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Chair, Independent Monitoring Board  
HMP Grendon & Springhill  
Grendon Underwood  
Aylesbury  
Buckinghamshire  
HP18 0TL

**MoJ Ref:** SUB 88430

14 June 2021

Dear ██████████,

**HMP SPRINGHILL: INDEPENDENT MONITORING BOARD ANNUAL REPORT  
FOR 1 JANUARY 2020 – 31 DECEMBER 2020**

Thank you for your Board's report for the year ending 31 December 2020. I am grateful to you and your colleagues for your hard work in capturing these helpful observations during these exceptionally difficult circumstances, and especially as you were short of Board members during the reporting year. The pandemic has led to a great many deaths, but there was some consolation that this wasn't the case at HMP Springhill nor were there any deaths in custody during the reporting period.

I appreciate the Board's concerns around the Covid-19 Special Purpose Licence (SPL) scheme. This scheme was launched on 24 April 2020 in response to the pandemic and to allow certain vulnerable offenders to be released temporarily under a SPL to protect their health. They included pregnant women and those with babies, plus those defined by the NHS guidelines as 'extremely vulnerable' to Covid-19, such as those with specific cancers or serious respiratory conditions. This scheme operated alongside the ordinary SPL for compassionate reasons where decisions continued to be made locally by the Governor.

The difference with the Covid-19 SPL cases lay in the potential length of the release and that the person in prison would be returning to their home area, often where their offending took place. The standard SPL scheme is generally applied for a few hours or days and to medical facilities local to the prison. It was recognised that the Covid-19 SPL scheme would cover some prisoners who would not in normal times be released on temporary licence (ROTL) but for whom it would be appropriate in the unique circumstances being faced. Additionally, that Covid-19 SPL releases would take place from establishments less familiar with the ROTL process.

As with all forms of temporary release, the local risk assessment is key and for the normal SPL scheme decisions and authority will continue to remain locally with the Governor. However, to maintain confidence in the Covid-19 SPL scheme, and to ensure consistency, it was decided that the decisions for that scheme would be taken centrally.

Regarding the Prisoners Earnings Act (PEA) and refunds around furlough earnings, I understand the Board's frustrations. It is an established policy position that prisoners in employment or working via the Release on Temporary License (ROTL) scheme are not employees of the companies they work for. Prisoners on ROTL are therefore not eligible for the government furlough scheme.

Those who cannot work should be given prison pay. As they have been removed from work in these exceptional circumstances, it would not be reasonable that they receive minimum unemployment pay in the prison, but should instead be offered reasonable compensation, for example the equivalent of the average pay for prison work.

Refunds are only appropriate where the levy has been charged incorrectly, as would be the case if earnings were under £20 per week. Where prisoners are suffering financial hardship, governors can make case by case decisions on whether to reduce the amount levied from the maximum 40% and keep this under review if circumstances change whilst the prisoner continues to work at the placement. Once the Governor has decided on the appropriate levy percentage there should be no refunds, HMPPS must adhere to the policy in place.

As the Board have highlighted, it was a difficult year to assess any progress. It was therefore encouraging to receive your comments that prisoners were treated humanely through what has been a challenging period for prisoners and staff alike. I was further encouraged to note that overall complaints were lower than the previous year. Although there were numerous examples of staff helping prisoners throughout the report, such as the organisation of fitness activities, it was heartening to hear the contribution staff made to facilitate a prisoner's ROTL (unpaid) carpentry apprenticeship with a national builder who was clearly keen to progress.

I note you have raised some local issues of concern in your report, particularly about Diversity and Inclusion, which the Governor will continue to keep you aware of as work continues.

The Justice Secretary and I appreciate the valuable role played by members of Independent Monitoring Boards throughout the estate and we are very grateful for your continued hard work on behalf of HMP Springhill.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Alex Chalk'.

**ALEX CHALK MP**