



Annual Report of the Independent Monitoring Board at HMP Rye Hill

**For reporting year
1 April 2019 – 31 March 2020**

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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 is situated.

Under the National Monitoring Framework agreed with ministers, the Board is required to:

- 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
- inform promptly the Secretary of State, or any official to whom authority has been delegated as it judges appropriate, any concern it has
- 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.

The Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) is an international human rights treaty designed to strengthen protection for people deprived of their liberty. The protocol recognises that such people are particularly vulnerable and aims to prevent their ill-treatment through establishing a system of visits or inspections to all places of detention. OPCAT requires that states designate a National Preventive Mechanism to carry out visits to places of detention, to monitor the treatment of and conditions for detainees and to make recommendations for the prevention of ill-treatment. The Independent Monitoring Board (IMB) is part of the United Kingdom's National Preventive Mechanism.

2. Description of the establishment

HMP Rye Hill opened in January 2001 and was operated by Group 4 Falck, which became Global Solutions Limited (GSL) in 2004, on a 25-year contract to the Home Office. In May 2008, GSL was bought by G4S, which took over the running of the prison.

The premises are purpose built, with eight residential units, with a certified normal accommodation of 600, an operational capacity of 625 and a maximum capacity of 664. The prison was previously asked to provide an additional 39 operational spaces, bringing it to maximum capacity; although this increase was stated as temporary, these spaces remain in use. During the reporting year, the number of prisoners was consistently at, or near to, the maximum capacity, ending the year with 658 prisoners.

The prison is a category B training prison for men convicted of a sexual offence.

At the end of the reporting year, the prison held 70 prisoners under traditional life sentences; this is only a small change from the 72 held at the start of the year. The number held on an indeterminate sentence for public protection (IPP) decreased slightly, from 32 in March 2019 to 27 in March 2020.

At the end of the reporting period, there were 623 category B prisoners, 34 category C prisoners and one category D prisoner.

Based on statistics provided in January 2020, the numbers of the following protected characteristic prisoners in the population were:

- Disabled: 246 (37% of the total population)
- Age 50 or over: 264 (40% of the total population)
- Age 60 or over: 126 (19% of the total population)
- Learning difficulties: 51 (7.6% of the total population)
- Mental illness: 56 (8.4% of the total population)
- Foreign nationals: 48 (7.3% of the total population)

The ethnic breakdown has remained predominantly white, with approximately 80.4% white, 6.1% black, 8.4% Asian and 5.1% others.

Healthcare services are provided by sub-contract to a division of G4S called G4S Medical Services.

The education provider is Novus Foundation for Change.

Catering is provided by Aramark.

Links with the Samaritans are established, together with a Listeners service.

3. Executive summary

3.1 Background to the report

This report presents the findings of the Board at HMP Rye Hill for the period 1 April 2019 to 31 March 2020. Evidence comes from observations made on visits, scrutiny of records and data, informal contact with prisoners and staff, attendance at prison meetings, and prisoner applications to the Board. ***However, the COVID-19 outbreak has had a significant impact on the Board's ability to gather information and discuss the contents of this annual report. The Board has therefore tried to cover as much ground as it can in these difficult circumstances, and ministers are aware of these constraints. Regular information is being collected specifically on the prison's response to the pandemic, and that is being collated nationally.***

3.2 Main judgements

How safe is the prison?

The Board considers the prison to be a safe environment for the current population. There does remain a difference in the perceptions of different groups of prisoners, with the elderly especially being more concerned about noise levels and boisterous behaviour during association. The prison is working on ways to make these frailer prisoners feel more secure.

How fairly and humanely are prisoners treated?

The Board considers that the prisoners receive fair and humane treatment within the challenges of the fabric of the buildings and the available specialist services. It remains concerned about the long periods that some prisoners with mental health and behavioural disorders spend in the care and separation unit (CSU). This has been raised for many years but the provision of secure hospital and specialist unit places still remains poor. Even when new specialist units are commissioned, these are frequently not available to men convicted of a sexual offence.

How well are prisoners' health and wellbeing needs met?

Healthcare provision and access to hospital appointments have improved during the year but there remain physical constraints on the facilities for disabled and elderly prisoners. Only a small number of cells are sized for wheelchair access and hospital-style beds; workshops do not have disabled toilets; and education classrooms are on upper floors. Some improvements have been made, such as providing a disabled toilet in the activities centre used by retired prisoners; however, constraints on provision will remain unless the accommodation is expanded and appropriate features designed in.

How well are prisoners progressed towards successful resettlement?

The Board considers the number of spaces on accredited programmes to be appropriate to the number of prisoners in the population who are eligible for this intervention. We have some concerns that the personal and social development

courses that could be used for progression by lower-risk prisoners are being scaled back to allow for a focus on mathematics and English. The available support for IPP prisoners with complex needs is still very poor, and is leading to a cohort of prisoners who are well over tariff and are losing hope of release; this is a national problem but Her Majesty's Prison and Probation Service (HMPPS) action plans provide very little provision for category B men convicted of a sexual offence.

3.3 Main areas for development

TO THE MINISTER

As reported last year, the challenge of providing humane facilities for elderly and frail prisoners remains, with the number of prisoners getting terminal diagnoses and dying in custody increasing slightly this year. Both the protracted process for applying for compassionate release for the dying, and the physical limitations of the current prison estate in providing adapted housing for the frail and disabled are of concern. The minister is asked to review these matters, especially for the population of men convicted of historic sexual offences, who are more frequently elderly and serving their first prison sentence.

TO THE PRISON SERVICE

The problem of finding places for category B men convicted of a sexual offence in prisons with specialist resettlement support continues. This was reported in previous years, and, although the number of direct releases from HMP Rye Hill has held steady, at 20 in the last year, as a category B training prison with no 'through-the-gate' services, this is a large number of prisoners to be released with no specialist resettlement support. It is a credit to the offender management unit (OMU) that all have been released to approved accommodation, although for those with disability needs this is often only identified at the last minute. The Prison Service is, again, asked to review the treatment of this group of prisoners at the end of their custodial sentence.

The Board is concerned that political statements that efforts are being made to ensure that all prisoners serving IPP sentences can progress towards release are not being translated into funding for active support measures, especially for category B prisoners and men convicted of a sexual offence. These prisoners are in danger of serving 'whole of life' sentences for offences that had a tariff of as little as five years, unless some targeted, funded support is available for those with complex needs; mental health issues, such as anxiety; or special needs, such as autism. The Prison Service is asked to review their action plans for IPP prisoners and ensure that all categories of prisoner with these sentences can access funded help for progression.

TO THE DIRECTOR

The Director is asked to ensure that the list of education courses offered continues to include adequate personal and social development courses that can support progression for the lower-risk prisoners not suitable for accredited programmes.

3.4 Progress since the last report

Healthcare services, an area of concern for the Board over a number of years, have improved during the year, with better distribution facilities for medication and, towards the end of the reporting period, better access to escorts for hospital appointments.

The introduction of peer-led violence elimination teams and Pets as Therapy dogs into the prison has helped to establish a supportive environment for prisoners. It is also pleasing to note that all the custodial management system (CMS) machines, whose unreliability was raised last year, have now been replaced and new expanded Library facilities have been opened.

Evidence sections 4 – 7

4. Safety

HMP Rye Hill had a Her Majesty's Inspectorate of Prisons (HMIP) inspection in September 2019, with scores given of:

Safety: **4**

Purposeful activity: **3** (with some concerns around educational provision)

Respect: **3** (with some elderly and black, Asian and minority ethnic (BAME) prisoners reporting concerns)

Rehabilitation and release planning: **4**

Overall, the highest possible level 4 status was awarded.

4.1 Reception and induction

Last year, we reported that the arrival suite had been refurbished and the induction process revised. These processes are now fully embedded and have been further revised:

- to ensure that newly arrived prisoners are allocated, within five days of arrival, a key worker under the national Offender Management in Custody (OMiC) approach
- to assess new arrivals using a Basic and Key Skill Builder (BKSB) test (which is designed to assess the competence level in English and mathematics). From January 2020, this has been compulsory for all new arrivals. Those lower than level 1 are given a diagnostic test to analyse their needs in English and mathematics, and they are then started on a suitable programme of learning. They must progress in this before they can apply for any other form of purposeful activity.

4.2 Suicide and self-harm, deaths in custody

There have been six deaths in custody in this reporting year, slightly up from last year's five and representative of the older profile of this prison's population. All deaths were from natural causes, with 50% dying in a hospital or hospice setting. Reports from the Prisons and Probation Ombudsman (PPO) have been received on four of the deaths and although, in the main, they judged the prisoners to have received healthcare services equivalent to those available in the community, two areas have been criticised more than once:

- Care plans for long-term health conditions and palliative care, such as end-of-life pain management, were not well documented. The issue of care plans has been noted as a weak area for a number of years, starting with a Care Quality Commission (CQC) audit failure in June 2015. Although this area has progressed, and the CQC signed off on the corrective action during 2016, the PPO still frequently raises concerns on this topic in death-in-custody reports.
- The whole process for applications for compassionate release seems to be too protracted and heavily risk averse. It appears that an application is only made once a definitive end-of-life diagnosis is given.

The Prison Service Order (PSO) states: 'There are no set time limits, but three months may be considered to be an appropriate period'; however, because these diagnoses are inevitably a best guess by the doctors, who are under pressure to be as accurate as possible, this often means that the estimate is conservative, and there frequently remains as little as six weeks to apply, agree and action a release. On occasions, the paperwork creation and decision process can exceed six weeks. Although it is understandable with category B men convicted of a sexual offence that there must be certainty that the public is not put at risk by a compassionate release, it would be more humane if an initial application could be made as soon as a life-limiting terminal diagnosis is given. This is clearly the case where the prisoner is also 'bedridden or severely incapacitated' – indeed, this is also stated in the PSO as a possible reason for application. On occasion, the process has also been delayed by communication problems because of paperwork sent to email addresses at HMPPS that are only monitored by a single individual, and there is no mechanism for chasing a lack of response if that individual is on leave/sick.

There remain a small number of prolific self-harmers with complex needs. Overall, the percentage of prisoners who are self-harming remains small, and all are on open assessment, care in custody and teamwork (ACCT) booklets, and have regular multidisciplinary reviews and management plans. At the end of the reporting period, there were 10 open ACCT booklets, compared with 13 at the start of the period; not all of these will be actively self-harming, as an ACCT is opened for any prisoner expressing thoughts of self-harm or presenting with very low mood.

A number of staff dogs have been assessed as therapy dogs under the Pets as Therapy scheme. These dogs visit areas of the prison with their owners and are very well received, providing a positive atmosphere, especially for prisoners feeling low.

4.3 Violence and violence reduction, self-isolation

Initiatives for violence reduction continue, and include a prisoner-led violence elimination team and a prison-wide campaign where the number of violence-free days is published, weekly, for each residential unit. There is a celebratory award of cake and soft drinks made to units achieving important milestones, such as 50 or 100 days violence free. This promotes a culture where all benefit from eliminating violence.

During the calendar year 2019, there were 110 recorded assaults, which equates to 165 per 1,000 prisoners, when the national picture across all classes of prison was 412 per 1,000 prisoners. These assaults were broken down as:

- 39 assaults on staff, compared to 61 in 2018/19
- 71 prisoner-on-prisoner assaults (including 21 fights), compared to 93 in 2018/19

The majority of the incidents throughout the year were attributed to a minority (12%) of prisoners, and some units were much less prone to violence, with one unit achieving 138 days with no violent incidents of any sort.

As a follow up to the HMIP inspection findings representatives from the long-term high-security estate visited the prison and completed some forums with prisoners to investigate these perceptions of safety, focusing on age and disability, and the reasons why those prisoners, in particular, feel unsafe at Rye Hill. They found that most stated that they did feel safe; however, levels of noise were an issue and staff were perceived as not dealing with this strictly enough (this is supported by applications received by the Board with similar complaints).

There remain a small number of prisoners who choose to self-isolate, the majority of whom display signs of anxiety or being on the autistic spectrum. A guide has now been sent out to all staff, to help them understand the needs of autistic prisoners better. Representatives from the peer group, prisoner engagement network (PEN), visit those self-isolating prisoners who would like support – for example, a ‘buddy’ to go with them to a healthcare appointment. We have seen no evidence that any prisoner is isolating through concern about the environment rather than personal reasons. Activities that can be done in-cell (for example, writing quizzes for the prisoner led activity challenges held regularly under the UNITY banner) are provided for those who really do not wish to associate.

4.4 Vulnerable prisoners, safeguarding

The establishment has a comprehensive safeguarding policy, which was reviewed and reissued in early 2019. It also has a number of other policies aimed at specific vulnerable groups, such as older and transgender prisoners. Safeguarding posters are displayed in the residential and administration units, and training on ACCTs and on working effectively with vulnerable prisoners is provided to all new recruits.

Rye Hill is a member of the local safeguarding adults board (LSAB) but, at present, the head of safer custody does not attend, although gets copies of all the minutes and reports.

Safer custody staff continue to hold regular vulnerable adults meetings, looking at the needs of specific prisoners, especially the disabled, elderly and those receiving social or palliative care. These prisoners represent a large number within the current population; the population at the beginning of 2020 included 19% over 60 years of age and 37% declaring a disability. The prison continues to be constrained by the physical design of the accommodation, with most cell doors not wide enough for wheelchairs, and education classes delivered on the upper storey, requiring mobility-challenged prisoners to be assisted in using a stairlift.

At the end of the reporting period, four prisoners were receiving social care, with three more needing assessment. The relationship with the social care provider appears to be working well. The social care plans encourage family to be involved in the care of these prisoners, and there is a safer custody

helpline number shown on the website, for family to report concerns for the prison to investigate.

The PEN and active support system inmate service team (ASSIST) initiatives reported last year continue, with peer group support being given to over 100 prisoners in the last year.

4.5 Use of force

Regular use of force meetings are held, to review procedures and incidents by watching the body-worn camera records and discussing the written reports. Both good and bad practice is highlighted and every incident is rated from A (no concerns) to C (concerns – investigation needed).

Last year, we reported that there was an average of 22.8 events per month but in the last three months of this reporting year there have been 82 events (an average of 27.3 a month). Although this looks like a large increase, 29 of these events were in the last two weeks of the period, and resulted from the need for regular restraint for two violent prisoners in the CSU, to allow them to access showers, telephone calls and exercise safely. If these 29 events are removed, then the average for the last quarter is 17.7 events a month – a reduction over the previous year. Although the use of regular restraint in the CSU is not ideal, the Board judged that, overall, denying these prisoners access to regimes on safety grounds would have been worse.

4.6 Substance misuse

In July 2019, a health needs analysis was completed for the prison. At that point, 168 prisoners were accessing drug and alcohol recovery (DART) services and the NHS indicated their intent to tender for the identified service needs. There remains a comprehensive drug strategy for the prison, with few drug-related incidents, throw-over or 'pass in visits' finds. The most common find is Rapiscan detections of incoming mail; when these indications increased, action was taken to photocopy incoming mail, to ensure that this was not a route for drugs to come into the prison.

During the year, positive mandatory drug testing results have not exceeded 3%, and for five of the 12 months no positive results were reported. Almost all positive tests are for opiate painkillers, and not for traditional 'hard' drugs or cannabinoids; however, there have been some finds of 'spice' and of spice laced with ketamine, the latter being especially worrying.

5. Fair and humane treatment

5.1 Accommodation, clothing, food

The self-service CMS machines on the units provide the main route for two-way communication between the prisoner and the prison (for instance, orders for meals, and healthcare and visits appointments). The unreliability of these machines has been reported for a number of years but during 2019 they have all been replaced, and the Board has received no recent reports of issues.

Overall, the Board receives few complaints about the accommodation, which is fairly modern and in good condition, but a monitoring visit in July 2019 did note that some cells have issues with ventilation and heating control; it has been suggested that this may be because vents and pipes have been painted over during redecoration. The only point of concern was that although the provision of a curtain meets the Prison Service Instructions (PSI) requirement for 'in private' WC use, the Board felt that this provision is barely adequate to meet the privacy standard most people would expect. A living conditions audit was carried out in October 2019, with overwhelmingly positive findings. However, the status given was amber/green rather than green owing to the absence of toilet seats. This did seem strange as the prison was designed with sanitary ware not fitted with seats and has never had them in the 20 years it has been in operation.

The provision for disabled prisoners is still restricted by the fabric of the building but issues such as able prisoners using the showers with a disabled ramp when others are available is being addressed.

5.2 Segregation, special accommodation

The monthly number of admissions to the CSU has ranged from three to 19, but in the last quarter of the reporting year the numbers have dropped.

The average length of stay in the CSU was fairly short, with 80% of prisoners there for 14 or fewer days and, within this group, 80% for seven days or less. For nine prisoners, however (some 8% of the prisoners discharged from the CSU during the year), the stay was more than a month. There remain three prisoners with very long stays in the unit (two with stays over 200 days at the end of the reporting year). All three prisoners have behavioural disorders or mental health issues that mean they need specific placements, but it has been very hard to find places for them at either secure hospitals or specialist units. The lack of such provision, and the time taken to secure places, have been reported by the Board for many years, and the situation does not seem to be improving. During recent years, one prisoner spent over 600 days in the CSU before a place was found for him at a specialised unit. These stays are far too long to be considered fair or humane.

5.3 Staff/detainee relationships, key workers

The senior management team has remained stable through the year, although the head of safer custody left at the end of the reporting period. This stability has allowed the prison-wide long-term strategic change to a rehabilitative culture to continue, with regular programmes of events, some under the UNITY banner launched last year, others for charitable causes such as the homeless or for the celebration of historical or cultural events. There has also been an increase in prisoner-led initiatives such as the establishment of the violence elimination team.

The key worker programme is now fully embedded, with all prisoners assigned a key worker and most of them engaging. There were a few teething problems, especially concerning the issue of scheduling regular sessions

around staff shift patterns and holidays; the interim solution of scheduling two sessions close together, followed by a long gap (on occasion, exceeding three weeks), then two more sessions close together did not seem very sensible but apparently this is required to ensure that the target number of sessions is held. Overall, the impression we gained is that key workers have become 'business as usual' at Rye Hill but it is too early to measure the true impact on the number of violent incidents and prisoner complaints, although there was a promising reduction in both in the last quarter of the reporting period.

5.4 Equality and diversity

As we have reported in previous years, the two-monthly equality action team (EAT) meetings were often rescheduled during the first half of the reporting period. Following the feedback from the HMIP inspection in September that some of the BAME prisoners had a perception of discrimination (although no evidence was found), and that some of the older and disabled population had expressed safety concerns, the EAT meetings were changed to monthly and are now chaired by the Director. Since this change, fewer meetings have been delayed/rescheduled.

The representation of BAME prisoners on higher-status jobs ('red bands'), the outcome of complaints and the involvement in privilege events such as family days were studied by the prison. Overall, it was found that the profile of the BAME population was younger and less likely to be disabled than the white population, and was less represented in certain roles such as red bands – partly because few BAME prisoners applied for the roles. It was agreed to recruit a BAME 'Insider' (induction orderly) and to ensure that there was better transparency as to why certain prisoners were chosen for events such as family days. No difference in the outcomes of complaints submitted by BAME prisoners were found, with 4.7% upheld for non-BAME prisoners and 5.0% upheld for BAME prisoners over the period January to November 2019. However, it was noted that the overall percentage of complaints from BAME prisoners; 41% of the total, did seem high, as BAME individuals account for only about 20% of the prison population. It should be noted, however, that within this figure is a very small number of BAME prisoners who can submit up to five Comp1s a week each on an ongoing basis. The make-up of the complaints review panel, which looks at the quality/usefulness of replies, has been changed to ensure that it includes BAME and non-BAME prisoners, to increase the transparency of the process.

Discrimination incident report forms are submitted in small numbers, typically three to seven a month, and are frequently not actually a discrimination complaint but a matter more appropriately dealt with via the complaints system – for example, a wish to move to a single cell. All are logged and investigated, but none have been upheld in recent months.

Individual protected characteristic meetings are now being held more regularly, albeit with low attendance on occasion. Any issues raised are reported to the main EAT meeting.

5.5 Faith and pastoral support

After the major changes in staffing last year, the new chaplaincy team seems stable and provides services for a wide range of faiths, support at induction, bereavement counselling and welfare support to prisoners, which seems to work well. There have continued to be some difficulties, as previously reported, in finding officiants for the religions with a small number of followers in the current population, such as Rastafarian, Pagan and Buddhist, but some meetings are occurring, and efforts are made to ensure that they get to celebrate important dates in their faith's calendar. Regular services are held for Muslim, Christian, Quaker, Hindu, Roman Catholic, Jehovah's Witness and Sikh communities.

Owing to the number of deaths in custody, there are now also 'living with loss' groups and there is a memorial service/book of condolences for fellow prisoners to recognise each loss.

5.6 Incentives and earned privileges (IEP)

The new incentives policy framework that replaces the old IEP system has been implemented during 2020. Questionnaires and forums were held, both with prisoners and staff, to get suggestions for the new prison-specific parts of the framework but as the live date was not until March, it has not been possible to review how the new system is working.

5.7 Complaints

There were 1,417 complaints received by the prison during the reporting period, almost identical to the 1,408 received last year.

There was a seasonal increase in complaints from September to December, with the most (197) being received in October. This increase also coincided with changes to the PSI to introduce the new prisoner complaints policy framework, which did lead to a short period when some complaints became overdue; however, now that the system has bedded in, there have been no overdue complaints (other than those submitted for forwarding to other prisons) since December 2019, and all complaints coming due are chased by a senior management team member daily.

The most common category for complaint was 'residential', but within this category the reason for the complaint was very varied, with wanting a single cell, high noise levels and complaints about other prisoners featuring most often. During July and August, complaints concerning healthcare provision rose but this coincided with problems with healthcare equipment delaying clinic appointments.

Responses to Comp1s are reviewed by the complaints review panel, which includes staff and prisoners to ensure that the replies are meaningful.

The number of confidential access complaints (Comp2s) remain in single figures per month, with as few as two received in some months.

5.8 Property

Of the 1,417 complaints received, 139 (9.8%) concerned property. By far, the most common reason for complaint was delays in catalogue orders (37%). The process for receipt of orders has been changed a number of times, to try to ensure that the items do not wait for unit staff to collect them, once items have been added to the property card. Despite these changes, it is still a process that does not run smoothly at times, and this is also reflected in Board applications received.

6. Health and wellbeing

6.1 Physical healthcare

The final members of the senior management team in healthcare were appointed in May 2019, and for the first time in a number of years the staffing situation has remained stable through the reporting period, allowing strategic improvements to be planned and carried out. A new medication distribution process is now in place, using the ground floor dispensing hatches on units (previously, dispensing hatches were all on the upper floor, causing difficulties for less mobile prisoners). The number of non-attendances for booked appointments has improved massively, with most days having a zero 'did not attend' rate. The healthcare complaints process is well administered within the healthcare unit; however, the visibility of the process on the unit could be improved because there is some confusion with Comp1 processes still being incorrectly used by some prisoners for healthcare issues.

The number of booked hospital appointments remained high, with up to 110 a month and an average of 91.7 per month, although this was lower than last year's average of 117 a month. There has still been a large number of cancellations, with 39% of appointments cancelled; of these, 46% were cancelled owing to a lack of escorts/prison issues, 30% were cancelled by the hospital and the remaining 23% were cancelled because the prisoner refused to go or had been transferred to another prison. The overall cancellation rate for the year, at 39%, was an improvement over last year, when 56% of appointments were cancelled, but particularly welcome was the trend during the year of cancellations due to a lack of escorts/prison issues dropping from 50% in the first six months of the reporting period to only 41% in the second. With a prison population profile including many aged and disabled prisoners, the ability to facilitate hospital appointments remains a key measure of healthcare provision.

Prisoners have same-day access to emergency nurse triage clinics, and the waiting times for seeing a doctor have improved during the year, with waits often less than would be experienced in the community. However, there have been problems with access to the dental clinic due to equipment issues, allowing long waiting lists to build up in the latter half of the reporting period.

6.2 Mental healthcare

There is now a senior registered mental health nurse (RMN) and two other RMNs in post. Prisoners have only a short waiting period to see these primary care nurses, who can then refer them to other NHS mental health services as

needed. There remains around 15% of the prison's population who have mental health concerns or learning difficulties that make it hard for them to cope with prison life. Within this percentage, there is also a small number of individuals with severe mental health concerns, including some who are so ill that they are not safe on normal location, either because of a risk to themselves or because they pose a risk to others. It has remained very difficult during the year to find suitable secure hospital places or places on specialist units for these prisoners, resulting in two having stays in the CSU of over 200 days, and another of over 100 days. This problem of finding secure hospital places/specialist placements has been reported in a number of previous years but the situation does not appear to have improved.

6.3 Social care

At the end of the reporting period, there were four prisoners receiving social care, with three more awaiting assessment – a reduction from nine receiving care at the beginning of the reporting period. Social care and the provision of disability aids are funded by Northamptonshire County Council but the actual care is outsourced, and the company was changed from Flexicare to Advance Care at the beginning of the reporting period. No issues have been reported in the relationship with the care provider or the service provided.

There are also several part-time prisoner carers, who provide living support but not intimate care.

6.4 Exercise, time out of cell, gym

A very large percentage of prisoners are employed, and across the population prisoners have in excess of 27 hours of purposeful activity each week. There has been a busy schedule of events organised during the year, both as competition between the units and also to promote healthy living and fitness. The gym remains very popular, with prisoners able to book sessions via the CMS terminals, in accordance with their IEP status. A few prisoners have reported problems with booking gym sessions but this seemed to be a CMS issue, specific to them. Gym remains restricted for prisoners on strong opiate pain killers, to ensure that they do not inadvertently injure themselves; however, this policy remains very unpopular with prisoners.

6.5 Drug rehabilitation

In July 2019, 168 prisoners were using the DART services. The DART gardens continue to be a very popular option for prisoners who wish to overcome substance misuse problems, and in November 2019 an additional 'sensory' garden was opened.

7. Progression and resettlement

7.1 Education, library

The Ofsted report carried out alongside the HMIP inspection in September 2019 found that two-thirds of the prison population had attained only level 1 or lower in mathematics and English, and that there was an insufficient

number of education staff with the expertise to support the large number of prisoners with additional learning needs. Following this report, the education staff are undertaking the assessment of every prisoner's learning needs and improving the levels of achievement in literacy and mathematics. This began in January this year and is ongoing.

A revised strategy for English and mathematics was issued in January 2020 and the number of education staff increased to 10 (some part time). The teaching schedule has been revised to concentrate on English and mathematics, which means that some of the higher-level courses, such as business qualifications, and personal and social development topics, have been decreased and level 3 qualifications are no longer available.

English and mathematics levels now appear in all sentence plans, with progress being monitored by key workers, and the number of learners in these subjects has doubled since September 2019. As of March 2020, 280 full functional skills qualifications (that is, level 1 in mathematics) were delivered, against a target of 275.

To encourage attendance at education classes, prisoners now receive more pay for accessing full-time and part-time education than for working. To improve provision for prisoners with additional educational needs, a learning support worker has been appointed, and a register of those with additional needs (such as dyslexia) is being put together, with the help of healthcare and OMU staff.

The new library has been completed, with double the capacity of the former building. This now allows up to 25 prisoners to attend per session.

7.2 Vocational training, work

The range of employment opportunities in the prison remains the same, with industrial workshops, horticulture, woodworking and catering, as well as roles as orderlies and unit workers. In excess of 90% of the population has been purposefully occupied during the reporting year, and the target of in excess of 27 hours of purposeful activity per week has been met every month in the reporting period.

7.3 Offender management, progression

There remain 27 prisoners at Rye Hill detained under IPP sentences; the majority of these (77% in September 2019) are well over their original tariff, one being more than 10 years over tariff. These prisoners, and their lack of progression, remain a concern to the Board; however, this is a prison estate-wide problem as, in spite of repeated action plans being created by the Ministry of Justice, no new resources have been allocated to assist the progress of these prisoners. Where new units in the prison estate have been created to support these over-tariff individuals, they are almost exclusively for category C prisoners who have not been convicted of a sexual offence, making them unobtainable for the current cohort at Rye Hill.

The establishment has published a new internal policy for IPP prisoners, ensuring that all stakeholders, including key workers, offender supervisors, offender managers and staff providing specialist support such as DART, are more involved in planning for them. All IPP prisoners who are over-tariff and have had two unsuccessful parole Boards have been assessed in line with national guidelines. However, most in this category at Rye Hill have complex needs, including severe anxiety, autism, personality disorder, historic trauma or a range of other behavioural issues. Their progress is not just dependent on access to programmes, as most need bespoke interventions that are not currently funded.

Although resources are not available for one-to-one counselling, a number of other approaches have been tried to help these prisoners, including a visit from senior Parole Board personnel to discuss the process, and one-off proactive suggestions to the Parole Board – for example, for a prisoner whose anxiety is preventing him doing group courses to still be given his category C status, so that he is eligible for a space on a progressive unit. These initiatives are to be commended but may not be of help to the majority, especially as some of the most over-tariff prisoners have lost hope and can ‘self-sabotage’ these efforts by not engaging.

There remains a strong focus on accredited programmes, with a new programmes facility opening in June 2019. A total of 126 places were available in the 2019/20 period. These were made up of:

- Building Better Relationships: three groups of 10 prisoners
- Horizon: four groups of 10 prisoners
- New Me Strengths: five groups of eight prisoners
- Becoming New Me: two groups of eight prisoners

Although programmes are an important way for prisoners to reduce their risk of reoffending, it should also be noted that a large number of prisoners are not judged to be suitable for programmes as part of their sentence plan. A snapshot taken in July 2019 indicated that, of the population of 660, at that time:

- Up to 200 may be assessed as having needs that cannot be addressed by an accredited programme or are unsuitable for other reasons, such as low risk scores. In addition, in excess of 100 may have already completed an accredited programme.
- Up to 250 may be maintaining their innocence, which does not disbar them from benefiting from attendance at a programme but does limit the number of spaces available to them.
- Around 200 of the population at any time (acknowledging that the population does change and efforts are made to influence the incoming prisoners towards this category) are actually prisoners for whom an accredited programme may be their main rehabilitation pathway at this time.

This indicates that the planned 126 places give a reasonable coverage for the around 200 prisoners for whom this is an important progression step. However, it also confirms that a large percentage of the current population at

Rye Hill is not suitable for, or is unable to attend, accredited programmes. This makes the effort to create a rehabilitation culture within the establishment, with activities to engage prisoners and directly involve them in community-based events, and personal and social development activities, so important.

Four prisoners who had recently achieved C category status were interviewed and all commented on the importance of the community events and opportunity to contribute. One stated that he believed the most important factor about his progress was the support from managers at Rye Hill, the opportunity to be part of committees and events, and the feeling of being valued that this produced.

7.4 Family contact

All cells have in-cell telephony, which allows prisoners to call family without having to queue for access to unit phones. Monthly family days are held, with some allowing young children and others not allowing them, to enable prisoners who are not allowed child contact to meet family without children present; all of these days are very popular, being fully booked, with a waiting list.

7.5 Resettlement planning

As reported in previous years, there appear to be issues with finding spaces in open or resettlement prisons for men convicted of sexual offences nearing the end of their sentences. This year, 20 prisoners were released direct from HMP Rye Hill during the reporting period, the same as last year, so this situation does not seem to have improved.

The staff at Rye Hill are dependent on the external Probation Service offender manager to assist with issues such as accommodation on release. This can sometimes be challenging for prisoners with complex needs such as disability, medical issues or mental health issues. Efforts by OMU staff mean that to date all prisoners have been found accommodation on release but it has been very late in the day for some. Preparations are under way for the proposed change, for offender managers to again be based within the prison so they can gain a better understanding of individual prisoners' needs.

8. The work of the IMB

At the end of the reporting period, the Board was reduced to only three fully appointed members, one experienced probationary member able to work independently and three further probationers not yet ready to undertake any scheduled duties. A recruitment campaign was run at the end of the reporting period, and it is hoped that further trainees will be appointed once the COVID-19 restrictions are lifted.

The very low number of members has meant that monitoring has had to be restricted to the minimum of attending Rule 45 reviews, dealing with prisoner applications and one monthly themed monitoring rota. In spite of the low numbers, the Board has managed to maintain its attendance at external IMB meetings, such as the working group on men convicted of sex offences, and regional chairs' meetings.

Monthly Board meetings were held, although there was difficulty in some months achieving a reasonable quorum. The annual team performance review was held in February 2020.

The good relationship between the Board and the prison's management team continues, allowing the Board good access to information and regular briefings on proposed changes within the prison.

Compared to the 2018 to 2019 reporting year, the number of applications has increased slightly; however, this was attributed to two prisoners, who between them submitted 25% of all applications. The only marked increases were in category J – prisoner concerns, and category L – miscellaneous; both of these were due to the applications submitted by these two prisoners.

Board statistics

Recommended complement of Board members	14 (reduced from 17 during the year)
Number of Board members at the start of the reporting period	6, including 1 probationer
Number of Board members at the end of the reporting period	7, including 4 probationers
Total number of visits to the establishment	328
Total number of segregation reviews attended	In excess of 120

Applications to the IMB

Code	Subject	Previous reporting year	Current reporting year
A	Accommodation, including laundry, clothing, ablutions	11	14
B	Discipline, including adjudications, IEP, sanctions	21	20
C	Equality	8	8
D	Purposeful activity, including education, work, training, library, regime, time out of cell	18	14
E1	Letters, visits, telephones, public protection restrictions	10	11
E2	Finance, including pay, private monies, spends	15	11
F	Food and kitchens	2	0
G	Health, including physical, mental, social care	31	25
H1	Property within this establishment	20	21
H2	Property during transfer or in another establishment or location	15	18
H3	Canteen, facility list, catalogue(s)	3	12
I	Sentence management, including home detention curfew, release on temporary licence, parole, release dates, recategorisation	10	16
J	Staff/prisoner concerns, including bullying	33	44
K	Transfers	3	1
L	Miscellaneous, including complaints system	15	33
	Total number of applications	215	230*

* Please note, of the 230 applications received, 17 covered more than one category area; therefore, the category totals exceed the overall total number of applications.



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