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Chair, Independent Monitoring Board
HMP/YOI Swinfen Hall
The Drive, Swinfen
Lichfield, Staffordshire
WS14 9QS

MoJ Ref: SUB 82515

12 November 2020

Dear ██████,

**HMP/YOI SWINFEN HALL: INDEPENDENT MONITORING BOARD ANNUAL REPORT
FOR 1 MAY 2019 – 30 APRIL 2020**

Thank you for your Board's report for the year ending 30 April 2020. I am grateful to you and your colleagues for your hard work in capturing these helpful observations, particularly as you remained short of Board members and the Covid-19 pandemic impacted on your ability to gather information.

I understand the Board's concerns about the delays to the refurbishment programme and the physical constraints within the residential accommodation. It is acknowledged that there have been difficulties with the original refurbishment project running over schedule and budget. This has been due to several factors, but a key contributor was an unforeseen issue with ageing water and heating pipework that required replacement. The Governor and HM Prison and Probation Service (HMPPS) Prison Maintenance Group (PMG) Service Delivery Manager (SDM) have worked collaboratively with the Ministry of Justice (MoJ) project sponsor, client representative and contractor to reduce delays wherever possible. However, whilst some delays can be expected with complex projects in a prison environment a lesson learned exercise will be undertaken post completion of the work to improve future project delivery.

It is also recognised that the wings undergoing refurbishment are the original prisoner accommodation constructed in 1963 and as such these are smaller compared to some modern constructions, with in-cell toilets situated close to the prisoner's bed. However, the refurbishment programme has included designs to maximise the limited space available and cells meet the HMPPS accommodation standards as per *Prison Service Instruction 17/2012 - Certified Prisoner Accommodation*. Prior to the Covid-19 outbreak there was also a growing opportunity for communal dining on each wing and whilst this won't be able to accommodate every prisoner, as the prison builds its recovery through the Exceptional Delivery Models these opportunities will resume. Additional funding was also awarded earlier this year to replace the Care and Separation Unit roof and this has been incorporated into the current refurbishment programme which is now scheduled to complete before the end of 2020. In addition, work continues to rectify the inadequate ventilation in some of the shower facilities and this is being supported by rigorous cleaning schedules.

Regarding repairs there were a small number of equipment types inadvertently omitted from the original contract scope, but a commercial contract revision has now rectified these issues. It should be noted that the facilities maintenance (FM) contract requires 90% of all repairs to be completed within their due month to avoid potential financial penalties and resolution plans can be only be used on a limited basis where agreed by the PMG SDM. It is recognised that there have been delays returning laundry equipment to service despite the best efforts of the FM provider. Due to age and wear and tear of the equipment this became unserviceable and required replacement, but funding to do so was not immediately available due

to other priorities. However, this has now been resolved with funding provided for the installation of new washers and dryers on all units. It is also acknowledged that there were issues with vermin in some non-residential locations, however various initiatives were adopted to compliment increased pest control visits which tackled the problem. These included replacing plastic bins with lockable metal bins, reviewing the removal of food waste and fitting restrictors to cell windows to deter prisoners from discarding food.

Turning to the Board's continued concerns about the proportion of staff from a Black, Asian and Minority Ethnic (BAME) background at the prison, HMPPS remains committed to a national target of 14% of all staff recruited being from a BAME background by December 2020 in response to the Lammy Review - recommendation 28. To achieve this, MoJ Resourcing is continuing to tailor recruitment campaigns to focus on attracting increased numbers of BAME candidates and ensuring appropriate focus is given to race and other protected characteristics through all recruitment processes. Whilst workforce planning has been devolved to Governors to determine the number of prison officers required to deliver services locally, the MoJ will continue to operate a central model to recruit and attract the staff Governors need, as this allows for the delivery of targeted marketing and attraction with the support of specialist agencies.

It is recognised that the immediate geographical area within which HMP/YOI Swinfen Hall is located does have a low BAME population which can present challenges in attracting local applicants. However, as the prison is commutable to Birmingham with a much larger BAME population, I can assure the Board that the MoJ is continuing to review its marketing practices to do all it can to recruit the right people with the right skills through increased advertising. Work is also being undertaken to ensure local recruitment campaigns have tailored initiatives to increase BAME representation, with regional recruitment activity focusing on prisons that do not have a representative workforce. This also includes increasing the awareness and widening the use of the Civil Service Life Chances Programmes to encourage diverse groups to apply, as well as undertaking staff focus groups within prisons to understand the barriers to recruiting from diverse communities. Pilot interventions are also being introduced to support BAME candidates through the recruitment process in areas where disparity exists. Additionally, MoJ Resourcing is committed to working with the Head of Diversity and Inclusion at HMP/YOI Swinfen Hall and the prison plans to undertake outreach activities once Covid-19 restrictions allow to show case the work of a prison officer.

Despite your concerns it was encouraging to receive your comments that opportunities to engage in purposeful activity increased as well as improved attendance as a result of the stable regime prior to the Covid-19 outbreak. It was pleasing to note that healthcare waiting times reduced, health forums have been introduced and prisoners trained as health champions. I was also reassured to read that all prisoners had accommodation to go to on release to help support their reintegration in to the community. I also understand that the Psychiatric Disorder Assessment Unit received enabling environment accreditation and I am grateful to staff for their efforts in achieving this.

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/YOI Swinfen Hall.

Yours sincerely

A handwritten signature in black ink that reads "Lucy Frazer". The signature is written in a cursive, flowing style.

LUCY FRAZER QC MP

HMP/YOI SWINFEN HALL: INDEPENDENT MONITORING BOARD ANNUAL REPORT FOR 1 MAY 2019 – 30 APRIL 2020

HMPPS comments on matters raised in the report

Challenge, Support and Intervention Plans

HMP/YOI Swinfen Hall, as with all prisons, will send and receive individuals that are being supported by Challenge, Support and Intervention Plans (CSIP) whilst in custody. CSIP is the national case management model that responds to the raised risk of violence in prison. It has replaced some local models that often lent on resource intense monitoring and instead, CSIP provides a framework for supporting violent individuals where support is centred on the needs of the individual. This enables resource to be applied proportionately. For CSIP to work effectively and enable positive change, it must be tailored to the individual and their specific needs. This means understanding why an individual is behaving the way they are and what is likely to change their behaviour. Since November 2019, HMP/YOI Swinfen Hall has been receiving support on the implementation of CSIP at Prison Group level following an estate wide assessment of CSIP conducted by the HMPPS National Safety Team.

It is recognised that HMP/YOI Swinfen Hall holds a high number of prisoners that are assessed as having a high Violence in Prison Estimator (VIPER) risk of being involved in violence. However, this is to be expected given the role of HMP/YOI Swinfen Hall having a reception criteria of serving a sentence of four years to Life, providing a national resource for young adults, integrating people convicted of sexual offences within the general population and having the largest Young Adult Personality Disorder Assessment and Psychologically Informed Planned Environment (PIPE) Unit's, as well as providing a large number of psychologically informed intervention programmes for both serious violent and sexual offending. Despite this unique role the Governor can provide assurance that there has not been any detrimental impact on staff resources associated with CSIP and prisoners subject to restrictions as a result of CSIP have been manageable at all times.

Prisoners' Property

It is unfortunate and regrettable that prisoners' property continues to be an issue. As the Board will be aware, the development of the new Prisoners' Property Policy Framework involved a large project undertaken in summer 2019. Following the conclusion of the project, HMPPS has worked closely with stakeholders to consult on proposed changes to the policy. Discussions ahead of consultation with IMB members began with the IMB Secretariat in late February 2020, who proposed meetings take place with Board members in April. In light of the pressures placed on Boards by Covid-19, HMPPS agreed with the IMB Secretariat to pause this consultation until August and September. This work is now moving forward again and the feedback received from IMB members at these meetings will be considered alongside the comments received earlier this year from other stakeholders, with the intention that the revised draft policy framework will be circulated for wider consultation at the end of 2020.

It should be noted that sending prisons are responsible for recording property and sealing bags before they become the responsibility of Prisoner Escort and Custody Service (PECS). The PECS 4 Generation contract also began during August 2020 with a new fleet of vehicles which allow for an additional half box of consumable items to the limit of 7.5kg to be carried for each prisoner on top of the existing agreed volumetric limits. In addition to this, HMPPS is looking at what more can be done to encourage prisoners to send out or dispose of excess items to reduce the amount of property that cannot transfer with them. Steps are also being taken to ensure there is a consistent approach when prison staff forward on any excess items to prisoners at their new establishment after a transfer has taken place.

Locally, whilst it is recognised that PECS suppliers have not received any complaints from HMP/YOI Swinfen Hall about losing property during transit, the prison's key worker clothing parcel scheme did have to be suspended with a large number of unauthorised parcels having to be returned to their senders. The scheme has since been reviewed and was re-launched in May 2020 and although there are teething problems with the revised scheme tighter management controls are now in place to mitigate these.

Offender Assessment System

The Offender Assessment System (OASys) backlog has been a long standing issue not just at HMP/YOI Swinfen Hall, but across the prison estate. However, the introduction of Offender Management in Custody (OMiC) included staffing resource for OASys assessments in training and resettlement prisons, and as staffing has increased over the last year there has been a reduction in the OASys backlog nationally across the estate. HMPPS has also introduced a national OASys taskforce to support prisons in clearing the backlog of assessments. In addition to this the reduction in movement of prisoners around the prison estate due to Covid-19 has allowed Offender Management Unit (OMU) departments to work through the OASys backlog further and it is expected that the flow of prisoners transferred from reception prisons without an assessment will continue to reduce.

Specifically, at HMP/YOI Swinfen Hall good progress has been made in reducing the OASys backlog by around half between March and August 2020. Significant improvements have also been made within the wider West Midlands Prison Group and it is now rare for prisoners to arrive at HMP/YOI Swinfen Hall from a West Midlands prison without a completed OASys. However, as the prison provides a national resource, managers locally are continuing to routinely inform their counterparts at sending prisons where prisoners do arrive without a completed OASys.

Once the HMPPS reconfiguration has been fully implemented, reception prisons should move prisoners to the training estate within ten working days and, as a start of custody OASys should be completed within ten weeks, the receiving prison will be completing this in future. HMP/YOI Swinfen Hall should therefore begin to receive some prisoners without a completed OASys unless they transfer from another training prison. As part of the OMiC staffing model HMP/YOI Swinfen Hall has already been structured to have the capacity to complete start of custody OASys.