**

None.

#### **4.2.2 Other Matters for the attention of the Minister**

None.

#### **4.2.3 Operational Matters**

##### **4.2.3.1 Commodity Shortages**

The Board would like to receive an explanation as to why commodities such as kettles, TVs, pillows, radios, and items of clothing are still frequently in short supply or unavailable a year after this matter was raised. The situation has, if anything, worsened since our last report. Similar concerns have appeared in the Annual Reports of other IMBs. The shortage of basic

items compromises fairness, decency and hygiene when there is inadequate clothing, towels and bed linen to operate an exchange process at a satisfactory frequency. Recently 67% of prisoners said they do not normally have enough clean, suitable clothes for the week, with 53% saying they do not normally receive clean sheets every week.

We stated last year that a lack of pillows is against prisoners' basic needs, and not having TVs, radios and kettles available simply causes unnecessary frustrations to prisoners when their behaviour warrants such provision. Local management have worked hard to correct the situation, but their efforts seem to be undermined by national shortages in the system as a whole and by the quota system of allocation of items to the prison.

The Board would this year like to have a firm commitment from NOMS that this situation will be improved and an understanding of what action plan there is to resolve these matters.

#### **4.2.3.2 Detector Dogs**

The prevalence of New Psychoactive Substances (NPS) has many negative consequences for prisoner health and wellbeing and for the stability of the establishment. It is acknowledged that detector dogs have been trained to detect NPS, so the Board would like to see a higher detector dog presence particularly at all times when Reception is operational. Additionally, the Board believes that great benefit could accrue from a greater number of dog-led cell searches.

#### **4.2.3.3 Staffing of the Segregation Unit**

The Segregation Unit continues to be inappropriately resourced during the night period by non-Segregation staff. This results in the paper work for Adjudications often not being prepared in a timely manner, causing Adjudications to be abandoned as 'out of time'. Additionally, employing non-Segregation staff in this way increases the already heavy pressure on Segregation trained staff to deal with backlogs.

The prison is often in breach of PSO 1700 which requires Segregation Unit staff to be specifically selected and trained.

The Board would like to see both of these situations rectified.

#### **4.2.3.4 Staffing Levels**

The benchmark staffing level for Reception and Operational Management Unit (OMU) was revisited in summer 2015 and an uplift was agreed. To date this has not been implemented.

Whilst the Board acknowledges the steps taken in the year to establish a more structured and predictable Regime, there were still far too many instances where hospital clinic visits were cancelled, the gym was closed, prisoners were not escorted to Healthcare, lock downs were enacted and Inductions cancelled etc. It is the Board's view, echoed by prison staff, that these examples illustrate that there is insufficient resilience to cater for many of the day to day situations that occur in a local prison. The Board would therefore welcome a further review of the staffing needs of HMP Nottingham which recognises that the prison is still not providing the standards of out of cell time, access to medical treatment, activities that prisoners expect, etc., a view reinforced by prisoners' frequent complaints that the prison compares badly to other institutions they have experienced.

#### **4.2.3.5 Operational Management Unit Issues**

Assessments for about 25% of Home Detention Curfew (HDC) cases were late, and this often resulted in Applications to the Board. The Board would like to see this situation improved.

Of 109 sentenced prisoners recently surveyed, only 14% said they had a sentence plan, however 35% said they had a named Offender Manager in the prison, but 48% said they had had no contact. The Board would like to see an improvement in sentence planning.

### **4.3 Previous Year's Concerns**

#### **4.3.1 Prisoners from Rampton High Security Hospital**

The Board welcomes the successful negotiation by the Governor of an agreement that Nottingham should not be the default location to which detainees from Rampton High Security Hospital deemed as having reached the end of their treatment programme or as not complying with their treatment programme, but not suitable for discharge into the community, should be transferred.

#### **4.3.2 Late Arrival from Courts**

We have reported previously our concerns at the impact on prisoners of late arrival from the courts. Late arrivals contribute to the situation where prisoners frequently do not reach their first night accommodation until late evening and very occasionally the early hours of the morning, with staff being unable to leave at the appointed end of their shift. This situation is little changed. We are seriously worried that the pressure created by this situation risks missing signs of distress in prisoners at this vulnerable time.

#### **4.3.3 Revised IEP Rules (Incentives and Earned Privileges)**

In our last Report we commented on the OASys reports not being completed as early as could be the case, with prisoners therefore unable to comply with sentence plans and hence unable to progress within the IEP system. During the year, greater staff resources have been devoted to this and the situation has improved somewhat, though further improvements are still required.

#### **4.3.4 Remand Prisoners**

As we have previously reported, there is no segregation of remand and convicted prisoners on the wings, including prisoners who are under 21. This situation is unchanged from our last report (see section 5.8.1.1).

## **Section 5 Mandatory Reports**

### **5.1 Equality & Inclusion**

During the reporting year, the prison's Discrimination Incident Report Form (DIRF) procedures were not operational for eight months until November 2015, so there is a lack of discrimination data available and this seemed indicative that the prison's priorities were elsewhere. Though the system is operational again, prisoners often seem unaware of this procedure for raising issues of discrimination with the prison. As the statistics at Section 7.3 show, applications to IMB concerning equality and diversity represent about 3% of the total.

During the reporting year, greater efforts have been made by the prison to manage equalities issues more strategically and Equalities meetings involving staff and prisoner representatives have been held on a number of occasions and the IMB has also attended. The Board welcomes this development and will monitor it in the coming year.

The ethnic mix of the population at HMP Nottingham varies on a daily basis because of the high churn of prisoners. At the current time the white population is around 80%, Black around 8.5%, Asian around 5.5% and dual ethnicity about 5%.

The Board receives relatively few complaints from prisoners of unfair treatment relating to ethnicity. When such applications are received, the Board monitors to ensure that the prison investigates such claims.

The Board receives a number of applications from Foreign Nationals, some of whom are beyond their sentence. Such prisoners often seem to have to rely on other prisoners to translate for them, though the Board recognises that attempts are made to provide some notices in a number of foreign languages.

Prisoners held on immigration warrants are treated as remand prisoners. Immigration officers visited the prison each week but the recent HMIP inspection concluded they needed to target support for more urgent cases and communicate the outcomes of interviews more clearly. This is borne out by prisoners' Applications to the Board where it was often demonstrated that prisoners had misunderstood their situation, particularly in respect of early release in exchange for agreeing to deportation.

The Chaplaincy offers a good range of services to prisoners and the Board recognises the good work of the chaplains in defusing some difficult situations.

During the year approximately 14% of prisoners declared themselves to have a disability. Approximately 58% said they had wellbeing or mental health problems with 43% being supported by the prison's mental health team, according to a recent prisoner survey. We are constantly concerned about the placement of prisoners with severe mental health problems and the amount of time it can take following assessment to move them to more suitable surroundings. All too often they have to stay, inappropriately, in the Segregation Unit because they cannot be kept safe on normal location. The latest HMIP Report expressed the same concerns regarding the location of mentally ill prisoners and remarked that in HMP Nottingham the level of vulnerability of men with mental health problems, was higher than many similar prisons, and higher than at their last inspection.

## **5.2 Education, Learning and Skills**

Education, learning and skills services continue to be provided by Milton Keynes College and the Board recognises that there are major challenges in delivering meaningful education to prisoners, many of whom stay in the establishment for only a short period of time and of whom approximately 50% did not complete their schooling. However, during the reporting period initial literacy and numeracy assessments have increased from 30% to 70% and are being conducted in a much more systematic and robust way, ensuring the accuracy of the assessment outcome. This policy change has provided evidence to tailor the educational, learning and skills offered to better meet prisoners' needs, and move to more vocational training as well as formal qualifications.

The number and range of qualifications available has increased over the reporting period, with a wider range of awarding bodies being used, providing additional employer credibility, better alignment to local labour markets and improved access for prisoners. For example, qualifications in warehousing have been introduced to meet emerging labour market demand and there has been a move from City & Guilds "Stepping Stones" to City & Guilds "Full Functional Skills" qualifications, reflecting employer needs.

Surveying the local labour market and conducting thorough needs/skills analysis is helping to better manage prisoner expectations of the local labour market and build partnerships with local employers to ensure that qualifications being provided are appropriate. For example, an Academy in Warehousing in partnership with a major locally-based, national manufacturer/supplier/retailer is better preparing prisoners for gaining employment on

release. Prisoners going through the Academy are guaranteed an interview for employment with this company on release. As this is a pilot at this stage, the Board hope that this success can be built on to support more prisoners into employment on release.

We are pleased to note that, following a recent temporary suspension, the delivery of NVQs in the kitchen was reintroduced in October 2015 and is running successfully with good partnership work between the prison and college staff, ensuring successful completion of full NVQs for a number of prisoners.

The board is pleased to note that academic qualifications are also available, including GCSEs, A & AS level qualifications, Open University access courses and Open University degree level qualifications. During the reporting period a number of prisoners have participated in OU access courses and two have been completing undergraduate modules towards a degree. Whilst the Board would like to see this type of offering increase, we accept that the nature of the prison population and the number of short-term sentences means that the number of prisoners eligible for and able to complete such qualifications is limited.

We are pleased to report that a more equitable and improved education, learning and skills offering is now available for Vulnerable Prisoners following the opening of new specific facilities. For example, Art is now available to these prisoners and there are plans, funding permitting, to introduce IT qualifications. A library specifically for these prisoners is also planned to improve the level of library access beyond the limited access currently available. A mobile library service has been introduced for older and disabled prisoners and from April 2016 this will be extended to an evening service on all wings, so all prisoners will have access to library services at least once each week.

Overall attendance rates have improved following changes to the portfolios of Governors, resulting in more focused and proactive support for education, learning and skills. In July 2015, attendance was 35-40% and unacceptable absences were very high. Now attendance is around 60% and most absences are authorised (visits, courts, video link etc.).

However, attendance has fluctuated during the reporting period as a result of significant regime changes and the two-stage re-introduction of benchmarking. The practice of staff visiting prisoners who do not attend classes has been shown to improve attendance rates and has resulted in improved retention rates. We note that the prison has now also moved to target prisoners who have never attended education, which is a welcome development and that there are plans to visit prisoners on nil-pay and invite them to "job club" type sessions in the library to introduce them to the educational opportunities available. A 'Learner of the Month' scheme has been introduced, similar to the employee of the month scheme described in section 5.4, which staff report is also contributing to increased attendance.

With a recognition that attendance levels cannot be improved by the actions of education, learning and skills staff alone and with the increased focus and senior managerial support provided, morale within this area has improved and at the end of the reporting period there were no teaching vacancies and no anticipated difficulties in recruiting staff for future planned offerings.

A recent Ofsted inspection has resulted in a Grade 2 being awarded, reflecting the significant efforts described above and the improvements made since the previous year's award at Grade 3.

A reducing reoffending newsletter for prisoners and staff has been introduced which highlights achievements and opportunities and novel ways of engaging prisoners are being

used, for example, ex-HMP Nottingham prisoner turned writer, Liam Rodgers visited the Prison to run a creative writing workshop with English students in Education in November 2015.

Board members have paid regular visits and have observed prisoners working hard at a wide variety of activities and subjects and wish to give credit to prisoners, library and teaching staff and management for the good work that is being undertaken and the improvements that have been made.

### **5.3 Healthcare and Mental Health**

#### **5.3.1 Healthcare**

There have been three meetings of the Strategic Healthcare Board over this reporting period and the IMB is always informed of these in advance and has attended two out of the three for monitoring purposes.

The Board has been aware of difficulties in recruiting Healthcare staff and there have been occasions when a shortage of Healthcare staff has caused delays to the delivery of services to prisoners.

It continues to appear that the role of IMB is often not fully understood and can in some situations colour the attitude towards IMB members. This year the Board has made positive contacts with Healthcare staff, particularly the Clinical Matrons, although very high staff turnover does affect this to some extent.

Over this reporting period the prisoner induction programme has been significantly altered, albeit only recently, and there is now Healthcare involvement in prisoner induction. Despite this, prisoners continue to have little understanding of unavoidable time lapses from request to actually receiving a Healthcare appointment. Many prisoners still remain unaware of the health service complaints system (PALS – Patient Advice and Liaison Service) and as a consequence continue to use the IMB application forms for making a complaint of a health care nature, or even to complain about a PALS complaint. We have received a small but consistent number of applications every month across the year on the issues of appointment times, administration of drugs and/or specific healthcare issues.

DNA (Did Not Attend) levels continue to remain unacceptably high, varying between 50 and 79%. This is despite the implementation of Healthcare checks through P-NOMIS (National Offender Management System) to avoid appointments clashing with prisoners' visits. Recent data does show a slight improvement but there is concern that as more prisoners attend activities an appointment might well get demoted below gym, shower or domestics. Prisoners have complained that refusal to attend is often cited as a reason for a DNA, when they say appointment slips haven't been received, cell doors were not unlocked for them to attend an appointment, they were out on the Wing or they were not collected from their activity. As a result of these high levels of DNAs, appointment waiting times can still be long across many of the clinics but are particularly problematic in Dentistry and Optician's clinics. A podiatry service is available but the waiting list remains long and priority is given to those prisoners with medical conditions which require foot care as part of ongoing care e.g. diabetics. The podiatrist has now commenced a vulnerable prisoner podiatry clinic in the F & G Wing treatment room and extra staff deployment is helping to improve waiting times.

In Reception all new prisoners receive an initial health screening interview by a nurse at arrival at HMP Nottingham, though difficulties can occur in achieving this when there are late arrivals at the prison. A secondary health assessment is arranged within the next few days.

Mental health assessment of prisoners is completed within 24 hours and those requiring triage are seen within five days.

The issue of prisoner admissions over a weekend without the provision of medication or prescriptions, resulting in the interruption of essential drug therapy for up to four days, is particularly concerning for those with mental illnesses. As more GP practices change the software holding patients' records to allow access by authorised third parties, this situation should improve.

The Enhanced Care Assessment (ECA) cells have now been closed and there is need for a better replacement to be installed. A proposal has been put forward for a 'Day Care Centre' (not an in-patient unit) to be established as part of the new Healthcare contract and this could have a very positive impact on prisoner wellbeing.

The NHS Trust employs two GPs providing 17 hours cover each per week. However, there is no cover for holidays, which has an impact on GP waiting lists. There is an out of hours service for prisoners, however it is only telephone advice and its usefulness seems limited. There is no 24 hour face to face GP advice/consultation at present which leads to more prisoners being transferred out to hospital. Prisoners are also offered a number of health screening tests and the uptake of these varies depending on the type of screening offered.

Nurse triage, long term medical conditions and tissue viability clinics run by nurses are held in the Healthcare department but are now also available for VPs in the F & G Wing treatment room, though this is still a work in progress. The keeping of appointments for VPs and the waiting time for such appointments has been addressed in the new regime planning but is still causing issues if appointments run over in the main Healthcare clinics.

Medicines are to be administered three times a day from Wing treatment rooms, and night medicines are administered separately at around 8pm. There continue to be some issues surrounding these administration times, although again the new regime has addressed this concern. On occasions we have been aware of medications not being administered at the prescribed frequency.

Social Care Act assessments, which were held on Wings, have now been moved back into Healthcare, although some Occupational Therapy work will still need to be carried out in cells. It is hoped this will improve the whole referral process for prisoners. To date the Healthcare and Rapid Response link is good in Nottingham. The newly proposed introduction of a Naloxone Programme for prisoners with a significant opiate drug use needs to be monitored, to ensure prisoner access to this programme is consistent.

The IMB have benefitted from the awareness training provided by Healthcare and Security on New Psychoactive Substances over the year. The growing impact of these substances is a major concern, as referenced elsewhere in this report.

### **5.3.2 Mental Health**

Increasing numbers of prisoners in HMP Nottingham have varying mental health issues from minor to very severe and an integrated primary and secondary mental health team is responsible for their mental health care. The numbers of prisoners now suffering from dementia is also becoming a major issue and provision is being reviewed.

HMP Nottingham has continued to be one of the local prisons to which prisoners from Rampton secure hospital are transferred (though as we have noted, Nottingham is no longer the default prison to which such prisoners are transferred). This is not the right place for these prisoners, particularly those who have to remain in the Segregation because it is too

dangerous to put them on normal location. This can have a major detrimental effect on the prison as a whole, other prisoners and staff because of the behaviour of these prisoners. This issue has been escalated to NHS England for further consideration and more appropriate strategies are being put in place. Where transfer continues it is essential that appropriate handover meetings are held.

The secondary mental health in-reach team is working at maximum levels of prisoner caseloads. This could cause issues for prisoners and members of the in-reach team if the level of interventions required increase.

Attendance of mental health staff at Segregation reviews has improved and now someone almost invariably attends. Unfortunately, this often means pulling staff away from their ongoing very busy caseloads, with increased frustration caused if reviews do not take place at the scheduled time.

#### **5.4 Purposeful Activity (Includes Work)**

Attendance rates have fluctuated during the reporting period as a new regime has been put in place and benchmarking re-introduced in a two-stage process. However, the Board is pleased to report that attendance at workshops and education has improved during the latter part of the reporting period. This has also been helped by the introduction of additional facilities for vulnerable prisoners and a new range of activities and courses, which we commend. The introduction of a new rule, whereby any prisoner failing to attend purposeful activity on three consecutive occasions without good reason is suspended from that activity and has to re-apply and be re-assessed, is now starting to have a positive effect. Such prisoners are visited by education/activity staff and interviewed to find out why they are not attending and to address issues causing non-attendance.

Individual Learning Plan awards and an employee of the month scheme has been introduced, with a certificate and financial awards at 3 levels (Gold £5, Silver £3 and Bronze £2) given in recognition of this achievement. Bonuses are also awarded to prisoners moving up from entry to level 1 and from level 1 to level 2 qualifications. Board member conversations with prisoners have shown that these schemes are popular with prisoners and encourage ongoing attendance and improvement.

The Board is pleased to report that, taking into account all areas of activity and eligibility of prisoners, the attendance rate has risen to around 78%, whereas in the last reporting period it was regularly below 50%. However, as can be expected, any disruption causing lock down does affect attendance, as does the number of remand prisoners, (who are not obliged to attend work or education), the large numbers of new prisoners and the number of prisoners with court attendances. Therefore, we note that the number hours of activity/week completed can vary widely, for example during the first two months of 2016 from 2031 to 3069 hours.

Purposeful activity needs are assessed and work on offer is now more in line with the skills gaps in the local labour market, referenced to the last local skills gap assessment in May 2015. Currently a further needs analysis is underway to see if more vocational training should be commissioned.

The prison is also assessing opportunities for progression, so that prisoners who have completed level 2 qualifications do not then subsequently complete a lower level qualification or go into a job requiring lower grade qualifications, which is a welcome development.

The bicycle refurbishment workshop has seen a welcome increase in prisoner numbers during this year and remains popular with prisoners. Prisoners in this workshop are

undertaking recognised qualifications in cycle repair and a number of prisoners have secured employment with the participating cycle schemes on release.

The number of qualifications on offer in all work areas, including the gym, has increased. Most recently a course has been run in which eight prisoners achieved a qualification in First Aid at Work. The prison has also employed an instructor in Waste Management who will be delivering an industry-standard qualification, to ensure prisoners can gain employment in Waste Management on release.

New contracts in the workshops are providing more varied and interesting work as well as being useful in securing employment on release. For example, a recent contract with a local gaming company has resulted a prisoner taking up and remaining in employment with them on release, and there are expectations that other prisoners may follow.

There are sufficient purposeful activity opportunities for 1060 prisoners, outside as well as within workshops, catering for a much wider range of abilities and interests and with more alignment to local opportunities for prisoners on release. There is, though, still a proportion of low skill, repetitive work in some workshops.

However, the overall experience of prisoners in relation to purposeful activity during the reporting period was mixed, possibly reflecting the significant level of Regime change over the year. We accept though that work is now well underway, as shown by the above examples, to address this, supported by ongoing communications and mentoring to manage prisoners' expectations around the local labour market, appropriate qualifications and realistic prospects for employment on release.

The efforts of all involved, prison management and staff, local employers and prisoners are to be commended on the improvements made over the reporting period.

## **5.5 Resettlement**

Considerable progress has been made during the reporting year in the area of resettlement. Additional staff have been recruited, outside partner agencies have been brought in and as a result more assistance and mentoring is available for prisoners in readiness for, and upon, release. The assistance provided is in the areas of accommodation, mental health needs, drug issues and relationship and employment problems. Prisoners are offered help with their benefit claims and banking – fifty bank accounts were opened in November/December 2015.

The target for having available accommodation on release was 90% with achievement at 81%. This is mainly a reflection on the availability of the local authority accommodation, as reported in previous submissions.

A reducing offending day was organised and all relevant parties invited and bi-monthly resettlement days are arranged.

However, despite the best efforts of resettlement staff, the Board has come across some prisoners who are woefully unprepared for release. It is our hope that the number of such individuals can be further reduced.

Home Detention Curfew (HDC) processes have been improved, though many are still late. All prisoners are interviewed as part of the assessment of their suitability and decisions are taken following inter-agency input. Regrettably prisoners have continued to be under the misunderstanding that their eligibility date for consideration equates to their potential release date. IMB Application responses frequently have to explain this situation.

The OAsys (Offender Assessment System) backlog has been reduced. Every prisoner is interviewed as to their resettlement needs, 98% within 72 hours of admission, and a resettlement plan is prepared. Twelve weeks prior to release the plan is brought forward and implemented.

However, given that many of the prisoners are not from the locality, there are 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. HMP Nottingham has only limited access to resettlement facilities around the country, including housing, so prisoners from distant areas are doubly disadvantaged.

## **5.6 Safer Custody**

There were three deaths in custody during this reporting year, one each in May and August with the third in December. The first two were related to medical conditions but the latter has resulted in a murder conviction for another prisoner. In all circumstances where there is a death in custody, there are Police and Ombudsman investigations followed by a Coroner's inquest, to which IMB members are invited. We send our condolences to the families of the deceased.

### **5.6.1 Prisoner Safety**

Prisoners have again reported throughout the year that they have felt unsafe in the prison. The latest HMIP report supported this view.

For the reporting period, the figures for assaults were: 205 assaults on staff, 284 prisoner on prisoner, resulting in 31 assaults being classified as serious.

A more robust reporting system for Violence Reduction (VR) has been introduced which seemingly shows that the level of violence has increased, though this may be due to changes in the reporting methods. The Board will continue to monitor the statistics during the coming year. A new violence diagnostic tool has been rolled out and is now used to evidence the different issues relating to violence such as times and places.

However, the Violence Reduction Strategy concentrates mainly on monitoring and sanctions and there is little to address the underlying causes of violent behaviour. The Board would wish to see this aspect improved. The completion of VR investigations remains weak on some Wings and further monitoring in this area will continue.

As referenced elsewhere in this report, the prevalence of New Psychoactive Substances and associated debt issues has been an ongoing problem, coupled with some prisoners using other prisoners as 'guinea pigs' to determine the strength and effect these 'legal highs' cause.

Regrettably, Vulnerable Prisoners (VPs) have often been held on the Induction Wing for several weeks due to there being no other suitable accommodation within the prison. On occasions this has amounted to more than the capacity of one landing, and has made the management this Wing more complicated due to the need to organise a split Regime.

There were fewer Serious Incidents than in the previous year. The Board believes this was largely due to the implementation of a more stable and predictable Regime. However, in November 2015 considerable damage was caused to E Wing during an incident that lasted several hours. Two IMB members observed the incident. Due to the extent of the damage

the refurbishment of the Wing was incomplete at the end of the reporting period. One reason given for the incident was the behaviour of a severely mentally ill prisoner whose actions during the night period caused other prisoners sleep deprivation.

### **5.6.2 Listeners**

The number of Listeners has again fluctuated during this reporting year – on occasions only three Listeners were available throughout the prison. A greater degree of organisation of training has taken place this year with more sessions being introduced following the completion of initial training. The aim has been to schedule a further course very quickly in order to keep this as a rolling process. A graduation for Listeners and their families was held in December with further training scheduled for the end of April. Where prisoners have previously trained, consideration has been given as to the necessity of retraining, depending on when they were last used. Listeners have now been provided on the VP wing which has proved valuable. Previously the Wing was without the Listener facility due to non-VP prisoners not being allowed to perform their function in the VP environment.

A good relationship with the Samaritans has been forged. However, it has been difficult due to the loss of their experienced team leader who was replaced by someone without the same commitment. This resulted in meetings being cancelled at the last minute, disappointing the Listeners, with on occasions, some weeks between the meetings. It is hoped that this will improve in the next reporting year. Following last year's concerns, the Board is pleased to report that all Wings and the Segregation Unit now have Samaritans phones installed. This has been a lengthy and difficult process due to the strength of phone signals between the mobile handsets and the base stations, and the number of lines needed. The Board wishes to thank the prison for its tenacity in bringing this long-term problem to a resolution.

### **5.6.3 Safeguarding**

The introduction of 'Safeguarding' has proved beneficial to the establishment and was acknowledged in February 2016 by HMIP; "arrangements were much better than we usually see". This has been developed throughout the year and a holistic approach is taken when reporting prisoners who are considered vulnerable and are either in need of safeguarding or have been considered so in the community. Referrals frequently come from other concerned prisoners. Relationships have been forged with Nottingham City Council and prison staff now attend the council's Adult Safeguarding Boards, which has linked the prison into a further Suicide and Self Harm meeting for the community. Future plans include relationship building with Derby City Council.

All prisoners being considered for Sectioning are referred to the Safeguarding meeting and have a support plan. The Board is concerned by the number of prisoners who are being considered for sectioning, or have been sectioned, and the amount of time waiting for bed places. To highlight this problem reports have been made at the City Council meetings in order to have the prison numbers included in the Council's figures of patients awaiting beds in secure accommodation.

The Board understands that financial support for the staffing of this project is derived from Area, and this has underpinned the good work that is now carried out. Regrettably, Safer Custody Staff feel that they are often expected to carry out work that should be completed on the Wings.

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

Of the 12 cells in the Segregation Unit, during the year several were out of action simultaneously due to essential security modifications, following wilful damage. Although this

incident occurred in autumn 2015, by the end of the reporting period, not all cells had been returned to a useable state. At the same time two cells were converted to 'special accommodation' specifically to house particularly problematic prisoners for a short period of time. The Board was concerned at the extended timescale for this repair work to be completed, especially because for a prison the size of Nottingham, the number of segregation cells is inadequate, resulting in some prisoners who should be segregated remaining on the Wings.

The IMB monitors the holding of prisoners in the Segregation Unit by observing the Segregation Review Boards. The presence of Healthcare staff at these reviews has continued to improve during the year, and only occasionally has a nurse not been available. During the year it has been noticeable that efforts have been made to include Chaplaincy and Psychology staff at reviews.

Regrettably, due to safety concerns, some prisoners have only been able to be unlocked when four officers were present and there is frequently at least one prisoner in the unit requiring a three-officer unlock. Given that the staffing levels in the Segregation Unit are generally less than this, particularly in the afternoon, some prisoners had not been able to access Healthcare appointments and a Regime the Board would consider adequate. It can also be difficult for Board members to see such prisoners unlocked.

In both 2014 and 2015 we reported that staff in the Segregation Unit should be selected and trained according to PSO 1700 to enable them to 'maintain a positive ethos within the unit and ensure that all prisoners are treated decently, fairly and with dignity'. Although we have raised this matter twice previously, the Segregation Unit continued not to be populated exclusively by selected and trained staff. This remains 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 engage positively with prisoners and establish constructive relationships with them.

Despite the above comment, the Board continues to hold the impression that the work carried out by the Segregation Unit staff is commendable, often under very difficult and threatening circumstances, particularly given the number of prisoners with significant mental health problems housed in the Segregation Unit.

Adjudications have continued to be abandoned due to paperwork not being issued in the prescribed time frame. This situation pertains because the current night rota frequently does not use Segregation-trained staff, thus minimising the amount of useful work that can be accomplished during the overnight period. This is a concern to the Board because it means that discipline is not applied uniformly and consistently.

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

### **5.8.1 Accommodation**

The prison has been noticeably cleaner, with a prison-wide programme of painting in progress. The decency curtains shielding toilets in cells were finally replaced in February. A problem with the collection of food waste from wings has caused us to comment about this health and safety risk from time to time; we understand it is related to sporadic staff shortages and does seem to now be under better control.

The prison is typically full to within a handful of cell spaces, which makes the management of accommodation a challenging exercise and gives limited scope to meet requests from prisoners for cell changes, although to some extent the churn of population helps with this situation. The accommodation on the seven wings is unchanged in capacity since last year but some has been rearranged. F Wing has ceased to be designated for older prisoners and

is now a designated non-smoking wing. In order to secure more appropriate capacity, the first night centre (FNC) was transferred in the autumn from C Wing to D Wing.

The problems associated with the housing of men with mental health illnesses are referenced in section 5.3.2 of this report. It is important that recognition is given to the impact this practice can have on other prisoners. Hammering on the door and shouting all night have been drawn to our attention on several occasions by groups of prisoners reporting that this has kept them awake all night; on each occasion officers have backed up the claims. Such situations are impossible for the prison to resolve, as disturbed prisoners must be accommodated somewhere and segregation is not necessarily either available or suitable for such men. Even if accommodated in segregation, the behaviour still disrupts the sleep of others.

Provision of kit for prisoners and cells has continued to challenge the prison throughout the year. A considerable effort has been deployed to search cells and recover kit which is being held by prisoners beyond their allocation and this has been partially successful in increasing the available amount of kit. However, key points which require still attention are:

- Insufficient clean clothing supplied to the prison on a weekly basis to provide all prisoners with a change of clothing; on a recent monitoring visit to the first night centre two prisoners sharing a cell reported that they had had no clean clothing after 8 days and were still wearing the same clothes they were issued on arrival. Enquiries with the clothing exchange revealed that the allocation to that wing, which was a fair share of everything available, had been insufficient for all prisoners to have a change. The situation seems to be exacerbated but the churn of prisoners and in particular by the fact that those transferred out to other establishments in possession of a full set of kit far outstrips the influx of prisoners bringing kit with them. This is an unavoidable feature of a Cat B local prison but one which requires allocation of adequate resources;
- Insufficient clean bedding for prisoners to change their sheets weekly and a shortage of towels;
- A shortage of kettles, meaning that not all prisoners have access to hot water for drinks; again, the First Night Centre tends to suffer in this respect, but the problem is widespread across the establishment. It was exacerbated in February by the withdrawal of some unsafe equipment.
- A national shortage of televisions, meaning that not all prisoners above IEP basic have access to a television. Given that prisoners are locked in their cells, most of which are shared, for a stretch of at least 12 hours overnight (and for additional periods during the day), access to a TV can help considerably to keep men and the establishment calm.

The regime, introduced as part of the re-adoption of benchmarking, has put pressure on staff time late in the working day and as a result, it is sometimes not possible for wings to give full time workers time for telephone calls and showers after their working day. Efforts have been made to analyse and improve this problem but at the end of the reporting period it was still a source of complaint to us and clearly requires further attention.

#### **5.8.1.1 Remand Prisoners**

Our concerns, as expressed in previous reports, about the co-location of remand prisoners with sentenced prisoners remain unaddressed. Approximately 34% of the Nottingham prison population are remand prisoners, with approximately 42% of young offender (YOs) being in

this category. Those on remand are allowed to wear their own clothes, and are not required to attend work or education, but as a consequence receive no pay.

### **5.8.2. Food/Catering**

Despite considerable efforts by kitchen staff and management, the food situation remains a significant concern to the Board. It is accepted that the two main issues are the amount of money allocated to prisoners' food (£1.98 per day), and the large number of meals required – over 3000 per day.

During the reporting year the Board checked the main kitchen and the Bistro regularly as well as monitoring the serveries for cleanliness. Credit is due to the kitchen staff, who strive to provide adequate meals. Nevertheless prisoner dissatisfaction is very evident although few formal Applications about food are made to the Board.

There is a certain amount of wastage in the system – a lot of vegetable portions are untouched and the baguettes at lunchtime are often not fully consumed.

Definite recent areas of improvement have been the introduction of food surveys, of which two have been conducted, and food focus groups which met on two occasions and provided useful feedback. One item of concern, however, has been the inconsistent measuring and recording of the temperatures of food. This could potentially have serious consequences.

We also noted that there are fewer mechanical breakdowns in the main kitchen and we are pleased that there is recognition of the diverse dietary requirements of prisoners.

## **Section 6 Other Areas on Which the Board Wishes to Report**

### **6.1 Security**

The Board welcomes the continued efforts to detect mobile phones held by prisoners and to counter attempts to smuggle mobile phones into the prison. Technology improvements both in Reception and Visits have assisted greatly in this regard. Improved security measures have been taken to make the exercise yards less susceptible to 'throw-overs', along with a high degree of cooperation by the local council in making a nearby walkway less accessible and planting trees in the vicinity. However, a significant volume of items continue to get into the prison in this way so much further work needs to be done to combat this.

The Board has continued to be concerned with the seemingly ever increasing supply and detection of New Psychoactive Substances, although the rate of increase has slowed. Greater staff awareness of NPS and their use took place with a very well prepared and attended familiarisation day during the year.

Board members have witnessed first-hand the effects of NPS and have concerns, as have staff, over the use of these substances. It is not unusual for prisoners suffering the effects of NPS to have to be taken to hospital; indeed on at least one occasion four ambulances were in attendance simultaneously at the prison. The disruption to the prison's Regime has been significant when officers have to escort prisoners to hospital.

A pilot scheme to detect NPS will be included in the Mandatory Drug Testing (MDT) scheme in the coming months.

Of continuing concern, as reported last year, is the reduction in the deployment of detector dogs throughout the prison estate, which started some years ago. We repeat our belief that HMP Nottingham should ideally have a dog presence at all visiting sessions and available

for arrivals from the courts, including on Saturdays. However, we do welcome the fact that dogs are now trained in the detection of NPS.

During the year, the Police Liaison Officers have worked closely with the prison to detect visitors attempting to enter the prison after handling illegal drugs. The technology used has been successful in deterring some visitors, who after seeing the testing taking place decided to abandon their visit before being screened, and more importantly, visitors have been arrested for possession of drugs prior to entering the prison.

The Mandatory Drug Testing (MDT) target of 10.5% positive was recorded as 11.2% at the end of the year. (This figure includes positive results occasioned by legitimate use of prescription drugs).

## **6.2 Induction**

Although the Induction process had improved during the year, the Board remained unconvinced as to its consistency. Too often the Board found days on which an Induction process had not occurred, with nothing in place to catch prisoners who had missed the Induction session. The Board has received many reports from prisoners of a lack of induction activities. A survey in February 2016 found that 295 of prisoners had not been on an Induction course. Although the Wing Signposters performed an excellent role, this was not a substitute for a formal Induction.

Offence-related vulnerable prisoners on the Induction Wing had a poor regime due to the requirement to separate them from non-VP prisoners as a safety issue.

## **6.3 Reception**

In previous reports we have raised the issues associated with the amount of time taken to deal with the reception process. As a very busy Cat B local prison it is to be expected that HMP Nottingham will need Reception capacity to match the demand but it continues to be an experience for prisoners which features delay, lengthy periods in holding cells and sometimes very late night location onto Wings.

Throughout the year, the average time taken to progress through Reception exceeded four hours, and on occasions, rose to six hours. The prison is much busier now in terms of flow through reception, an increase of some 40% than it was when the benchmark was set in 2012/3. This has finally been acknowledged and agreement has been reached to supply additional staff.

Difficulties are sometimes made worse by personnel shortages in Healthcare – on one occasion in February 20 prisoners were reported to be waiting in holding rooms while there was no progress because no nurse was available.

Our discussions with prisoners on the First Night wing suggest that prisoners believe the reception experience to be poor, with some prisoners not arriving on the First Night Centre until 9.00pm. When they arrived there, often they did not have access to everything they needed, particularly adequate clothing. Substance dependent prisoners were screened at reception, but treatment was still delayed until 7pm when the substance misuse GP arrived, which is unsatisfactory. A recent survey found 42% of arrivals declared themselves to have mental problems, but only 18% said they had any help or support from staff when they first arrived.

Our concern, aside from the basic expectation that everyone is treated decently, is that this can be a very traumatic time for prisoners, some of whom will not have experienced prison before, and they may be especially vulnerable at this time. The prison is, of course, aware of the problems and of our concerns and we applaud the efforts of all who work in and with Reception but hope that these efforts will soon result in improvement in prisoners experiences.

#### **6.4 Time out of cell**

Although the prison had introduced a further refined Regime in October 2015, which gave more stability and consistency and a more reasonable time out of cell for most prisoners, the Board continued to receive complaints, especially full time workers, that they were unable to access showers and telephones at the end of their working day. This was of particular concern when raised by prisoners working in waste management. The Board would therefore encourage more active monitoring of the situation.

The published regime enabled most prisoners to be out of their cell between eight and 10 hours on at least two days a week, although unemployed prisoners or those refusing to work had about five hours out of cell, and where possible, prisoners were notified in advance of any unscheduled changes to the regime.

Recent checks showed that an average of 24% of the population were locked up during the middle of the core day. This had reduced considerably since our last report. Prisoners on the Basic Regime would, however, have as little as one hour per day out of cell, and VPs on D Wing experienced an extremely poor Regime with very limited time out of cell or access to purposeful activity.

Delays in prisoners' visitors being approved have continued to some degree. The problem was two-fold; firstly having the approvals actioned by night staff on the Wings and secondly having court outcomes input to the prison's computer system. More management attention was promised to better monitor the situation, but complaints still arise.

#### **6.5 Prisoners serving Life or Indeterminate Sentences**

The prison holds approximately 40 prisoners who are serving life or indeterminate sentences. The Board is concerned that there is no preparation by Offender Supervisors to explain the implications of these sentences to prisoners on remand, who were likely to receive such, and to provide support.

## **Section 7 Work of the Independent Monitoring Board**

### **7.1. Board Statistics**

Recommended complement	20
Number at start of reporting period	9
Number at end of reporting period	10
Number of new members during reporting period	3
Number leaving during reporting period	2
Number of Board meetings during the reporting period	12
Total visits to the Establishment	370
Total number of Segregation reviews held	119
Total number of Segregation reviews attended	101
Date of Annual Team Performance Review	July 2015

As always, individual members of the Board have worked well together and each contributed their skills to make an effective and harmonious team. Although stretched at times due to the size of the board, duties have remained covered effectively. Members leaving during the year were for personal and health reasons. 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 as Chaplaincy, Healthcare, etc. In addition, Applications and Rota Workshops were undertaken.

### **7.2. Duties**

The Board has continued to monitor the prison through a weekly rota visit; members also visit to attend Segregation Reviews, deal with Applications and monitor the work of the prison through attending a 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 declining membership.

No visits to other Establishments were undertaken during the reporting period nor were there any visits from other Boards. Members have completed National Courses as appropriate.

Fortunately, the number of serious incidents was significantly less than in the previous reporting period. On many occasions a member of the IMB was able to attend the incident, having been present in the prison at the time, with fewer 'out of hours' incidents occurring.

### 7.3. Applications

Code	Subject	2011/12	2012/13	2013/14	2014/15	2015/16
A	Accommodation		42	22	16	36
B	Adjudications		6	9	5	17
C	Equality & Diversity (inc Religion)		21	17	23	14
D	Education/employment/training inc IEP		31	43	29	37
E1	Family visits inc mail & phone		29	41	69	37
E2	Finance/pay		10	31	24	24
F	Food/kitchen related		81	15	13	12
G	Health related		32	88	85	88
H1	Property (within current establishment)		43	48	59	50
H2	Property (during transfer/in another establishment)		53	36	54	44
H3	Canteen, facilities, catalogue shopping, Argos		12	4	12	21
I	Sentence related (inc HDC, ROTL, parole, release dates, re-cat, etc.)		21	46	69	48
J	Staff/prisoner/detainee concerns inc bullying		43	60	37	68
K	Transfers		19	45	52	29
L	Miscellaneous		62	46	69	80
	<b>Total number of IMB applications</b>	<b>482</b>	<b>490</b>	<b>517</b>	<b>585</b>	<b>541</b>
	Of total: number of IMB Confidential Access was:		1	0	1	8

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 is higher than the number of Applications due to some Applications raising multiple issues.

The Board often receives Confidential Access Applications which do not fall under the Confidential Access criteria. These are recorded as ordinary Applications, above.