



Annual Report
of the
Independent Monitoring Board
at

HMP & YOI Chelmsford

for reporting year
1 September 2016 to 31 August 2017

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Monitoring fairness and respect for people in custody

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Introductory sections 1 - 3

1 STATUTORY ROLE OF THE IMB

The Prison 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 or centre 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, 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.

2 EXECUTIVE SUMMARY

The Board's major concern is that for much of the reporting year **staffing levels were inadequate**, the principal reason for which was the decision taken by the Ministry of Justice some years ago to offer a significant number of experienced officers early retirement and to freeze staff pay. The result has been that staffing numbers dipped well below the benchmark and for a significant part of the period under review the prison struggled to recruit and retain officers.

This had a marked impact on all aspects of a prisoner's life. It led to frequent **cancellations of the regime**, with the consequent disruption of education and work. It meant that prisoners have spent **longer locked up** in their cells, which engenders frustration and violence.

Whilst it is not possible to establish a direct link between **deaths in custody** and low staffing levels, the Board does believe that too few staff means reduced vigilance. The Board is also concerned at the increasing **levels of violence**, much of which is linked to drug trafficking, which leads to bullying and indebtedness. The Board understands that the level of violence is one of the worst in the country for a prison of this size.

The Board is also concerned at the number of prisoners whose **mental health** means that prison does not work for them. The Board also has concerns about the **effectiveness of healthcare** generally, especially where persistently high levels of non-attendance at healthcare appointments are the norm, and about the effect of prison and healthcare-provider staff shortages. Officers who know the wing well are often required to undertake duties elsewhere, resulting in a restricted in-patient regime.

Finally the Board would like to put on record its respect for the **professionalism of staff**, who have shown great commitment to their work while under great pressure. We hope that the planned increases in staffing will improve prisoners' quality of life.

Main Areas for Development

TO THE MINISTER

If the Reducing Reoffending strategy is to work effectively, it is essential that staffing is up to the benchmark. During the reporting year there were too many days when the regime had to be cancelled, leading to prisoners spending long hours in cell instead of attending education and work. This engenders frustration and violence. With too few officers all the prison can do is "warehouse" prisoners rather than pointing them towards positive behaviour change.

Prisoners suffering from severe mental ill-health should be referred rapidly to secure mental hospitals where they can be given appropriate treatment.

A nationally agreed education curriculum would be useful for prisoners moving from one prison to another, to allow prisoners to continue on a particular course wherever they are, if they have been moved before completion.

TO THE GOVERNOR

More Offender Supervisors are needed so that they can give proper attention to individual prisoners' sentence plans and also to their preparation for release. At present the number of OSs is at an unacceptably low level.

A high priority should be given to initiatives to avoid deaths in custody and to reduce levels of violence.

3 DESCRIPTION OF THE PRISON

There has been a prison on this site in Chelmsford since 1819. The original prison (A-D wings) was built on the traditional “spokes of a wheel” design of three storeys.

Two new residential units were added in 1996 (E and F wings) and a third (G wing) was opened in 2006. There are a variety of other facilities including a 12-bed, 24-hour healthcare centre, educational facilities, a gymnasium and artificial sports pitch, a multi-faith room, library, kitchen, laundry, recycling centre, visitors centre and a variety of offices housing prison and agency staff.

Segregation is on A wing and vulnerable prisoners have separate accommodation on D Wing. E wing provides the drug treatment programme, F wing is the first night and induction unit and G wing holds a mixed population including older and enhanced prisoners.

Chelmsford is currently designated a Category B Local Prison serving local courts and holds those who are sentenced, on remand or on trial. It holds adults and young adults and some foreign national prisoners. The average stay of a prisoner is just a few weeks, which leads to a high turnover, with a large number of transfers to and from court and other establishments each day.

The prison’s operational capacity is 750.

During this reporting period Steve Rodford OBE has been Governor.

Care UK ran healthcare for the majority of the reporting period, with Essex Partnership University NHS Trust (EPUT) taking responsibility from 27th May. *PeoplePlus* provides education, and *Sodexo* is the Community Rehabilitation Company (CRC) that subcontracts the “Through the Gate” contract to NACRO.

Evidence sections 4 – 11

4 SAFETY

The Board is concerned:

- That throughout much of the reporting year HMP/YOI Chelmsford continued to experience very high levels of violence and instances of concerted indiscipline.
- That according to the Ministry of Justice's most recently published statistics the number of assaults (including fights) at HMP/YOI Chelmsford, has risen from **162** in 2012 to **414** in 2016, with the number of 'prisoner on prisoner' assaults more than doubling during this period and assaults on members of the prison's staff showing a 400% increase. It is our view that the widespread availability of drugs, despite the best efforts of the prison to detect them and to prevent their use, and of bullying, often as a result of prisoner indebtedness, are primary causes of the reported violence, prisoner injuries and self-harm.
- That the prison's ability to control the influx of drugs and other contraband, and to maintain discipline, has been hampered by the shortfall in the number of officers available for much of the reporting period, and the lack of experience of many of the newer officers.
- That during this period staffing levels have fell well below the benchmark figure. For example, during April 2017, although the prison's 'benchmark' establishment was 144 officers, a new 'temporary profile' of 126 officers was agreed. However, at that point, only 113 officers were in fact available for duty.
- That during the reporting year there were three self-inflicted deaths in custody (DIC).

The Board notes:

- That the number of Assessment, Care in Custody and Teamwork (ACCT) documents opened during the reporting period fell by 12% compared to the previous year, although the actual number of ACCTs - 913 - remains high. Prisoners who are subject to an ACCT require regular monitoring and review which, while necessary for the individual's safety, requires significant resources.

The Board is pleased to note:

- The prison's recent initiative to establish an in-house prison officer entry level (POELT) training centre for newly recruited officers which, it is hoped, will go some way to alleviating the retention issues and providing new officers with relevant experience.

The Board continues to be impressed by the care, professionalism and dedication shown by individual officers, members of the prison's senior management team (SMT) and other employees, in challenging circumstances.

However, the Board remains very concerned that current staffing levels and the prison's general shortage of resources continue to make it difficult to ensure the safety of prisoners and staff.

5 EQUALITY AND FAIRNESS

The Board is concerned that:

- Due at least in part to the low numbers of officers available, the prison was unable to provide forums for all prisoners in 'protected characteristic groups'. (The nine protected characteristics are age, disability, gender reassignment, marriage/civil partnership, pregnancy, race, religion/belief, sex and sexual orientation.) Some of the most vulnerable individuals in the prison, who need to be able to express their concerns and raise issues in a safe environment, fall into one or more of these groups. The Board understands that questionnaires were distributed on a regular basis to members of these groups while the forums were suspended, but does not consider this to be an adequate substitute for regular meetings.
- The data from the nationally used Equalities Impact Tool, which was supposed to assist the prison in the assessment of its performance in this area, has proved unreliable, resulting in the prison having to rely solely on its own analysis.
- Not all wings or other areas of the prison are yet fully accessible to OPs with mobility issues, or for prisoners with disabilities. In addition, it is apparent from the Board's contact with prisoners that the prison's policy and rules on the provision of, and responsibility for, the use and maintenance of wheelchairs and other mobility aids is not clearly understood by all staff or prisoners.
- It is reported that BME YPs have been involved in a disproportionately high number of violent incidents during recent months, compared to their representation within the prison's population, but the Board is pleased to learn that the prison is currently reviewing its violence reduction (VR) policy and will be taking action, through a variety of projects, to help address this issue.
- The Board reported last year that only around one third of prison staff had completed the online equality training and we had hoped that this year the figure would have increased significantly. However, issues with both the prison's and the national recording processes mean that the number of currently trained members of staff is uncertain, but the proportion does not seem to have changed materially.

The Board is however pleased to note that:

- The prison acknowledges that all staff, particularly those who have regular contact with prisoners, should be fully trained in equality issues. The prison has assured us that this will be remedied. The Board will actively monitor this issue during the coming months.
- A plan is being developed to introduce a 'Care Buddy' system for OPs and prisoners with disabilities.
- Following the HMIP's unannounced inspection in 2016 and the resultant action being taken by the prison to address the issues raised, equality issues are now being given prominence by the prison's SMT, with each protected characteristic group having an SMT 'champion' and Functional Heads having day to day responsibilities to see that forums and other appropriate events take place in future.
- During the reporting year, the Board received only five applications which were equality/fairness specific, which is a similar number to the previous year.

6 SEGREGATION/CARE AND SEPARATION UNIT

The Board is concerned:

- That it is unable to report with accuracy on activity within the segregation unit as the prison was unable to provide complete data. Also, as a result of inconsistent reporting methods, the accuracy of some of the data provided by the prison is unclear.
- That as reported in previous years the physical condition of the segregation unit is poor. It is housed in the oldest part of the prison and although kept clean and tidy, at times the quality of the physical environment undermines the excellent work carried out by staff working in the wing.

The Board notes that during the **seven months** where figures have been made available:

- 73 prisoners were held on cellular confinement, with a peak of 20 in April. (The total for the whole of last year was 157).
- 68 prisoners were held on Good Order or Discipline (GOoD).
- 1,420 adjudications were reported.
- The “special accommodation” cell was used nine times, which represents a significant increase as it was reported as being used only once during the previous 12 months.
- There was only one dirty protest recorded (compared to two during the previous 12 months) and no reporting of use of force.
- Trends in offences relating to the possession of ‘unlawful articles’ and ‘disobeying instruction’ account for the majority of offences.

When Board members attended GOoD reviews and adjudications, they were generally found to be sensitively and appropriately managed and demonstrated the continued professionalism of officers towards some very difficult and/or troubled prisoners.

7 ACCOMMODATION (including communication)

For the purposes of this report, “Accommodation” includes cells, food, maintenance, showers, toilets, serveries, regimes, kitchens and gym.

The Board is concerned:

- That the prison has not maintained a consistent daily regime, with the result that association, education, visits to the library, work and exercise have been curtailed and prisoners have spent too much time in their cells. The prison says this is a consequence of reduced staffing levels.
- At the poor state of the fabric of much of the prison. The newer areas appear to be in good order, with a noticeably lower amount of rubbish than in the older areas. The older areas need continuous maintenance to keep them operating: not all cells have the requisite furniture and the ordering of new cell furniture takes a long time, leading to frustration on the part of prisoners. Planned and reactive maintenance is carried out by *Carillion*, who have an on-site team, but they struggle to keep on top of a challenging workload, which leads to annoying delays for apparently simple tasks such as blocked toilets, broken lights, faulty showers and the like. More specialized projects require recourse to outside contractors, with resultant delays due to the need for vetting and escorts.

The Board is pleased:

- That the catering department is able to provide for the various religious festivals throughout the year despite currently operating at around 50% of their staffing establishment. The Catering Manager has constantly striven to provide more variety and the inclusion of Saturday and Sunday brunch have been well received.
- That a number of beneficial projects have been undertaken, e.g. new window grilles to prevent rubbish being thrown out; netting on exercise yards to catch illicit articles thrown over the perimeter wall; and in-cell cabling for IT and telephone equipment.
- That the gym continues to provide sessions until 4.30 p.m. each day (evening sessions having been discontinued in August 2016). Most of the courses available are accredited and include an over 50's exercise referral. The Board receives few if any complaints in this area.

8 HEALTHCARE (including mental health and social care)

Care UK terminated its contract with the prison in May 2017. Essex Partnership University NHS Trust (EPUT) began providing healthcare services immediately following the departure of *Care UK*.

It is too early to fully assess the quality of services provided by EPUT as only a few months have elapsed, but the Board is concerned:

- That there have continued to be high numbers of prisoner non-attendance at health care appointments. The Board urges further efforts to be made to reduce this drain on resources.
- That the demand for inpatient services far exceeds supply. There is provision for 12 inpatient beds to serve a population of 750. The unit serves a mixture of prisoners with physical and/or mental illness.
- At the persistently high level of demand for transfer to secure mental health units. Waiting times for these transfers are often extremely long and the Board feels that the prison inpatient environment has a negative impact on the mental health of many of these individuals.
- That uniformed staff who know the wing well are often required to undertake other non-healthcare duties which frequently results in a restricted in-patient regime. The Board urges the prison to return the wing to a normal regime so that mental health staff can provide more effective intervention programmes for inpatients.
- At the insufficient number of constant watch cells on the wing (two), which means that other, unsuitable cells often have to be used.

The Board notes:

- That although additional permanent staff have been recruited, the mental health team is predominantly staffed by agency workers. Although we have been assured that the agency staff are long standing, experienced and supplied by a single agency, it is our observation that there is frequent fluctuation in staffing. We feel that consistency of staffing is imperative if prisoners are to maintain regular and productive contact and interaction with the mental health team, due to the nature of this work.

The Board is pleased:

- That EPUT has introduced weekly drop-in sessions on all wings, where nurses are on hand to help prisoners with their health issues. It is hoped that this will improve the ease of access to healthcare staff for prisoners.
- That psychiatry services are now available to prisoners with a wider range of mental health conditions than was the case under *Care UK*.
- That GP provision is now more consistent than in the past and has been bolstered with the addition of a Saturday service.

9 EDUCATION AND OTHER ACTIVITIES

Education

Education, provided by *PeoplePlus* is designed to equip prisoners with skills to make them employable on release. Most men enter the prison with Entry Level E1-3 (the equivalent of Primary School) levels of literacy and numeracy. *PeoplePlus* are funded to provide education from entry level E1 up to and including L2 (the equivalent of GCSE) level.

The Board is concerned:

- That Ofsted found in 2016 that the overall effectiveness of learning, skills and work, and the quality of learning, skills and work provision, including the quality of teaching, training, learning and assessment, all “required improvement”, although the department was graded “good” for outcomes..
- That some of the recommendations Ofsted made after its previous visit, in 2014, had not been fully achieved, notably:
 - improved rates of attendance;
 - increased range of learning and skills, including English and mathematics, to better match the needs of the population and to ensure that provision caters adequately for learning at higher levels;
 - Prisoners should be able to combine learning and work;
 - Peer mentors should receive specific mentor training at level 2 or above to improve the support they provide in sessions;
 - Tutors should use individual learning plans effectively by providing clear feedback to prisoners on the aspects of their work that they need to improve, and through setting specific targets for them to meet.
- That prisoners are only able to attend part-time, except for construction, painting and decorating. It is regrettable that prisoners’ time in education, which is designed to equip them with employability skills, is limited in this way.
- That prisoners’ learning experience has been disrupted because the full regime has not been able to run owing to staff shortages.
- That prisoners who move to other prisons before they have completed a particular course may have to start again at their new institution because of differences in provision from prison to prison.

The Board is pleased to note:

- That *PeoplePlus* are addressing some of Ofsted’s criticisms by developing individual learning plans and checking the quality of teaching, and that once prisoners have acquired basic knowledge, they can then undertake units in art, personal development, cleaning (BICS), construction, painting, decorating, health and safety, ESOL and business. Vocational courses are oversubscribed. The portfolios of work are graded by City and Guilds. Teaching to L1 and L2 (GCSE level) is available where appropriate.
- That accredited qualifications are issued to prisoners on successful completion of courses.
- That the entry level units can be completed in only five weeks and so are particularly helpful to prisoners who will be moving on from the prison.

- That special provision is made for VPs, who can take Maths and English to L2 and also two-week intensive BICS courses.
- That two-week intensive CSCS courses are now provided.
- That, as a result of the success of the “Firebreak” course run by the Fire Service, the prison is looking for further opportunities to introduce career-relevant courses.
- That Education is involved in the resettlement process together with NCS and Job Centre Plus (JC+) to help prisoners with CV writing and interview techniques.
- That Education is providing peer mentoring.

Library

The Board is concerned:

- That the library is subject to frequent closure because of lack of prison staff.
- That *Storybook Dads*, which gives prisoners the opportunity to record stories for their children, was subject to frequent disruption because of staff shortages.

Chaplaincy

The Board notes:

- The Chaplaincy has continued to provide a listening ear to prisoners on a one-to-one basis, and services for prisoners of all faiths and none.
- Day-to-day running has been complicated by the fact that the chaplaincy team has been short-staffed, the previous lead chaplain having resigned. The chaplaincy has struggled to find a minister to cover Sunday Anglican worship. There have been occasions when volunteers from the community have come in to lead worship only to find that the regime has been cancelled – a basic failure in communication.
- Of particular note are two programmes run by the chaplaincy: Eye to Eye, a de-radicalisation programme run on two days a week and attracting up to 15 prisoners per session; and Living with Loss, which is run on a one-to-one basis.

10 WORK, VOCATIONAL TRAINING and EMPLOYMENT

The Board is concerned:

- That the number of workshop instructors has gone down from nine to five, resulting in workshops being run on an alternating basis. A full complement of Band 4 staff is needed to maximize the opportunities for prisoners to achieve City and Guilds qualifications.

The Board is pleased:

- That a number of workshops give prisoners the opportunity to attain City and Guilds qualifications. (The teaching has to be delivered by Band 4 staff).
- That instructors are preparing to deliver Guild of Launderers and Waste Smart qualifications, in response to an Ofsted recommendation to offer more specific qualifications.
- That prisoners are issued with a “passport to employment” (a record of the work done) for work which does not lead to a more formal qualification.
- That the prison runs bespoke employment events involving local employers e.g. Mitie (cleaning), Veolia (waste management) and prisoners who have acquired the relevant skills whilst in prison. Prisoners have their first interview in the prison and a second one once released. Wingspan, a charitable organisation, takes on six prisoners per year to gain qualifications in landscape gardening.
- That self-employment workshops are provided for VPs.
- That creative writing sessions are provided, helping prisoners to explore their potential and contributing to their mental well-being.
- That “Good Vibrations” sessions are run, to help prisoners build their confidence and develop team working skills.
- That courses are planned for older prisoners to give advice about such issues as pensions.
- That an ex-gang member came in to talk to prisoners. He was well received because he talked their language and prisoners could identify with him.

11 RESETTLEMENT PREPARATION

Visits

The visiting facility exists to help prisoners maintain relationship with friends and family in preparation for release.

The Board is concerned:

- About complaints from visitors about the length of time spent waiting for entry to the visits hall.
- That there are only four disabled parking bays in the main car park by the front gate and that the path from there to the visitor centre is hard to negotiate. It would be useful to increase the number of disabled parking bays. Visitors ought to be given the option of booking a disabled bay.

The Board is pleased:

- That when we have engaged with visitors, all were in the main positive about their visits. There have been improvements in the bookings process as prisoners interviewed stated they had no problems getting a visit.
- That visitors are treated with respect by staff in the visits hall. The atmosphere there is good.

The Offender Management Unit

Resettlement is the final phase of the Reducing Reoffending strategy, the aim of which is to prepare prisoners to make a positive contribution to the world of work on release. A lot depends on collaboration between the resettlement team and OMU and the Board is pleased to note that there is now better communication between the two.

Eight weeks from the beginning of sentence, the prisoner's Offender Supervisor (OS) is supposed to meet up with him to talk to him about his offending behaviour and draw up a sentence plan together. The OS also plays a key role in the resettlement process, which begins 12 weeks before release.

The Board is concerned:

- That the number of OSs has reduced from 14 to 3. This creates an impossibly heavy workload, especially as the few remaining OSs are continually being put on other duties (e.g. prisoner escorts).
- That each OS is responsible for around 55 prisoners. Staff tell us that it is "not a meaningful job" because there is simply no time to do the work properly. It is to be hoped that the role of OS can be civilianized and restored to a more meaningful level.
- That the recall rate has risen sharply amongst prisoners on short sentences (28 days) who leave prison on a year's licence. As the prisoners are on such short sentences, the prison has limited time do anything meaningful with them.
- That OMU does not receive any information from the CRC on the percentage of prisoners who do not reoffend.

Resettlement

The Board is pleased that:

- The prison has a dedicated Resettlement Centre housing staff from NACRO, NCS and JC+. In accordance with the “Steps to the Gate” strategy, prisoners with 8 – 12 weeks left to serve will visit the centre for a week to cover a whole range of issues to do with successful reintegration into the community, e.g. creating a CV, seeking and applying for jobs, interview techniques, seeking accommodation and finding out about how to be a good tenant. It is understood that not all prisoners know about Steps to the Gate despite publicity. It is to be hoped that in the next reporting year the introduction of key workers will resolve this problem.

Employment

The Board is concerned that:

- Resettlement’s best estimate is that only 40% leave with an offer of a job. It is clearly difficult – though not impossible – for the Resettlement team to monitor prisoners’ progress to employment once they have left the prison. Closer liaison with the CRC and probation service could assist in this regard.

Accommodation

The Board notes that:

- 58.25% of prisoners were released with offers of settled accommodation.
- Any prisoner who is of “no fixed abode” on release is met by a NACRO “through the gate” worker who advises on the best course of action.
- Any prisoner who is still of no fixed abode after four weeks is followed up by the CRC.
- Prisoners with health problems leave the prison with a letter from Healthcare outlining their medical issues, thus strengthening their entitlement to local authority housing.
- Prisoners who are under 21 years of age should have a social worker to pursue the question of accommodation for them.

Having said all this, the prison cannot guarantee that all prisoners will find appropriate accommodation or indeed any accommodation on release.

The Board is concerned:

- That the CRC does not provide the prison with any feedback on the progress of offenders once they are back in the community. This means that staff have no feedback on how effective their efforts have been.

The Work of the Board

12 BOARD STATISTICS

Recommended Complement of Board Members	19
Number of Board members at the start of the reporting period	16
Number of Board members at the end of the reporting period	11
Total number of visits to the Establishment	378
Total number of segregation reviews attended	125

13 APPLICATIONS TO THE BOARD

Code	Subject	Current reporting year	Previous reporting year
A	Accommodation including laundry, clothing, ablutions	8	8
B	Discipline including adjudications, IEP, sanctions	1	0
C	Equality	5	4
D	Purposeful Activity including education, work, training, library, regime, time out of cell	8	5
E 1	Letters, visits, phones, public protection restrictions	6	6
E 2	Finance including pay, private monies, spends	4	2
F	Food and kitchens	5	3
G	Health including physical, mental, social care	31	66
H 1	Property within this establishment	18	13
H 2	Property during transfer or in another establishment or location	12	6
H 3	Canteen, facility list, catalogue(s)	0	2
I	Sentence management including HDC, ROTL, parole, release dates, re-categorisation	11	11
J	Staff/prisoner concerns including bullying	21	20
K	Transfers	9	12
L	Miscellaneous	25	22
	Total number of IMB applications	164	180

GLOSSARY

ACCT Assessment, Care in Custody and Teamwork

Adjudication The formal internal disciplinary procedure for prisoners.

Application A request by a prisoner for a personal interview with the IMB

CC Cellular Confinement

CRC Community Rehabilitation Company

DIRF Discrimination Incident Reporting Form

DIC Death in Custody

GOoD Good Order or Discipline

EPUT Essex Partnership University NHS Trust

FN Foreign National

HMP Her Majesty's Prison

IEP Incentive-based Regimes and Earned Privileges

IMB Independent Monitoring Board

LD Learning Disability

MOJ Ministry of Justice

NACRO National Association for the Care and Rehabilitation of Offenders

NCS National Careers Service

NOMIS National Offender Management Information System

NPS New Psychoactive Substance–new drugs that are developed or chosen to mimic the effects of illegal drugs such as cannabis, heroin or amphetamines and may have unpredictable and life-threatening effects

OASys Offender Assessment System used in England and Wales by Her Majesty's Prison Service and the National Probation Service to measure the risks and needs of criminal offenders under their supervision

OMU Offender Management Unit

PICTA Prisoner Information and Communications Academy

SO Supervising Officer

VP Vulnerable Prisoner

YOI Young Offenders Institution

YP Young Prisoner (aged 18 -21 years)