

Annual Report of the Independent Monitoring Board at HMP Frankland

**For reporting year
1 December 2018 – 30 November 2019**

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The work of the IMB

Applications to the IMB

1 STATUTORY ROLE OF THE IMB

The Prison Act 1952 requires every prison to be monitored by an independent Board, appointed by the Secretary of State from members of the community in which the prison or centre is situated.

The Board is specifically charged to:

- (1) satisfy itself as to the humane and just treatment of those held in custody within its prison, and the range and adequacy of the programmes preparing them for release
- (2) inform promptly the Secretary of State, or any official to whom he has delegated authority as it judges appropriate, any concern it has
- (3) report annually to the Secretary of State on how well the prison has met the standards and requirements placed on it and what impact these have on those in its custody.

To enable the Board to carry out these duties effectively, its members have right of access to every prisoner and every part of the prison, and also to the prison's records.

2 EXECUTIVE SUMMARY

The general overview of the prison has revolved around a number of key issues:

- the transition to a new education provider midway through the reporting year, and the impact of this on prisoners
 - the areas of weakness identified in healthcare provision and the measures taken to address them, and issues related to the delays in access to treatment
 - the ongoing challenges of providing what has now become the only separation centre in the prison estate – a separate unit for prisoners with radical views and considered to be a threat to security.
 - the continued high use of the management and progression unit (MPU; segregation unit) and initiatives to facilitate progression
 - the successful implementation of Offender Management in Custody (OMiC)
 - the restrictions on workshop placements caused by faulty heating
 - the continued limitations of closed-circuit television (CCTV) and the risk this presents to prisoners and staff.
1. The Independent Monitoring Board (IMB) continues to enjoy a mutually respectful and helpful relationship with the Governor, senior management team and staff in general. The Governor or Deputy Governor attends Board meetings and submits an informative report on priority issues. Queries and issues raised by Board members are addressed fully and promptly.
 2. Some issues identified in last year's report continue to concern the Board.
 3. The separation centre is now effectively the only functioning unit of its kind nationally. While the number of applications to the Board has reduced this year, despite the increase in the number of prisoners held, the same issues persist: the concerted refusal of prisoners to engage in the regime offered, the absence of an outlet or facility for accumulated visits in prisons nearer prisoners' families, and the ongoing claustrophobic environment. This year has seen a number of serious incidents of violent behaviour.
 4. The Board has dealt with a number of applications related to unacceptably long delays in accessing healthcare treatment. Access to information remains a problem as monthly healthcare reports have not been forthcoming consistently.
 5. In the current year, the Board launched a successful recruitment campaign jointly with another prison. We are hoping that the excessive security clearance delays experienced in the past are not repeated.
 6. The Board's view, based on its engagement with prisoners and interaction with staff, is that prisoners, and certainly their families, are treated fairly and respectfully. Inevitably, there are exceptions, but deficiencies are rectified once highlighted.

7. There is ample evidence that prisoners are treated humanely. The response to prisoners experiencing particular problems, such as a family bereavement, terminal illness or other issues, is invariably compassionate and caring. Our experience suggests that those prisoners able to engage with the support systems available can have their needs met. Board interventions often focus on encouraging prisoners to pursue channels open to them, and, in rare cases, prompting staff to be more responsive.
8. The exception, and concern, continues to be those prisoners with significant mental health needs and the delays in securing a transfer to an institution better suited to their needs.
9. A very small number of prisoners, seven in the reporting year, were released directly into the community, so preparation for immediate release is uncommon.

Questions for the minister

1. The Board continues to be concerned about the separation centre. The lack of engagement, and now the antagonism and hostility to staff, result in a lack of progression, despite the highly skilled and dedicated efforts of all staff associated with the unit: wing staff, offender managers, the chaplaincy, education staff, healthcare staff and others. The Board's view is that the issues identified in last year's report are heightened by the centre's unique status. Is the separation centre, initially conceived to be one of several, now viable in the successful management of these prisoners? (See paragraph 6.10)
2. An ongoing concern for the Board is the prison system's capacity to meet the needs of prisoners with complex mental health needs. The current delays in allocating appropriate placements for prisoners fails to meet their identified needs and places staff under considerable pressure. Can a time limit be set on the delay between diagnosis and placement? (See paragraph 8.7)

Questions for Her Majesty's Prison and Probation Service (HMPPS)

1. Is HMPPS confident that there is no inherent discrimination in the incentives and earned privileges (IEP) scheme? How can statistical differences be explained? (See paragraph 5.2)
2. The Board continues to be concerned about 'blind spots' in CCTV coverage. This led to one near-fatal assault on a prisoner this year. Can this matter be given some priority? (See paragraph 4.3)
3. Repairs appear to happen slowly and are restricted. Can repairs to heating, specifically in the workshops, be carried out to avoid the further loss of working days? (See paragraph 9.13)
4. The issue of missing or very late arrival of property following transfer to Frankland, the subject of 21 applications, as opposed to 14 last year, is ongoing. Can HMPPS set a maximum period for property to follow a prisoner and a process to monitor this? (See Applications to the IMB)
5. Can guidance be given to prison staff on the recognition of early-stage dementia and appropriate referral processes? (See paragraph 8.18)

Questions for the Governor

1. Can a minimum level of process be prescribed in assigning orderly posts to prisoners, so that any perceived discrimination can be investigated? (See paragraph 5.2)

2. Is it possible to address the identified issues related to telephones on the Westgate unit, to ensure that they are brought up to the standard in all other units? (See paragraph 7.5)

3 DESCRIPTION OF THE ESTABLISHMENT

HMP Frankland was the first purpose-built dispersal prison and opened in 1983 on the outskirts of Durham city, providing a maximum security environment for adult convicted men serving sentences of over four years and category A remand prisoners. Towards the end of the reporting year, following the National Configuration Programme, Frankland was designated as a prison with a training function, its purpose being to settle prisoners into the prison environment, and identify and address their offending behaviour and needs. This has resulted in little change, other than prisoners being transferred to Frankland earlier in their sentence. The prison has an operational capacity of 852 and has operated close to capacity in the reporting year. An important factor is the prison's location, particularly as the most northerly high security prison and the most distant for the majority of families, friends and professionals visiting prisoners. In addition, public transport links from the nearest railway station to the prison are poor.

The main prisoner accommodation consists of 10 units, as follows:

- Four original wings – A, B, C and D. Each can house up to 108 vulnerable prisoners.
- Two wings, F and G, which opened in 1998. They can house up to 120 and 88 ordinary location prisoners, respectively.
- The Westgate unit (capacity 65) opened in 2004 for prisoners with severe personality disorders. It includes the psychologically informed planned environment unit (capacity 21), which opened in May 2012.
- J wing, which opened in 2009 and can house up to 120 ordinary location prisoners.
- A separation centre opened in the previous reporting year, and was the first in the UK prison estate exclusively to hold prisoners with extremist ideological views.
- Frankland has a segregation unit, (Managing Prisoner Unit -MPU), which has a capacity of 28 cells, including two currently designated as a close supervision centre. It has not been unusual for up to two cells to be out of use at any one time during the reporting year.

The following agencies provide support to the prison:

- Healthcare services are provided by G4S, with a breakdown of subcontractors and Macmillan nurses.
- Learning and skills development is provided Milton Keynes College.
- Security support is provided by Durham Police (two police liaison officers).
- Prisoner escort services are provided by GEOAmey for all prisoners other than category A.
- Facilities maintenance, cleaning and other small works are provided by Amey plc.

The following voluntary organisations and volunteers help in the smooth running of the prison:

- North East Prison After Care Society (NEPACS) volunteers work alongside prison staff to assist in the day-to-day running of the visitors centre and in providing support to families.
- The Sunderland branch of the Samaritans provides training for prison Listeners and Mind counselling support for prisoners with mental health issues.
- Pastoral visitors and official visitors, coordinated by the chaplaincy, are available to prisoners.

B Evidence sections 4 – 10

4 SAFETY

4.1 HMP Frankland is part of the long-term high-security estate (LTHSE) and, as such, generally receives only prisoners transferred in from other prisons. Procedures are in place to make the transfers as smooth as possible. These include security checks for prohibited items, and health checks. A continuing issue for transferring prisoners is the delay in receiving their property if it is sent separately. At times, the property is missing altogether. Following this up takes a fair amount of Board time but we are satisfied with the way that Frankland staff deal with the issue, and that it is out of their control.

4.2 Regular and random searches help to maintain safety and discipline in the prison. All category A prisoners have their cells searched monthly. High-risk prisoners have their cells searched twice in a month and the prisoners are moved regularly. Random searches for prohibited items are often carried out. Most of the finds occurred on F wing, with a substantial number of those being for 'hooch'. Finds of drugs are significant but most of these are picked up by the censors or Reception Inward Discharge, which is a stores, delivery and distribution area, as attempts are made to smuggle drugs into the prison in other items. In September, a parcel of food items was found to contain a large number of mobile phones (23), SIM cards (33) and chargers (22). Despite the large number of some finds, these are relatively small compared with the rest of the prison estate.

4.3 The last Board report commented on the location of violent incidents, and it was noted that there are blind spots not covered by CCTV cameras. Prisoners are aware of these areas. The Board is concerned that funding to provide increased coverage of cameras may have been pushed back.

4.4 Over the reporting period, there were 119 assaults – 42 were prisoner on staff and 77 prisoner on prisoner. There were also 11 serious violent incidents, involving four serious assaults on staff and seven serious assaults on prisoners. There is still one member of staff off duty as a result of one of the injuries sustained during a serious assault. Over this period, one prisoner also received life-changing injuries/permanent reduced mobility as a result of an assault using a weapon. Each serious violent incident is investigated thoroughly, with preventative measures identified. In relation to other establishments in the LTHSE, the total number of incidents and the number of serious violent incidents recorded at Frankland is small, with only two other sites recording lower levels of assaults on staff and on prisoners over this period.

4.5 From the 119 violent incidents recorded, there were 133 'active perpetrators' identified. 'Active perpetrators' are defined as anyone who has instigated an assault or has been responsible for the onset of a fight (between two prisoners). There have been 96 different perpetrators identified over this period, with 22 prisoners identified as 'repeat perpetrators' – that is, involved in more than one incident over the reporting period. This group of 22

prisoners is responsible for a total of 52 'active involvements' in violent incidents, accounting for 39% of all involvements in violent incidents over this period.

4.6 The majority of violent incidents recorded have involved younger prisoners, with prisoners aged under 40 involved in 88/127 (66.2%) violent incidents over this period, despite making up only 43.4% of the total population. Prisoners in the 21–29 age group account for only 16% of the population but were responsible for 36.8% of all violent incidents over this period, showing large over-representation of young prisoners involved in custodial violence. The most common areas for violent incidents over the reporting period were C wing and the MPU, where 19 incidents were recorded. There was a substantially greater number of violent incidents on the vulnerable prisoner wings (A–D wings), with 51 incidents recorded there, compared with only 35 incidents on main location (F–J wings).

4.7 Action to deal with violence, whether on staff or among prisoners, is being taken, including the increased use of body-worn video cameras, the key worker role and an enhanced rehabilitative culture. In terms of the key worker role, although the Board does not regularly check for comments on a prisoners' Prison National Offender Management Information System (P-NOMIS) record, when they are seen the Board notes the helpful material and quality of the entries.

4.8 A new debt management policy has been developed by safer custody staff to help stop prisoners becoming involved with borrowing and debt, and to also help those who have got into debt manage their situation better.

4.9 Frankland has developed a safety strategy which is linked to the prison safety framework. As part of this, the prison has now rolled out the challenge, support and intervention plan (CSIP) across the establishment. This is supported by the safety intervention meeting, which is a forum to discuss those individuals identified as either posing or presenting a risk, and how to manage those individuals who have been directly involved with incidents of violence.

4.10 Intelligence suggests that debt, threatening behaviour, finances and bullying (for medication) are often the main reasons for low mood and self-harm. It is noted that there is a lack of safer custody cells in Frankland. The majority of incidents of self-harm occur through cutting, ligatures or self-strangulation. In order to deal with self-harm, the prison has improved suicide and self-harm training and improved the case management of assessment, care in custody and teamwork (ACCT) plans. A new suicide and self-harm policy and a new Listeners protocol have been introduced to help raise staff awareness and increase the available help for prisoners. The Board is aware that Frankland receives some of the most challenging prisoners from the LTHSE and acknowledges the work put in by staff to manage these people successfully on the wings.

4.11 During the period of this annual report, there were five deaths in custody. All took place either in an outside hospital or the healthcare centre in the prison. The Prisons and Probation Ombudsman (PPO) also released two reports relating to deaths that occurred in early 2018. Both reports included recommendations relating to staff responsibilities for keeping prisoners safe when it is considered that they may be at risk of suicide or self-harm, and issues concerning the actions required of a 'first on the scene' first aider. Staff have put in place relevant procedures following these recommendations.

5 EQUALITY AND FAIRNESS

5.1 The Board believes that the senior management team remains committed to the fair and equitable treatment of all prisoners. This year has seen the publication of a monthly equalities newsletter, promoting tolerance and understanding of differences across the establishment.

5.2 The monthly equality action team meeting is chaired by a governor and is usually attended by the Deputy Governor. Prisoner representatives from each of the wings are encouraged to attend and raise equality issues. Their concerns are taken seriously. Attendance by staff other than the equalities team has been disappointing and has led to frustrations that action points are not followed up in a timely fashion. Overall prison statistics are also reviewed at these meetings. Two particular areas of concern have arisen at these meetings:

- Statistics show that there is a prima facie case that the IEP scheme may not currently be operated fairly between white, and black and minority ethnic (BAME), prisoners. Detailed analysis by the equalities team shows that BAME prisoners are over-represented on the basic level of the scheme and under-represented on the enhanced level. There are similar concerns in relation to Muslim prisoners. The work done by the equalities team shows that there are similar issues in other establishments in the LTHSE.
- There is a perception among BAME representatives that there is discrimination against BAME prisoners in the awarding of orderly jobs in the prison. While the Board has no direct evidence for this, the lack of process means that the prison is unable to demonstrate that the allocations are discrimination free.

5.3 Discrimination incident report forms (DIRFs) are available on all wings and are used by prisoners and staff alike. Replies and follow-up actions are reviewed by the equalities team and Deputy Governor, to ensure an adequate quality of response. There were 231 DIRFs submitted in 2019, (compared with 181 in 2018, and 129 in 2017). The Board reviews a random sample of responses, and this shows that complaints are investigated and dealt with appropriately. Unfortunately, plans to engage a member of the South Tyneside Regional Equality Forum to review the DIRFs and their responses have not yet come to fruition.

5.4 More than a third of the population is over 50 and approximately 35% have one or more registered disabilities. There are specially adapted cells and showers available. Smaller items, such as walking frames, thermal underwear, wedge pillows and chair raisers, are also provided on request. There are regular activities for older prisoners. Weekly sessions run by Age UK are very popular. The prison also runs daily 'B-Active' sessions, where older prisoners engage in sedentary work – for example, producing poppies for the British Legion. Similarly, age-appropriate activities are held in the gym. The Board has expressed concerns about older prisoners who may be in early-stage dementia but who have not been diagnosed. It is pleasing to note that the prison is now running wellbeing sessions for prisoners over 50, which include sessions on spotting early symptoms of dementia. Given the ageing prison population, we consider that detailed guidance for prison staff should also be available.

5.5 At the time of writing, there are three transgender prisoners located in the prison, one of whom is applying for a gender recognition certificate. Transgender prisoners continue to benefit from additions to the canteen and facilities lists. Monthly cross-disciplinary meetings (including the prisoner concerned) are held to discuss the regime provided for this potentially vulnerable group. Transgender prisoners continue to receive support from the charity Transaware via group sessions and a telephone helpline. It is pleasing to note that there is now accommodation in HMP Downview for those with a gender recognition certificate. Supported by the LGBT and FED (a north east charity supporting LGBT and

individuals across the region) a quarterly support group is now being held for LGBTQ+ prisoners, about a dozen attend.

5.6 The chaplaincy covers all religions practised in the prison. Chaplains are involved in many aspects of prison life and have helped to facilitate a number of events and celebrations. The kitchen is also involved in providing food for the various celebrations, as well as providing for specific diets on a day-to-day basis. Again, this year saw a range of activities to celebrate Black History Month, including guest speakers and a play put on by the prisoners.

5.7 The visitors centre continues to be managed by NEPACS. The physical environment is bright and welcoming, with a children's play area and a 'youth room' for children and young adults aged eight to 17. The latter is staffed by a dedicated youth worker and is available at weekends and during school holidays. Feedback from visitors is invariably positive, praising both staff and NEPACS volunteers. Visitors' Voice meetings, where family members are able to raise issues of concern, are held quarterly. These meetings are also attended by representatives from teams within the prison, such as kitchen and healthcare. In a joint venture between NEPACS and the prison, a family support worker, who can act as a link between prisoners and their families, is now in place.

5.8 The visits area within the prison also includes a children's play area and a small shop (also run by NEPACS) where refreshments can be purchased. Games are provided to enable fathers to play with their children. Led by the chaplaincy, 13 family days (including three 'adult only' days) were held in the year to November 2019. Food is provided by the kitchen, and activities are provided by staff and volunteers. These days are very popular both with prisoners and their families. A potentially stressful issue is the necessary deployment of sniffer dogs. Having observed this on many occasions, the Board commends the professionalism and good humour of staff, who minimise any potential discomfort to visitors, and children in particular.

5.9 The population management team arranges accumulated visits to other prisons, of equivalent category, to enable prisoners to be visited by their families living in other parts of the country. The team reports that there have been recent improvements in arranging these visits so that waiting times have been reduced.

6 SEGREGATION (MANAGEMENT AND PROGRESSION UNIT) and SEPARATION CENTRE

6.1 The unit can hold up to 28 prisoners and has been at or near capacity for long periods of the year. We understand that there is an overall desire, within the LTHSE, to reduce the number of segregation cells, but at time of writing we have seen no evidence of this.

6.2 The Board is informed as soon as a new prisoner arrives on the unit, with the reasons why. All prisoners on the MPU are seen and spoken to by a Board member at least once a week. The Board is also informed of any use of special accommodation, in and out, and the reasons for it; we are also told when there is a use of restraints and when 'dirty protests' take place, both of which are becoming relatively more frequent.

6.3 In 2019, there were many dirty protests by a couple of prisoners, lasting from a couple of days to over two months. The unit was full for most of the year.

6.4 Segregated prisoners are also seen daily by a governor, a nurse and a member of the chaplaincy, and by a GP every other day. All prisoners receive a health screening within two hours of admission to the unit. Health checks are monitored, and continued at the fortnightly reviews. We attend all reviews. In addition, prisoners can have private conversations with Board members in a closed environment ('the bubble') with a glass partition. As part of a 12-month pilot, the Governor has introduced a specialist in the unit to monitor mental health issues, and has deployed a nurses' station in the unit full time. Up to

six cells in the Westgate unit are allocated for prisoners with the aim of moving them out of long-term segregation. This has been a promising measure, and a valuable tool to support prisoners and assist staff in the unit.

6.5 The 14-day reviews, to assess the prisoner's current position and look for solutions to expedite his exit from the unit, are increasingly more efficient, with the presence of offender management unit (OMU), psychology, chaplaincy and mental health staff, and the Board. Prisoners have the opportunity at the reviews to make their own contribution, but around 50% decline to attend, particularly those with the most extended stays. The Board remains concerned that some prisoners remain in the MPU for over six months without a progression plan. The 'solution' is often a transfer to an MPU elsewhere in the LTHSE.

6.6 A sample of adjudications are randomly but routinely attended by Board members. Procedures are prescriptive, with sentencing guidelines that ensure consistency and fairness for the prisoner; no Board member, many of whom sit in the local magistrates' courts and hence are very familiar with this activity, has had any concerns regarding conduct or disposals. This year, the Board has received only three complaints related to the adjudication process.

6.7 There are 18 cells situated on the upper landing, which have the required electrical and aerial connections to facilitate the provision of televisions for any prisoner who is not on the basic regime.

6.8 The continual high number of prisoners in the unit, many difficult to manage, means that staff work in a very pressurised environment. The Board unanimously commends the staff who, while struggling to cope at times, have a strong team ethos and have invariably managed to maintain discipline and the regime.

6.9 The progression culture is manifested in the decision not to transfer prisoners from the MPU directly to a category B prison, but only, if necessary, within the LTHSE. Once prisoners realise that they are unable to force moves through non-compliance and poor behaviour, it is hoped that they will see that the way forward is by relocating appropriately in Frankland and engaging positively with their sentence plans, key worker and prison offender manager. The Board fully supports the new incentives scheme in this coming year. While, on occasions, the MPU can temporarily house prisoners for their own safety, the Board is concerned at the number of prisoners who do not accept risk assessments, refuse to relocate or try to secure a transfer, resulting in prolonged detention in segregation.

6.10 At the end of the reporting year, the separation centre, housed in a separate wing, had increased its occupancy ~~(to five prisoners)~~ following the 'mothballing' of the only other similar facility in the Prison Service. This in itself presents new and unique problems. While this has not been a significant increase numerically, patterns of behaviour seem to have become entrenched, with concerted non-cooperation with the regime offered, and, worryingly, there has been a serious assault on a member of staff. By contrast, the number of applications to the Board from the unit has decreased. The unit is small, well staffed by highly skilled staff, but remains a claustrophobic environment. The lack of engagement appears to preclude any progress towards progression. The fundamental issues for the Board remain unchanged, with prisoners questioning the legitimacy of their detention while recognising that this issue is outside our terms of reference.

7 ACCOMMODATION (INCLUDING COMMUNICATION)

7.1 As outlined in last year's report, all cells are of single occupancy, with the provision of a lavatory, wash basin and transparent backed television. All the wings have recreational/association areas. All wings have bath/shower facilities. Some of the showers have been updated but some still have no privacy screens. At the time of writing the fitting of some modesty boards is outstanding. Showers do, however, create a problem, in that there is nowhere for prisoners to place their soap while washing. A recess in the wall area

~~would have been ideal but was not provided. This creates difficulty for older prisoners; one prisoner, in particular, suffers from Parkinson's disease and constantly shakes, which makes holding soap while showering extremely difficult. The Board has made repeated requests (as have the officers) to the works department for a soap facility to be implemented, but without success. At the time of writing, this has not yet been resolved.~~

7.2 Laundry facilities are available for those prisoners who prefer to do their own laundry. A prisoner on each wing is allocated the job of doing the laundry for the wing. The Board regularly enquires whether the machines are in working order. Repairs take some time to be carried out, which is frustrating for the prisoner doing the laundry and the time it takes to return laundry to individual cells. When the prison had its own works department, repairs were completed much more quickly than with the present system. Some prisoners still prefer to have their laundry sent out to HMP Holme House. Last year, we reported that laundry returning to the prison was not always clean, although some improvement has occurred.

7.3 All wings have prisoners employed as cleaners and painters. These positions are coveted. Wing landings, showers and kitchens are generally well maintained. The Board see the cleaners and painters on a weekly basis. These individuals take pride in the work they do and should be commended for this.

7.4 All wings have their own kitchen, which includes an oven, fridge/freezer and chest freezer. Some prisoners prefer to do all their own cooking, and this is observed by the Board when we are drawn to the kitchen by the smell of cooking food.

7.5 Telephones on the wings are frequently in use when we visit. There has been, and still is, a problem with the telephones on the Westgate unit, with prisoners being cut off when using them, and this is currently being investigated by the custodial manager and the Board. This problem on Westgate unit lasted for over 12 months.

7.6 Prior to the start of the smoking ban, and despite numerous concerns at the time, two years on it is pleasing to report that all of the prisoners who were extremely angry about this issue are now either saying that they are happy to have given up or are using electronic cigarettes.

7.7 The kitchen where prisoners' food is prepared is always clean and tidy. The Governor has enhanced the breakfasts provided. It is telling that only four applications from prisoners in this reporting year related to concerns about food. The kitchen not only provides meals for the prisoners, but also prepares food for family days, religious festivals and staff training days.

7.8 The kitchen always delivers the food on time and to an excellent standard. The Board visits the kitchen weekly, and during that visit tastes several items on the menu and is happy with the quality of the food prepared. The prisoners themselves take pride in their work in the kitchen, and jobs here are well sought after. The kitchen has its own washer/drier and some of the clothing is laundered on site, the remainder being sent out to HMP Holme House, which, as indicated previously, has improved but there is still room for further improvement with the cleaning of the clothes. One member of staff has left and there are shortages during the summer months; however, temporary staff are brought in to accommodate holidays and sickness. There is always a good atmosphere between staff and prisoners in the kitchen, and the Board does not have any concerns about this.

8 HEALTHCARE AND MENTAL HEALTH

8.1 2019 has proved to be another testing year within the healthcare department, with multiple changes and quality issues being addressed. In January 2019, healthcare staff met the requirements of the requirement notice issued in 2018 by the Care Quality Commission (CQC). However, the CQC identified a further concern and issued a requirement notice relating to training. This issue was already being proactively managed in-house by the new management team.

8.2 The CQC revisited the establishment in October and assessed outcomes as satisfactory. This report was published in December.

8.3 A tender process for all healthcare services was concluded in midsummer 2019. The contract was awarded to Spectrum Community Health Care Service ('Spectrum') in a combined bid with Tees Esk and Wear Valley Mental Health Trust and Humankind (which provides non-clinical substance abuse services). This bid was successful and will operate under a 'branding', Reconnecting to Health. This contract start is due to start in April 2020. Existing G4S primary care staff will be subject to the TUPE process, in readiness for the Spectrum contract starting in April 2020.

8.4 Recruitment continues to be challenging and posts remain difficult to fill, especially band 5 staff nurses. Presently, there is a 50% staff nurse vacancy. Some posts need to be backfilled with agency staff, which is not optimum.

8.5 The environmental cleaning audit undertaken in 2018 identified a programme of improvements to be undertaken. This work is being jointly taken forward with estates, health and safety and Amey, the contractor. New cleaning equipment was funded by the Governor. There has been some improvement but the outstanding issues are now escalated to the estates meeting, to address ongoing deficits.

8.6 Providing optimum care environments is an issue, and the wing treatment rooms are poor and require refurbishment, but this comes at significant cost. A bid to refurbish and upgrade four of the nine treatment rooms has been put forward, and, at the time of writing, the healthcare department is awaiting the bid result.

8.7 Last year, the Board highlighted the challenging and growing evidence of prisoners within the LTHSE with both medical and social needs. During the year, there was a further increase in the number of individuals with highly complex needs. Facilities within Frankland have not kept pace with this growing issue of long-term prisoner healthcare. The Board would like to see rectifying this as a priority for the Ministry of Justice.

8.8 Waiting times within the healthcare department have been monitored by the Board and have been the subject of prisoner applications. In two separate instances, family members felt that they had to bring their concerns, with some justification, to the attention of the IMB Secretariat. Waiting times are monitored regionally, and the data below, a snapshot for one month during the course of the reporting year, is not untypical:

WAITING TIMES HEALTHCARE MONITORING

SERVICE	WAITING TIME	NUMBER OF PATIENTS WAITING	DATE
GP	4 WEEKS	65	10-10-19
ALTERNATIVE GP	7 WEEKS		10-10-19
NURSE PRACTITIONER	NONE		
OPTICIAN	8 WEEKS	50	10-10-19
DENTIST	12 WEEKS	86	10-10-19
DENTAL THERAPIST	11 WEEKS	48	10-10-19
ORAL HEALTH EDUCATOR	2 WEEKS	9	10-10-19
CHIROPODY	8 WEEKS	5	10-10-19
PHYSIOTHERAPY	9 WEEKS	25	10-10-19
DIETICIAN	NETFIX ADVICE		
MENTAL HEALTH BED	7 WEEKS		04-10-19

NOTES:

- ALTERNATIVE GP – when the prisoner does not want to see the prison GP
- DIETICIAN – Advice is given using an internal intranet facility (NETFIX)
- MENTAL HEALTH BED – time from first point of referral to the point of admission to an outside hospital

8.9 The healthcare prisoner consultative committee continues to flourish, and now meets two-monthly. External agencies have contributed to these meetings, to keep the healthcare agenda and opinion relevant. The representatives of this group also help to address some of the healthcare ‘myths’ that circulate within the prison, and helps with positive communication and messaging to other prisoners. However, the issue of long delays in responding to prisoners’ healthcare complaints is an issue, and, frustratingly, one which neither the Board nor the managers at Frankland are able to influence.

8.10 The Dying Well in Custody Charter project at Frankland continues to be developed, and the staff are very engaged with this work. Evidence of good outcomes is a heartening result, given the challenges of providing end-of-life care in prisons. Given the problems of continuing vacancies, the staff have strived hard to provide a good standard of care for all who need nursing care.

8.11 The continuing change and complexity of managing conditions that require secondary care need novel solutions. Frankland has actively engaged with secondary care and visiting specialists, and, with the support of the commissioning team and the Governor, has managed to deliver a number of investigative procedures within the prison that previously would have used precious resource of escorts for the procedures to take place in local hospitals. An example of this is a ‘scoping’ clinic providing endoscopy and colonoscopy tests. Future collaboration is being undertaken in 2020 to consider urology cases.

8.12 Significant effort has been made to manage immunisation and screening programmes, as required by the NHS Health Check programme. New clinics started in October 2019, with improved performance statistics, and clinic delivery will increase to five days in 2020.

8.13 Given a turbulent year in healthcare and future changes, the staff should be commended. Clinical staff are evidently caring, and their efforts appreciated. Throughout

the reporting year, healthcare reports have not been submitted consistently to the Board, and this has restricted our monitoring ability. By contrast, the response to individual Board enquiries is always prompt and helpful.

8.14 The mental health team has continued to see a rise in the number of prisoners presenting with mental health issues, and there has been an increase in the number of prisoners requiring ACCTs.

8.15 A pilot started in October 2019, whereby funding was assigned for a part-time learning disabilities nurse and a mental health nurse to work within the MPU (see also section 6), and the early results are encouraging.

8.16 The team continues to support prison staff in dealing with prisoners with mental health issues, which can be difficult and stressful for the staff concerned. As part of raising awareness and knowledge, the team now has a monthly slot on the induction programme and also continues to provide informal support to all staff on a daily basis.

8.17 An exciting development for 2019/20 was the introduction of a mental health mentorship programme for selected prisoners, who were to be trained to provide mental health support to other prisoners experiencing mental health issues.

8.18 The challenge of providing mental health support to older prisoners with dementia continues to be a priority for development in the future. These numbers increase year on year and can be difficult to resolve in a high security estate environment. Often, these patients also present with complex chronic conditions, and this is addressed in Section 5.

8.19 This small team continues to provide responsive care within the prison, in difficult circumstances, and should be complimented on their dedication, compassion and care.

9 EDUCATION, WORK, VOCATIONAL TRAINING AND EMPLOYMENT

9.1 All activities, including education, are allocated by the activities hub. The prison provides sufficient work and activity places to engage most of the prison population in training, educational programmes and the gym. The flexible regime allows prisoners to engage in all activities.

9.2 Recent data shows that six prisoners are unemployed; this is closely monitored, and the reasons why clearly identified. On an average day, 24 vulnerable prisoners and 40 main location prisoners are allocated no activity. This situation is closely monitored by the quality improvement group (QIG).

9.3 Education classes provide the long-term and stable population with significant opportunities, ranging from entry-level courses to PhD qualifications. There has been a clear strategy to increase vocational learning opportunities, providing a planned link between learning in the classroom and the workshop. Of the 491 prisoners employed in workshops, 74 are also attending education classes.

9.4 Since education provision has been delivered by Milton Keynes College (April 2019), there has been a steady improvement in all areas, driven and supported by the learning and skills manager. The QIG monitors, challenges and develops targets for improvement. The quality calendar provides a systematic quality assurance framework, producing a rigorous approach to improvement. Attendance continues to improve. Board visits confirm the positive impact that staff have made on challenging absence. Allocation has also

increased slightly, to 92%. Board attendance at QIG meetings has enabled us to see at first hand the proactive work to look into the reasons behind learner withdrawal.

9.5 All prisoners who are new to Frankland undergo an education induction. This includes an assessment of basic literacy and numeracy skills, and enables the department to create opportunities based on identified need. The induction programme also encourages prisoners to self-declare a learning difficulty. The education induction, led by an education orderly, was monitored by the Board, and we found the experience to be of high quality, informative and well received by the participants.

9.6 Appropriate support for prisoners with identified learning difficulties is provided. Work continues to support the Shannon Trust reading plan, and has a positive impact on lower-level learners across the establishment. The '3 out of 5' mathematics challenge is used to promote numeracy and recently involved 109 learners. The prison has established that there is a need to reach out to more learners. Clearly identified strategies have been developed.

9.7 Study skills sessions continue to be well facilitated by Milton Keynes College. It is clear from dialogue with the Open University (OU) and distance learning course learners that these are promoted by the prison and have a positive impact on success rates. At the time of writing, 34 learners are enrolled on OU (14) and distance learning (20) courses, and there are a further 15 awaiting start dates. The OU recently trained three full-time OU orderlies to support the programmes. PhD- and Master-level study is part of the programme.

9.8 One really high-impact initiative is the 'Inside Out' programme, in partnership with Durham University. This course is for main location prisoners, who receive lectures on-site alongside students from Durham University. The course has a criminology theme and explores subjects such as drugs/alcohol, the purpose of prison and whether it works. All learners receive credits from Durham University at a graduation ceremony.

9.9 A recent Board visit to a functional literacy skills lesson revealed enthusiastic learners receiving high-level, individual feedback from the teacher, including the use of target-setting relating to how work can be improved. Board dialogue with learners in education classes has evidenced that they are clear about the relevance of the course to them as individuals and the wider skills involved, aiding rehabilitation. Functional skills delivery and outcomes have been transformed, and recognised recently by Ofsted as 'Good'.

9.10 Prisoners who achieve success receive positive celebration opportunities, including presentations involving prison leaders, staff and family members. The Board has witnessed this first hand.

9.11 The development of the virtual campus is still ongoing, with further training opportunities forthcoming. It is used extensively in supporting OU studies. The three libraries provide learners with support and opportunities to use this facility. Library orderlies promote its use and support prisoners new to the virtual campus experience; this formed part of an induction session observed by the Board. The social enterprise scheme provides real work opportunities and enables new skills to be developed. Items are sold in a variety of retail outlets. The concept of groups of prisoners (approximately 10) forming a 'business', learning on individual pathways, incorporating qualifications, enterprise skills and personal development target-setting, is applied to prisoners on main and vulnerable prisoner location.

9.12 The showcasing of educational development through the employment and training portfolio is valued by prisoners, who enjoy being involved in the process, especially being

able to identify their own needs and set targets linked to offender assessment system (OASys) scores. Support from the tutor or support worker is provided. This document can be taken to sentence reviews, with prisoners able to request staff comments if this is felt to be appropriate. The portfolio also assists in avoiding course repetition and improves efficiency. Board monitoring has also experienced the progress made in linking education to work-based activities. The kitchen team, including servery orderlies, is utilising the virtual campus to access food and catering qualifications. A catering tutor is now established as part of the team.

9.13 The workshops are well managed and most prisoners engaged there develop useful skills, through furniture manufacturing for a variety of outlets. The work ranges from a few repetitive processes to highly skilled work, which can lead to vocational qualifications. One issue brought to the attention of the Board has been the unreliable heating in workshops, which has resulted in the suspension of work in the winter months. This has been a persistent problem.

9.14 Despite the provision of four sessions weekly for prisoners in the separation unit, their refusal to engage in the activities and programmes is resulting in a waste of resource. There has been some recent access to gym use for these prisoners.

9.15 A small number of prisoners work on the wings in cleaning, painting, recycling and food-related roles. Education supports the holders of these roles, through one-to-one support and training opportunities.

9.16 All skills developed in the workshops are transferrable to outside employment. The prison continues to develop links with employers and companies which are prepared to provide orders and set commercial standard expectations.

9.17 The recruitment of prisoner mentors is successful among the main and vulnerable prisoner location populations.

9.18 In-cell study is supported, with some outreach assistance available for prisoners who are unable to attend sessions of support.

9.19 The libraries are well used, well thought of and play a significant role in supporting educational provision. There are three libraries, covering main and vulnerable prisoner location and the Westgate unit. These are managed by Durham County Library Service. The resources are wide ranging and comprehensive, and changes take place in line with prisoner request and demand. Library staff are directly involved in a wide range of activities, with new initiatives including participation in the Durham Book Festival, 'Think like a Scientist' workshops, a Lindisfarne Gospels project and the Gym linking into Mental Health Day. Library use is encouraged through social events, including quizzes, chess tournaments and reading groups. This has resulted in a rise in book loans in all three libraries since the previous reporting year. Board members always experience the warm, welcoming atmosphere in all of the libraries during their visits.

9.20 In August 2019, the report of the parliamentary Digital, Culture, Media and Sport Committee— 'Changing Lives' praised Frankland's library provision for the impact that a book group and the discussion of texts has had on producing ethical debate, challenging beliefs or norms that may be unhelpful in rehabilitation.

9.21 Prisoner artwork is on display throughout the prison, and opportunities for singing and music are available. Frankland artwork recently featured on a programme cover produced for World Holocaust Day. A volunteer-led 'Fine Cell' stitch-craft session is provided for vulnerable prisoner and Westgate unit locations. This is another example of enterprise and

skill development, with the prisoners involved demonstrating enthusiasm, skill development and enterprise awareness.

9.22 There are three gym facilities, supported by an artificial playing surface. Gym sessions are well received by prisoners. Information regarding opportunities is available on the wings and organised by the activities hub. The facilities are well used at weekends and in the evenings. Visits to the gyms demonstrate prisoner collaboration, moving and sharing equipment. Some programmes have been developed for older prisoners, working with Age UK. A work-based vocational course has been recently introduced, providing participants with a deeper understanding of the benefits of gym use and their place in the world of work. The Board has raised a concern on behalf of the prisoner consultative committee regarding the selection process for gym orderlies.

9.23 Out-of-cell activities include using the provision of communal games, cooking, use of the shower, telephone calls and general association. The opportunities available are well publicised, with promotional material displayed on the wings and in association areas.

9.24 Information, leaflets and posters on the wings evidence the wide range of activities and opportunities available. The information orderly role on the wings is well established, enabling information boards to be up to date and useful. A recent conversation with a wing orderly demonstrated the importance of the role.

10 RESETTLEMENT PREPARATION

10.1 Frankland overwhelmingly accommodates long-tariff and life-sentenced prisoners. Their main focus is learning how to cope with the impact of long sentences on their lives, rather than imminent release. This contrasts sharply with the relatively small number of prisoners released directly into the community. As a result, resettlement work is primarily focused on the completion of offending behaviour programmes, offering educational courses and providing skills through work opportunities (see section 9). These programmes and the activities involved aim to reduce reoffending, provide prisoners with the opportunity to evidence a decrease in risk of harm and prepare them for progressive moves.

10.2 While reducing offending behaviour underpins interventions, evidence-based sentence progression of a prisoner downwards through the categories (high-risk, A, B, C, D) is what contributes to their potential move to lower-category prisons and ultimately prepares them for release. Multidisciplinary review boards consider each prisoner individually and determine whether to recommend recategorisation.

10.3 Judging by the number of recategorisation reviews held in the reporting year (834), all prisoners have been reviewed as required. In the reporting year, the key progression figures concerning the recategorisation of prisoners are reported as follows:

- 834 reviews were held
- 31 category A prisoners were recommended for downgrade to category B
- 21 of these recommendations were approved at national level
- 38 category B prisoners were recommended for downgrade to category C
- All 38 of these recommendations were approved

The Board is not directly involved but will investigate the process if issues relating to re-categorisation are brought to our attention by prisoners in applications. There were only five such applications in the reporting year.

10.4 The overwhelming majority of prisoners are subject to multi-agency public protection arrangements (MAPPA). For the very limited number of prisoners being released from Frankland, the Board has noted that procedures have been applied in a timely and planned manner.

10.5 A very small number of prisoners are released from Frankland directly to the community, as we would expect. In the reporting year:

- seven prisoners were released
- two prisoners were released following a parole board decision
- five prisoners were released at the completion of a determinate sentence.

10.6 The reporting year has seen the rollout of the OMiC model. Last year's report noted delays in the appointment of key staff and, therefore, implementation. In our contact with prisoners, we have routinely made a point of ascertaining the impact of OMiC on them by asking them to name their key worker and offender manager, primarily to establish if they have raised the issues referred to the Board through the channels available to them, and also to encourage them to engage in the process of sentence management and planning. The difference, compared with previous years, is striking and very welcome. Prisoners who have experienced several changes of community-based offender manager, and had minimal contact with them or been unable to name them, now have access and contact with key staff who have a direct impact on their progression. Board contact with OMU staff is invariably fruitful. Their knowledge of individual cases, and ability to respond to individual prisoners are significantly enhanced.

10.7 The Westgate unit, a separate facility within the prison comprising four units, accommodates a total of 86 prisoners, offering specialist interventions and a therapeutic environment. Unit 1 is the psychologically informed planned environment. Unit 2 is the integration unit, where all prisoners are assessed and familiarised to the unit before moving into therapeutic interventions. A small number of cells is maintained for those prisoners who require a slower integration into the unit – for example, those who have difficulty in residing in a residential unit. This includes the pilot project for prisoners who have spent a long time in segregation (see paragraph 6.4). They will then work towards their next progressive step. The overall impression of the Westgate unit is of a consistently supportive therapeutic environment, staffed by dedicated and thoroughly professional staff. Relationships between staff and prisoners there are noticeably more proactive than elsewhere in the prison. Board members have noted tangible progress made with very difficult prisoners.

Section – The work of the IMB

The Board has seen a significant increase in its workload this year. There was a nearly 30% increase in the number of prisoner applications in the reporting year. Coupled with significant periods of members' sickness absence, this significantly increased the demands on members' time. In addition, one Board member is 'dual Boarding'. The Board has continued to enjoy the help of an enthusiastic administrative support worker.

The Board conducted a successful joint recruitment campaign with HMP Low Newton and has recommended two successful candidates for appointment.

The Board has been able to maintain a high profile, dealing with applications, attending segregation reviews, observing adjudications, carrying out rota duties covering every part of the prison, and observing staff/prisoner consultative meetings. We have continued to contribute to the induction training programme for all new staff and volunteers. On the whole, staff and prisoners alike have been supportive and helpful.

Board members' relationships with staff remain excellent and we are very grateful for the support given by the Governor and senior management team. The Board welcomes the Governor's attendance at monthly Board meetings and the regular provision of written reports. The Board is confident that exercising our statutory duties is understood, accepted and supported.

Board members' relationships with prisoners are also generally very good. Most prisoners understand, but are occasionally frustrated by, the limitations of the Board's ability to influence their individual circumstances but there is ample evidence to suggest that our independence and efforts are recognised. There have been no significant instances of aggression or hostility towards Board members, and when these have arisen, they have been confined to a very small number of prisoners. As well as supporting our work, staff are tactfully vigilant about the personal safety of Board members.

BOARD STATISTICS

Recommended complement of Board members	18
Number of Board members at the start of the reporting period	10
Number of Board members at the end of the reporting period	10
Total number of visits to the establishment	366
Total number of segregation reviews attended	26

B Section – Applications to the IMB

Code	Subject	Current reporting year	Previous reporting year
A	Accommodation, including laundry, clothing, ablutions	Nil	3
B	Discipline, including adjudications, IEP, sanctions	3	6
C	Equality	1	1
D	Purposeful activity, including education, work, training, library, regime, time out of cell	11	2
E 1	Letters, visits, telephones, public protection restrictions	16	23
E 2	Finance, including pay, private monies, spends	28	5
F	Food and kitchens	4	8
G	Health, including physical, mental, social care	23	15
H 1	Property within this establishment	12	26
H 2	Property during transfer or in another establishment or location	21	14
H 3	Canteen, facility list, catalogue(s)	3	5
I	Sentence management, including home detention curfew, release on temporary licence, parole, release dates, recategorisation	5	3
J	Staff/prisoner concerns, including bullying	91	60
K	Transfers	16	12
	Total number of IMB applications	234	183