



Annual Report
of the
Independent Monitoring Board
at
HMP Buckley Hall

for reporting Year
(August 2017 to July 2018)

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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

Introduction to the report

2.1 This report presents the findings of the Independent Monitoring Board at HMP Buckley Hall for the period 1st August 2017 to 31st July 2018. IMB evidence comes from observations made on visits, scrutiny of records and of data, informal contact with prisoners and staff, surveys and prisoner applications.

Main judgements

Are prisoners treated fairly?

The Board considers that the residents are treated in a fair and compassionate manner. Reviews and adjudications are conducted in a professional manner.

Are prisoners treated humanely?

The Board considers that the residents are treated fairly and humanely, although the Board has concerns over the number of times the plumbing has failed, an issue raised in the last report.

Are prisoners prepared well for their release?

The Board considers that the residents are well prepared for their move to open conditions and the prison helps the residents maintain family ties through the frequent family days.

Main Areas for Development from last year's report

TO THE MINISTER

- *“Rochdale Metropolitan District Council should be tasked with exploring whether public access to the external perimeter of the prison can be restricted.”*

This has been pursued by the prison and disappointingly Rochdale Metropolitan Council have been unsuccessful in finding a suitable location to divert the bridleway around the prison perimeter. The alternative is to close the route completely. If this course of action is taken the council may receive opposition from the public and such objections would have to be heard in a public inquiry with the final decision having to be made by the Secretary of State. The cost of a public inquiry would be in the region of £3000 to £5000 Consideration should be given to funding the necessary procedures to close the public access around the prison to prevent contraband being thrown over the perimeter fence.

TO THE PRISON SERVICE

- *“The system for the inter-prison transfer of prisoners’ property is judged seriously outdated and inefficient.”*

No significant change to the system undertaken. Still a cause for concern with property issues being the largest number of applications to the IMB.

TO THE GOVERNOR

- *“The maintenance of the heating and showering facilities is proactive and planned over the coming winter.”*

Still not up to an acceptable standard (see Accommodation 7.1)

- *“Library provision for all prisoners should be provided on a more consistent basis.”*

This has improved throughout the year although evening opening is not as regular as the residents would like.

- *“The number of suspicion drug tests should be increased.”*

The number has increased.

- *“The Prison Radio Service should be made available to all prisoners.”*

Now available

- *“The purpose of and criteria for allocating men to D Wing should be reviewed.”*

Review undertaken with restructure of SMT.

Main Areas for Development

TO THE MINISTER

To review the adjudication procedure in relation to offences committed in another prison (6.3)

TO THE PRISON SERVICE

To ensure maintenance contracts for the fabric of the buildings are fit for purpose (7.1)

TO THE GOVERNOR

Ensure information held on computer shared drives is in a use- friendly manner to reflect the operational needs of the prison.

Improvements

- The prison now refers to prisoners as residents
- The keyworker allocated to each resident, with regular weekly meetings taking place.
- Kitchen introduced a healthy eating initiative in conjunction with healthcare and the gym
- Refurbishment of the Visits Hall

3 DESCRIPTION OF THE PRISON

3.1 Buckley Hall is sited on the edge of the Pennines, near Rochdale, Lancashire.

3.2 There are four residential blocks - A, B, C & D -and the prison has an operational capacity of 459. Although it is a relatively small prison, the Board sees this as a strength and not weakness.

3.3 Of the 410 cells in total, 49 are doubles and approximately 80% of prisoners are housed in single cells. D wing has a capacity of 60 single cells, each with its own shower and toilet. A dedicated drug recovery unit is found on A Wing and the induction unit for new prisoners is on C Wing. During the year C Wing underwent a major refurbishment in preparation for the progression regime due to commence in the last quarter of 2018.

3.4 The prison opened in 1994 as one of four contracted prisons and was managed by Group 4 for a period of five years. In 2000, a 10-year contract was put out for tender and won by the Prison Service. During this contract, the prison held Category C men, then women, and then Category C men again. In 2011, the Prison Service was successful in its bid to continue providing a Category C male prison.

3.5 In 2014, Buckley Hall was designated a non-resettlement prison, holding male prisoners with sentences of four years or more. It is worth noting that, although it now contains long-term prisoners, the turnover of men can, on occasion, be considerably higher than might be expected.

3.11 On the prison rating system for April 2017 – March 2018, HMP Buckley Hall is a Level 2 prison, down from Level 3. This is due to 15% failure of MDT (against a target of 9%), higher level of violence than in previous years, higher levels of self-harm than in previous years, poor attendance at work and activity and finishing the year with less than 80% of staff up to date with C & R training (the previous level was 75%).

Seven services within the Prison are sub-contracted:

Education:	Novus [formerly Manchester College]
Catering:	ESS Criminal Justice Division
Healthcare:	Greater Manchester Mental Health NHS Foundation Trust (GMMH)
Visitors' Reception:	Partners of Prisoners & Families [POPS]
Library Service:	Novus
Drug & Alcohol Recovery:	Delphi
Facilities:	Amey

3.12 The Board wishes to place on record their thanks to staff and management for the help they receive performing their IMB duties. Despite being busy, the officers, non-uniform staff and governors consistently find time to answer the queries put to them by Board members. Their courtesy and patience is much appreciated.

B Evidence sections 4 – 11

4 SAFETY

4.1 In the judgement of the Board, Buckley Hall remains, fundamentally, a safe prison for prisoners, staff and visitors.

4.2 The number of self-harm incidents January to July 2018 was 182. The first quarter of 2018 to 2017 shows 60 incidents in 2017 and 110 in 2018. However, statistics for July 2018 show 21 incidents, of which 11 acts of self-harm were committed by one resident and 4 acts by another. The incidents involving a small number of residents have a detrimental impact on the overall performance of the prison. As one of the criteria for judging a prison is the number of self-harm incidents a residents with a history of self-harming and committing a high number of self-harm acts may find transferring to another establishment difficult.

4.3 Violence Reduction - The number of violent incidents January to April 2017 was 25, increasing to 41 for the same period in 2018. To date there have been 68 violent incidents in 2018 (Jan to July). The prison has made great strides throughout the year to reduce violent incidents. The prison produces a monthly violence reduction analysis which details all acts of violence that occurred in the month. The prison undertook a comprehensive consultation involving staff and a large sample of residents resulting in a Violence Summit held in July 2018. As a result of the summit, action points were agreed.

4.4 Restorative Approach: Up to July 2018 the number of referrals and reports numbered 28, of which 16 were completed and 12 open. Even though the approach works well with participants, it is losing some momentum with no referrals at all in July.

4.5 Use of Force: A Board member attends the quarterly use of force meetings where all incidents of use of force are reviewed in detail. In the first quarter of 2018 there were 36 incidents of use of force compared to 37 in the same period in 2017 and 32 in 2016. A review of the complaints for the first quarter of 2018 (Jan to March 2018) revealed no complaints were received from residents regarding the use of force.

4.6 Cell Call Bell Monitoring System – This is recognised by the prison management and the Board to be below the standard required. The system in place does not allow management to check the frequency that they are used by the residents or provide information on how long it takes staff to respond to a cell call. On the one wing where data is available (although not in a user-friendly manner) an analysis undertaken by the Board revealed that the average time to respond to a cell call was well within the recommended time of 5 minutes (May 2018 58 seconds, June 71 seconds and July 66 seconds).

4.7 Drugs and debt: Drug use remains a problem in the prison with large quantities of psychoactive substances (PS) being sent into the prison via residents' mail (domestic and legal) as well as 'throw overs' for the likes of tobacco and cannabis. The Board acknowledges that the prison is continually working on ways to reduce the flow of drugs into the prison and that many residents are bullied into helping the drug traders.

4.8 Self-isolating residents: Whilst the Board is satisfied that the needs and requirements are fully met for residents who chose to self-isolate, the recording of such is not always of the standard required.

4.9 Death in custody: During the reporting period there was one death in custody. The Board is satisfied that the prison behaved sympathetically and appropriately towards the deceased man's family and implemented the recommendations of the Prison and Probation Ombudsman's report.

5 EQUALITY AND FAIRNESS

5.1 DIRF: The Board considers the DIRF procedures to be fair and robust. Although the processes are not always followed consistently, generally the procedure successfully raises and deals with the alleged discrimination incident. Procedures are in place to review all DIRFs by an independent scrutiny panel which includes a Board member. At the June independent scrutiny panel 9 DIRFs were reviewed. Between January and June 2018, 18 DIRFS have been received.

5.2 The name change from prisoner to residents in all correspondence has been welcomed.

5.3 The board was pleased to report that the prison allowed basic residents use of a television during the Christmas period as well as allowing the use of televisions during England matches at the World Cup.

5.4 The charity committee is active within the prison, encouraging the residents to support charities outside of the prison. During the last year over £4000 has been raised.

5.5 During the year, the Visits Hall has been refurbished, giving it a welcoming, calm and comfortable appearance. It is family-friendly and many visitors have commented positively on feeling safe and secure. Throughout the year, many family days have been held using both the Visits Hall and gardens. All are well received by both resident and visitor.

5.6 The induction booklet given to residents on arrival at Buckley Hall is in need of updating and considered unfit for purpose.

5.7 The parcel of replacement clothing that is allowed to be sent to resident on his birthday is a welcome initiative.

5.8 The Equalities Officer has introduced and ensured the success of a number of forums for minority groups within the prison.

5.9: Residents comment on the inconsistent application of the IEP policy by staff.

6 SEGREGATION/CARE AND SEPARATION UNIT

6.1 The ten cell occupancy of CSU has been full on occasions, often with residents awaiting transfer to other prisons but also due to the increased number of PS users. It has been noted that stays in the unit have been shorter than the previous year. It has, however, been busier, with a higher number of ACCTs in recent months. Officers still complain that prisoners regard the CSU as a stepping stone to the prison of their choice. The CSU informs the Board members of new arrivals.

6.2 Adjudications: The Board remains impressed by the way adjudications are handled, in a fair and professional manner. From January to April 2017 719 adjudications were held compared to 1017 in 2018 an increase of 41%, with the number of adjudications adjourned each month remaining similar at 39%-40% for the same period.

The total number of residents before the Independent Adjudicator rose from 84 in 2017 to 135 in 2018 (Jan to Dec), an increase of 60%. The number of residents who received additional days rose from 22 in 2017 (26%) to 78 in 2018 (58%). The number of additional days awarded by the Independent Adjudicator remained constant at 20 days in 2017 to 19.5 in 2018.

6.3 Adjudications from other prisons: The number of outstanding adjudications from other prisons was a cause for concern. If the prisoner is adjudicated in Buckley Hall for an offence committed elsewhere, the prisoner has the right to call on the reporting officer to attend. Although the prison requests the attendance of the reporting officer, this rarely happens, resulting in serious offences not being recorded against the prisoner's record. Governors have little option but to go through the large number of files and instruct the staff not to proceed (rather than dismiss the case, which may give the impression, on future reading of the prisoner's record, that the prisoner did not commit the offence).

6.4 The cells have been decorated in a calming pink colour by one of the residents, which is said to be relaxing. The residents approve of the choice. Delays have occurred in replacing broken observation panels as stores had run out of replacement glass and this had to be reordered with some delay. This was not considered a satisfactory situation. The unit is clean and tidy, due to the dedication of the staff and orderlies.

6.5 Residents unfortunately still spend a considerable amount of time in cell with jigsaws, books and radios remaining the only form of entertainment. On occasions, because of the excellent sunny weather, exercise periods have been extended a little when possible, by sympathetic staff. Residents are allowed out for a daily shower, phone calls and to collect meals. The Board would like to see more purposeful activity for the men.

6.6 Members of the Board are invited to the quarterly SMARG meetings where relevant issues are discussed and every attempt is made to reintegrate residents back onto the wings.

6.7 The CSU is, in the view of the Board, managed in a caring and professional manner. When visiting the unit, the Board finds the paperwork up to date, especially Care Plans for those held over thirty days. All paperwork is available to the IMB and is seen on routine visits to the unit.

6.8 Rule 45 reviews are thorough and residents are encouraged to attend and contribute.

7. ACCOMMODATION

7.1 Fabric of buildings: The problems highlighted in last year's report continue with little evidence of any planned maintenance, with Amey taking a reactive approach to each situation. The showers in B wing have been a constant source of complaint throughout the year, with the SMT raising the issue with Amey and the estates team on a regular basis. On too many occasions problems with heating, showers and windows have taken too long to resolve.

7.2 Park Run: It is pleasing to report that Buckley Hall is an official Park Run venue, with runs taking place each Saturday morning.

7.3 Prison Radio: The board is pleased to report that prison radio is now available to the residents of Buckley Hall.

7.4 Cleanliness: On occasions the wings have not been as clean as expected. Discussion with wing staff reveals that everyone is aware of the problem. It would seem that it is 'everyone's job but no-one's responsibility',

7.5 Catering: The catering staff provide an excellent menu on limited budget. As a way to improve both the menu and wellbeing of the residents, the catering department have introduced, in conjunction with healthcare and the gym, a healthy eating initiative. This is in part financed by the sale of cakes baked in the kitchen and sold to the residents each week. The option of a salad on the menu instead of chips is now being taken up by over a third of the residents.

7.6 Monthly inspections by SMT: Monthly inspections of the wings are undertaken by the SMT and quarterly by the Deputy Governor.

7.7 Decoration of wings by residents: Decorating the wings has been undertaken by the residents.

7.8 Gym equipment is getting to the stage of needing urgent renewal. Out of the 25 items, 22 are graded 2 (poor) and will need replacing in the near future.

7.9 C wing refurbishment and progression regime: In preparation for the new progression regime C wing has been refurbished.

7.10 Day in the life of B wing resident: A resident was monitored throughout the working day to ascertain the amount of time the resident spent in cell and out of cell. It was pleasing to report that hours in cell amounted to 14 hours 40 mins and hours out of cell 9 hours 20 mins.

7.11 Property: Concerns by the residents over property issues represent the largest number of applications received by the Board, at 33% of applications received. Lost property causes a great deal of distress to the resident and should take a higher priority than it does within the Prison Service as a whole.

8. HEALTHCARE (including mental health & social care)

8.1 The board considers the healthcare provision to be of a high standard, a view backed up by a recent independent review of the service by Tamlyn Cairns Partnership commissioned by NHS England, Northern Region Health and Justice Team.

8.2 The review published 17 recommendations which have been accepted by the GMMH and the prison. From a monitoring perspective, the main recommendation is that a member of the SMT will attend the patient forum where health issues are discussed with residents and staff. A Board member normally attends this meeting.

8.3 DARS: Drug and Alcohol Recovery Service (DARS) tackles the problems of substance misuse within the prison in a caring and supportive manner. The team have set up a recovery café in A wing open each week for extra support from the residents. They have also arranged family days for those residents completing the recovery plan.

9. EDUCATION AND OTHER ACTIVITIES

9.1 Attendance is a cause for concern as it is one of the main measures used when assessing the level of the prison. The Board considers the courses on offer meet the needs of the residents. A wide variety of courses are offered from basic skills to practical work related courses. Although the places offered by Education are nearly fully allocated attendance is often well below the accepted level. In August 2018, 95.2% of all education places were allocated whilst attendance was only 70.5%. Overall throughout the year, attendance has been a constant problem with the monthly average in the region of 66% to 70% against a target of 80%.

9.2 Library: During the year the library contract moved from Rochdale Council to NOVUS, the education provider. The new library team have done good work in raising the profile of the library and hosted an Equalities Forum involving guest speakers from outside agencies. Evening opening continues to be problematic with officers often redeployed at short notice.

10. WORK, VOCATIONAL TRAINING & EMPLOYMENT

10.1 The Sequencing Board who allocate jobs to the residents and assess new residents (normally within the first week of arriving at Buckley Hall) had, at the end of the reporting period, allocated 92% of places to residents.

10.2 Attendance is the main concern. Attendance has remained constant at the mid 70% for the last three years. (76% in 2016, 75% in 2017 and 77% in 2018) against target of 80%. Throughout the year the problem has been highlighted. Residents need to be challenged for non-attendance.

10.3 Pay policy: The delay in publishing the revised pay policy has been an ongoing cause for concern with the residents. The Board considers the length of time taken to publish the revised pay policy too long as it was due to be published at the end of 2017.

11. RESETTLEMENT PREPARATION

11.1 Key workers: During the year the prison allocated a prison officer key worker to each resident. The increased length of each weekly meeting (45 mins) gives the resident time to discuss issues which benefits both the resident and prison in resolving issues and passing information. A sample of 10 residents taken in May 2018 indicated that all were positive about the scheme and complimentary of the staff involved.

11.2 Progression regime: During the year, the prison has been preparing for the introduction of the progression regime due to start in the last quarter of the year. The Progression Regime is for indeterminate sentence residents (ISPs) – IPPs and lifers together with residents who are serving extended determinate sentences who are having trouble progressing towards release. The aim is to provide residents with a chance to build evidence to show the parole Board that they are ready. A great deal of effort has been put into staffing the new unit as well as converting a wing to accommodate the new residents.

11.3 Family days organised by POPs and visits are held on a regular basis to support the resident and maintain family contact, which is a vital component of successful resettlement. Families often comment to the IMB how well the varied events are run. They are a credit to the prison.

Section – Work of Board

The Board fulfils its role by undertaking the following:

- Each week two Board members visit areas of the prison on a rota basis and write a report on their observations and findings.
- Each week two Board members are allocated the task of responding to applications submitted by residents
- Each week two board members are allocated the task of attending adjudications, resident reviews and visiting residents in the Care and Separation Unit.

Each Board member is allocated an area of special responsibility corresponding to the evidence section of the annual report and attends meetings and forums relative to that area when possible. To develop the knowledge of members, the Board undertakes an annual visit to another establishment. This year the Board visited HMP Manchester. Monthly Board meetings are held normally attended by the Governor or Deputy Governor together with a guest speaker from an area within the prison, such as Education or Healthcare.

BOARD STATISTICS	
Recommended complement of Board members	14
Number of Board members at the start of the reporting period	11
Number of Board members at the end of the reporting period	13
Total number of visits to the establishment	502
Total number of segregation visits	111

Section - Applications

Code	Subject	Current reporting year	Previous reporting year
A	Accommodation including laundry, clothing, ablutions	10	7
B	Discipline including adjudications, IEP, sanctions	15	18
C	Equality	3	4
D	Purposeful Activity including education, work, training, library, regime, time out of cell	18	28
E 1	Letters, visits, phones, public protection restrictions	21	9
E 2	Finance including pay, private monies, spends	8	
F	Food and kitchens	10	4
G	Health including physical, mental, social care	31	25
H 1	Property within this establishment	52	56
H 2	Property during transfer or in another establishment or location	37	54
H 3	Canteen, facility list, catalogue(s)	3	?
I	Sentence management including HDC, ROTL, parole, release dates, re-categorisation	49	57
J	Staff/prisoner concerns including bullying	10	17
K	Transfers	8	11
	Miscellaneous (Above subject categories from July 2017)		37
	Total number of IMB applications	275	327