



Annual Report
of the
Independent Monitoring Board

at

HMP/YOI Swinfen Hall

for reporting Year
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Monitoring fairness and respect for people in custody

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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

Main judgements

- The humane treatment of prisoners is of concern in two areas. Firstly, regime restrictions have resulted in reduction in association time, access to showers, and telephones (7.4 and Section D). Secondly, there are concerns regarding healthcare: (a) restrictions to mental health cover (8.2); (b) lack of counselling for prisoners suffering from past abuse or post-traumatic stress disorders (PTSD) (8.3); (c) absence of healthcare staff at some Assessment, Care in Custody and Teamwork (ACCT) reviews (8.4); and (d) late issuing of medication (8.9).
- Preparation of prisoners for release is adversely affected by: (a) regime restrictions which impact on workshops (10.2), industries (10.2), education programmes (9.3), library use (9.5) and programmes (11.4); (b) deficiencies in the national resettlement system (11.1); and (c) shortfalls in the extent of purposeful activity (10.2).
- There are concerns that treatment of black, Asian, and minority ethnic (BAME) prisoners may not be fair in respect of higher rates of adjudications (5.5), lower rates of employment (5.7), and higher rates of confinement in the Care and Separation Unit (CSU) (6.4).

Main Areas for Development

TO THE MINISTER

- Notwithstanding the Minister's response last year, the system of resettlement has deteriorated, with performance down from 30% to 22% and delays of up to 18 weeks (11.1). Delays of up to 20 weeks have also occurred in transferring to open conditions prisoners re-categorised as Cat D (11.3). Will the Minister take urgent and effective steps to improve these system deficiencies?
- Despite reassurances in the Minister's response to the Board's 2017 Report, the Board remains deeply concerned at the lack of mental health cover outside the hours of 9am to 5pm Mondays to Fridays (8.2).
- Swinfen Hall needs to improve the ethnic diversity of its officers to match more closely the ethnicity profile of the prisoner population. It cannot do this until it has control of image marketing, advertising, recruitment and selection. The Minister's previous response is not applicable to Swinfen Hall as the prison is not assessed as a 'Red Site' and so is limited to recruiting via the national framework. Will the Minister address this (5.4)?

TO THE PRISON SERVICE

- There are serious backlogs of Offender Assessment System (OASys) reports, many beyond the mandatory timescales set for completion (4.4), resulting in serious and damaging delays in sentence planning.
- There have been continuing failures by the contracted service provider Amey to repair broken equipment (7.7).
- Withdrawal of the National Careers Service (NCS) has damaged the construction of Personal Learning Plans (PLPs) (10.3).
- Applications from prisoners about property, usually on transfer to Swinfen Hall, account for 14.5% of all Applications to the Board. We repeat: national arrangements for safeguarding prisoners' property need comprehensive review (7.9 and Section D).
- Cancellations of transport for prisoners transferring to other establishments occur more than once a week on average. This is a continuing concern (11.2).

TO THE GOVERNOR

- The Board is seriously concerned at the damage being caused by regime restrictions:
 - reduction in association (7.4);
 - lack of time for showers and telephone calls (7.4);
 - reduced gymnasium time (Section D);
 - inability fully to engage in workshops, industries, and education courses (10.2 and Section D);

¹ Throughout this document, the term BAME is used to denote combined Asian, black, mixed, and other categories, based on the self-defined ethnicity codes used by the Home Office.

- reduction in library activities (9.5);
 - loss of learning hours (26,000 in eight months) (9.3);
 - cancellation of the beneficial Health and Wellbeing Day (9.7);
 - attendance at corrective Programmes (11.4).
- Further steps need to be taken to reduce the number of ACCTs (the highest number in the last five years) (4.2), the extent of self-harming (increased by 38% in the last year) (4.2), the need for constant watch (substantially increased in the year) (4.2), serious assaults on staff (tripled in the year) (4.2), and absence of the Inclusion Team from some ACCT reviews (8.4).
 - The Board has serious concerns relating to ethnicity bias, each requiring thorough analysis to identify the cause(s) and to effect remedy:
 - white prisoners are up to 22% more likely to be in employment than those of other ethnicities (5.7);
 - BAME prisoners are 1.6 times more likely to have adjudication charges laid against them than white prisoners. (5.5);
 - BAME prisoners are more likely to find themselves in CSU (6.4).
 - The Black and Asian Prisoner Forum needs activating (5.8).
 - A more coordinated or strategic approach to prisoners with learning issues is needed (5.3). Many notices to prisoners use language which is unhelpful, particularly given the limited language skills of many prisoners and the incidence of learning difficulties (5.3 and 7.11).
 - The vacancy for a psychologist to work with prisoners who have been abused or suffer from PTSD is long-standing. This is a serious deficiency (8.3).
 - There have been significant concerns at late issuing of medication since 2016 (8.9).
 - Educational performance in English and Mathematics at Level 2 is still problematic (9.2).
 - Distance Learning (DL) should not have a lesser status to class-based learning; more should be done actively to encourage and facilitate DL (9.4).
 - Applications related to prisoner relations with other prisoners or staff have shown a marked increase; many are due to bullying or other intimidating behaviour (4.3 and Section D). The Board also notes the 77% increase in cellular confinement (CC) (6.1).
 - Although performance is improving, Swinfen Hall is not achieving adequate numbers of prisoners being allocated to purposeful activity (10.2).

Improvements

Area	Concern last year	Current assessment	Ref para
EQUALITY AND FAIRNESS	Commitment to equality and diversity	Allayed in principle, but needs to be demonstrated in practice	5.1
SEGREGATION/CSU	Prisoners engage in acts of violence or other unacceptable behaviour to get sent to CSU to seek transfer.	Now seems to be less of an issue, but is not entirely resolved	6.2
	Use of the dry cell has increased significantly from three to nine cases.	Reduced to six cases this last year	6.1
ACCOMMODATION	Failures on laundry arrangements. and lack of confidence where laundry is sent off-site.	There has been slight improvement	7.7
HEALTHCARE	Lengthy waiting lists for some clinics, particularly for dentistry.	Improved	8.7
	Healthcare Centre reception area has poorly maintained seating	Improved but still deficient	8.8

EDUCATION and other activities	Performance in the completed academic year 2016/17 exceeded for the first time in some years the 85% target.	Significant improvement	9.2
	Success in achieving qualification aims in English and Mathematics persist in being disappointing	Improvement at Level 1 but performance at Level 2 is still an issue	9.2
	The prisoners' Carol concert was not held in 2016.	Held in 2017	9.6
	No improvement in recruitment and retention of tutors	Improved	9.8
WORK ETC	SH is not yet achieving the recommendation in the 2016 Report of HM Inspectorate of Prisons (HMIP) that all prisoners be allocated to purposeful activity	Improvement of average allocation to 80%, but regime restrictions mean actual activity level is only 61%, which is a deterioration	10.2
RESETTLEMENT	The lack of available transport often delays transfers	Slight improvement is evident but still of concern	11.2

3. DESCRIPTION OF THE PRISON

3.1 HMP/YOI Swinfen Hall is a public prison comprising an integrated young offender institution (YOI) and Category C training prison for young males. The age range was extended in July 2017 from 18–25 to 18-28 years, but the numbers aged over 25 is still low as at 30 April 2018, with 12 aged 26, 9 aged 27, and 1 aged 28. Over 90% of prisoners are serving sentences of more than four years, with about 30 serving for life and about 12 on Imprisonment for Public Protection (IPP) sentences. There are currently 39 foreign national prisoners. On 4 December 2017 the prison reduced its operational capacity from 624 to 594 to allow closure of C-Wing for major refurbishment; this lower figure will remain until the refurbishment of A-, B-, and C-Wings is complete (planned for 58 weeks). At the same time, the number of double-occupancy cells was increased from 20 to 47 (94 prisoners sharing). The prison is defined as a 'national resource' so receives prisoners from all over the country. The proportion of YOs continues gradually to increase compared with adults (data as at or near 30 April):

	2015	2016	2017	2018
YOs	48%	53%	57%	61%
Adults	52%	47%	43%	39%

3.2 Swinfen Hall is a National Centre for the KAIZAN & Horizon Programmes.

3.3 The accommodation comprises: nine residential Wings, a Care and Separation Unit (CSU); a gymnasium building; kitchen and healthcare blocks; a variety of buildings for workshop, education and industries use; other buildings adapted for various functions such as a dedicated Mosque.

3.4 Healthcare, including mental health services are provided by CareUK; estates functions are provided by Amey.

3.5 The majority of education and vocational courses are delivered by Milton Keynes College (MKC), while some workshops (largely unaccredited) and gymnasium courses are funded by the prison using its own budgets. Railtrack maintenance courses are provided by Pendersons on subcontract from MKC.

4 SAFETY

4.1 As noted in last year’s Report, prisoners describe their first night cells (B-Wing) as “cramped and dirty”; conditions have not improved, but complete refurbishment is scheduled for 2018/19. New prisoners are mixed on the wing with long-term prisoners, which some report as “intimidating”.

4.2 The following data are to be noted:

	2013/14	2014/15	2015/16	2016/17	2017/18
ACCT documents opened	225	273	333	317	351
Self-harm incidents	542	549	537	346	478
Incidents of violence	159	175	251	329	348

- The 11% increase in ACCT documents opened is the highest such number for the past five years. The Safer Custody Team has driven improvement of the quality of ACCT documents through weekly quality assurance checks and monthly ACCT quality assurance reviews. It has also recently developed a local ACCT refresher training package. Notwithstanding, it is of concern that healthcare staff are absent for some ACCT reviews (8.4).
- There has been a very dramatic and worrying increase in the number of prisoners on constant watch. Over the whole of 2016/17, there were two prisoners on constant watch for three short periods. Between October 2017 and April 2018 there have been 22 separate periods of constant supervision for 11 prisoners.
- Six of the prisoners on constant watch also account for the alarming increase (38%) in self-harm incidents. During March 2018 incidents of self-harm spiked to 79 (compared with 27 in March 2017); 32 prisoners were involved in these incidents, but the six prisoners just mentioned accounted for 36 of the 79 incidents (46%). All staff who have contact with prisoners are currently completing ‘Suicide and Self-Harm’ (SASH) training; 47% of staff have already been trained, 70% of these being operational staff. The Board is disappointed with the increase in self-harming, especially after the sharp reduction noted last year, but improvements are beginning to show – with just 66 incidents in April compared with 79 in March 2018 – still unacceptably high, but a reduction nonetheless.
- Assaults by prisoners on prisoners, and serious assaults, peaked in August 2017 at 26 with a total of 180 assaults (including fights) and 31 serious assaults throughout the reporting year. Assaults on staff have marginally decreased from 31 to 29. However, serious assaults on staff have tripled with nine in 2017/18 compared with three in 2016/17. This follows the national trend, but Swinfen Hall has the lowest incidence of serious assault on prisoners, assaults on staff, and serious assaults on staff within its comparator group.

4.3 IMB Applications have shown an increase in prisoners reporting bullying from other prisoners or staff. The Safer Custody team believes that bullying has been made easier for perpetrators by use of electronic bank payments and smart phones. Potential victims of bullying identified through intelligence are discussed at weekly Multi-Agency Safeguarding Hub (MASH) meetings. The Safer Custody Team has not previously recorded on a formal database the numbers of prisoners self-isolating but has noted a reduction since February 2018, when an Isolated Prisoners Policy was introduced and monitoring and management of these prisoners was increased. The numbers of self-isolating prisoners will be formally recorded and monitored from May 2018.

4.4 There are serious backlogs of OASys assessments, many beyond the mandatory timescales set for completion. As at the end of this reporting period, there were 52 initial assessments and eight reviews outstanding of those provided by the National Probation Service (high or very high-risk offenders), and respectively 52 and two assessments for those carried out by Swinfen Hall offender managers (low and medium-risk offenders). Many sentence plans and any assessment of risk of harm are thus not available to the prison in as timely a manner as is necessary for safe custody of arriving prisoners. Delays in commencement of offender behaviour programmes are also detrimental to

prisoner motivation and to progress towards reduction in reoffending and risk of harm. The origin of the problem is that far too many prisoners arrive at Swinfen Hall without OASys assessments. The Board is satisfied that the prison works extremely hard to deal with this situation, which is not of its making. The issue needs to be tackled at source, nationally.

4.5 The extent of illicit materials found in Swinfen Hall is as follows:

May to April:	2016/17	2017/18
Incidence of drugs found	58	124
Mobile 'phones found	161	94
Weapons found	169	271

There are several factors at play; we simply record the data and will continue to monitor for trends.

4.6 There has been one death in custody in the reporting period (in May 2017). The prisoner had no noted next of kin, so notification of family was difficult. Prisoners on the wing were supported after the death and staff involved received appropriate care and support from the prison and Governor. IMB attended the inquest in February 2018 where the coroner delivered a verdict of death by suicide. There was no Prevention of Further Deaths report made by the coroner. Recommendations from the PPO were that "The Governor of HMP Swinfen Hall should ensure that staff manage prisoners at risk of suicide and self-harm in line with national guidelines" and "The Governor should ensure that HMP Swinfen Hall has a protocol that instructs staff how to respond to obscured observation panels at night, including that they enter cells as quickly as possible if there is information that the prisoner may be at risk".

5. EQUALITY AND FAIRNESS

5.1 The effectiveness of the Equality Committee was again inhibited by cancellation or postponement of meetings, and higher priority was given to other meetings for booking the requisite room, renewing concerns about commitment. In future, the Governor will chair all Equality Committee meetings; an officer will be given time to provide support; a part-time administrative assistant has been appointed; and there is funding for posters and merchandising. These all point to increasing commitment to equalities issues.

5.2 The number of Discrimination Incident Report Forms (DIRFs) received continues to fall (2014, 72; 2015, 42; 2016, 30; 2017, 23). This is due to better filtering out of applications which are not discrimination-based. This filtering does not appear to discourage prisoners from using the DIRF system. Procedures for dealing with DIRFs have been strengthened by all custodial managers taking responsibility for investigating DIRFs; by the Governor reviewing all investigation reports; and by re-introduction of an independent scrutineer.

5.3 In a 2016 prison survey more than half the prison population self-identified as having learning issues. In a new survey in September/October 2017, eight prisoners (2.6%) reported having a physical disability, and 38 (12.1%) some other disability; these figures present a more reasonable picture, but do not distinguish between learning difficulty and learning disability. MKC is seeking to embed literacy and numeracy in vocational courses; the Board has observed an excellent example of this in practice, but also some apathy. The prison was to have tackled the simplifying of wording in notices etc but has not done so (see para 7.11). Last year, the Board noted the absence of any coordinated or strategic approach to learning issues; there has been no response.

5.4 Black, Asian and minority ethnic (BAME) prisoners, who are a high proportion of the prisoner population, comment that there are few BAME prison officers, giving a perception that this adversely affects their treatment. The prison itself acknowledges the low proportion of BAME officers:

April - April:	2015/16	2016/17	2017/18
BAME prisoners:	16%	18%	38%*
BAME officers:	4%	2%	5%

*This figure is based on NOMIS records of the total number of prisoners of Asian, black, mixed race and other racial origins as on 30 April 2018. The prison has not been able to explain how the figure is so much higher than the data given for previous years.

The Board remains concerned that the prison has no control over image marketing, advertising, recruitment, or selection; this is a serious deficiency which needs to be effectively addressed through national policy. The Minister's response when the Board raised this issue in its 2017 Report is not applicable to Swinfen Hall, as the prison is not assessed as a 'Red Site' and so is limited to recruiting via the national framework.

5.5 Prison data for the number of adjudications by prisoner ethnicity over the period January to March 2018 are:

	Total BAME	White
Jan 2018	66	44
Feb 2018	49	49
Mar 2018	42	74
Total for quarter	157	167
Frequency of charge being laid	$157 \times 100 / 211^* = 74.7\%$	$167 \times 100 / 357^* = 46.8\%$

* Respective prisoner populations as at 6 April 2018.

A BAME prisoner is thus 1.6 times (60%) more likely to have adjudication charges laid against him than a white prisoner. While there are several possible factors (e.g. multiple charges against individuals), the differences between the occurrence is stark and warrants thorough analysis.

5.6 BAME prisoners are more likely than white prisoners to be in segregation, as shown by the data in para 6.4.

5.7 White prisoners are more likely to be in employment than those of other ethnicities, as demonstrated by the following data (sampled at random):

Sample date	Prisoners	Total BAME	White	No data
6 Apr 2017	Population	32.4%	67.7%	-
	Employed	29.6%	70.4%	-
3 Jan 2018	Population	38.5%	61.1%	0.3%
	Employed	33.2%	66.4%	0.4%
7 Feb 2018	Population	37.7%	61.7%	0.7%
	Employed	34.5%	64.8%	0.7%
30 Apr 2018	Population	38.3%	61.2%	0.6%
	Employed	31.8%	67.5%	0.4%

Put another way, the likelihood of being employed is as follows (the data are not dependent on the total prison population but assume that 80% of prisoners are employed):

Sample date	Likelihood of being employed		Difference
	BAME	White	
6 April 2017	73.1%	83.2%	10.1%
1 January 2018	69.0%	86.9%	17.9%
7 February 2018	73.2%	84.0%	10.8%
30 April 2018	66.4%	88.2%	21.8%

To determine the origin of this persistent bias, the prison has analysed the breakdown of applications for employment by ethnicity. During the period 26 March to 4 April 2018, there were 99 applications for employment from 70 individuals (some prisoners submitting more than one application). The distribution of these 70 individuals according to their ethnicity was as follows:

	Total BAME	White
Number of individuals submitting one or more Applications	28	42
Percentage	40.0%	60.0%
Prison Population (30 April 2018)	38.3%	61.2%

There is therefore no significant difference between to the application rates for white and non-white prisoners. The higher employment rates of white prisoners are thus not attributable to differential application rates. The matter requires a thorough analysis to identify the cause(s) and to effect remedy.

5.8 As a result of a recommendation in the 2016 Report of HM Inspectorate of Prisons (HMIP), a Black and Asian Prisoner Forum was established. It first met in November 2017 but has since been inactive; this needs to be reactivated urgently.

5.9 A welcome development has been issuing of a comprehensive transgender strategy, including procedures for providing support. Currently, three prisoners known to be considering reassignment are supported by the prison (including having female clothing in their cells for private use). This is good progress.

6. SEGREGATION/CARE AND SEPARATION UNIT

6.1 Use of segregation during the reporting year was broadly the same as the previous year, although there have been significant changes in the reasons:

	2016/17	2017/18	% change
Total residency	347	345	-1%
R45/49 (GOoD)*	176	144	-18%
R53/58 (pending adjudication)	122	114	-7%
Cellular confinement (CC)†	49	87	+77%
Use of dry cell	9	6	-33%
Mechanical restraint	0	0	No change

*Good Order or Discipline. †Excludes CC on Wings.

It is pleasing that instances of segregation for GOoD have reduced by 18%. However, this is offset by a sharp increase of 77% in CC, which is attributed to an increase in the seriousness of misdemeanours, particularly the use of violence and weapons; it also reflects efforts by the establishment to make better use of available punishments.

6.2 Although precise data are not recorded, the Board's observations are that the number of prisoners deliberately gaining access to CSU to effect transfer out of Swinfen Hall has decreased compared with last year. A significant factor was the change of Governor and a firmer approach that made wings responsible for anyone sent to CSU. However, between April 2017 and April 2018 there was an increased number of prisoners transferred directly from CSU to other establishments (21 in the current year compared with 11 in the previous), but they were not considered to be prisoners who self-referred.

6.3 The Board is concerned that a small but increasing number of prisoners spend excessive time in CSU whilst they await a transfer to another establishment. Where a transfer is the only option for the safety of a prisoner, it is a concern that there is too long a wait, and that CSU is effectively being used as a vulnerable prisoner unit. Figures provided by CSU officers show that the number of prisoners confined to CSU for periods of over 42 days has reduced in 2017/18 compared with 2016/17 - from 16 to 9, a reduction of 44%; confinements of 90 days or more have also reduced, from 3 to 1 (-67%). On the face of it, this is in the right direction, although there can be adverse effects if prisoners are returned to wings too quickly.

6.4 BAME prisoners are more likely to find themselves in CSU, and this is a concern to the Board:

Ethnicity	Asian	Black	Mixed	Other	White	No data
Prison population	10.8%	18.0%	7.9%	1.6%	61.2%	0.6%
CSU population	13%	29%	8%	-	50%	-

6.5 As reported in many previous Board Reports, the quality of the CSU accommodation is extremely poor, so it is pleasing to report that funding was confirmed during the reporting year for full refurbishment to be carried out during 2018/19.

6.6 CSU continues to benefit from well-trained staff who form good relationships with prisoners and work hard with governors to return prisoners to normal location. A Board member sees all prisoners at least weekly and generally three times per week. Review Boards for Rule 45/49 prisoners are held on regular days/times which enables both Healthcare and a member of the Board to attend. The prisoner is most often in attendance and is given ample opportunity to input into his review. Consideration of the prisoner's mental health and return to normal location are always the priority.

Where a prisoner arrives in the CSU after the last scheduled Review Board of the week, the IMB is notified so that a member can attend within the required 48 hours.

6.7 The Board considers adjudications are operated fairly, with prisoners made aware of their rights to legal representation and to appeal the final decision. Use of the dry cell has reduced by a third, and there have been no instances of use of mechanical restraints during the year, which is reflective of the work being done to reduce the ingress of drugs and mobile phones.

7. ACCOMMODATION (including communication)

7.1 The quality of accommodation varies due to the differing ages of the residential blocks. The oldest wings (A-, B-, C-) are at last to be refurbished; work has begun on C-Wing; all should be completed during 2018/19.

7.2 The standard of accommodation and cleanliness of wings is variable and at times unacceptably poor. However, the establishment is making this a priority with a governor-led 'cell standards' initiative aiming to ensure all accommodation meets a basic standard by:

- replacing missing/broken furniture and curtains
- allowing prisoners to paint their cells
- investing in cleaning equipment
- improving health and safety training
- embedding regular cell inspections, wing checks, and reporting of prisoner focus groups.

7.3 The previous success of engaging prisoners in improving their environment on D- and E-Wings is being encouraged more widely, and progress is evident although not evenly across all wings. Certainly, the older accommodation is heavily reliant on the refurbishment programme for improvement to cell accommodation and showers which are particularly poor.

7.4 Reduction in association has continued to be a problem due to regime restrictions and has a negative impact on prisoners also losing access to telephones and showers. Whilst the establishment works hard to ensure that regime restrictions are evenly distributed, and takes steps to compensate, prisoner perception is to the contrary.

7.5 Staff-prisoner relationships are mostly good, but changes to staffing and the regime have strained relationships on some wings. The 'cell standards' initiative along with the forthcoming 'Key Worker' programme are both platforms for improved relationships as staff and prisoners work together to improve wing standards.

7.6 During the winter, water supply issues to D- and E-Wings resulted in a lack of hot water for showers. Ageing equipment across the establishment is problematic, as when parts fail it can take some time for spares to be located and repairs undertaken.

7.7 Prisoners benefited during the year from the replacement of blankets by duvets. However, changes to the laundry arrangements to accommodate the cleaning of new bedding caused confusion and delay. There have been further failures by the contracted service provider Amey to repair broken equipment, and all too often the Board has seen washing left to dry on wing railings.

7.8 Satisfaction with food has improved during the year with the appointment of a new Catering Manager. A recent food survey resulted in menu changes. The food is of acceptable quality, but severely limited by the budget.

7.9 Complaints from prisoners regarding their property related to previous establishments is still a serious concern, and accounts for 14.5% of all applications to the Board. However, applications regarding property within Swinfen Hall have reduced to 6.1% of the total (11.1% in 2016/17).

7.10 The catalogue ordering system generally works well, but there is a concern that some orders are delayed for too long in Reception until staff have sufficient time to update property log cards.

7.11 Communication with prisoners is good with regular 'Notices to Prisoners' circulated in a timely manner. There are, however concerns at the complex style and language used in some cases, particularly given the limited literacy and language skills of many prisoners, and the incidence of learning difficulties. The prison is aware of the issue but has not yet taken effective steps to deal with the matter.

8. HEALTHCARE (including mental health and social care)

8.1 During the year, primary care services provided by Care UK were integrated with mental health and psycho-social substance misuse contracted to South Staffordshire and Shropshire Healthcare NHS Foundation Trust (provided through its Inclusion Team).

8.2 The Board's 2017 Report expressed concern that mental health cover was only provided Mondays to Fridays, 9am to 5pm. The Board is deeply worried that this remains the case. Whilst referrals are considered out of hours, prisoners are not necessarily seen by the Inclusion Team on the first working day but are triaged at a daily meeting to determine the level of clinical urgency, with patients being seen within 48 hours. This is not satisfactory, particularly given the increase in self harming (see para 4.2), the heavy use of Listeners, and the age and vulnerability of some prisoners.

8.3 Healthcare continues to carry staff vacancies, which are covered by use of agency staff but results in lack of continuity of care. The number of Inclusion Team staff has only recently increased, as recruitment is still difficult. There remains from last year a vacancy for a psychologist to work with prisoners who have been abused or suffer from post-traumatic stress disorders (PTSD); this is regrettable.

8.4 On many occasions, no member of the Inclusion Team has been present at reviews of ACCTs, often due to the late notice given and limited information provided by wings. Closer working with Safer Custody is proposed to address this deficiency, which the Board will monitor in the coming year. The IMB has found it difficult to attend ACCT reviews because there is no notification process.

8.5 All new prisoners are medically assessed on arrival, when referrals are made. New receptions attend a weekly well-being clinic, and monthly healthcare forums are held seeking feedback from service users. However, the Board identified that many could not recall being asked to give feedback to enable services to evolve and improve. Care UK acknowledges this deficiency.

8.6 Whilst provision of clinics and services has improved, the non-attendance of prisoners for appointments continues to be of significant concern, as it was in the Board's 2017 Report. On average 36% did not attend across the various clinics. For optical and asthma clinics the non-attendance rates were 73% and 80% respectively. Reasons given by staff and prisoners include: (a) prisoners not going to the Healthcare Centre because of feeling unsafe due to bullying; (b) Wing staff not notifying prisoners that they have appointments; and (c) prisoners unsure what their appointment is for and therefore not attending. Staff follow-up each non-attendance with a letter stating that another appointment will be arranged, and/or by Inclusion Team workers going to wings, but the situation is very unsatisfactory. The Board will monitor the situation carefully.

8.7 Waiting lists for clinics referenced in the Board's 2017 Report have reduced significantly. As at the end of the present reporting period, the dental waiting list has 13 patients; the optician list has 14, and no patients are currently waiting for physiotherapy.

8.8 Seating in the Healthcare Centre reception area has improved, but whilst there are two televisions there to provide healthcare information and messages, neither is functioning.

8.9 Significant concerns at late issuing of medication, identified by a prisoner focus group in July 2016, continue. On weekdays, medication is often issued between 11 am and 12 noon, which, particularly for prisoners suffering from Attention Deficient Hyperactivity Disorder (ADHD), is clinically less effective. Care UK is considering how this can be changed within the proposed new prison regime. The Board will monitor this issue in the coming year.

9. EDUCATION AND OTHER ACTIVITIES

9.1 Most of the education provision is delivered under the Offender Learning and Skills Service (OLASS) contract by MKC. There are now 18 subjects at various levels (17 last year), one course being subcontracted, plus some short courses. The Board commends the two new accredited courses as providing excellent opportunities for prisoners:

- Radio Production at Level 1 (Level 2 to follow).
- NVQ Diploma in Hospitality and Catering, based on prisoners working in the kitchen.

Four gymnasium courses (up to Level 3) and some workshops are delivered in-house.

9.2 Performance for the completed academic year of the present reporting period, viz 2016/17, showed a notable improvement, and at 95% exceeded for the first time in some years the 85% target set by MKC for the proportion of learners achieving the qualifications for which they are aiming. The latest results (for 2017/18) suggest the target will be exceeded again this year:

Academic year (August to July)	2015/16	2016/17	2017/18 (part-year to 30 April)
Number started	1491	1914	950
Number completed	1376	1818	790
Number achieving qualification aim	1145	1742	717
Number withdrawn	69	96	39
Number excluded §	21	19	19
Attendance †	80%	75%	66%
Retention	97%	99%	98%
Success rate	80%	95%	89%‡

§ Due to behavioural problems. † Based on number enrolled. ‡ Assumes all those awaiting results achieve the qualification.

However, within these overall data, performance in English at Level 2 appears to have slipped since a good recovery in 2016/17, while Mathematics performance at Level 2 is persistently significantly below target:

Academic year		2015/16	2016/17	2017/18 (to 30 April)
English	Level 1	42%	94%	90%
	Level 2	37%	74%	65%
	Overall §	57%	91%	83%
Mathematics	Level 1	55%	73%	80%
	Level 2	53%	60%	62%
	Overall §	68%	78%	75%

§ Includes data for the 3 entry Levels below Level 1, which generally show much better performance than Levels 1 and 2.

The Board will continue to pay attention to performance in these two key subject areas.

9.3 The Board is extremely concerned at the disruption to prisoners' learning caused by issues connected to the regime. MKC reports over 26,000 lost learner hours from August 2017 to April 2018. While some of this loss is recovered by extending courses, rescheduling examinations and providing

additional tuition, the discontinuity of learning and the need for tutors to repeat work after breaks in courses is damaging to success and grossly unfair to prisoners.

9.4 The Board is disappointed at the decline in the number of prisoners engaged in distance learning (DL) last year, after earlier improvements:

	2015/16	2016/17	2017/18
Number of Applications for support	74	64	48*
Numbers engaged with support from the Prisoner Education Trust (PET)	20	18 (plus 12 who left Swinfen Hall by transfer or release)	18†

* Of these 48 Applications, 2 were declined, 2 withdrew, 13 transferred to other establishments, 6 were released and did not complete, 2 completed on release, 15 completed, and 8 are awaiting review. In addition, 10 prisoners completed in-cell study packs provided by Birmingham Metropolitan College.

†This is said to be the average number of distance learners over the period. There were 8 successful Applications to the PET in 2017.

The Board remains unclear why DL has a lesser status than class-based learning and renews its view that more should be done actively to encourage and facilitate this mode of study.

9.5 Library use is of real concern to the Board, as it has been in successive IMB reports. The evidence is in low attendance; cancelled sessions; and frustrations expressed by prisoners and by library and education staff. There are five weekly library slots for Education Department use, but in practice, on a 'good' week, only two or three are used. From January to April 2018, of 406 library sessions available, 76 (18.7%) were cancelled due to regime restriction or lack of officer escorts. This a waste of the library resource, and moreover prisoners are being failed by the prison's inability properly to address these issues, which the Board will continue to monitor.

9.6 Opportunities for prisoners to engage in cultural activities have significantly increased during last year, and the Board hopes this improvement can be sustained. Examples are:

- A graffiti artist worked with prisoners on the MKC art enterprise course; the work was displayed in the corridors.
- Eight certificates were awarded in the annual Koestler Award competition of prisoner art (four last year).
- The Library organised a poetry workshop, 12 prisoners gaining certificates; and a Reading Club, in which 30 prisoners read a set book, and reviewed it using art, radio and music media.
- Guided by an external artist, a group of six prisoners created a large mural (15.8m x 1.8m) with powerful anti-violence messages, displayed in the Chaplaincy corridor. A smaller message outside the Gymnasium was also created. The group shared skills of illustration, creative writing, painting, design, and project management. The art work was displayed in Lichfield Cathedral for Prisons' Week. The Board hopes that projects of this kind will be a permanent feature.
- The Board was pleased that the prisoners' carol concert was reinstated last year. It involves music by the prisoner guitar group, rap, and poetry written and performed by prisoners.

9.7 A Health and Wellbeing Day was cancelled twice this year because the prison could not accommodate it within the regime; this was extremely disappointing since the event has previously been very worthwhile. The equivalent staff event did take place. Healthy living and fitness training courses provided by the Gymnasium continue at modest levels, with 12 prisoners involved at any one time. Capacity cannot be increased due to staffing and logistical factors, which is a considerable pity, although gymnasium staff are concerned that quality and motivation of prisoners might be an issue if too many places were offered.

9.8 The tutor provision is relatively stable, largely due to MKC focusing on staff well-being, and running taster days to encourage new staff. The Board is encouraged by these moves.

10 WORK, VOCATIONAL TRAINING and EMPLOYMENT

10.1 Swinfen Hall continues to keep details of the number of prisoners allocated and attending work, vocational training or employment. In previous years these figures have been impacted by instructor vacancies, but at the time of reporting all positions are filled or covered by agency staff.

10.2 The Board reported last year that in the final four months of the reporting period there had been a gradual increase from 71.4% to 75.2% prisoners allocated to either part-time or full-time activity. We are encouraged to report that the average allocation figure for the present reporting period has risen to 80% (58% full-time, 22% part-time). However, actual attendance has been severely affected by regime restrictions:

	Proportion attending of the 80% allocated work	Proportion of whole prison population attending work
Average for reporting period	76%	61%
Green/amber regime days	80-84%	64-67%
Red/amber regime days	60-68%	48-54%

As further illustration of the issue, for the period February, March, and April, regime restrictions resulted in 65 workplace sessions either being cancelled totally or only accepting a reduced number of allocated prisoners. This is a serious failing.

10.3 The STEPS (Success for Training, Education, Progression & Support) document previously utilised at Swinfen Hall during prisoner induction has been withdrawn and replaced with a Personal Learning Plan (PLP); this has been modified to suit induction and allows prisoners to detail any interests in available activities, thus enabling staff to place prisoners in the most suitable workplace. For a portion of the present reporting period, this document was utilised in conjunction with a Skills Action Plan completed by the National Careers Service (NCS), but as NCS has now been withdrawn from all prison establishments, that input is no longer available. There is still a weekly assessment of enhanced prisoners currently unemployed, and there are plans to rectify the lack of NCS input, but the situation is regrettable.

10.4 During the present reporting period there has been a consolidation of the workshops owned and managed by Swinfen Hall, resulting in a one-third increase in the number of workshops (from 6 to 8). We noted last year the idea that prisoners would not return to wings at lunchtime, better to replicate a true working day. These amendments have not yet been implemented, but there are plans for two workshops to commence this practice (fencing panels, and tailoring). The tailoring workshop already has in place some working practices aligned to practices outside prison. For example, prisoners must apply for days off work for visits and for legal or medical appointments. In addition, the fencing panels workshop keeps a notice-board showing job opportunities available outside the prison so that prisoners know that their work relates to tangible opportunities outside; this should further ensure prisoners are prepared for successful long-term employment following release. The Board hopes these practices will be extended to all workshops.

10.5 One of the success stories of last year, and indeed for most of this year, was the bikes workshops which repaired push-bikes sourced from the Royal Mail for the charity Krizevac. The charity collects the repaired and refurbished bikes for delivery to remote communities in Africa. The Royal Mail source of bikes is no longer available but Swinfen Hall and Krizevac are hoping to source bikes elsewhere to continue this excellent work.

10.6 Of the workshops funded and managed by Swinfen Hall, at present only the painting and decorating workshop delivers an accredited qualification. However, certification by the British Safety Council has recently been gained to deliver qualifications in the Bistro. Swinfen Hall has also implemented a 'Passport to Employability' which relates to timekeeping and teamwork. The prisoners

can be awarded attainment at bronze, silver, or gold levels which, although not officially recognised outside the prison, will certainly help when applying for work post-release.

11 RESETTLEMENT PREPARATION

11.1 The Board is satisfied that Offender Management is consistent at Swinfen Hall and is still working well. However, one area of significant deterioration since last year is that too few prisoners due for local release are transferred to resettlement prisons prior to their release; this is of serious concern:

Period	Number of prisoners due for local release	Number transferred to resettlement prison	Percentage achieved
June 2015 - May 2016	82	17	21%
June 2016 - May 2017	153	46	30%
June 2017 - May 2018	152	34	22%

There are still issues with some offenders not being accepted at certain resettlement prisons. Although this is sometimes due to the offender's behaviour, it is abundantly evident that the national resettlement system does not work satisfactorily. For example, during the present reporting period, one offender accepted for a transfer for local release on 26 January 2018 has now been given a 'confirmed' date of 5 June 2018, a wait of over 18 weeks. This is unacceptable.

11.2 Transport for prisoners has improved, but still causes concern to the Board when it delays transfers further, particularly if there are singleton moves. There were 6 cancellations of transport in January, 4 in February, 8 in March, and 5 in April 2018. While the higher figure for March is due in part to snow conditions, the overall position is untenable.

11.3 During this reporting period, 41 Swinfen Hall prisoners were re-categorised as Cat D and transferred to open conditions; at the end of the period, five others were still awaiting transfer. In many cases the transfers took several weeks to achieve. Examples include a prisoner accepted at an open establishment on 9 January 2018 but not scheduled for transfer until 29 May 2018, a wait of 20 weeks. While the Board regards the situation as a slight improvement, it is still evident that the system is not working effectively.

11.4 The Programmes Department has again reached all its targets for this reporting year. The Department runs seven different programmes which cater for different prisoner issues. There have been several changes over the past year with the core Sex Offenders' Treatment Programmes replaced with Horizon and Kaizen for, respectively, medium and high intensity sexual violence; for a short period, accreditation for these programmes was withdrawn, but changes were made which allowed re-instatement. The operation of these programmes has been adversely affected by regime restrictions; one Horizon programme was said to have lost 30 hours. A new programme which has been introduced from 1 April 2018 is for offenders with learning disabilities. A non-accredited programme called Maturity Factors is being piloted.

11.5 'Lifer Days' are held annually for prisoners serving life sentences and for IPP prisoners. Family links between prisoners and their families/friends are positively encouraged through Family Days, Father Days, and additional family visits twice a year for prisoners serving life sentences.

C THE WORK OF THE BOARD

The Board has carried out its role by:

- undertaking at least three rota visits per week, including interacting with prisoners during their normal regime;
- dealing with Applications, invariably with personal contact with prisoners;
- attending all segregation reviews and occasional adjudications;
- attending as observers a range of functional committees, e.g. for equality and inclusion, drug strategy, security, and safer custody;
- monthly Board meetings which consider all aspects of the Board's remit;
- sharing concerns with the Governor on a monthly basis and at other times as required;
- raising issues with Ministers or senior management;
- periodic annual team performance review;
- occasional visits to other prisons to compare practice; and
- monthly Board development/training sessions led by prison staff.

ITEM	2013/14	2014/15	2015/16	2016/17	2017/18
Recommended Complement of Board Members	15 §	15 §	14	14	14
Number of Board members at the start of the reporting period	11	12	7	7	10 †
Number of Board members at the end of the reporting period	12	7	7	10 †	8*
Total number of visits to the Establishment ‡	472	343	275	318	329
Total number of segregation reviews attended	188	260	283	290	216

§ As reported in the corresponding Annual Reports. The correct figures might be 14 in each case.

† Includes 4 still in probationary year.

* Includes 2 still in probationary year.

‡ Variations largely reflect changes in Board membership.

D APPLICATIONS

Code	Subject	2015/16	2016/17	2017/18
A	Accommodation including laundry, clothing, ablutions	1	15	15
B	Discipline including adjudications, IEP, sanctions	8	10	5
C	Equality	4	3	3
D	Purposeful Activity including education, work, training, library, regime, time out of cell	20	18	12
E 1	Letters, visits, phones, public protection restrictions	7	19	14
E 2	Finance including pay, private monies, spends	6	16	13
F	Food and kitchens	3	5	2
G	Health including physical, mental, social care	12	13	4
H 1	Property within this establishment	10	26	11
H 2	Property during transfer or in another establishment or location	24	34	26
H 3	Canteen, facility list, catalogue(s)	2	3	0
I	Sentence management including HDC, ROTL, parole, release dates, re-categorisation	9	7	16
J	Staff/prisoner concerns including bullying	10	11	17
K	Transfers	15	52	33
L	Other	12	2	8
	Total number of IMB Applications	143	234	179

The following observations are made on the Applications data:

- The reduction in the total number of Applications is noteworthy, but should be seen in the context of 2015/16 giving rise to a particularly low number, and the longer-term sequence:

2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
232	224	210	165	205	143	234	179

- The number of property issues within Swinfen Hall's control has decreased, but when prisoners' property is lost, mislaid or apparently stolen, substantial distress is caused. Management of prisoners' property in Swinfen Hall remains a continuing concern of the Board.
- Applications about property involving other prisons, usually on transfer of prisoners to Swinfen Hall, remain a major source of concern of the Board. The issues include: loss, damage or substantial delays on transfer of prisoners from other establishments; disputes over accuracy of property card entries; lack of response of other establishments to requests for information or return of prisoners' property; and failings in the transport system/organisations. The Board has raised these matters repeatedly. In response to the Board's 2017 Report, HMPPS stated that the new framework relating to prisoners' property is expected to be published early 2018 – it was originally promised for March 2016. The Board can find no evidence that this target date (two years' late) has been achieved. Even if it has, the Board can see no impact. We reiterate: national arrangements for safeguarding prisoners' property need comprehensive review.
- The marked increase in Applications related to prisoner relations with other prisoners or staff is of concern. Many are due to bullying or other intimidating behaviour.
- The significant increase in the number of Applications relating to sentence management (category I) is largely due to delayed transfer of prisoners achieving Cat D status. This is a specific example of the transfer problem (see para 11.3).
- Underlying many of the Applications are concerns by prisoners of regime restrictions – reduction in association; lack of time for personal showers and telephone calls; inability to engage in workshops, industries, education courses and library activities; reduced gymnasium time; loss of learning hours (26,000 in eight months); cancellation of the beneficial Health and Wellbeing Day; even attendance at corrective Programmes. The Board is seriously concerned at the damage being caused by this problem.

E GLOSSARY OF ABBREVIATIONS USED

ACCT	Assessment, Care in Custody and Teamwork
ADHD	Attention Deficient Hyperactivity Disorder
BAME	Black, Asian and Minority Ethnic (combined black, Asian, mixed, and other categories, based on the self-defined ethnicity codes used by the Home Office)
Cat D	Category D Prisoners (suitable for open prison conditions)
CC	Cellular Confinement
CSU	Care and Separation Unit
DIRF	Discrimination Incident Report Form
DL	Distance Learning
GOoD	Good Order or Discipline
HDC	Home Detention Curfew
HMIP	Her Majesty's Inspectorate of Prisons
HMP	Her Majesty's Prison
IEP	Incentives and Earned Privileges scheme
IMB	Independent Monitoring Board
IPP	Imprisonment for Public Protection
MASH	Multi-Agency Safeguarding Hub
MKC	Milton Keynes College
NCS	National Careers Service
NHS	National Health Service
NVQ	National Vocational Qualifications
OASys	Offender Assessment System
OLASS	Offender Learning and Skills Service
PET	Prisoner Education Trust
PLP	Personal Learning Plan
PTSD	Post-Traumatic Stress Disorders
ROTL	Release on Temporary Licence
SASH	Suicide and Self-Harm
STEPS	Success for Training, Education, Progression & Support
YO/YOI	Young Offender/Young Offenders' Institution