



██████████
Chair, Independent Monitoring Board
HMP Frankland
Brasside
Durham
DH1 5YD

MoJ Ref: SUB84529

12 January 2021

Dear ██████████

**HMP FRANKLAND: INDEPENDENT MONITORING BOARD ANNUAL REPORT
FOR 1 DECEMBER 2018 – 30 NOVEMBER 2019**

Thank you for your Board's report for the year ending 30 November 2019. 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 during the reporting year. I was saddened to hear there were five deaths in custody; every death is a tragedy and my officials take recommendations from the Prisons and Probation Ombudsman very seriously.

I note the Board's continued concerns about the Separation Centre (SC) at HMP Frankland. Since the Board's report was written a further SC has opened at HMP Woodhill due to the rise in prisoner numbers held in SCs. The HMP Woodhill unit allows for the option of prisoner movement for strategic population management as well as the potential for Accumulated Visits in the south. The purpose of the SC is to allow greater separation and specialised management of the highest risk individuals. By removing prisoners that pose a risk of influencing others from mainstream location and providing those men with the opportunity to progress through an appropriate treatment pathway, the SC protects the security of the whole prison estate.

The SC operates with a multidisciplinary staffing model comprising prison officers, security, psychology, probation and chaplaincy. These team members have attended specialist training relating to extremist ideology, conditioning, extremist tactics and staff wellbeing. Additional input is provided by education, mental health and physical education staff. Varied regimes are offered on the SC which mirror regime provision on mainstream location. Dynamic Risk Assessment Meetings explore prisoner issues, operational and practice issues and staff support. The regime provides opportunity for risk reduction work through challenging theological and offence-related beliefs. Theological intervention (the Desistance and Disengagement Programme) and psychological input (assessment and intervention) can provide these opportunities.

As outlined in my response of 17 September 2019, prisoners are selected for SCs and managed by the Separation Centre Management Committee (SCMC). The general lack of engagement from SC prisoners is recognised. To address this the SCMC is working with SCs to review the Care and Management Plans for prisoners. There will be increased offers of engagement work which is not offence or risk focussed in order to enable engagement with the team that may then be developed into work focussed on the individual's risk reduction and progression. Under Offender Management in Custody prisoners held in SC will be prioritised for key worker meetings and engagement will be the focus of these sessions. The ability

to engage will always be the prisoner's choice but the SC will continue to provide all opportunities to do so.

I note the Board's concern about the delays in transferring prisoners with severe mental ill health to a secure hospital. NHS England and NHS Improvement (NHSE&I) will continue to monitor the time taken from referral to transfer and ensuring there is effective liaison with specialised commissioning. New performance metrics are being developed by NHSE&I via a strategic reporting tool to monitor those being assessed under the Mental Health Act (MHA) and tracking assessment and transfer waiting periods. The Prison Transfer and Remission Guidance 2011 has now been refreshed and is awaiting publication, as the planned date for publication was impacted by the Covid-19 pandemic.

Alongside this work, the new mental health service specifications have been published for low and medium-secure hospitals. The NHS led Provider Collaboratives service for adult medium and low secure care gives local ownership to providers for the whole pathway. This includes the interface with the criminal justice system, and resources for their own populations, enabling them to make commissioning decisions to improve and integrate services. In terms of high secure care, a strategic commissioning plan will be developed by April 2021. This will describe the clinical model, pathways and the required capacity for implementation during 2021/22. The Government is also committed to reforming the Mental Health Act and we are working closely with Department for Health and Social Care to respond to the recommendations of the independent review, chaired by Professor Sir Simon Wessely. A White Paper will be published in due course.

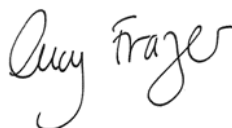
Locally, the Long-Term High Security Estate's Pathways to Progression team works closely with healthcare colleagues on an individual basis and through a joint HM Prison and Probation Service (HMPPS) / NHS meeting. This collaboration has seen improved outcomes for men being referred to hospital.

It was encouraging to receive your comments that the Board's relationship with staff has remained excellent and that you are very grateful for the support given by the Governor and senior management team (SMT). I was pleased to hear that the SMT is committed to the fair and equitable treatment of all prisoners and a monthly equalities newsletter is now being published, promoting tolerance and understanding of differences across the establishment. 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.

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 Frankland.

Yours sincerely



LUCY FRAZER QC MP

HMP FRANKLAND: INDEPENDENT MONITORING BOARD ANNUAL REPORT FOR 1 DECEMBER 2018 – 30 NOVEMBER 2019

HMPPS comments on matters raised in the report

Discrimination in the Incentives Scheme

We appreciate the Board's concern regarding the incentives statistics where Black and Minority Ethnic (BAME) prisoners are disproportionately represented at basic and enhanced level. It is pleasing that HMP Frankland's Equalities team has compiled a detailed analysis to identify these concerns. The Incentive and Earned Privilege (IEP) scheme was replaced with the Incentives policy in January 2020. The new policy promotes fairness, equality and the effective implementation of local schemes. Following the Lammy Review every prison is required to have an Incentives Forum with representation from prisoners with protected characteristics, to shape and review the local operation of incentives. Where there is evidence of disproportionality the Lammy Review principle of explain or reform should be applied.

Locally at HMP Frankland, the monthly Diversity and Equality Action Team meeting now has a much wider representation of staff and prisoners with protected characteristics and incorporates a forum to discuss inequalities within the Incentives policy. Where data indicates disproportionate outcomes for BAME prisoners, the Chair takes steps to investigate why these discrepancies exist and set out what reforms or actions are needed in a time bound and accountable action plan.

CCTV

Further to last year's response to the Board, the CCTV system in the social visits area has been replaced, including the installation of additional camera units. Improvements to the CCTV systems on F, G and J wings are planned to commence shortly.

Maintenance

Response Times

Repairs are reported and managed through the Planet FM Computer Aided Facilities Management system. Once reported all repairs are given a Service Level Agreement code dependant on the urgency which vary from a 2-hour response and 4-hour resolution to a 7-day response and 14-day resolution. If there is a legitimate reason a repair cannot be resolved in these timescales (for example supply time for a piece of specialist equipment or a specialist contractor), there is an avenue to create a resolution plan and agree the resolution date between Amey and Prison Maintenance Group (PMG).

Performance of reactive repairs is monitored on a monthly basis and the target for this key performance indicator is 90%. Over the past year each month has scored 93 and 97% of reported repairs being completed in the required timescale. Occasionally, repairs are reported that are not actually repairs but are requests for additional work which is not covered by the contract scope. These reported repairs are returned to the originator informing them to submit any additional work requests through the establishment's Estates Committee for progression if supported through that route. Should the Board wish to provide PMG with any specific details of slow and restricted repairs, these will be investigated further.

Workshop Heater Units

The workshops have a series of 11 large heater units installed in the rooftop plant room feeding the various parts of the building. Several years ago, an Estates Investment Proposal (EIP) bid was submitted and approved to replace all these heater units. Currently the project is at the Outline Business Case stage with the final project scope and specification being agreed. Recent site visits have taken place to develop

this project and the intention is that it is tendered and awarded in the next financial year. In the interim period since the EIP was submitted, five of the units have been replaced as they have failed and been beyond repair. It should be noted that these heater units are very large and very expensive hence the reason the EIP bid was submitted for the wholesale replacement of the units.

Soap Dispenser

Although not raised as a specific issue for HMPPS, your concern about the lack of a soap dispenser in the showers and the impact this has on older prisoners and those with disabilities will be investigated by the prison's Equalities Team.

Prisoners' Property

It is unfortunate and regrettable that prisoners' property continues to be an issue. The development of the new Prisoners' Property Policy Framework is being informed by a project which was undertaken in summer 2019, involving stakeholders across HMPPS and the escort services. The project involved visiting 14 prisons, consultation with staff and prisoners, and engagement with external stakeholders such as the Independent Monitoring Board Secretariat, Prisons and Probation Ombudsman. Its purpose was to support the policy review and identify areas where immediate and more long-term changes may be required to improve operational practice.

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. A meeting with IMB representatives took place in August. The feedback received from those members will be considered alongside the comments received earlier this year from other stakeholders, and comments from the operational engagement which is now taking place. There has been a slight delay in us being able to circulate a revised draft policy framework because of the need to ensure sufficient operational engagement. We anticipate the draft framework will be circulated for wider consultation at the beginning of 2021.

Dementia

There are NICE guidelines which are aimed at healthcare providers, commissioners and families/carers of those living with dementia. This includes what should/should not be offered including about surroundings and access to accessible services which will potentially come under the prison's remit in the early days linked to social care and other related areas.

HMPPS Health and Social Care Partnerships Team works closely with health and local authority partners to continually try and meet the complex range of needs for those in care. Those with dementia will be referred to local authorities and support packages will be put in place where appropriate. However, the majority of cases do not meet the threshold of the local authority delivered care packages and as such support is delivered by HMPPS staff and peers. The team is currently in the process of developing and procuring a Level 3 Social Care Apprenticeship for prison officers, which will include working with men and women with dementia. In some regions Help the Aged and other charities work with prisons, and some Dementia cafés have been set up.

Locally at HMP Frankland information on early recognition of dementia and how staff can best support prisoners with dementia will continue to be forwarded to staff by the prison's Equalities Team. There has been additional support provided through 'Grey Matters' meetings and existing links with Age UK will continue to be used to provide additional advice and support. Additional managerial resource has been allocated to the Equalities Team which will improve the education of staff and the ability of the team to act in a more effective and innovative way.