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Chair, Independent Monitoring Board  
HMP Exeter  
30 New North Road  
Exeter, Devon  
EX4 4EX

**MOJ Ref:** 88831

30 June 2021

Dear ██████████,

**HMP EXETER: 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, especially as you were short of Board members. I was saddened to hear there were six deaths in custody; every death is a tragedy and my officials take recommendations from the Prisons and Probation Ombudsman very seriously.

I acknowledge that the Board continues to be concerned about the provision of suitable permanent accommodation for people leaving prison. We know that prison leavers can face significant barriers, often linked to a lack of access to necessary funds, availability of local authority housing supply and access/affordability of the private rented sector. Overcoming these barriers requires a combined effort; the Ministry of Justice (MoJ) is therefore working collaboratively with the Ministry of Housing, Communities and Local Government (MHCLG), the Welsh Government and other Government departments to address this issue, ensuring an effective contribution towards the Governments goal to eliminate rough sleeping by the end of the current Parliament.

In addition, the Board will be pleased to hear that a HM Prison and Probation Service (HMPPS) policy framework in support of the Homelessness Reduction Act 2017, the Duty to Refer process, has been published which mandates the roles and responsibilities of both prison and probation staff in making effective referrals to local housing authorities. As part of the response to the pandemic, £11.5 million has been invested to support individuals who are at risk of homelessness on their release from prison, providing up to 56 nights temporary accommodation per person and an emphasis on helping them on to permanent accommodation.

Learning taken from the Covid-19 emergency scheme is being used to develop a new Community Accommodation Service which will provide up to 12 weeks of transitional accommodation to prison leavers, initially this will occur in five regions. The Homelessness Prevention Teams (HPTs) mentioned previously by my predecessor, have been highly successful in securing temporary accommodation outcomes and building new local partnerships and will be integrated into the future landscape of the probation service. To support those at risk of homelessness into private rental tenancies, HMPPS will be working in conjunction with MHCLG as part of plans to secure settled accommodation (by the end of the 12-week period). Locally, at HMP Exeter the weekly multi-agency meetings held with Devon, Cornwall and Plymouth local authorities and the Probation Service will continue alongside its partnership work to help improve accommodation outcomes and this will include tracking the progress of each individual case.

I am grateful to the Board for highlighting some other key issues in your report particularly around segregation and the mental health of people in prison. Covid-19 restrictions have understandably impacted on some progressive work with individuals held in the segregation unit. This should improve as HMP Exeter moves into the recovery phase. In terms of improving efficiency across the pathway for transfers to a secure hospital under the Mental Health Act and remissions, new performance metrics are due to be implemented during 2021-22 to monitor referrals, assessments and transfers. The strategic direction continues to be the maintenance of existing hospital bed capacity, not an increase, albeit with improved geographical distribution.

NHS-led mental health Provider Collaboratives are key in managing the patient pathway and addressing the needs of their local population. Work is also underway to develop a whole-pathway approach to the care of people in prison. This includes diverting vulnerable people from the criminal justice system where appropriate, and reconnecting those leaving custody with health services in the community. A regional fortnightly meeting with the Provider Collaboratives, NHS England and NHS Improvement (NHSE/I) specialised commissioning, prison mental health providers and HMPPS has been established since August 2020. In addition to this, there will be ongoing monitoring to ensure that the needs of those in segregation units are highlighted to aid discussions around prioritisation to support timely admission. Locally, staff at HMP Exeter are working with the NHSE/I to ensure the health recommissioning work in the future takes account of a needs led provision.

More broadly, a White Paper titled, Reforming the Mental Health Act, was published on 13 January 2021, which builds on recommendations made by Professor Sir Simon Wessely's Independent Review in 2018. The White Paper provides a commitment to take forward the Review's recommendation to introduce a statutory time limit of 28 days for transfers to secure mental health hospitals when someone becomes unwell in custody or experiences a relapse in an existing condition. In addition, a new good practice guidance published on 10 June 2021 sets out the timeframe for completing the assessment, transfer and remission of individuals in more detail - <https://www.england.nhs.uk/publication/guidance-for-the-transfer-and-remission-of-adult-prisoners-and-immigration-removal-centre-detainees-under-the-mental-health-act-1983/>

Despite the Board's concerns raised, it was encouraging to receive comments that the Board were impressed by HMP Exeter's response and management of the significant challenges posed by the pandemic. I was pleased to note additional arrangements were put in place to enable the Board to continue its monitoring. Likewise, it was pleasing to hear that prisoner complaint handling has significantly improved and staff-in-post position across all officer grades showed the prison to be fully staffed at the end of the Board's reporting period. I note you have raised some local issues of concern in your report which the Governor will continue to keep you aware of as work continues. HMPPS comments in response to other issues raised in your report are set out in the attached annex.

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 Exeter.

Yours sincerely,

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

**ALEX CHALK MP**

**HMP EXETER: INDEPENDENT MONITORING BOARD ANNUAL REPORT  
FOR 1 JANUARY 2020 – 31 DECEMBER 2020  
HMPPS comments on matters raised in the report**

### **Regime Recovery**

HMPPS response to the pandemic has been swift and decisive and the measures put in place have undoubtedly saved lives. However, HMPPS acknowledges that the methods used to reduce contact in custodial establishments continues to impact on the wellbeing of staff and the people in custody, and the ability to deliver interventions to help turn their lives around.

HMPPS is committed to delivering safe, decent and secure regimes. As the Board will appreciate, the risks of Covid-19 in a prison setting are greater than the community risks due to the inability to fully implement social distancing. Governors are working with health partners to open regimes as soon as it is safe to do so. This involves consultation with partner agencies and reviewing the way things are done, this can be challenging in prisons such as HMP Exeter, so it is important that this is conducted in a controlled way. To do this, HMPPS are closely monitoring infection rates in the community and in the establishment. A testing programme for staff is in place and both staff and prisoners are being vaccinated in line with the community prioritisation list. Plans are progressing to open the regime at HMP Exeter based on the current data, although this is subject to unexpected changes.

The Stage 2 gateway is reopening for sites currently delivering Stage 3 regimes. HMPPS is working very closely with public health authorities to ensure an appropriate approach is taken based on the best scientific advice available. HMP Exeter is currently progressing to Stage 3 in line with national framework guidance. Stage 2 planning is underway and future regime delivery will be in line with the national guidance.

HMPPS remains committed to increasing regime activity provision whilst also learning from the last 12 months to maintain violence reduction. The agency is also committed to opening faith services, visits, support services and education as soon as it is safe to do so. This however may be done differently as a result of lessons learned from the pandemic.

### **Learning from the Pandemic**

HMPPS has continued to capture learning from this unprecedented period and is keen to maintain innovations such as family video calling (Purple Visits) to supplement, but not replace, existing face to face services. We also intend to build upon the use of technology in a range of areas. The Future Regime Design project team are creating the prison regime model for Stage 1 of the National Framework for Prison Regimes and Services, ready for when it is safe and operationally deliverable to move prisons and youth secure sites to this stage. This presents an opportunity to review how the agency delivers a more purposeful future regime design that is focused on the person, underpinned by safety and well-being.

HMP Exeter is utilising 'building back better' principles and evidence-based information to inform regime progression and delivering of it. The technology innovations HMP Exeter introduced during the pandemic have been incorporated into this.

## **Data**

### *Collection and Reporting*

The Data and Analytical Services Directorate has recently developed a prisons data strategy that aims to capture, store, and share data leading to better and faster decision making. This team is slowly building the resource and capability to be able to work with digital teams within MoJ/HMPPS as products are built to ensure data is a pivotal part of digital design and implementing data standards across all digital teams. Furthermore, part of the data strategy is to ensure that new high-quality data can be collected via the development of new digital products. This will in time enable HMPPS to fill key evidence gaps allowing for a better understanding of what works for whom or across the prison system.

Over the past five years, the team has started to see pockets of success using data to influence and improve decision making in prisons. The Prison Safety Diagnostic tool uses record level near-live data and insights on prisoner incidents, safety and risk to support staff in prisons to make better decisions about the management of prisoners. In the intelligence space, this team has developed several tools to support intelligence gathering and identification.

The team are now expanding this capability with investment from HMPPS, collaborating with HMPPS Insights Group, data professionals and digital services to embed the use of data, evidence and data science in frontline digital services. This collaboration seeks to build on operational expertise and perspectives to so that staff are able to use data about their prison and create habitual use of data science insights in day-to-day decision-making.

### *Assessment, Care in Custody and Teamwork (ACCT) Process*

ACCT version 6 will be rolled out across the estate from 5 July 2021 and this will include HMP Exeter. The revisions to the ACCT process have been informed by a range of stakeholders, including people in prison and staff from pilot sites and other establishments, group and national safety leads, trade unions, scrutiny bodies and voluntary organisations. ACCT will continue to be a cornerstone of HMPPS Prison Safety Teams work, providing support to those who are at risk of harming themselves. Some of the key changes made to the document, process and policy are aimed to help improve the operation, management and accountability of the ACCT process for both the individual and the organisation.

Locally, the Governor will ensure that action taken in response to data analysis is documented for future reference for the IMB.

The Board's concerns about equality work are noted, particularly about the analysis of data and the number of black and ethnic minority prisoners reporting being bullied or victimised. The Equality Action Plan (EAP) was relaunched in June 2020. HMPPS will improve the EAP data sources to review outcomes for any groups where disproportionality exists, to improve outcomes in line with the Lammy review explain or reform principles. Also, supporting HMP Exeter to develop and improve relationships between staff and minority groups.

## **Prisoners' Property**

Following a pause in the development of the new Prisoners' Property policy framework due to Covid-19, a meeting with IMB representatives took place in August 2020. The feedback received from those members was considered alongside the comments received from other stakeholders, and comments from subsequent operational engagement. HMPPS has now circulated the draft framework with internal and external stakeholders, including the IMB Secretariat and the IMB representatives previously consulted, and the comments received are being considered. The framework will be published later this year, which will provide greater direction and standardisation on a national basis and has been designed with procedural justice at its core. It strengthens guidance on known problem areas such as volumetric control

and seeks to ensure prisoners' property is managed efficiently, effectively, consistently and with care and respect. While digital improvements to property processes are being explored as part of these steps, the nature of this work means that any digital changes are likely to be longer-term and as such will not be part of the forthcoming framework.

Prisoner Escort and Custody Services fourth generation of contracts commenced on 29 August 2020 introducing a new vehicle fleet with an increased capacity to facilitate an additional half bag of property for consumables to the limit of 7.5 kg. Property identification numbers will now be entered on a digital platform rather than being written on the Person Escort Record. This will enable better tracking of property in transit. This new contract anecdotally appears to evidence an improvement in transportation of prisoners' property. An accountability process for cell clearances has been introduced at HMP Exeter to robust the process.

### **Maintenance Service**

Over 2020 and beginning of 2021 there has been a huge amount of investment following identification of failings which is allowing Government Facility Services Limited (GFSL) to concentrate now on business as usual work such as day to day repairs and cells offline.

Following the refurbishment of D Wing various issues were identified by the GFSL site team during snagging process which substantially delayed the handover. The existing boilers on wings A-D have recently been extensively refurbished and, as a contingency plan, permanent connections to the temporary boiler plant are in place for A, B and C wings in the event of any future failure. In terms of boiler replacements, F wing, B wing healthcare and workshop along with other areas such as education and the old staff mess have all been replaced. As the Board are aware, Estate Investment Proposal bids have been previously submitted for the replacement of all other remaining boilers and ancillaries. The current refurbishment is considered as a temporary measure and efficiency is for a minimum of five years.

Due to Covid-19, bunk bed rails and ladders were in low supplies, however, sufficient supplies are now back in stock and when reported by the prison, GFSL will carry out the necessary repair work / fittings.

As identified by the Board, the build-up of rubbish has been a concern. The collection of rubbish around the establishment is managed locally and GFSL remove rubbish from a central point on a regular basis. There should be improvements seen following the employment of a new recycling supervisor and once the cell window replacement has been completed (this should prevent litter from being thrown on to the prison grounds). To strengthen the deterrent, the prison has also been fitted with additional rodent baiting.