



Annual Report of the Independent Monitoring Board at HMP/YOI Swinfen Hall

**For reporting year
01 May 2019 – 30 April 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

2.1 HMP/YOI Swinfen Hall is a public sector prison comprising an integrated young offender institution (YOI) and category C training prison for young men. The prison is defined as a 'national resource', so receives prisoners from all over the country.

2.2 In December 2017, the operational capacity was reduced (from 624 to around 590) to allow for major refurbishment of A, B and C wings, and continues to be so, at 556 on 30 April 2020. An element of the refurbishment programme was to increase the number of double-occupancy cells, and as at 30 April 2020 there were 42 double-occupancy cells (84 prisoners sharing). Double occupancy, and therefore the prisoner population, is now being reduced, to help minimise the risk of COVID-19 infection.

2.3 Profile data for the establishment are as follows:

| | 30 April 2018 | 30 April 2019 | 30 April 2020 |
|--|---------------|---------------|---------------|
| Total prisoner population | 568 | 580 | 556 |
| Aged 26–28 years | 22* | 44* | 32* |
| Serving four years or more | >90% | 97% | 98% |
| Serving life sentences | 30 | 24 | 38 |
| Serving indeterminate sentence for public protection (IPP) | 12 | 8 | 2 |
| Foreign nationals | 39 | 48 | 64‡ |
| Ratio of young offenders (YOs)/adults (at or near to 30 April) | 1.56 | 1.27 | 1.33 |

*Respectively, 4%, 8% and 6% of the total prisoner population.

‡This increase was neither expected nor explained; in response, surgeries with UK Visas and Immigration have been increased from quarterly to monthly.

2.4 The accommodation comprises nine residential wings, and a care and separation unit (CSU); separate buildings for a gym, kitchen and healthcare unit; a variety of buildings for workshop, education and industries use; other buildings adapted for various functions, such as a dedicated mosque.

2.5 Healthcare services, including for mental health, are provided by Care UK, and estates functions are provided by Amey. The majority of education and vocational courses are delivered under the new Prison Education Framework (PEF) contract with Novus, as described in section 7. Some largely unaccredited workshops, and four gym courses are delivered by prison staff, using the prison's own budgets.

2.6 the prison is a national centre for programmes offering interventions for men convicted of both sexual and violent offending, including Kaizen, Horizon, 'Becoming New Me+', the Thinking Skills programme and Resolve.

3. Executive summary

3.1 Background to the report

- a) The COVID-19 outbreak affected the Board's ability to monitor the prison. Following guidance from the secretariat, the Board stopped visits to the establishment from 17 March 2020. Remote monitoring soon started:
- Onsite rota visits were replaced with telephone contact with the senior management team, key departments and wing staff, and these conversations were recorded in rota reports. Direct contact with prisoners was limited to listening in to CSU reviews by telephone and asking questions, in the presence of staff.
 - Observation of functional committees was suspended, along with monthly development/training sessions from prison staff.
 - Although there was no opportunity for face-to-face conversations with prisoners, applications could still be made to the Board, and were sent to the Board via the clerk. From 27 April 2020, the Board participated in a pilot scheme involving prisoners telephoning in their applications and receiving replies via the 'email-a-prisoner' scheme. These two systems ran in parallel.
 - Teleconferencing was set up for Board meetings, and this enabled an additional emergency meeting to be convened in late March. The Governor dialled in to these meetings, and the Chair had regular contact with the Governor.

These arrangements operated beyond the reporting year, and Board officers put extra efforts into maintaining regular contact with prison staff and managers, and reported to all Board members.

Every aspect of prison life was affected, and the Board was impressed by the way the prison introduced the restricted regime and alternative arrangements. While the Board was concerned that it had no direct contact with prisoners, it is of the view that they were generally understanding and compliant. Despite significant personal risks to all who entered or resided in the prison, everyone appeared to rise to the challenge with great fortitude and team spirit.

- b) There were several aspects of the restricted regime:
- The number of acts of self-harm reduced considerably (see section 4.2).
 - The number of active assessment, care in custody and teamwork (ACCT) cases nearly halved (see section 4.2),
 - There were very few violent incidents during the initial weeks of the restricted regime (see section 4.3).
 - The number of prisoners in the CSU was low (deliberate policy).
 - The number of formal complaints submitted fell substantially (see section 5.7).
 - The number of applications to the Board declined dramatically (see paragraph 9(e)).

Further comments are made in sections 4–7.

- c) COVID-19 also had a significant impact on the Board's ability to gather information and discuss the contents of this annual report with prison staff. The Board has therefore tried to cover as much ground as it can in these difficult circumstances, but inevitably there is less detail and supporting evidence than usual. 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?

At first sight, Swinfen Hall presents a safe prison regime, but life for a minority of prisoners is anything but safe. Being a national resource, gangs from across the country interact, creating unrest. The ingress of illicit substances gives rise to coercion, debt and bullying; there were over 300 acts of violence last year. Force is used on prisoners almost once a day, on average. The extent of self-harming is deeply concerning, increasing by 10% last year (881 incidents). About 4% of prisoners self-isolate; others deliberately misbehave in order to be placed in segregation (where they feel safer) or to seek transfer to another prison. It is pertinent to record that self-harming, ACCT cases and violence all reduced substantially under the COVID-19 lockdown, and, anecdotally, prisoners report that they feel safer; the prison needs to maintain this performance and feeling as lockdown is eased.

How fairly and humanely are prisoners treated?

Underneath a broadly fair and humane treatment regime, there are some serious concerns. Standards of accommodation are poor in some wings, even where they have recently been refurbished, at high cost: on most wings, prisoners are required to eat meals in their small cells, close to a toilet; showers are troubled with mould. The continuing incidence of loss of prisoners' property is still a cause for concern. It is palpably unfair that sentence planning, critical for prisoners to rehabilitate, is frustrated by deficiencies in the Prison Service. Racial imbalances are ubiquitous across the prison, and remain unresolved – in adjudications, segregation, employment, and incentives and earned privileges (IEP) status.

How well are prisoners' health and wellbeing needs met?

There is no critical absence of services to meet the needs of prisoners' physical health. However, take-up is poor, especially in respect of the one-third of appointments not attended, so many health issues are not being dealt with in a timely manner. Mental health provision is adequate, but there is still an issue of cover outside the weekday working day. Despite initiatives and hard work by staff, too many prisoners suffer from self-harming, and provision for those with learning disability or difficulty (LDD) remains uncoordinated. More, and more varied, out-of-cell activity would not only help towards rehabilitation, but would also help prisoners' wellbeing.

How well are prisoners progressed towards successful resettlement?

There are some excellent examples of education and training at the prison, which encourage the full engagement of prisoners, enable them to achieve worthwhile qualifications and afford direct employment opportunities. However, there needs to be more such provision, with greater diversity, and the standards of all need to be raised to those of the best. There are also serious problems with sentence management: too many prisoners do not have a sentence plan for up to a year after coming to the prison, and their progress is thus severely inhibited. Even if they achieve category D status, their progress to open conditions is delayed. The situation has not been helped by the further national changes to offender management and probation, which have not been implemented smoothly, and have caused significant distress to some prisoners.

3.3 Main areas for development

TO THE MINISTER

- a) Despite huge expenditure on a refurbishment programme, beset with unforeseen technical issues and over-run in cost and time, much of the prisoner residential accommodation is unbecoming of the modern age. For example, physical constraints mean that, on most wings, prisoners are required to eat meals in their cells, close to a toilet; a rat infestation last year was dangerously endemic. Prison managers are being set challenges beyond their authority to resolve. How will the minister support the physical changes needed?
- b) For the last three years, the Board has expressed concerns that the proportion of black, Asian and minority ethnic (BAME) prison officers at the establishment does not reflect that of the prisoner population, and moreover that prison managers have little power to effect any change. The situation remains of concern, with the proportion of BAME officers, at 5% (6% last year), continuing to be well below that of BAME prisoners (42%). The Board notes the most recent response from the minister but points out that the national approach has done nothing to address the issue at Swinfen Hall. Empirical evidence shows that BAME prisoners feel that their context is unrepresented and not understood. Will the minister agree that urgent action is needed to address this crucial issue, and that giving local responsibility and accountability for recruitment and selection of prison officers is the most likely way to bring about necessary change?

TO THE PRISON SERVICE

- a) Swinfen Hall received many prisoners on open challenge, support, and intervention plans (CSIPs) or uninvestigated referrals (43 last year). This places additional demands on the prison's resources and potentially disadvantages prisoners. In any case, the outcomes of CSIPs are poor (see paragraph 4.3(c)). What is the Prison Service proposing to do to improve this situation?
- b) The Board remains deeply concerned at the loss of prisoners' property when they transfer to Swinfen Hall. The ministerial response to our last annual report referenced a new prisoners' property policy framework, and Her Majesty's Prison

and Probation Service (HMPPS) seeking service improvements through the new prisoner escort and custody service contract. The Board has not seen any difference in property issues, which continue to cause prisoners considerable distress (see section 5.8). How is the Prison Service evaluating the effectiveness of the current contract?

- c) A significant number of prisoners arrive at the establishment without a completed offender assessment system (OASys) assessment. This places an excessive demand on prison staff and causes prisoners considerable stress because they cannot embark on proper and safe sentence planning or make progress with rehabilitation; it also has an adverse impact on confidence in the prison regime. The issue has been raised for several years but is no nearer resolution (see paragraphs 7.3(a) and 9(c)). What changes will be forthcoming to ensure that the current situation is improved?

TO THE GOVERNOR

- a) The number of self-harm incidents increased this year, from 803 to 881. While the Board acknowledges that some of this increase derives from a small number of prisoners repeatedly self-harming, it commends the efforts of staff supporting these prisoners. The Board welcomes regular updates on new initiatives to reduce the extent of self-harm and their impact and would like to know of any further plans the Governor has to improve this situation
- b) The number of drug finds increased by 33% on the previous year (see paragraph 4.6(a)). Can the Governor explain the increase this year?
- c) Concerns about hygiene include:
- the practice of prisoners on most wings being required to eat meals in their cells, close to a toilet (see paragraph 5.1(b)). Is there a plan to improve this?
 - the risk of further infestation of rats on the site, which was dangerously extensive last year (see paragraph 5.1(c)). What mitigation measures are in place?
- d) The key worker programme has been inadequately implemented, averaging only 52% of expected contact time (see paragraph 5.3(b)). Similarly, the key worker clothing parcels initiative was poorly executed (although hugely welcomed by prisoners) and plagued by administrative difficulties (see paragraph 5.3(c)). How will these programmes deliver expectation in a self-regulating and sustained way?
- e) Racial imbalances are ubiquitous across prison life in Swinfen Hall, and remain unresolved – in adjudications, segregation, employment and IEP status. Added to this concern was inaction over a more than doubling of the number of discrimination incident report forms (DIRFs) submitted in 2019 compared with 2018 (see paragraph 5.4(d)). These issues, together with other concerns (see paragraph 5.4(a)), suggest a lack of sustained institutional commitment to

equality, despite the efforts of governors. How will this be addressed? (See also paragraphs 5.2(d) and 5.4(c), and section 5.6.)

- f) The number of prisoners attending out-of-cell activity (mainly part time) as a proportion of all prisoners was 68% over the period of this report. This leaves considerable room for improvement (see paragraph 6.4(b)). The Board questions what creative initiatives are being considered to make additional space available for more workshops and industries, thus increasing vocational opportunities (see paragraph 6.4(a))?
- g) Performance in education is concerning in a number of ways:
- The number of prisoners withdrawing from education courses has increased and is unacceptably high (see paragraph 7.1(b)).
 - The overall learner success rate has decreased by 12% (see paragraph 7.1(b)).
 - Performance in mathematics is unacceptably low, falling to 43% at level 1 and 30% at level 2 (see paragraph 7.1(e)).
 - A large number of hours was lost to learners – 15,232 hours for the full 2019/20 year, down from 16,952 hours for the nine months prior to April 2019 (see paragraph 7.1(c)).
 - Library sessions cancelled owing to regime restrictions or a lack of escorts remain very high, at 31%, although lower than the 41% of last year (see paragraph 7.1(e)).

Could the Governor respond to the above points, noting what actions are being taken to improve them?

- h) The huge increase in Board applications about sentence management is deeply worrying. Large numbers of prisoners do not have a completed OASys assessment, and therefore are not able to follow their sentence plans. While the origin of this is beyond the prison's ability to resolve, can the Governor confirm that more prison effort will be directed to rectifying the position, and to ensuring that OASys assessments are regularly reviewed (see paragraphs 7.3(a) and 9(c))?

3.4 Progress since the last report

| Addressed to | Concern last year (2019 report) | Current assessment (30 April 2020) | Ref para |
|-----------------------|--|---|----------|
| Safety | | | |
| Minister and Governor | Serious increase in self-harm, particularly YOs | Overall upward trend but reduced among YOs | 4.2(a) |
| Governor | Doubling of assaults on staff | Similar to last year | 4.3(b) |
| Governor | Stability of regime; acts of violence reduced with improved regime | More stable regime; acts of violence on prisoners decreased | 4.3(a) |
| Governor | YOs more liable to self-harm | No longer an issue | 4.2(a) |

| Fair and humane treatment | | | |
|-------------------------------------|--|---|------------------|
| Minister | Ethnic diversity of officers needs improvement | Still an issue | 5.4(f) |
| Prison Service | Inadequacies of equality monitoring tool | The Board accepts the response from HMPPS | - |
| Prison Service | Refurbishment of CSU and A/B/C wings poorly delivered, disappointing impact, time over-run | Increased concerns due to further delays in completing the work | 5.1(a) |
| Prison Service | Maintenance contract specification poorly defined | Still an issue | 5.1(d) |
| Prison Service | Prisoner property issues | No improvement | 5.8 |
| Governor | Ethnicity imbalances in adjudication, segregation, employment and IEP status | Some actions taken, but imbalances remain | 5.4(c) |
| Governor | More needs to be done to protect transgender prisoners | No issues identified this year | - |
| Governor | No systematic and coordinated approach to support for LDD | More coherent approach by Novus, but relationship to other areas not clear | 5.4(e) |
| Governor | YOs more likely to be in CSU than older prisoners | Situation improved but still an issue | 5.2(e) |
| Governor | Transfers out of CSU are in contradiction to policy | Significant reduction in such transfers | 5.2(a) 5.2(b) |
| Governor | Food comments system is ineffective and inconsistently applied. Food serveries not sufficiently controlled | New system devised and improved consultation, but needs further monitoring | 5.1(f) |
| Health and wellbeing | | | |
| Minister | Inadequate mental health cover | Situation is improved but adequacy to be monitored | 6.3(a) |
| Governor | Absence of Inclusion team at some ACCT reviews | Last-minute requests for Inclusion staff to attend persist | 6.1(c) |
| Governor | Non-attendance of prisoners for healthcare appointments | Some clinics improved, but overall a further decline | 6.2(c) |
| Progression and resettlement | | | |
| Minister | Poor resettlement process and provision for category D status prisoners | Some process improvement in resettlement but still delays for category D prisoners | 7.5(a) 7.5(b) |
| Prison Service | Backlog of OASys reports due to most new receptions having no initial OASys assessment | No improvement in backlog and further increase in new prisoners not having OASys assessment | 7.3(a) |

| | | | |
|----------------|--|--|------------------|
| Prison Service | Lack of resettlement places and delays in placing prisoners achieving category D | Improvement in local release but further delays in category D placement | 7.5(a) 7.5(b) |
| Governor | Regime instability adversely affecting education performance and library use | Some aspects of performance deteriorated despite stable regime; library use improved | 7.1(b) 7.1(e) |
| Governor | Improvements needed to status and uptake in distance learning (DL) | Good progress, with potential for growth | 7.1(d) |
| Governor | Stability of regime; absences from work reduce in periods of improved regime | Improved regime has resulted in higher attendance figures | 6.4(b) |
| Governor | Low average participation in out-of-cell activity | Some improvement | 6.4(b) |
| Governor | Programmes for prisoners who have committed sexual offences becoming unviable | Staffing issues impair prisoners' progress | 7.3(b) 7.3(c) |

Evidence sections 4 – 7

4. Safety

4.1 Reception and induction

Welcome developments include:

- safer custody staff working closely with other establishments to ensure accurate identification of any vulnerable new prisoners
- a thorough system of quality assurance on the induction wing
- an improved arrival experience in response to prisoner feedback surveys.

4.2 Suicide and self-harm, deaths in custody

- a) The number of self-harm incidents increased this year from 803 to 881, but the number involving YOs dropped to 51% (452), compared with 57% YOs in the prison population. The highest monthly figure for self-harm incidents was 109 in May 2019, largely due to five prisoners who engaged in repeated self-harming; some were waiting to transfer to secure hospitals or required significant input from intervention services. By July 2019, the number of incidents had dropped to 75, remaining fairly stable until March 2020, and then decreased to a low of 31 in April 2020 under the COVID-19 regime. Two prisoners accounted for 39% of incidents, with staff providing a significant amount of flexible support. During October 2019, two prisoners were responsible for over one-third of the 80 incidents. Staff are commended for their diverse support work.
- b) Over the reporting period, there were 63 reported serious self-harm incidents, which is a similar increase to that of other self-harm incidents. Serious incidents of self-harm are often driven by prisoners seeking hospital treatment as respite. Safer custody staff and Care UK collaboratively identified and minimised such incidents.
- c) The number of ACCT documents opened throughout the year fell by 78, to 337, a three-year low. There were 21–39 ACCTs open each month for a wide variety of reasons, including emotional coping, encompassing low mood and feeling ‘fed up’; family issues; and mental health symptoms.

4.3 Violence and violence reduction, self-isolation

- a) The number of incidents of violence fell from 349 to 312 this year. Retaliation and gang issues have consistently been the main causes of violence, with 69% of perpetrators being YOs. Safer custody staff have worked closely with prisoners to establish reasons behind violent behaviour, so that they can act on their disclosures. Every new prisoner was screened before arrival at the establishment this year, using the safer diagnostic tool, P-NOMIS and news reports. Prisoners with high Violence In Prison Estimator (VIPER) scores were assessed to see if proactive CSIPs would be beneficial. The prison has held the majority of prisoners with the highest VIPER scores in the West Midlands. Following the stabbing of an officer in September 2019, there was a reduction in violence,

perhaps due in part to a drive on challenging prisoners. Anecdotal evidence suggests that prisoners were surprised at the method and unpredictability of the assault. A further reduction in April 2020 was expected as prisoners had less access to each other due to the COVID-19 regime.

- b) The number of assaults on staff increased this year from 59 to 63. However, anomalies in methods of recording have been identified that make year-on-year comparison difficult. Following the serious assault referred to in para 4.3(a), safer custody staff identified that the main themes in assaults on staff were prisoners having an issue with staff or with such processes and procedures as control and restraint, or issuing negative comments and giving prisoners instructions.
- c) Over the year, there were 652 CSIP referrals, involving 315 individuals, resulting in 39 prisoners (12.3%) being managed with a CSIP. The establishment received 43 prisoners with open CSIPs or uninvestigated referrals. Numerous interventions have been used to support prisoners on a CSIP, including psychological formulations, engagement with Choices and Changes or accredited programmes, short-term goal setting, and employment and education opportunities. Some progress has been made by prisoners on a CSIP, but for the majority progress has been poor, with prisoners returning to violence when risks and triggers change.
- d) Data on self-isolating prisoners for the reporting period are:



There were 49 individuals involved, as prisoners often self-isolate on multiple occasions. Every such prisoner has a daily management plan, which monitors the parts of the regime which they are following – for example, showers, telephone calls, gym. Additionally, healthcare staff have linked with safer custody staff to provide support and to monitor the wellbeing of self-isolating prisoners. In January 2020, following the December peak, all isolating prisoners not already engaged in reintegration through employment, and who had known or suspected debt issues, were offered the opportunity to engage with an ‘Unlock Drama’ workshop focusing on debt; most agreed to ‘give it a go’. Some opted out during the course, but nevertheless gained in confidence, facilitating reintegration into the normal regime.

e) During the year, there were five serious incidents when the command suite was opened. The Board attended all of these and considers that all but one were managed well. Concern about the poorly managed incident was reported to senior managers, who investigated and dealt with the issues identified.

f) There were no deaths in custody this year.

4.4 Vulnerable prisoners, safeguarding

There were three safeguarding referrals this year. These were all for physical abuse by other prisoners. Another prisoner who was referred to the local authority towards the end of the previous reporting year received ongoing care this year; during the COVID-19 pandemic, he was supported by a Care UK nurse and the safer custody hub manager.

4.5 Use of force

a) There were 349 uses of force during the year, of which 143 were due to assaults/fights; 88 of these were assaults on staff. There were 13 instances to prevent self-harm, while the remainder were for various forms of non-compliance and threats. Of the total number of instances, 77% involved YOs, a disproportionately high figure.

b) Batons were drawn 14 times and used three times. Handcuffs were used 30 times. All uniformed staff have been trained in the use of PAVA¹ and its effects, and on the use of rigid handcuffs. PAVA has not been used since its issuing. The Board's training on PAVA and rigid handcuffs has been delayed by COVID-19 restrictions

4.6 Substance misuse

a) Over the reporting period, there were 191 target searches, resulting in the following finds, in comparison with previous years:

| Year to 30 April | 2018 | 2019 | 2020 |
|--------------------------|------|------|------|
| Incidence of drugs found | 124 | 72 | 96 |
| Mobile phones found | 94 | 98 | 58 |
| Weapons found | 271 | 192 | 112 |

b) Illicit substances found include psychoactive substances (PS), cocaine, cannabis and smoking paraphernalia. PS were found on letters, Christmas cards, and both Rule 39 and bogus Rule 39 letters. There was a small number of assaults by prisoners under the influence of substances, but this has not generally been an issue for the establishment.

c) Substance misuse often leaves prisoners in debt, and therefore vulnerable to pressure to carry out violent acts on behalf of others, although this is not a major

¹ An incapacitant spray dispensed from a handheld canister. It contains a 0.3% solution of pelargonic acid vanillylamide (PAVA) in ethanol, with nitrogen propellant.

driver of violence. Substance-related debt also leads some prisoners to use the ACCT process, knowing that they will then have a case manager who will set them goals relating to debt and substance misuse.

5. Fair and humane treatment

5.1 Accommodation, clothing, food

- a) The refurbishment of the CSU and A/B/C wings has still not been completed. Remedial work to deal with major difficulties with the water supply on B wing was completed in April 2020, a full year after the original project completion date. A wing is still out of use as work continues, and as a result the operational capacity has been unable to return to the 2017 level.
- b) The standard and cleanliness of accommodation and facilities vary from acceptable to poor. All cells have a toilet and small sink, with two hygiene issues arising: the sink is used for washing hands as well as mealtime crockery, and prisoners on most wings being required to eat meals close to the toilet. In addition, each wing has shared showers, which prove difficult to maintain in an acceptable condition as poor ventilation results in mould building up quickly, despite regular cleaning. Heating is centrally controlled, so there is no flexibility to accommodate location-specific needs.

The prison has introduced two separate initiatives which should go some way to improving this situation:

- The cell standards initiative has ensured that all accommodation meets a basic standard by replacing missing/broken furnishings, allowing prisoners to paint their cells, investing in cleaning equipment, improving health and safety training, and having regular cell inspections and wing checks.
- The national 'Clean, Rehabilitative, Enabling and Decent programme, where prisoner groups refurbish cells.

Despite the efforts of the prison to ensure consistency of cell standards, prisoners damage furniture and fittings, and take new furnishings with them when they move wings, for fear of not getting the same standard in their new location and/or to use as 'currency'. The prison is therefore constantly 'back filling' and replacing damaged or missing items.

- c) A major concern this year was a massive infestation of rats on the site. While not in the accommodation blocks, they still presented a health risk, most especially to prisoners working in waste management. Prisoners throwing food for the large number of ducks on site, and food waste being accessible from bins, exacerbated the problem until a targeted approach removed the food sources, implemented stricter food disposal procedures and installed more secure bins.
- d) Response times for the maintenance of buildings and equipment are variable. Some repairs, particularly those to laundry and catering equipment, take far too

long because the service contract only requires Amey to have a resolution plan; this results in equipment being out of action unacceptably for several months. Food trollies are not in the contract, so any repairs required take even longer.

- e) All wings have laundry facilities, with designated workers laundering prisoners' personal clothing. At the time of writing this report, all wings have working equipment, but during the year several wings had to wait excessively long periods for equipment to be repaired or replaced. A pilot scheme, whereby wings hold and distribute clothing was ended because a large amount of stock went missing. Cell checks and an amnesty recovered some but when the system resumed, the same thing happened, resulting in stock deficiency.
- f) The quality of the food served is acceptable and attracts very few official complaints – applications to the Board about food account for only 2.4% of the overall total. Conversations with prisoners suggest that true satisfaction levels are much lower, and a lack of confidence in the food comments system. A new food comment system was introduced during the year but its application is inconsistent. However, food choice is much improved, with menu rotations regularly changed to include prisoner suggestions. Food provision during Ramadan is again to be commended.

5.2 Segregation, special accommodation

- a) The CSU has a capacity of 15 and is in the recently refurbished old wing block. Occupation levels average 40–70% and the regime is consistently good, with prisoners having access to a shower, telephone, and exercise daily.

| Year | 2017 | 2018 | 2019 | 2020 | Change 2019–2020 |
|--|--------------|------|------|------|------------------|
| Total residency | 347 | 345 | 260 | 286 | +10% |
| Rule 45/49 | 176 | 144 | 145 | 199 | +37% |
| Rule 53/58 | 122 | 114 | 76 | 46 | –39% |
| Cellular confinement | 49 | 87 | 39 | 40 | +3% |
| Dry cell | 9 | 6 | 8 | 3 | –62% |
| Mechanical restraint | 0 | 0 | 0 | 0 | No change |
| Stays over 42 days | 16 | 9 | 19 | 9 | -53% |
| Stays over 90 days | 3 | 1 | 0 | 0 | No change |
| Number transferred to other establishments | Not recorded | | 37 | 28 | –24% |

- b) Reviews are well run, with CSU staff ensuring that the governor has relevant information and details about each prisoner's behaviour and health. Staff display an impressive level of care, building good relationships with difficult and complex individuals. The aim to return prisoners to a wing location is reflected in the decrease in stays over 42 days and no stays of 90 days. Wings maintain contact

with prisoners moved to the CSU and respond to issues referred to them by CSU staff, thereby facilitating prisoners' return. Despite it not being policy, sometimes the only safe option for a prisoner is a move to another establishment – these moves have reduced by 24% since 2019, which reflects the new internal policy.

- c) The Board considers that adjudications are operated fairly, with prisoners made aware of their rights to legal representation and the option to appeal the final decision. The use of the dry cell has reduced from eight instances to three during the current year, and there were no instances of mechanical restraint being used.
- d) An ongoing concern of the Board is the increased likelihood that BAME prisoners will find themselves in the CSU:

| Category | BAME | | White | |
|----------|--------|-----|--------|-----|
| | Prison | CSU | Prison | CSU |
| 18 | 38% | 50% | 61% | 50% |
| 19 | 38% | 42% | 62% | 58% |
| 20 | 42% | 54% | 56% | 47% |

The Board notes that the percentage of BAME prisoners in the CSU has risen to above the 2018 figure; the prison needs to identify the causes for this imbalance and take any necessary corrective actions.

- e) It is pleasing to report that the number of YOs in the CSU during the current year has reduced, especially as they represent an increased percentage of the overall total. This reduction was aided by a new strategy for YOs.

| Category | Adults | | YOs | |
|----------|--------------------------|-----|--------|-----|
| | Prison | CSU | Prison | CSU |
| 2018 | information not recorded | | | |
| 2019 | 44% | 33% | 56% | 67% |
| 2020 | 30% | 45% | 70% | 55% |

5.3 Staff/prisoner relationships, key workers

Four initiatives have been implemented this year to support prisoners and strengthen relationships:

- a) The prisoner information desk (PID) initiative, with at least one prisoner per wing trained and empowered to support other prisoners by providing information and any forms/paperwork required. PID workers raise issues from their wings at prisoner council meetings. Anecdotally, the PID initiative has freed up staff time, while benefiting prisoners by giving them added responsibility.
- b) The key worker programme has been affected by regime restrictions, the establishment averaging only 52.5% of expected contact time.

- c) The introduction of key worker clothing parcels was welcomed by prisoners but was poorly executed and was plagued by administrative difficulties; it had to be suspended for some months. Incoming parcels were delayed or not delivered, resulting in a large number of property applications to the Board (see section 9).
- d) The enhanced support service is in the early implementation stage and is designed to help prisoners with complex needs settle into the prison regime and reduce self-harm, bullying and those displaying the most antisocial behaviours.

5.4 Equality and diversity

- a) There are some concerns about a lack of sustained institutional commitment to equality, despite the efforts of governors. Two specific examples are:
 - Participation at the equalities committee is sometimes poor, preventing the identification and progress of issues; there is little penetrating discussion; and there is little analysis of the data presented or minuted.
 - The equalities action plan is out of date, with 15 of the 16 actions in the 'current' plan having target dates several months in the past. None of the issues identified by the Board in last year's annual report are in the plan, except where repeated from the 2018 annual report. Actions are deemed to be completed (and are archived) when the issue is discussed, even though there is no resolution.
- b) On the other hand, some positive actions have been taken:
 - A forum has been established to consider all aspects of the IEP system, including ethnicity imbalance (see section 5.6).
 - An equalities awareness programme was delivered to 153 prisoners and 30 staff by 'Training, Knowledge and Opportunities'. It was said to be successful, although the Board is unaware of any serious evaluation of outcomes.
 - Activities specifically for younger prisoners have been introduced, including the Prince's Trust scheme.
 - Novus has made good progress in providing for the needs of prisoners with LDD, as described in para 5.4(e).
 - Two wide-entry cells have now been converted for wheelchair users by having in-cell showers. All 10 wide-entry cells are planned for conversion.
- c) Despite these and other developments, the Board is disappointed that the key equality issues identified by the Board and the prison itself remain unresolved: racial imbalances are ubiquitous across prison life in the Swinfen Hall:
 - For the third year running, the Board reports that BAME prisoners are more likely than white prisoners to be in segregation (see paragraph 5.2(d)).
 - As in the last two annual reports, the Board yet again identifies disparity between adjudication charges laid against BAME compared with white prisoners:

| Number of charges | | Total prisoner population | |
|-------------------|-----------|---------------------------|-----------|
| White | BAME | White* | BAME* |
| 840 (46%) | 971 (54%) | 314 (56%) | 245 (42%) |

*Average of populations on the last days of June, September, December and March.

Given the Board's view that adjudications are conducted fairly (see paragraph 5.2(c)), the origins for this disparity must lie in earlier stages. However, it is important to know the number of prisoners against whom charges have been laid, to allow for repeat offenders. Some data are presented to the equalities committee but there is ambiguity and little sustained analysis or comment.

- Once again, the Board is disappointed that white prisoners are generally more likely to be in employment than those of other ethnicities. For the three dates sampled, the differences in the likelihood of being employed between BAME and white prisoners were -2.3%, 10.6% and 16.3%. While this shows some improvement over the 12–24% identified in last year's annual report, the matter warrants further consideration. The prison no longer retains records of applications for employment, and has destroyed past copies, so it is not possible to find out whether there is a difference between application rates and actual employment.
- The ethnicity imbalance in relation to IEP status continues, as described in paragraph 5.6.

The view emerging through various meetings is that BAME prisoners are more involved in violence because of the type of criminal conviction, and get drawn into such acts by gang influence, so are more likely to be subject to adjudication, be in the CSU, and be of lower IEP status. This hypothesis should be tested as part of an investigation into all the reported imbalances and the issue of unconscious bias.

- d) DIRFs have more than doubled – with 41 in the calendar year 2019 (plus six complaints of racism not treated by the DIRF mechanism, in error) compared with 20 in 2018. The increase may be attributed to a campaign during the year to advertise and promote DIRFs to staff and residents. The profiles of DIRFs, in terms of protected characteristics, are similar to those last year, with more than half coming within the scope of race, religion and belief in both years.
- e) The problems of identifying the extent and nature of disability among the prison population continue. A census covering a range of characteristics and prisoner history resulted, after two trawls, in 149 replies (approximately 26%), which makes for caution in any statistical analysis. With this caveat, the following prisoner declarations are noted:
- disability: 29 (19% of returns)
 - learning difficulty: 42 (28% of returns)
 - dyslexia: 25 (17% of returns).

All of these characteristics were self-identified, and the place of learning disability is not clear, but the data indicate the potential scale of disability that the prison needs to address.

Between 1 April 2019 and 31 March 2020, Novus carried out 57 LDD assessments. Additional learning support needs are now captured at the weekly induction. LDD awareness training has been provided to instructors, and an additional LDD tutor has worked with industries and workshop staff to ensure that prisoners requiring referral are identified and supported within the workshops. This is a huge step forward, but the relationship with the healthcare and the psychology teams is not clear.

- f) For each of the last three years, the Board has expressed concerns to the minister about the stark contrast between the proportions of BAME prison officers² and prisoners. The Board notes the most recent response from the minister, but records that the national approach is having no impact at the establishment: against a BAME prisoner population of 42%, there were 5% BAME officers (down from the 6% cited in the last annual report). The Board notes how distant this is from the HMPPS overall national target of 14% BAME officers by December 2020.

5.5 Faith and pastoral support

The Board considers the chaplaincy to be an outstanding resource for the prison but it requires greater prison support, as follows.

- a) An important and welcome initiative last year was the refurbishment of a multi-faith centre, but it has been frustrated by bureaucracy and financial constraints, even for modest and everyday needs.
- b) The mosque has been affected by the rat infestation problem (see paragraph 5.1(c)), in that poisoned rats are dying in the nests underneath the floor of the wooden building, creating an extremely foul odour inside the mosque.
- c) During the COVID-19 restrictions, the chaplaincy introduced a scheme which allows prisoners who are unable to attend funerals of close loved ones or visit relatives at the end of their lives to speak to their families via an iPad link. This should be continued, perhaps expanded, after the COVID-19 restrictions are lifted.

² Defined as the total number of operational support grades, officers, band 3 officers, band 4 supervising/specialist officers and band 5 custodial managers on the payroll.

5.6 Incentives and earned privileges

In last year's report, the Board reported on significant imbalances in the racial distribution within the different IEP grades. The issue remains:

| Date | All prisoners | | Enhanced | | Basic | |
|---------------|---------------|--------|----------|--------|------------------|--------|
| | White % | BAME % | White % | BAME % | White % | BAME % |
| 30 June 2019* | 58 | 41 | 70 | 29 | 53 | 47 |
| 30 Sept 2019* | 59 | 40 | 68 | 31 | 39 | 61 |
| 31 Dec 2019* | 58 | 41 | 71 | 28 | 43 | 57 |
| 25 Feb 2020 | 56 | 44 | 71 | 28 | 27 | 73 |
| 14 Apr 2020 | 56 | 44 | 69 | 31 | n/a [†] | |

*Refusal to declare accounted for 1%.

[†]The basic IEP status was suspended during COVID-19 regime restrictions.

Thus, a disproportionate number of BAME prisoners are on the basic IEP level, and a disproportionate number of white prisoners are on the enhanced IEP level. The issue was discussed with prisoner representatives at the first meeting of a new and very welcome 'incentives forum' and at the equalities forum – race (see paragraph 5.4(b)).

5.7 Complaints

From the period December 2019 to March 2020, the number of complaints received ranged from 59 to 71 a month. In April 2020, the first full month under COVID-19 restrictions, this fell to 12 complaints; the reasons for this reduction are not clear, but it mirrors the reduction in applications to the Board (see paragraph 9(e)). The most frequent type of complaint (27% of the total) was the same every month: issues concerning property.

5.8 Property

Board applications relating to property issues (20%) remain at a similar level to that for last year, but for the first time more relate to issues within the establishment than on transfer (see section 9). One main reason for this is that the prison could not cope with the additional work created by the key worker clothing parcel scheme.

The ministerial response to last year's annual report advised that a new prisoners' property policy framework was being developed and that HMPPS was seeking service improvements through the new prisoner escort and custody service contract; the Board has yet to see any discernible difference; property issues continue to cause prisoners intolerable distress.

6. Health and wellbeing

6.1 Healthcare: general

- a) Primary care services are provided by Care UK and integrated with mental health and psychosocial substance misuse services contracted to Midland Partnership National Health Service Foundation Trust (provided through its 'Inclusion' team).

- b) Care UK recruited and trained 15 prisoners to become health champions, who have worked in healthcare and on the wings, supporting and providing information to prisoners. Monthly health forums have been established, involving an average of 10 prisoners. These developments are welcomed. The Board will interact with the champions to gain feedback on healthcare services.
- c) The continuing concern about the Inclusion team being absent from some ACCT reviews saw a new protocol introduced between this team and safer custody staff. However, Inclusion still receives last-minute requests to attend ACCT reviews, which is not always possible.
- d) Healthwatch Staffordshire has published its report of patients' 'sentiment towards current healthcare services' at Swinfen Hall. The following concerns were identified:

| Concern | Current status |
|--|--|
| Clear pathway needed to triage urgent and non-urgent cases, waiting times, waiting room and communication | Waiting times have reduced. Triage planning has started; nursing staff will triage GP waiting list |
| Staff completing 'did not attend' forms inaccurately; regime movements for appointments | Forms have improved. Managers are made aware of poor entries. Health champions are now involved |
| Healthcare staff having more influence over diet and nutrition | Healthcare and catering staff share information on meals, and special needs |
| Patients feeling uninformed about their healthcare; more feedback opportunities; reception screening; healthcare noticeboards on the wings | Information desks for Healthcare champions operating. Reception induction to be reviewed |

6.2 Physical healthcare

- a) During the year, the service has operated almost to full establishment, with the need for only three nursing agency staff (four in 2019). This is an improvement.
- b) At the time of completing this report, waiting times were three weeks (for podiatry), four weeks (for the GP, physiotherapy and GP Assist – consultation for medication review) and five weeks (for the dentist); these were also the average waiting times over the year, although they increased during COVID-19 restrictions. There was good progress with the blood-borne virus clinic. Healthcare staff, with the support of the prison completed a 'high-intensity test and treat' week, where 100% of the patients were tested for hepatitis C, giving the prison elimination status.
- c) As with last year, the non-attendance of prisoners for appointments continues to be of significant concern. While there was a slight improvement in some clinics, overall an average of 36% of prisoners did not attend in the present reporting year (33% last year). Clinics above the yearly average were GP (39%), vaccinations (53%) and asthma (58%). Following a review and consultation on all aspects of healthcare appointments, a protocol and clinics for self-isolators were

introduced, and also healthcare champions to assist patient check-in; both are having a positive impact.

6.3 Mental healthcare

- a) In the last two annual reports, the Board expressed concern that mental health cover was only provided on Mondays to Fridays, from 9am to 5pm. The minister’s most recent response promised change, and an on-call system out of hours and at weekends has been introduced. The Board considers this to be a minimal arrangement and will monitor the issue closely.
- b) During the year, the average mental health caseload was 88, the highest being 103 in November 2019. The Inclusion team continues to experience difficulties in recruiting mental health nurses, with vacancies still being carried.
- c) An ‘inclusion hub’ has recently been established to provide: a safe space for prisoners to access mental health and substance misuse support; information and advice; improved understanding; raised awareness; and reduced stigma and discrimination surrounding mental health. The Board will monitor this initiative in the coming year, to identify take-up and improvement in wellbeing.

6.4 Exercise, time out of cell, gym

- a) There has been a modest but encouraging increase in the opportunities for out-of-cell activities:

| | AR2019 | AR2020 |
|--------------------------------------|--------|--------|
| Average number of morning sessions | 443 | 454 |
| Average number of afternoon sessions | 413 | 435 |

However, the prison reports having no more space for additional workshops and industries, so more creative solutions need to be found.

- b) The number of prisoners allocated to out-of-cell activity has shown a welcome increase, partly because many full-time jobs have been shared between prisoners. There has also been a 10% improvement in attendance:

| | AR2019 | AR20 |
|--|--------|------|
| Allocated to activity as a proportion of all prisoners | 76% | 83% |
| Attending activity as a proportion of all prisoners | 58% | 68% |

An additional 300 activity spaces were offered through dynamic purchasing system (DPS) tenders – 40 for drama, 250 for equalities and 10 spaces for waste management.

Nonetheless, the overall figure of 68% leaves much room for improvement. Last year, the Board reported poor performance in attendance, especially due to regime instability, with, at best, an average attendance of 78%. The more stable regime this year has led to improvement; it averaged 82% over the period April 2019 to February 2020.

6.5 Drug rehabilitation

The Drug and Alcohol Outcome Star is now used to identify service user needs and to plan interventions. The Board will monitor this programme over the coming year.

7. Progression and resettlement

7.1 Education, library

- a) The education provision, delivered by Novus since 1 April 2019, covers 16 vocational qualifications at various levels, 13 personal and social development courses, plus mathematics and English functional skills. A new monitoring system, CURIOUS, was introduced to support the PEF contracts and to give prisons secure and instant access to data, and robust monitoring. The rollout of the system was problematic, with evident unreliability until late 2019. The changes to contracts and systems, especially changes to the reporting period, from the academic year to the financial year (April to March), has led to data capture issues.
- b) Educational activity data have been produced for the new reporting period, 1 April 2019 to 28 February 2020, excluding the disruptive effect of the COVID-19 regime. The number of prisoners starting courses has increased but, worryingly, there has also been an increase in the number of prisoners withdrawing or being excluded. There was also a concerning decrease of 12% in the success rate. At the start of the contract with Novus, a diagnostic tool was used to assess prisoners for the level at which they should be entered. This was ineffective and led to a larger than normal number of prisoners being withdrawn. The success rate for prisoners will be closely monitored by the Board over the coming months.

| Period | 2017/18 academic year | 1 Aug 2018 – 30 Apr 2019 | 1 Apr 2019 – 28 Feb 2020 |
|-------------------------|-----------------------|--------------------------|--------------------------|
| Started | 1,379 | 1,318 | 1,402 |
| Completed | 1,304 | 1,195 | 1,168 |
| Achieving aim* | 1,248 | 1,037 | 1,036 |
| Withdrawn | 67 | 75 | 171 |
| Excluded [§] | 19 | 16 | |
| Attendance [†] | 61% | 75% | 83% |
| Retention | 97% | 99% | No data |
| Success rate | 93% | 88% [‡] | 76% |

* Note that some learners will be continuing with their courses into the following academic year.

[§] Due to behavioural problems.

[†] Based on number enrolled.

[‡] Assumes that all those awaiting results achieve the qualification.

The Board has had concerns for several years that performance in English and mathematics has been persistently low at level 2. This pattern continued into 2019/20, with both falling considerably. The data are set out in two parts because there has been a reform in the functional skills qualifications from 1 September

2019. The performance in level 2 English has increased significantly, but performance in level 2 mathematics has decreased. This is partially attributed to staffing issues, now resolved. Novus has been held to account against a functional skills recovery plan, with the prison and Novus jointly resolving the issue. The Board remains concerned with the decline in performance in level 2 mathematics.

| Period | | 2017/18 academic year | 1 Aug 2018 – 30 Apr 2019 | 1 Apr 2019 – 31 Aug 2019 | 1 Sep 2019 – 10 Apr 2020 |
|----------------------|-------|--------------------------|--------------------------------|--------------------------------|--------------------------------|
| English level | 1 | 91% | 75% | 87% | 62% |
| | 2 | 80% | 74% | 47% | 89% |
| | All § | 88% | 80% | 87% | 91% |
| Mathematics level | 1 | 78% | 80% | 70% | 43% |
| | 2 | 79% | 68% | 50% | 30% |
| | All § | 82% | 79% | 84% | 75% |

§ Includes data for the entry levels below level 1, which generally show better performance than levels 1 and 2.

- c) The number of hours that learners lost owing to the regime and other factors has improved again this year, from 16,952 hours for the nine months prior to April 2019 to 15,232 hours lost for the full 2019/20 year but remains significantly high. The main reason for the loss of learner hours this year was Novus staffing issues. The Board will closely monitor the situation.
- d) The Board is pleased to see the level of applications for support in DL increasing significantly. Data collection has also improved. The prison now commissions Novus to deliver 9.5 hours per week to support DL.

| For the period 1 May to 30 April: | 2016/17 | 2017/18 | 2018/19 | 2019/20 [^] |
|---|-----------------|-----------------|-----------------|----------------------|
| Applications for support | 64 | 48 [*] | 21 [°] | 41 |
| Numbers engaged with support^Φ | 18 [#] | 18 [†] | 18 [‡] | 23 |
| Other prisoners active in DL | N/A | 10 [§] | 6 [¶] | 10 |

* Of these 48 applications, two were declined, two withdrew, 13 transferred to other establishments, six were released and did not complete, two completed on release, 15 completed and eight are awaiting review.

° For the period 1 October 2018 to 30 April 2019. Data were not collected by education staff for the full reporting period.

Plus 12 who left the prison by transfer or release.

† This is said to be the average number of distance learners over the period. There were eight successful applications to the Prisoners' Education Trust in 2017.

‡ Includes six prisoners approved for funding but awaiting study packs; one additional prisoner is awaiting approval.

§ Completed in-cell study packs provided by Birmingham Metropolitan College.

¶ Studying for Open University degrees (one funded through Garfield Western Scholarship, five by student loans).

[^]To 28 February only.

^Φ From the Prisoners Education Trust

DL could be developed further during the current pandemic and beyond.

- e) Data provided by the Staffordshire Library Service this year on the number of library sessions available are inconsistent with data provided previously. However, the number of sessions cancelled owing to regime restrictions or a lack of officer escorts has reduced by 10%, to 31%, due to the more stable regime, but the number remains remarkably and regrettably high.

| Library sessions | Available | Cancelled for regime/escort reasons |
|---------------------------------|------------------|--|
| 1 Jan – 30 Apr 2018 | 406 | 76 (19%) |
| 1 Jan – 30 Apr 2019 | 424 | 145 (35%) |
| 1 May 2018 – 30 Apr 2019 | 1,211 | 494 (41%) |
| 1 May 2019 – 28 Feb 2020 | 413 | 127 (31%) |

- f) The Board is pleased to see the significant and varied impact of the £200k funding from the new DPS on prisoners' education and welfare. The Governor has procured programmes on violence reduction and conflict resolution, and purchased equipment to start a barbering course, much to the approval of prisoners (see also paragraphs 4.3(d), 5.4(b)) and 7.2(a)).

7.2 Vocational training, work

- a) In addition to provision listed elsewhere in this report, DPS has procured:
- Information, Advice, and Guidance (formerly the National Careers Service) – ensuring that advice and guidance for prisoners is once more available
 - Waste Management Industry Training and Advisory Board (WAMITAB) – accrediting a diploma for learners working in waste management; in total, 20 prisoners will be involved. A level 1 award was also delivered to four prisoners on a three-day course which is open to any prisoner to attend; this will continue until 80 prisoners have received this training.
- b) Bi-weekly 'sequencing' meetings seek to provide each prisoner with the most appropriate work/education opportunities which would afford the best possible route to reducing any potential for reoffending. During the COVID-19 lockdown, staff have finalised six different pathways. In addition, all workshops now have detailed job descriptions and criteria for employment within them, ensuring a realistic alignment with job opportunities following release.
- c) Important developments include:
- addition of the upholstery workshop in partnership with the 'Upcycle Birmingham' charity
 - an employability pathway for prisoners achieving a qualification in carpentry to progress to either the upholstery or fencing workshops
 - the WAMITAB qualifications identified in paragraph 7.2(a)
 - the project management officers level 2 qualification in fencing and upholstery
 - a horticulture qualification for those working in grounds maintenance.

These accredited workshops are in addition to those in tailoring, and the bistro.

- d) The assembly workshop has previously received negative comments from the Office for Standards in Education, Children's Services and Skills (Ofsted) owing to the repetitive nature of the work. However, this workshop is now solely for the employment of self-isolators, all of whom are now assigned to this work. Before starting, personalised routes to and from the workshop are devised, and a decision is made with each prisoner as to whether to attend the workshop or initially work in-cell with a view to attending the workshop in due time. This work is also offered in-cell to CSU residents. Specific successes of this initiative were two prisoners who had not left their cells for two and 10 months, respectively, but who are now comfortable in their employment in this workshop.

7.3 Offender management, progression

- a) Over the reporting year, the prison received 235 prisoners who should have had completed initial OASys reports (31 others were from the juvenile estate and came with completed offender assessment profiles). However, over 200 of these prisoners did not have a completed initial OASys assessment, an unacceptably high figure. Although 250 OASys assessments were completed over the year, at the end of the reporting period there were still 124 to be completed (by prison or community offender managers). This is an improvement from last year (158) but is still unacceptable, and is reflected in the large increase in Board applications concerning sentence management (see paragraph 9(c)).
- b) Sickness absence and delays in recruitment and training are still presenting the programmes department with significant challenges. Despite this, the department achieved its programme completion targets in the first half of the year. To illustrate the problems: the last Thinking Skills Programme group was due to start in January 2020 but was cancelled as there were only nine prisoners on the waiting list, four of whom refused to engage; in any case, there was no trained facilitator.

| PROGAMME | Number of prisoners planned to participate | Number completing |
|---|--|-------------------|
| Horizon | 36 | 28 |
| Kaizen | 14 | 7 |
| Kaizen for general violence | 11 | 13 |
| 'Becoming New Me+' for general violence | 5 | 6 |
| 'Becoming New Me+' for men convicted of sexual offences | 3 | 3 |
| Resolve | 37 | 41 |
| Thinking Skills Programme | 21 | 16 |

- c) As at 30 April 2020, there were 127 prisoners at the establishment who had been convicted of sexual offences, and programmes for such prisoners have run throughout the year, despite issues with staff training. However, there have been delays in carrying out programme needs assessments, which have led to delays in prisoners starting these courses.

- d) The number of prisoners awaiting transfers after completing programmes (95 on 30 April 2020) has barely reduced since the issue was raised with the prison group director in May 2019. This is of concern, and the Board will monitor it closely.
- e) The number of prisoners serving IPP sentences has pleasingly reduced to three, from eight last year – a decrease of 62%.³
- f) During the past year, a prisoner on release on temporary licence (ROTL) was offered work at the front of the prison, tidying the car park and flower beds. This was deemed a success and ended only upon the prisoner's release. It is understood that this will be offered again.

7.4 Family contact

The Barnardo's family engagement worker has worked enthusiastically throughout the year with offender management, safer custody and chaplaincy staff to ensure that prisoners have been able to maintain contact with their families, particularly during stressful times. Board members have witnessed their excellent presentations and group sessions, including 'Knife-Crime Mothers', five dads' days, and family days. There is also now a Twitter account and a family connect blog. At the start of the COVID-19 pandemic, prisoners' families were encouraged to send in books and language learning courses.

7.5 Resettlement planning

- a) Over the reporting period, only 73 of the 177 prisoners due for local release moved to resettlement prisons (41%). Although this is the highest percentage for six years, it is still of concern. All 104 prisoners released directly from the establishment had accommodation to go to or were found accommodation on release by community probation staff. 'Through-the-gate' was implemented this year and staff from a community rehabilitation company have attended the prison weekly to prepare and support prisoners for release.
- b) Over the year, 46 prisoners transferred to category D establishments. Delays in transferring averaged 45 days but varied significantly – from 79 days to go to HMP North Sea Camp, to just 17 days to go to HMP Spring Hill.

³ The reduction arises because IPP sentences were abolished from 2012 but not retrospectively. Nationally, there was a decrease of 14% in the year to 31 December 2019 ('Offender Management Statistics Quarterly', 30 January 2020).

8. The work of the IMB

The Board has made significant improvements during the year to their recording, reporting and monitoring processes and procedures. It reviewed monitoring of ACCTs, procedures for serious incidents, the range and frequency of areas monitored, its role in food refusals, the IMB leaflet for prisoners (completely revamped) and rota best practice. More especially, the Board substantially developed and improved its electronic system for recording rota visit reports and integrated it with applications recording, Board attendance and rota coverage.⁴ This system has the added benefit of providing the means to obtain automatically a range of performance data, such as applications analysis and identifying 'hot spots' for the Board's immediate attention.

However, the impact of the COVID-19 regime had a dramatic effect on the Board's ability to monitor, as described in section 3.1.

Board statistics

| ITEM | 2017/18 | 2018/19 | 2019/20 |
|--|-----------------|----------------|----------------|
| Recommended complement of Board members | 14 | 14 | 14 |
| Board members at the start of reporting period | 10 [†] | 8 [*] | 7 [¶] |
| Board members at the end of reporting period | 8 [*] | 6 [¶] | 8 [*] |
| Total number of visits to the establishment [‡] | 329 | 274 | 300 |
| Total number of segregation reviews attended | 216 | 220 | 233 |

[†] Includes four in probationary year.

^{*} Includes two in probationary year.

[¶] Includes one in probationary year

[‡] Variations largely reflect changes in Board membership.

⁴ The Board is indebted to the Chair and members of the IMB at HMP Bedford, for allowing it to use their template as the basis for this work.

9. Applications to the IMB

| Code | Subject | 2017/18 | 2018/19 | 2019/20 |
|------|---|---------|---------|---------|
| A | Accommodation, including laundry, clothing, ablutions | 15 | 8 | 9 |
| B | Discipline, including adjudications, IEP, sanctions | 5 | 20 | 7 |
| C | Equality | 3 | 8 | 5 |
| D | Purposeful activity, including education, work, training, library, regime, time out of cell | 12 | 10 | 9 |
| E 1 | Letters, visits, telephones, public protection restrictions | 14 | 20 | 22 |
| E 2 | Finance, including pay, private monies, spends | 13 | 9 | 15 |
| F | Food and kitchens | 2 | 6 | 6 |
| G | Health, including physical, mental, social care | 4 | 16 | 10 |
| H 1 | Property within this establishment | 11 | 21 | 26 |
| H 2 | Property during transfer or in another establishment or location | 26 | 27 | 24 |
| H 3 | Canteen, facility list, catalogue(s) | 0 | 1 | 5 |
| I | Sentence management, including home detention curfew, ROTL, parole, release dates, recategorisation | 16 | 15 | 52 |
| J | Staff/prisoner concerns, including bullying | 17 | 24 | 32 |
| K | Transfers | 33 | 28 | 24 |
| L | Other | 8 | 4 | 5 |
| | Total number of IMB applications | 179 | 217 | 251 |

The following observations are made on the applications data:

- a) The total number of applications received was the highest recorded for at least 10 years, despite a marked reduction in the last six weeks of the period (see (e) below). It is not known if this is because prisoners had more concerns to raise or because improvements made by the Board led to greater confidence in, and awareness of, the application process.

- b) Prisoner property issues (H1 and H2) continue to be of concern, in total representing 20% of the applications.
- c) The huge increase in applications concerning sentence management (I) is deeply worrying. The major issue is prisoners not having completed OASys assessments, and therefore not being able to follow their proper sentence plans as these were not available. An additional factor was the discontinuity caused by the further national changes to offender management and probation. Gaps in responsibility for prisoners, with queries from them being left until new appointments were made and training completed, caused significant distress to some prisoners.
- d) Just as worrying is the continuing growth in category J applications (staff/prisoner concerns, including bullying), although the reduction in category B (discipline) might suggest some crossover in recording.
- e) During the period of the Board's normal monitoring (that is, until 16 March 2020), the number of applications received averaged 5.3 a week. From the date that the Board stopped normal monitoring (17 March 2020) until the end of the reporting period, the average drastically declined to 0.9 a week. The telephone pilot for applications came in the very last days of the reporting period, so had no impact. The Board will monitor the effectiveness of these arrangements.

9. Glossary of abbreviations used

| | |
|----------|---|
| ACCT | Assessment, care in custody and teamwork |
| BAME | Black, Asian and minority ethnic (combined black, Asian, mixed and other categories, based on the Home Office self-defined codes) |
| COVID-19 | Coronavirus infectious disease identified in 2019 |
| CSIP | Challenge, support and intervention plan |
| CSU | Care and separation unit |
| DIRF | Discrimination incident report form |
| DL | Distance learning |
| DPS | Dynamic purchasing system (a public sector procurement system) |
| HMP | Her Majesty's Prison |
| HMPPS | Her Majesty's Prison and Probation Service |
| IEP | Incentives and earned privileges scheme |
| IMB | Independent Monitoring Board |
| IPP | Indeterminate sentence for public protection |
| LDD | Learning disability or difficulty |
| P-NOMIS | Prison National Offender Management Information System |
| OASys | Offender assessment system |
| PEF | Prison Education Framework |
| PID | Prisoner information desk |
| PS | Psychoactive substance |
| ROTL | Release on temporary licence |
| VIPER | Violence In Prison Estimator |
| WAMITAB | Waste Management Industry Training and Advisory Board |
| YO | Young offender |
| YOI | Young offender institution |



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