



Annual Report of the Independent Monitoring Board at HMP Durham

**For reporting year
01 November 2020 – 31 October 2021**

Published March 2022



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Introductory sections 1 – 3

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 is situated.

Under the National Monitoring Framework agreed with ministers, the Board is required to:

- 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
- inform promptly the Secretary of State, or any official to whom authority has been delegated as it judges appropriate, any concern it has
- 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.

The Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) is an international human rights treaty designed to strengthen protection for people deprived of their liberty. The protocol recognises that such people are particularly vulnerable and aims to prevent their ill-treatment through establishing a system of visits or inspections to all places of detention. OPCAT requires that states designate a National Preventive Mechanism to carry out visits to places of detention, to monitor the treatment of and conditions for detainees and to make recommendations for the prevention of ill-treatment. The IMB is part of the United Kingdom's National Preventive Mechanism.

2. Description of the establishment

HMP Durham is a Georgian prison for adult prisoners and young offenders. In May 2017, the prison changed its function to that of a reception prison and primarily serves the courts. In 2020, a further change was made into a reception and resettlement prison for adult males and young offenders. The model for this is 65% on remand and 35% sentenced. Prisoners who have 16 months or less to serve of their sentence may complete their sentence in Durham. At the end of the year, 69% of prisoners were on remand, compared to 73% last year.

The change to and the ongoing management of such a prison (with its rapid churn) has presented many challenges especially in the area of safety. The prison has continuously reviewed its working practices in order to address these issues. The Governor and staff are to be commended for the positive way in which they have approached this. The alignment of Durham court's catchment area (Carlisle to North Yorkshire) means the prison normally holds most prisoners close to their home. Last year, 65% of prisoners came from the area. This year, as Covid 19 has affected other prisons nationally, Durham has taken men out of area. For example, between May and October Durham took over 300 prisoners from the north west. Durham is a large sprawling prison made up of several wings with up to five landings. This limits mobility access. In 2017 a 12-bed integrated support unit (ISU) was opened, offering inpatient mental health support to Tees and Wear prisons. The prison also houses a six-cell healthcare unit.

During the pandemic HMP Durham continued with its role as a reception prison, including managing men through the courts, receiving newly convicted prisoners and facilitating increasingly high numbers of video courts. The prison has faced many challenges, but it is a credit to the Governor and his team that they have fulfilled its obligations to provide the necessary spaces to meet the courts and the population management needs.

Prison capacity is measured by two figures, namely the certified normal accommodation (CNA) and the operational capacity (OpCap). The CNA figure records the ideal maximum population of the prison without overcrowding. The CNA for HMP Durham is 596 and the OpCap was 995, then reduced to 980 in October 2021. However, for most of the year a flexible OpCap of 950 has been used to allow for the fact that, due to the high churn, cell sharing is not safe for some prisoners.

At year end, the prison population had turned over 5.8 times and the average length of stay was 9 weeks. This is in line with the previous year and continues to be influenced by the number of prisoners with short sentences (5.1.3).

During the monitoring year the prison has experienced two national lockdowns, impacting greatly upon regime: November 2020 and January to April 2021. Prisoners have experienced varying restrictions under different stages in the prison.

At the start of the monitoring year, the prison faced Stage 3 restrictions (introduced on 18 August 2020), then a return to Stage 4 from January to May 2021. It returned to Stage 3 on 4 May 2021, until Stage 2 was introduced on 17 September 2021. At the time of writing this report at the end of the monitoring year, Stage 1 was gradually being introduced. Unfortunately, restrictions were subsequently reimposed. In January, the large outbreak of Covid 19 across the prison led to HMP Durham being under the outbreak control team from January to April 2021.

Services are provided by a number of commercial agencies, public services and charities:

Organisation	Outline of services provided
Rethink	Provide primary mental health services, including counselling and the Reconnect Service
Airedale NHS Foundation Trust	Telemedicine
Amey	Maintenance of facilities
Burgess and Hyder	Dental services
RVI-Royal Victoria Infirmary, Newcastle Hospitals	Support Hepatitis C in-reach service
County Durham and Darlington NHS Foundation Trust and Royal Victoria Infirmary-Royal Victorian Infirmary	Visiting specialist services, covering general, orthopaedic, vascular and ear, nose and throat surgery, chest medicine, and an epilepsy nurse specialist and specialist Palliative Care
County Durham and Darlington Foundation Trust (CDDFT)	Specialist diabetic nursing
Probation Service	Resettlement
Ethnic Minorities Training and Education Project	Providing similar support to that given by the Islamic Diversity Centre (see below)
Spectrum Community Health IC	Lead provider for all healthcare services within the prison, sub-contracting to TWV, Humankind, Premier and Rethink. Provide nursing; administration in the healthcare Centre; the nursing aspect of the drug and alcohol recovery team (DART) service. GP and pharmacy services
GEOAmey	Court escort, transfer vehicles
Her Majesty's Courts and Tribunal Service	Court listings, warrants
In-Health	Visiting X-ray and ultrasound services
Premier	Healthcare services
Islamic Diversity Centre	Diversity race equality action team – advice on matters involving Muslim prisoners; also providing training
Humankind	Psychosocial substance misuse services.
North East Prison After Care Society (Nepacs)	Visits, education, training and family ties. Attendance at resettlement meetings, involvement in the planning process

Newcastle Futures	Employment, training and partner events designed to offer support the re-employment of ex-offenders
Novus	Provision of teaching services in education-including the workshops
Premier	Physiotherapy and chiropody
Tees, Esk and Wear Valleys NHS Foundation Trust (TEWV)	Mental Health services including psychiatry, clinical psychology, speech and language therapy, etc.
The Samaritans	Attending suicide prevention meetings and offering regular training to Listeners
Time for Families	Relationship skills, financial management and parenting
Prison Optical Trust	Optician services
Thirteen Group	Rehabilitation provider for accommodation (Community Rehabilitation Service)
Bridges Group	Established by chaplaincy to support men in a 'revolving door syndrome', providing structured support
Prison Fellowship	Volunteer Christian organisation supporting prisoners across England and Wales
Junction 42	Organisation supporting prisoners in England and Scotland to transform their lives and get work
Angel Tree	Organisation working with prison chaplains and local churches to give imprisoned parents the opportunity to send their children a Christmas gift.
Durham County Council	Social care
New Futures Network	Outside job assistance
Care after Combat	Support for ex-service personnel in prison

3. Executive summary

3.1 Background to the report

This report presents the findings of the IMB at HMP Durham for the period 1 November 2020 to 31 October 2021. Evidence comes from observations made on visits, scrutiny of records and data, informal contact with prisoners and staff, surveys and prisoner applications. Whilst IMB members were only able to physically monitor five months of the previous year because of the first national lockdown, this year members have been visiting the prison since November 2020, following the national safety guidance and the exceptional delivery models (EDMs) of the prison.

3.2 Main judgements

How safe is the prison?

The Board believes HMP Durham to be a safe environment. It is a credit to the Governor and his team that achieving this has remained one of the prison's key objectives despite the challenges presented by the pandemic. The prison has implemented systems to support vulnerable men on entry, and supports prisoners at risk of suicide or self-harm through a robust ACCT system (assessment, care in custody and teamwork – a planning process for prisoners identified at risk of suicide, resulting in actions to mitigate risk of suicide). However, the Board has concerns about the impact on prisoners of the lack of induction, particularly as men have had limited communication with peers due to the pandemic. In addition, the Board remains concerned about the length of time prisoners remain in Durham because of the court backlogs. Systems including the scanner and the new drugs strategy continue to tackle drugs with a positive impact. The Board would like to see the use of body worn cameras (BWVC) embedded in the culture of the prison.

How fairly and humanely are prisoners treated?

During the difficulties and the restricted regime caused by the pandemic, the Board is reassured from survey and observation that the prison has prioritised humane and dignified treatment. The Board does remain concerned about overcrowding and the state of some cells, whilst acknowledging the work of the Governor in driving the introduction of men having their own clothing. Whilst work has developed in terms of equality and diversity, there is still work to be done on embedding appropriate information in meetings through a more robust reporting system. The Board's view is that men held under IS91s (immigration warrants) continue to be held too long in HMP Durham.

How well are prisoners' health and wellbeing needs met?

The Board is not convinced that prisoners are satisfied with the level of healthcare in HMP Durham. Prisoners coming into the prison are not guaranteed to see a nurse in reception; secondary screening is low (see 6.2.1) and waiting times are long. Prisoners do find the nursing staff supportive; are well supported by the drug, alcohol and recovery team (DART) and DART's interventions are informed by prisoner voice. The mental health team offer an 'Integrated Support Unit' (ISU), a valuable regional resource, which celebrated four years open in October 2021. Despite staffing shortages in the mental health team, adaptations have been made to support men in isolation.

How well are prisoners progressed towards successful resettlement?

Education staffing has impacted on the personal development of prisoners. Support has been given in-cell during the pandemic, but the complete withdrawal of face-to-face learning in November 2021, is a concern for men with more defined needs. The prison has only recently introduced qualifications. It is a concern that vocational qualifications are not offered and that there are no offending behaviour programmes. The Board is also concerned that some prisoners are choosing not to work. It is good to evidence progress in providing external job opportunities.

3.3 Main areas for development

TO THE MINISTER

The Board continues to be concerned:

1. By the level of overcrowding (5.1.4) and its impact on the dignity of prisoners. We ask again what, specifically for HMP Durham, can be done to alleviate this problem?
2. IS91 men are not being moved on fast enough (5.4.8). How does the Minister intend to solve this problem?
3. Of concern is the rise in the number of unsentenced prisoners: there has been a 100% increase in the numbers who have been in Durham for more than one year. The Board awaits the Minister's response on what else can be done to reduce the backlog in criminal cases and hence reduce time on remand (4.1.2 / 4.1.4).

TO THE PRISON SERVICE

4. The Board is concerned at the loss of local control and accountability to the Governor of third-party providers to push with pace the work needed in the local context, for example healthcare and education. How can the Prison Service strengthen this line of accountability?
5. The Board looks forward to a response from the Prison Service as to its intentions to improve resources and the impact of contractors:
 1. In improving accommodation (5.1).
 2. Healthcare provision - with particular reference to waiting lists and secondary screening (6.2).
 3. Healthcare attendance at GOoD reviews remains woefully inadequate. What will be done to ensure attendance (5.1.2)?
 4. In our 2019 /2020 report the question was asked "Why were the numbers of prisoners missing 3 days or more of medication no longer reported?". The response was: "This is not part of the HJIP (Healthcare Joint Initiative Partnership)". The Board considers this unsatisfactory and wants to know if this metric will be re-introduced.

5. In terms of education, how can the contractor improve provision for qualifications and support further men with defined needs?

TO THE GOVERNOR

1. What more can the Governor do to embed the use of body worn video cameras (BWVC) in the prison (4.4.6)?
2. The Board is interested in understanding how the Governor intends to develop further the work in equality and diversity (5.4) by improving attendance at diversity and inclusion action team (DIAT) meetings and strand reports.
3. Use of force is disproportionate in the age groups 18–21 and 22–29. Other than actively pursuing the young adult strategy, what else can be done to address the behaviour of this demographic (4.4.9)?
4. The Board is concerned at the length of time it takes for actions to be enacted in the minutes of prison meetings, e.g. DIAT and use of force (5.3.5).
5. The Board is concerned that prisoners are working as cleaners before checks are completed and they are not receiving back-pay (5.3.10).

3. 4 Progress since the last report (2019-20)

Issue Raised	Response Given	Action Taken
To the Minister		
How can overcrowding be reduced?	Generic response re the national position.	No specific actions for HMP Durham.
How can IS91 immigration detainees be quickly moved on to more appropriate removal centres?	Generic response re the national position and the impact of Covid 19.	Release of IS91 detainees using electronic tagging introduced September 2021 (5.4.9).
What plans does the minister have to reduce the backlog of court hearings from HMP Durham?	Generic response re the national position.	The National Audit Office Report published in October 2021 states: 'Despite the concerted efforts of HMCTS and the Ministry to increase capacity in criminal courts...the Crown Court backlog looks likely to be a pervasive issue beyond 2024' (4.1.2).
To the Prison Service		

How can funds be made available for the provision of work and education for prisoners serving the last 16 months of their sentence under the terms of a reception and resettlement prison?	Reassurances that work and education places are available to all. Restrictions in numbers due to Covid 19.	Due to the impact of Covid 19, HMP Durham has been unable to fully engage in the concept of a resettlement prison. The Board believes if it were to do so, there would still not be suitable opportunities for those serving out the last 16 months of sentence
PGD of Tees & Wear Prisons		
Look to review the system of 'cherry picking' of prisoners when eligible for transfer.	No acknowledgement that 'cherry picking' exists. Response concentrates on the collaborative working with other prisons.	Historically our concerns lay with the transfer of category B prisoners. This has improved significantly.
To the Governor		
How can you increase and sustain an increase in the number of Listeners?	No response.	Acute shortage of Listeners. Samaritans unable to visit to conduct training (7.3.4).
How can you improve the use of BWVCs to capture use of force incidents?	Detailed response with plans to further encourage staff to use BWVCs.	Despite a lot of work, there has been no improvement. A number of technical glitches adversely impacted use (4.4.6).
How can healthcare staff attendance at GOOD reviews be embedded into the system?	This will be mapped out as part of the joint separation and care unit (SACU) project work that has just started	Attendance still not embedded (5.2.12).
How can the delivery of key working be improved and sustained?	Detailed response given with a number of actions. Custodial managers (CMs) have been made aware that the redeployment of key workers is a last resort.	Improved performance at end of year (5.3.7).
How can focus groups be introduced and sustained?	No response.	The Board considers attendance at DIAT meeting to be poor. At the end of the year, a new system of strand leads was being introduced. We

		look forward to improvements (5.4.1).
How can the allocation of officers to the inpatient healthcare centre be made sustainable?	Detailed response indicating that allocation of officers to healthcare will be maintained via the Regime Management Plan (RMP).	Situation greatly improved. Currently of no concern to the Board.
Will secondary health screening be reintroduced, and when?	Secondary health screening re-commenced on 16 May 2021	The Board considers performance to be unsatisfactory (6.2.1).
Why are incidents of prisoners missing three consecutive days of medication no longer reported?	This is not part of the HJIP (Healthcare Joint Initiative Partnership)	Board will continue to pursue for this metric to be available.
What can be done to improve prison staff entries into prisoner portfolios?	Detailed response provided which includes the use of a tracker system.	No current monitoring data available (7.2.5).
What plans does the prison have to improve access for vulnerable and older prisoners to suitable engagement opportunities?	All prisoners have access to places of work.	Limited opportunities during restricted regimes. Now that prison is to move to Stage 1, we will be able to monitor.

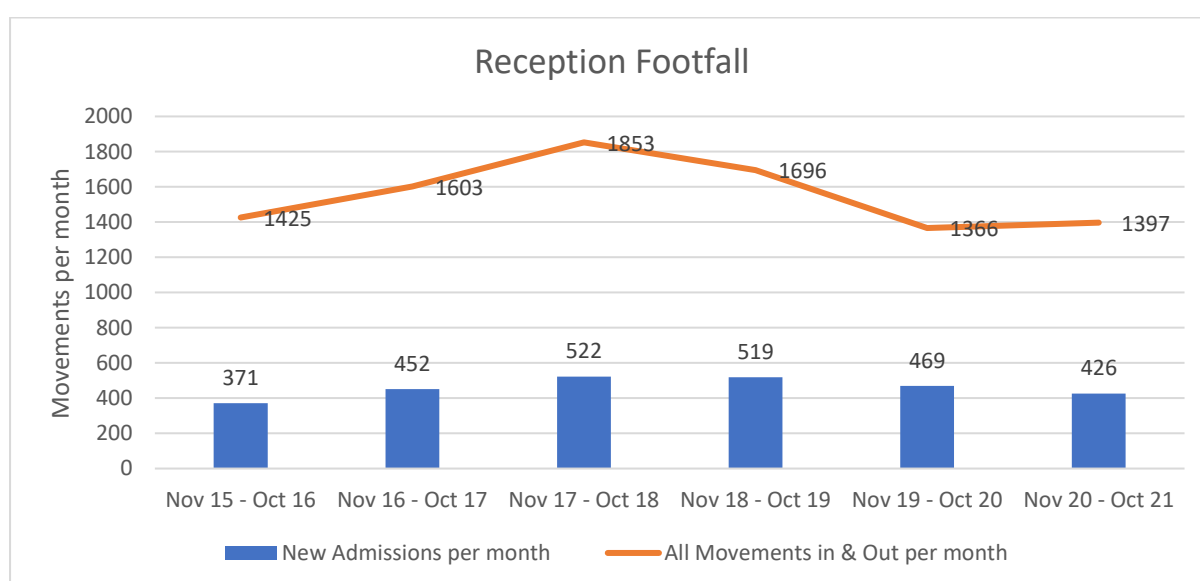
Evidence sections 4 – 7

4. Safety

There is no doubt through the observations of the Board that maintaining levels of safety remains a priority for staff at all levels. Whilst at times the numbers may contradict this view, the prison does generally feel a safe environment.

For those who are considered vulnerable due to the nature of their offence, the prison ensures separation from the general population at the earliest opportunity – that is, reception. There is one notable exception, i.e. the Covid Forum, where prisoners from all wings meet on a weekly basis with no apparent animosity.

4.1 Reception and induction



4.1.1 New admissions year on year have declined by 9% compared to the monthly average for reporting year 2019 to 2020. This was driven by the continued impact of Covid 19 and the backlog in court cases.

4.1.2 The National Audit report, on reducing the backlog in criminal courts, published October 2021, states:¹

‘The Covid 19 pandemic significantly affected the work of the criminal justice system and necessitated extensive changes in criminal courts to keep judges, court staff, and users safe.

‘In the year to 30 June 2021, criminal courts dealt with 1.24 million cases, including more than 90,000 in the Crown Court, which hears the most serious cases. By the end of June 2021, there were around 61,000 cases received and not yet completed in the Crown Court, and more than 364,000 cases received and not yet completed in the magistrates’ courts. The Crown Court backlog increased by 48% between 31 March 2020 and 30 June 2021...

¹ [Reducing the backlog in criminal courts - National Audit Office \(NAO\) Report](#)

‘Despite the concerted efforts of HMCTS and the Ministry to increase capacity in criminal courts quickly and safely, the Crown Court backlog looks likely to be a pervasive issue beyond 2024.’

Similarly, total footfall through reception has fallen by 9% compared to the monthly average for the last reporting year. Continued use of video-link for court appearances have contributed to the reduction in total footfall through reception.

- 4.1.3 Throughout the year the prison has accepted significant numbers of out of area prisoners. In particular from May to October there were circa 300 out of area transfers from the north west, where prisons were locking out due to levels of Covid 19 infections. This is reflected in a rise in admissions as follows:

Period	Nov 20 – Jan 21	Feb 21 – Apr 21	May 21 – July 21	Aug 21 – Oct 21
No. of Admissions	1132	1245	1376	1358

- 4.1.4 Unsentenced prisoners:

Prison Roll					
	Unsentenced		Sentenced		Total
End October 2018	518	55.1%	422	44.9%	940
End January 2019	564	60.5%	369	39.5%	933
End October 2019	626	65.3%	333	34.7%	959
End October 2020	653	72.6%	246	27.4%	899
End October 2021	673	69.1%	301	30.9%	974

	Number	No. in Durham > 1 year	Average No. Days in Durham
End Oct 2019	564	6	78
End Oct 2020	653	23	105
End Oct 2021	673	47	122

Numbers of unsentenced prisoners have continued to increase, as has the average number of days in Durham. Most worryingly there has been a 100% increase in the numbers of unsentenced men who have been in Durham for more than one year. See 4.1.2 above regarding the backlog in court cases.

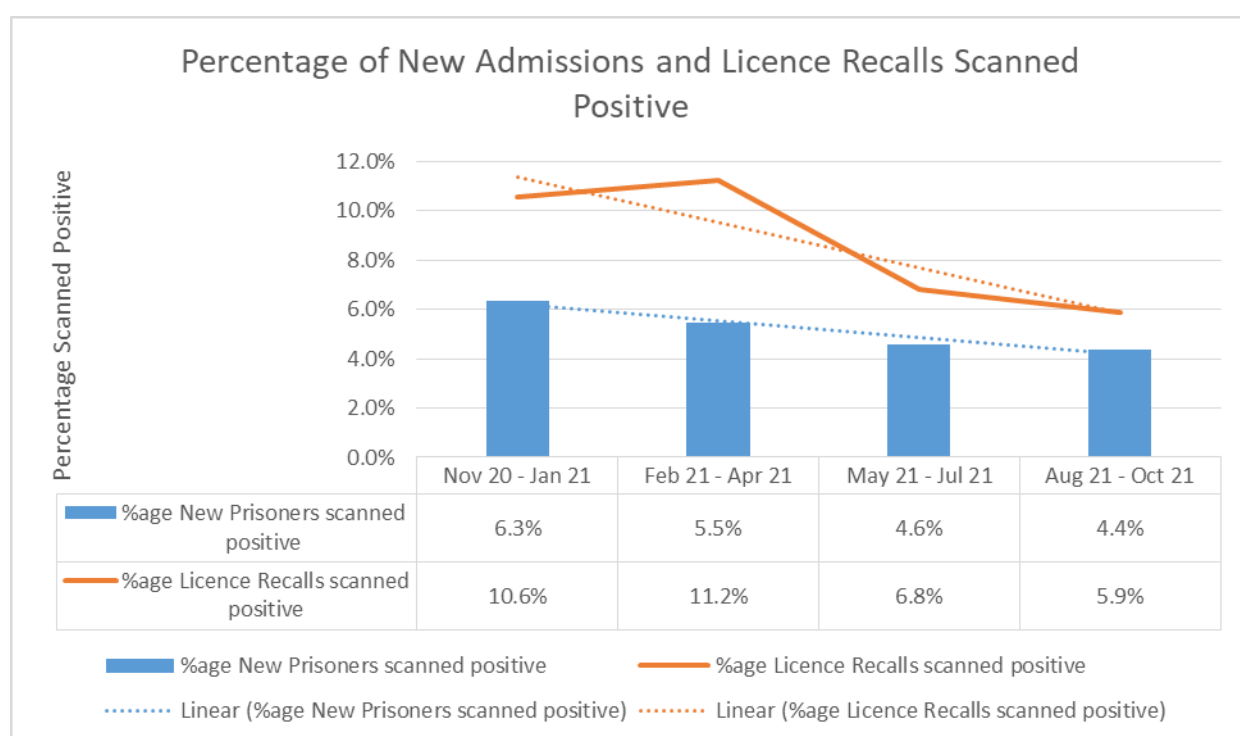
The Board will continue to monitor.

- 4.1.5 Those prisoners identified as ‘vulnerable’ continue to be separated from those considered to be suitable for the general population. These men are placed in

a holding room close to the processing area. The Board is satisfied with this situation.

4.1.6 Body scanning was originally introduced in July 2019, and a new body scanner was installed in July 2020. When a scan is positive, the prisoner has the opportunity to surrender the item. The process is then continued, with placement onto the first night or vulnerable prisoner wings. Failure to surrender the item leads to a placement in the segregation and care unit (SACU) under the secreted items policy, until such time as the prisoner is scanned clear or the item is surrendered. Eighty-four per cent of prisoners placed in the SACU have been under this policy.

4.1.7 Body scans continue to have a positive impact on the route for illicit items entering the prison. Those on licence recall consistently return higher positive scans than new admissions.



4.1.8 Enhanced gate security – the prison was scheduled to introduce airport style scanning for all staff. Delays mean this will run into the beginning of reporting year 2021–2022 before completion.

4.1.9 Prisoner induction has, throughout this year, fallen off our monitoring radar. Principally this is due to the fact that those undergoing induction are in reverse cohorting households and therefore it was considered prudent to minimise contact. We have spoken to the prisoner information desk workers (PID workers) who deliver the inductions. Their main concerns are the volume of prisoners that they have to process and the changes in regime, impact upon their ability to deliver induction.

The Board will resume monitoring at the earliest opportunity.

4.1.10 Due to Covid 19 this has been a difficult year for Samaritans and Listeners. Listener recruitment has been severely affected, and the Samaritans team have not been able to attend the prison to interview and train until the latter part of the year. The prison was operating well below complement and the only two Listeners were located on the vulnerable prisoner wing, which restricted their movement to other parts of the prison. The Samaritans are now back in the prison and the recruitment and selection process is now under way for Listeners.

The Board will continue to monitor.

4.2 Suicide and self-harm, deaths in custody

Deaths in Custody as Indicated in PPO Reports				
	Nov 17 - Oct 18	Nov 18 - Oct 19	Nov 19 - Oct 20	Nov 20 - Oct 21
Homicide	0	0	0	0
Natural Causes	3	3	3	2
Self Inflicted / Self-Harm	9	3	6	0
PPO Report awaited	0	0	0	2
Death within 14 days of Release	0	0	0	1
Total	12	6	9	5

4.2.1 This reporting year has evidenced the lowest number of deaths in the last five years.

4.2.2 The Board has been informed promptly of these deaths and, where possible, has observed the initial actions and subsequent investigation. All Prisons and Probation Ombudsman (PPO) reports have been scrutinised by the Board and discussed with the relevant governor.

4.2.3 The prison's action plans have been monitored accordingly. The majority of recommendations have been low-level – mainly administration of systems. The prison has responded promptly to the PPO recommendations and appropriate changes have been made.

4.2.4 A new system has been implemented for men arriving on suicide and self-harm (SASH) warnings that are not placed on an ACCT. It is the responsibility of the custody manager to advise.

4.2.5 When there is a death in custody due to natural causes, the PPO reports have concluded that the clinical care received was of a good standard and equivalent to that which would have been expected in the community.

Self Harm			
2017-2018	2018-2019	2019-2020	Nov 20 - Oct 2021
672	751	542	589

- 4.2.6 There were 589 incidents of self-harm during the reporting period (compared to 542 in the same reporting period last year). This is a 9% increase compared to the 2019–2020 figures. In the past 12 months 239 individuals committed acts of self-harm, compared to 256 in the period 2019–2020 i.e. an almost 7% decrease.
- 4.2.7 Repeat and prolific self-harmers account for 350 of the incidents, which is 59% of the total, and is an increase from last year's corresponding period.
- 4.2.8 Severity of self-harm incidents is recorded on a monthly basis and 87% of all incidents for the year were of low severity, with 13% classed as moderate severity. Cutting and scratching remains the most reported methods. The values come from NOMIS/IRS and are defined in three categories: severe, moderate and low.

	2017 - 2018	2018 - 2019	2019 - 2020	Nov 20 - Oct 21
Total ACCTS Opened	1256	1307	1252	1306
Average ACCTS per month	105	109	104	109

- 4.2.9 There has been a marginal 4.3% increase in the number of ACCTs opened; however, the numbers opened over the last four years have been remarkably consistent. A more detailed analysis of the numbers evidences a decreasing trend since April 2021, i.e. an average of 97 per month. In October, 94 ACCTs were opened – the lowest in the year.
- 4.2.10 A review of ACCTs opened by location shows that 36.5% are opened in reception.

ACCTS Opened by Wing May 21 to Oct 21			
Wing	Typical % of Population	ACCTS Opened	% of ACCTS Opened
A	19%	61	16.4%
B	23%	31	8.4%
C	10%	33	8.9%
D	18%	52	14.0%
E	11%	96	25.9%
F	16%	65	17.5%
SACU	2%	22	5.9%
I	1%	11	3.0%
Total on Wings	100.0%	371	100.0%
Reception		213	36.5%
Overall Total		584	

- 4.2.11 If the reception numbers are then stripped out and a comparison made by wing and population, the results are not surprising: E wing (first night centre), SACU and I wing (the ISU) all show a disproportionately high number of ACCTs being opened.
- 4.2.12 F wing predominantly houses men on remand or convicted of sexual

offences. 17.5% of ACCTs were opened on F Wing, which was just slightly higher than the percentage of the population housed on the wing

4.2.13 The Board has reviewed and monitored with weekly frequency 263 ACCT documents (18% of the total) this year, in comparison to 184 (15% of the total) last year. Of those ACCTs reviewed, the IMB has not identified any concerns.

4.2.14. The prison has implemented a robust ACCT management strategy which includes close monitoring of complex ACCTs, which are the responsibility of custodial managers.

4.3 Violence and violence reduction, self-isolation

4.3.1 The safer prisons team (SPT) meeting is held monthly and is normally well attended by a cross-section of stakeholders. Reportable incident statistics are reviewed in detail and, where appropriate, action plans and strategies implemented. A safety intervention meeting is held weekly and is also well attended. All prisoners subject to a challenge, support and intervention plan are reviewed there, and plans identified to deal with individual prisoners' issues.

	Nov 17 - Oct 18	Nov 18 - Oct 19	Nov 19 - Oct 20	Nov 20 - Oct 21
Assaults incl staff Assaults	542	476	276	193
Staff Assaults	82	84	54	49
%age of Staff Assaults	15.1%	17.6%	19.6%	25.4%

4.3.2 Year on year there has been a 70% reduction of total assaults. This is no doubt indicative of the restricted regimes in place under Covid 19, which have significantly reduced opportunities for violence.

4.3.3 Assaults on staff as a percentage of total assaults has continued to rise, as can be seen from the above table. At the end of the year it stood at 25.4%.

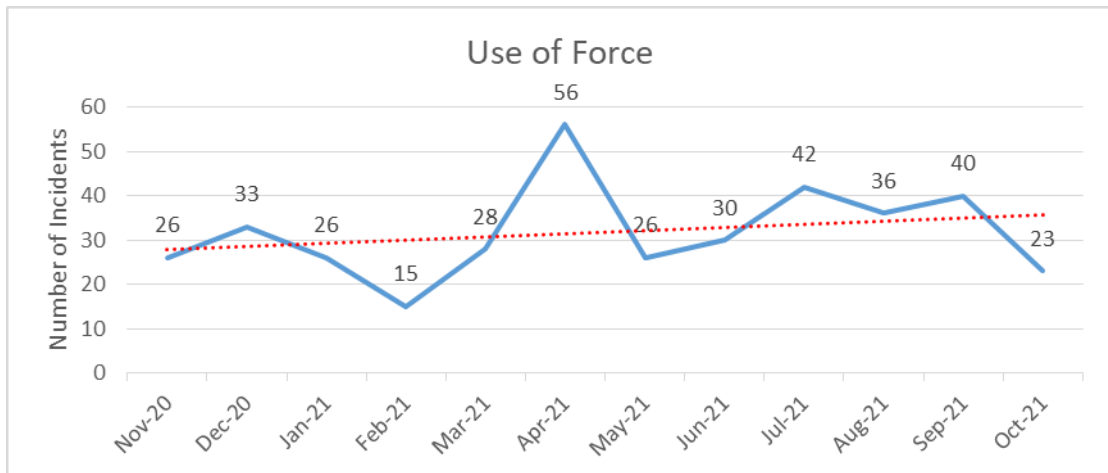
4.3.4 The overwhelming majority of injuries incurred, by prisoners and staff, have been superficial cuts and swellings.

The Board will continue to monitor.

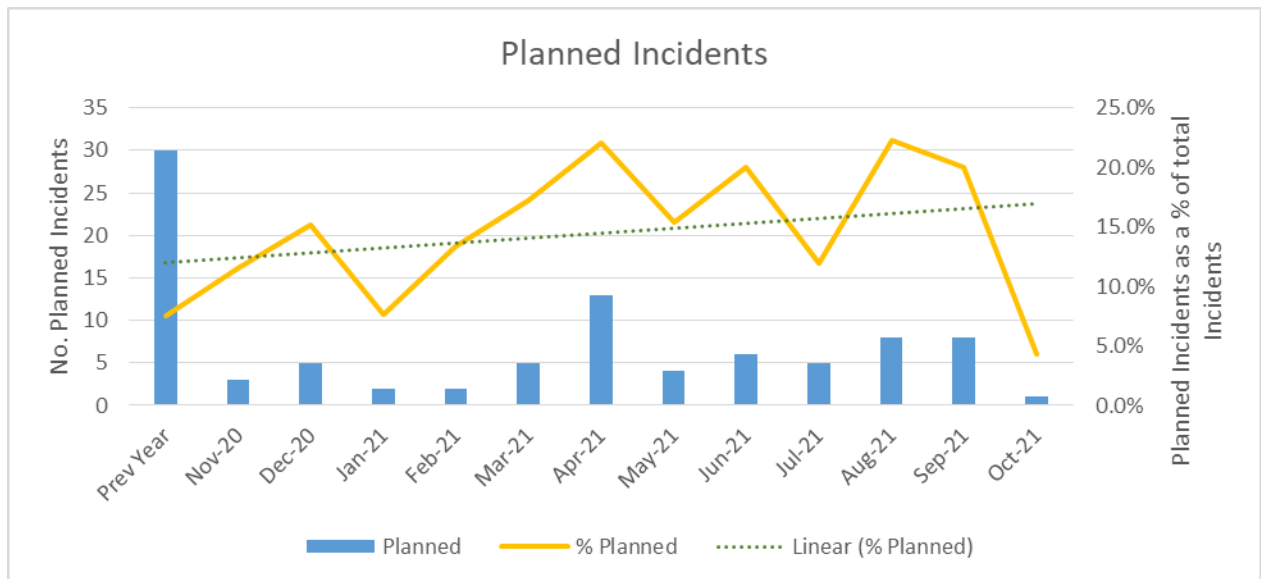
4.4 Use of force

4.4.1 The Board regularly observes the use of force (UOF) monthly meetings. At these meetings, paperwork and selected incidents are reviewed; data is considered regarding the use of BWVCs, the use of guide holds, prisoner and staff assaults and injuries, reasons for the UOF, planned and unplanned incidents, the ethnicity of prisoners involved in incidents, incidents involving the use of batons, PAVA (an irritant spray) and handcuffs, and the use of special accommodation.

IMB Year (Nov - Oct)	UoF Incidents
2017/2018	612
2018/2019	545
2020/2021	397
2020/2021	385



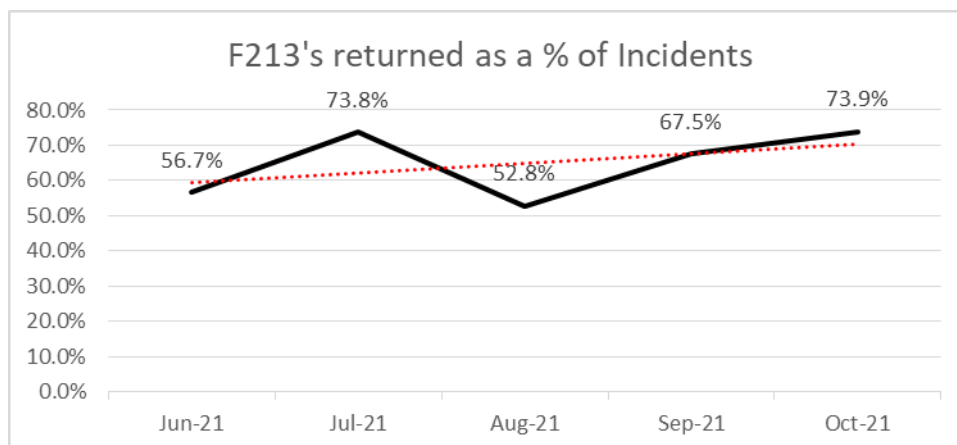
- 4.4.2 The number of incidents in 2020–2021 is marginally lower than the previous year.
- 4.4.3 Whilst the number of incidents year on year is marginally reduced, there has been an upwards trend from about the half-year point, greatly influenced by the numbers in April 2021.
- 4.4.4 PAVA has not been used in any incident during the year. In February 2021 there was an incident where PAVA was drawn but not used. 129 staff are currently trained in the use of PAVA.
- 4.4.5 In 2019–2020 BWVCs were used in 61% of incidents. For the current year the Governor had a declared an intent to increase the number of spontaneous in-cell incidents managed as planned incidents which should have a knock-on effect of increasing the use of BWVC. Against a previous year's average of 7.6%, planned incidents have increased to an average of 16.1% of total incidents.



4.4.6 Whilst there has been a significant increase in planned incidents it is disappointing to see that the overall usage of BWVC and hand-held cameras has fallen from last year's figure of 61% to a current 60.2%. Given that BWVC are used on 100% of planned incidents, the corollary is that usage for unplanned incidents has decreased from 60.5% to 55.2%. Performance has been tainted by server and battery life issues. It would appear, however, that the use of BWVCs is still not embedded into the prison's culture.

The Board will continue to monitor,

4.4.7 In June 2021 the Committee for Prevention of Torture (CPT) visited the prison. The segregation and care unit (SACU) got a clean bill of health. Concerns, however, were expressed in relation to the quality of F213 forms that are used to record injuries sustained following a UOF incident. The prison has responded immediately to this criticism by holding interim UOF meetings on a weekly basis to concentrate on the quality and timely submission of the F213 form. Whilst it is early days the graph below does show an improvement in performance.



UoF & Ethnicity			UoF & Age		
	Typical figures for 2020/21			Typical figures for 2020/21	
	% of Population	% of Incidents	Age Group	% of Population	% of Incidents
White British	77.5%	87%	18-21	8.4%	21.4%
White Any Other Background	7.9%	5%	22-29	27.8%	35.7%
Asian / Asian British	1.9%	1.50%	30-39	37.8%	28.6%
Black/ British	1.6%	1.50%	40-49	17.9%	9.5%
Not Recorded	3.6%	0%	50 & Over	8.1%	4.8%
Other	7.5%	5%			
Total Population	100.0%	100%			

4.4.8 Analysis of the UOF data evidences there is nothing to suggest any disproportionate UOF against any ethnic minority group.

4.4.9 The figures clearly show a disproportionate UOF in the age groups 18–21 and 22–29. Several attempts have been made by the UOF committee to identify why this is the case. As yet no underlying cause has been identified: perhaps it is the volatility of youth, particularly in the case of the 18–21 group.

The Board will continue to monitor

4.4.10 The Board is pleased to report that at year end the prison implemented a young adult strategy. This strategy acknowledges that young adults are still maturing and uses recent research on brain development to inform strategy. The Board looks forward to an improvement in UOF figures in this demographic as a result of the initiatives contained in this strategy.

The Board will continue to monitor.

4.4.11 The Board feels that the governance of such incidents has continued to improve over the last year, with any issues identified being rigorously followed up, as evidenced, for example, in the increase in unplanned interventions.

4.5 Preventing illicit items

4.5.1 Suspicion testing has been ongoing through Stages 3 and 2 of the EDM plans. On 1 November 2021 the prison moved to Stage 1, with the reintroduction of all types of mandatory drug testing.

4.5.2 The following table shows the impact of the dedicated search teams:

	No. of Incidents recorded		
	2019/2020		2020/2021
Incident Finds			
Alcohol / Hooch Finds	36		50
Charger Finds	24		18
Distilling Equipment Finds	1		0
Drug Finds	353		283
Drug Equipment Finds	50		27
Memory Card Finds	0		1
Mobile Finds	27		24
Mobile Phone Related Item Finds	39		43
Other Reportable Item Finds	81		55
Sim Card Finds	16		17
Tobacco Finds	28		13
Weapon Finds	88		63
Finds	743		594

- 4.5.4 The number of finds is significantly reduced from the previous year. However, the first five months of 2019–2020 were pre-Covid 19, whereas during the whole of 2020–2021 the prison has been on restricted regimes and Covid 19 measures.

The Board will continue to monitor.

5. Fair and humane treatment

5.1 Accommodation, clothing and food

5.1.1 The Board remains concerned at the level of overcrowding. Around 90% of cells originally designed for single occupancy are now doubly occupied.

5.1.2 Reverse cohorting provides for the temporary separation of men newly arrived into the prison, allowing the prison to verify that each individual does not present an infection risk before they are able to come in to contact with the general population. Reverse cohorting continues in the prison; typically, there are around 180 people reverse cohorting at any one time. Given the continued high level of new admissions, reverse cohorting is a resource-intensive logistical challenge. The Board considers that the prison has handled this well.

5.1.3 Court receptions have increased, including very short sentences of seven to 14 days: this impacts on the prison's ability to fill transfer spaces and places extra pressure on the prison to find accommodation following their period of reverse cohorting. The OpCap of the prison increased in December 2020 to 950 (against a CNA of 595).

5.1.4 The Board is satisfied that all cells meet the minimum statutory requirements,² but accommodation is largely pre-Victorian, overcrowded and generally unacceptable in 2021. Cells provide minimal separation (and in some cases none) between a person's toilet, sleeping and eating space. This is unhygienic and undignified, especially where two people are required to share a cell. It offers minimal to no privacy for using the toilet. The Board accepts that the prison works hard to maintain good standards of cellular accommodation and given the listed status of the premises, it is limited in what it is able to do to modernise its facilities. There have also been issues where people have destroyed curtains fitted around toilets to try and provide more privacy. Still, it can never be acceptable for people to live in these conditions.

The Board will continue to monitor.

5.1.5 Facilities for showering are basic and afford little privacy, especially when changing. Prisoners only had access to a shower every other day during Covid 19 restrictions. Daily showering returned with the onset of Stage 1 on 1 November 2021. Alternative-day showering was greater than the minimum statutory requirement,³ but was far from ideal.

² Prison Act 1952:

s14(1) No cell shall be used for the confinement of a prisoner unless it is certified by an inspector that its size, lighting, heating, ventilation and fittings are adequate for health and that it allows the prisoner to communicate at any time with a prison officer.

s14(2) The certificate shall identify the cell to which it relates by a number or mark and the cell shall be marked by that number or mark placed in a conspicuous position; and if the number or mark is changed without the consent of an inspector the certificate shall cease to have effect.

³ PSI 75/2011 (para 3.3): The frequency of access to ablutions and the type and quantity of toiletries provided is not specified, although prisons must meet the minimum requirement of Prison Rule 28(2) that prisoners have a bath or shower at least weekly. Governors must determine what is reasonable having regard to all the individual

- 5.1.6 Generally cells are not disability or age friendly. There are very few fully accessible cells in the prison. Men who cannot cope with even ground floor cells may have to be housed in the healthcare unit.

The Board will continue to monitor.

- 5.1.7 Levels of light and temperature continue to be an issue across the prison. Heating is controlled centrally, resulting in people in some parts of the prison experiencing sustained periods of extreme heat or cold that does not seem to be easily rectified. A lack of window covering in cells leads to people often improvising with bedsheets or privacy curtains to reduce the amount of light coming through cell windows. Accommodation fabric checks are completed regularly and each wing has paperwork to identify cells that need decorating.
- 5.1.8 Historically, decency walks established standards and cleanliness of accommodation, highlighting, for example, graffiti or posters placed in areas that should be kept clear. Given the restrictions brought about by the pandemic, it has not been possible to maintain close oversight of these issues. However, the Governor regularly walks the prison with custodial managers and has implemented a 'clean wing competition' which checks both prisoner and staff accommodation for cleanliness, state of decoration and tidiness.
- 5.1.9 The prison operates a system of checks prior to cells being occupied, involving a checklist of items and kit which should be present. The Board sees this as a positive development and a helpful reminder to staff to ensure the standard and decency of the accommodation. The Board also view this as a potentially helpful input in the drive to ensure a consistent supply and maintenance of kit items across all wings.
- 5.1.10 Towards the end of 2020, the prison introduced the Clean, Rehabilitative, Enabling & Decent programme (CRED). It is run by Amey, who oversee a programme of cell refresh. The programme is designed to encourage men to take pride in the appearance of the prison environment and to involve them in making improvements to their living conditions, so they meet the safe and decent standards set by Her Majesty's Prison and Probation Service (HMPPS). The programme also provides work.
- 5.1.11 A programme to replace blankets with duvets is being rolled out across the prison. Quilts and covers will remain with the individual while in HMP Durham. Introduction remains slow and people are no longer able to buy bedding themselves, although blankets are still available for use. This does not help with the problems people have with the extremely cold temperatures.
- 5.1.12 In May 2021 a programme allowing all people in prison to wear their own clothing instead of prison issue was introduced. Family members are allowed

circumstances including whether the prisoner is engaged in energetic and dirty work and any individual health, religious or other needs. Prisoners should have access to a shower at least weekly. Haircutting should be available but a prisoner's hair must not be cut without consent.

to bring in approved clothing which, after a period of quarantine, is issued to the person. There are limits to the amount of property a person may have. The Board is satisfied that the prison has taken steps to mitigate risk: scanning all property through new baggage scanners, high-quality checks on everyone coming into and transferring from the prison and searching of property handed into reception (focussing on books). Checks will ensure correct procedures are followed for scanning property and training will be provided where necessary.

5.1.13 The prison is also opening the equivalent of a charity clothes shop where people may purchase items of clothing.

5.1.14 North East Prisoner After Care Society (Nepacs), the north east charity for people in prison, continues good work providing new underwear and socks to people in need. They have also identified a need for reading glasses and now have a stock of various focal lengths. The prison has also financially contributed to these programmes.

5.1.15 Kitchens have been working extremely hard to maintain standards in meal provision. Despite challenges brought about by the pandemic, including the loss of staff and kitchen workers, the prison's kitchen has delivered an excellent daily meal service (including producing its own bread). Menus for people isolating because of Covid 19 have been changed, enabling them to be served at their doors. There has been no significant rise in food complaints during this time.

5.1.16 Food menus provide healthy balanced meal choices, and individual dietary, religious and cultural requirements are properly catered for (including food storage and preparation). Religious festivals and historical landmarks are celebrated with culturally appropriate menus, which have received praise from people in prison.

5.1.17 Visits to the kitchens form part of the Board's rota schedule, and visits are made several times per week. No issues of poor hygiene have been identified. Board members regularly taste the food both in the kitchens and on the wings. Given the available budget and more latterly the challenges faced in sourcing a full range of ingredients and products, the prison continually manages to offer a varied and balanced diet that can meet all requirements. The Board considers that the kitchens have served the prison well in the last year.

The Board will continue to monitor.

5.2 Segregation

SACU	Nov 2019 – Oct 2020	Nov 2020 – Oct 2021
Total no. of days occupied	3978	4129
No. of individuals	548	534
Average stay (no. of days)	7.3	7.7

- 5.2.1 The SACU has 25 single cells, three of which are normally occupied by cleaners. In addition, there are two special accommodation cells.
- 5.2.2 The Board is satisfied that all men held in the SACU receive a good standard of care. There is strong evidence of multi-disciplinary working to produce progression plans when circumstances call for them.
- 5.2.3 Approximately 95% of those held in the SACU are under rules 45 and 49, i.e. good order and/or discipline (GOoD).
- 5.2.4 Of those men detained for GOoD circa 90% are under the 'secreted items policy', the majority of the rest being rule 55, i.e., cellular confinement.
- 5.2.5 In the last 12 months, eight men have been held for periods in excess of 42 days. Six of these men transferred out to secure mental health facilities.
- 5.2.6 The two men remaining there have been held for 89 and 111 days respectively. The former is waiting for a bed to become available in a secure mental health facility. He has had three extended periods in dirty conditions. The latter has extreme views on race and gender. Staff have tried numerous ways to integrate him into the general population to no avail. He engages with the IMB and is happy to remain in the SACU. He is effectively being held for his own protection.
- 5.2.7 The forms to authorise detention beyond 42 days are submitted to the prison group director in a timely manner, however, on four occasions we have identified administrative errors. If the IMB had not raised these issues, men would have been held in the SACU illegally. Once brought to the attention of the head of residence or custodial manager, they reacted quickly to resolve the problems.
- 5.2.8 Unlike the previous year, the Board has no concerns relating to staffing levels.
- 5.2.9 Significant improvements were made to décor and housekeeping in 2019-2020. These have been maintained during the current reporting year.
- 5.2.10 During the year there have been 26 instances of men living in dirty conditions. Three individuals accounted for 14 of these instances. SACU staff and healthcare and mental health staff are regularly observed engaging with this group of prisoners.
- 5.2.11 Special accommodation has been used 22 times in the year:
- With the exception of two instances, the average length of time prisoners have been kept in special accommodation is two hours 18 minutes.
 - The two exceptions were kept in for 21 hours and 20 hours. Both were showing extreme and bizarre behaviour. As well as SACU staff they were regularly monitored by healthcare.
 - Staff inform the IMB when special accommodation is used.

5.2.12 Prison Service Instruction 1700 is very clear in specifying that it is mandatory for an appropriate member of the healthcare team to be present at segregation reviews. The data behind the figures for healthcare attendance reported in our last report was found to be corrupted and therefore invalid. The table below shows the actual performance. It is clear that healthcare attendance at GOoD reviews is still not embedded into the system.

Healthcare attendance at GOoD reviews (72hrs and beyond)						
	Yes		No		Sample size	
18 May 20 – 31 Oct 20	126	51%	121	49%	247	100%
01 Nov 20 – 05 Mar 21	76	53%	67	47%	143	100%

The Board will continue to monitor.

5.2.13 In the past 12 months there have been circa 1,000 adjudications, 20% of which have been observed by the Board. We have no concerns with procedure or outcomes. There are 53 charge codes; however, seven of them account for 838 (83%) of adjudications as follows:

Adjudications most frequent charges Nov 202 – Oct 2021			
Charge Code	Charge	No. of Adjudication	% Proven
51:12A	Unauthorised items	268	70%
51:4	Fights with any person	126	78%
51:20	Threatening behaviour	125	85%
51:22	Disobeys lawful order	117	88%
51:17	Destroy / Damage prison property	113	79%
51:1J	Assault on officer	45	85%
51:1B	Assault on inmate	44	77%

5.2.14 A review of adjudications and ethnicity shows that 88% are White British, who typically represent 78% of the population. There is no disproportionality amongst ethnic minorities.

5.3 Staff – prisoner relationships, key workers

5.3.1 Two members of the Board have conducted prisoner surveys (Life Under Lockdown and Covid Forum Survey) that amongst other things, dealt with staff/prisoner relationships:

Life Under Lockdown (April 2021)	Not well	Well	Very well
How well have you coped under lockdown?	21%	54%	25%
How well have the prison and staff managed Covid 19?	15%	48%	37%
How have staff treated you during lockdown?	7%	45%	48%

	Not safe	Safe	Very safe
How safe have you felt during the pandemic	12%	58%	30%

5.3.2 This was conducted in April 2021 just as the prison had become Covid 19-free following a three-month spell under the outbreak control team (OCT). Only those prisoners who had been in HMP Durham for more than one month were included. The survey was carried out face to face, with a sample size representing 14% of the population.

5.3.3 Examples of prisoner comments are:

- 'It's been spot on and alright'
- 'The staff has done well, they have gone out of their way to help prisoners'
- 'The prison has managed it well but we could have had more regular showers'
- 'It's been alright, staff have been alright but we have not been given enough time out of the pad'
- 'My pad mate caught Covid 19 but I was kept in the same cell and that wasn't good'
- 'The prison has been spot on boss to all your questions'

5.3.4 The IMB member conducting the survey observed that on occasions social distancing (both staff and prisoners) was not consistent, particularly around the food serving area.

5.3.5 **Covid Forum survey:**

Covid Forum survey September – October 2021	Highly disagree	Disagree	Neither agree or disagree	Agree	Totally agree
I find the Covid Forum informative	0	2	0	10	13
My concerns are listened to	0	0	0	13	12
I feel I can talk freely	0	0	4	10	11
Actions are completed in a timely manner	17	8	0	0	0
I would like to see a similar forum continue after Covid 19	0	0	2	9	14

This Board survey was conducted between September and October 2021. The forum is held weekly and chaired by the head of residence. Attendees include prisoner representatives from all wings, departmental staff and representatives from third parties e.g. Nepacs and the IMB. The purpose of the forum is a two-way communication on Covid 19 and its impacts on prisoners' lives. Twenty-five men took part in the survey. The results in the table above are self-evident.

The prison's actions in response to the forum, throughout the outbreak, were swift and generally well managed. This also is borne out from the prisoners' comments. The Governor, senior management team, staff and prisoners are to be complimented. However, the Board in its own observations agrees with prisoner comments that actions are not completed in a timely manner, not only in the Covid Forum but also in, for example, DIAT and the 'Use of Force' meetings.

The Board has been impressed by the robustness of the Covid Forum as a vehicle for prisoner voice. The Board would like to see a forum of this type continue post-pandemic.

6:1 Ratio Prisoners to keyworkers				
Key Worker KPIs'	Nov 20 - Jan 21	Feb 21 - Apr 21	May 21 - July 21	Aug 21 - Oct 21
Total No. of active key workers	150	152	165	162
% of prisoners with allocated key worker	94.2%	92.9%	96.1%	96.4%
Avg time from reception to allocation (Days)	1	2	1	1
Avg time from reception to first session (Days)	20	22	14	10
No. of project keyworker sessions in the period	3875	3726	3913	4200
No. of recorded key worker sessions in the period	790	589	1575	1721
Compliance Rate	20.3%	15.7%	40.3%	41.0%

5.3.6 When the prison achieved key worker accreditation in mid-2018, it exceeded the minimum requirement of 60% compliance. Since accreditation it has not come anywhere close to 60% compliance.

5.3.7 Throughout the majority of last year, key working has effectively been suspended in accordance with HMPPS guidelines. However, it has continued to be delivered to four specific prisoner groups i.e., the elderly, those vulnerable to Covid 19, those on open ACCTs and those remanded or sentenced under terrorism and counter terrorism. The reporting system has not been flexed to reflect the much lower numbers in these four categories.

The Board will continue to monitor.

As regimes are opening up, we see a steady increase in compliance rates.

5.4 Equality and diversity

5.4.1 The prison monitors diversity and inclusion through the nine protected characteristics, with strand leads at Governor level. There is a bi-monthly DIAT meeting, which has met five times over the year: this has been poorly attended by staff and prisoners, with few strand reports available. The meeting invites 10 function heads; the average attendance has been about

five. Commencing in October 2021, all key function meetings include diversity and inclusion on their agendas, with that part of the minutes to be reported back to the DIAT meeting.

The Board will continue to monitor.

- 5.4.2 At reception, details of each prisoner's status in relation to the nine protected characteristics are recorded based on the prisoner's own identification. As yet, those stating a disability have not had this verified by healthcare. Nor have healthcare attended the DIAT meeting to verify the information. The age of the prison does not easily lend itself to provision for prisoners with impaired mobility. Within the wings, disabled men are accommodated on the ground floor or first floor. There has been no disability audit by an external organisation for three years, partly due to Covid 19.

The Board will continue to monitor.

- 5.4.3 Data collated in respect of safer prisons; use of force; self-harm; violence; adjudications; and IEP schemes is scrutinised on a monthly basis.⁴ This scrutiny analyses the nine protected characteristics and compares it to the total prison population to illuminate any trends. The Board has seen no evidence that any ethnic minority or vulnerable group is disproportionately affected in any form.
- 5.4.4 In April 2021 an officer was appointed within the safer custody team to deal specifically with diversity and inclusion, and has organised information packs for equality and diversity representatives on each wing. He has also tried to establish someone as a lesbian, gay, bisexual and transgender (LGBT) representative. The Board sees this as a positive step forward and looks forward to observing the first meeting.

The Board will continue to monitor.

- 5.4.5 As of 31 October 2021, prisoners from black, Asian and minority ethnic (BAME) backgrounds made up 19% of all prisoners, with the remaining 81% declaring themselves in the white ethnic group (W1). The establishment has a group looking into the Lammy Review and establishing what areas need to be updated and reviewed.

The Board will continue to monitor.

- 5.4.6 There have been three transgender prisoners within the establishment, one being a registered female who was unable to be housed in the local female establishment. The Board is satisfied that the three were provided with the opportunity to express their gender identity, were treated with respect, had local transgender case boards (LTCBs) and were aware of their single point of contact (SPOC), as well as having the opportunity to sign the voluntary agreements.
- 5.4.7 In the past year there has been a range of 100 to 137 foreign national prisoners from between 22 to 34 different countries in HMP Durham at any one time. Although no foreign national liaison officer has been appointed,

⁴ The IEP scheme is now known as the incentives policy.

there is close contact between the offender management unit (OMU) and the Home Office dealing with foreign national prisoner work. Foreign national prisoners are being seen by the Home Office on a regular basis, with a weekly visit and regular video links being held. Currently Albanian and Vietnamese are the two largest groups in the establishment.

The Board will continue to monitor.

- 5.4.8 There have been between seven and 27 IS91 immigration detainees held. The Board is satisfied that contact is made on a regular basis from the Home Office to the prisoners and monthly updates are provided on their status and potential removal. The Board remains concerned, however, about the length of time the IS91 detainees are kept in an environment that is not set up, nor has the infrastructure to cater, for their specific needs. Attempts to move these men to immigration detention centres or back to their home countries fail due to constraints on the prison service and immigration removal centres, along with restraints caused by Covid 19 flight restrictions and the lack of travel documents. As at the end of the reporting year there were two men held under IS91s since 20 December 2019 and 17 December 2020 respectively. The men are regularly monitored by the Home Office.

The Board will continue to monitor.

- 5.4.9 From 1 September 2021 the Home Office has started to release IS91 detainees using electronic tagging with ankle tags and mobile phones, progressing to the use of smart watches in November. This is seen as a positive step forward.

The Board will continue to monitor.

- 5.4.10 Within the reporting year there have been 36 discrimination incident reporting forms (DIRFs) submitted, with the majority in respect of race. The prison has a memorandum of understanding with Durham County Council to randomly select 10% of the DIRFs to be examined on a quarterly basis. However, none have been externally quality checked this year; instead the Deputy Governor has checked the DIRFs on a regular basis. The establishment is in the process of updating the DIRF process including, due to the high churn of the prisoners, the transference of any information to onward establishments.

The Board will continue to monitor.

- 5.4.11 On average over the year, 65% of the population has been in the age group 22–39; young offenders (18–21) have accounted for around 8%; with the 40–59 age group making up 23.5%; and the over-60s at 2.5%. The distraction packs provided by the activity's hub are the same for everyone. There is no age distinction regarding access to work. Prior to Covid 19, the gym held separate sessions for the two groups, but there was no take up by the young offenders so those sessions were stopped. Additionally, there was an over-50s group that met for games, quizzes etc on a Thursday. The gym provided two packs for cells, which include exercises for the body and mind. One pack is for the main population and the other is for the over-50s.

- 5.4.12 No strand-led focus groups have taken place within the reporting year; however, these are planned to recommence in the new reporting year.

The Board will continue to monitor.

5.5 Faith and pastoral support

- 5.5.1 The core chaplaincy team covers all religions, with visiting ministers providing pastoral care across a range of religions: Buddhism; Hinduism; Judaism; Sikhism; Jehovah's Witness; Humanism and Paganism.
- 5.5.2 Over the last year the team has worked tirelessly and continued supporting the prisoners and staff, despite shortages in the personnel able to attend the establishment due to Covid 19. Additionally, there have been changes within the team resulting in a new head of the team and an additional part-time Roman Catholic chaplain, and the team is awaiting security clearance for a Free Church chaplain.
- 5.5.3 The team has continued to speak to all prisoners within 24 hours of arrival to ensure immediate contact with families, and supported them regardless of religious beliefs. Additionally, all those in SACU and healthcare are seen on a daily basis and those on ACCTs three times per week.
- 5.5.4 In conjunction with the kitchens and visiting chaplains, all religious festivals have been celebrated. At Christmas time Wayout TV provided messages and services, along with carol services. In partnership with the Prison Fellowship and the Angel Tree programme 25 prisoners had presents sent to their 42 children, and through Junction 42 every prisoner received a gift including a card, chocolate bar, a hygiene product and small watercolour activity.
- 5.5.5 Throughout the year the chaplaincy team have provided bereavement support and tried to use Zoom to enable the prisoners to 'attend' funerals and communicate with family members who were dying.
- 5.5.6 As the prison has started to open, focus groups, including a young offender forum, and worship in the chapel have commenced, albeit on a small scale but this has been greatly appreciated by the prisoners.
- 5.5.7 The chaplaincy team attends all operational meetings and is involved with all groups and departments in supporting and assisting the prisoners through their progress in the system. Additionally, the Bridges Group has started to support those who are homeless and with addictions.
- 5.5.8 The Board continues to observe the chaplaincy team supporting those held in the establishment, and through discussions with the prisoners understands that the chaplaincy team provides a very important role here.

5.6 Incentives schemes

T&W Recognition & Progress		Bronze (Basic)		Silver (Std)		Gold (Enhanced)	
Scheme	Roll	No. Men	% Roll	No. Men	% Roll	No. Men	% Roll
End Jan 20	974	87	8.9%	623	64.0%	264	27.1%
End April 20	958	40	4.2%	662	69.1%	256	26.7%
End July 20	912	28	3.1%	664	72.8%	220	24.1%
End Oct 20	906	23	2.5%	627	69.2%	256	28.3%
End Jan 21	883	3	0.3%	620	70.2%	260	29.4%
End Apr 21	841	3	0.4%	567	67.4%	271	32.2%
End May 21	892	0	0.0%	611	68.5%	281	31.5%
End June 21	911	0	0.0%	620	68.1%	291	31.9%
End Oct 21	947	0	0.0%	588	62.1%	359	37.9%

- 5.6.1 The prison continues to use the Tees and Wear (T&W) prisons group recognition and progression scheme; this is unique to the T&W group. Similar to the IEP system of basic, standard and enhanced, this scheme recognises behaviours as bronze, silver and gold.
- 5.6.2 The prison has adhered to HMPPS Covid 19 guidance of no prisoner being on bronze status. However, the prison reserves the right to use bronze status where appropriate and defensible decisions are recorded. There have been three prisoners on this level since mid-April 2021.
- 5.6.3 The Board is satisfied that the timing of the recognition and review levels takes place in line with the scheme's rules.
- 5.6.4 In line with HMPPS Covid 19 guidance, the only time that a prisoner would be denied access to a television is if they are located in the SACU as a punishment. However, access to television in the SACU is granted in cases where it is considered to be beneficial, as part of a progression plan to return to the general population, or when there have been unreasonable delays in the transfer to another establishment.
- 5.6.5 The head of residence has been determined to have significant differentiators between gold and silver status, thus making it attractive for prisoners to achieve the higher level. From March 2021, in addition to the standard perks of the scheme men have been able to:
- order and pay for Xboxes from their private cash
 - send cards, special occasion flowers or Amazon gift cards to family and friends who are on their approved contacts list.

At the end of October 2021 there was an unprecedented 37.9% of prisoners on gold.

- 5.6.6 In October 2021, the head of residence announced that no prisoner, remand or sentenced, would be eligible to progress from silver to gold unless they actively engaged with learning, skills and employment. The Board welcomes this incentive and hopes to see an increase in the numbers achieving gold

status.

5.7 Complaints

Comp1 & Comp 2	Total	On time	% Responses on time
2017/2018	1459	1030	70.6%
2018/2019	1304	965	74.0%
2019/2020	960	738	76.9%
2020 / 2021	1188	995	83.8%

5.7.1 The on-time response rate to complaints has continued to increase as evidenced in the table above.

5.7.2 The prison and the Board quality assure a sample of responses. As might be expected, quality does vary depending upon the respondent. However, both the prison and the Board's findings are that 90% of replies are satisfactory.

Wing	Complaints by Wing	
	% of Complaints	Typical % of Population
A	32.8%	19%
B	14.6%	23%
C	8.6%	10%
D	8.5%	18%
E	12.2%	11%
F	18.0%	16%
SACU	4.9%	2%
I	0.5%	1%
Total	100.0%	100.0%

5.7.3 A wing typically houses 19% of the population but accounts for 32.8% of complaints. This is grossly disproportionate. Perhaps it is no coincidence that living conditions on this wing are generally the worst within the prison. A major programme of refurbishment is planned for early 2022.

The Board will continue to monitor.

5.7.4

Comparison of top six complaint categories			
Prison Complaints System		Apps to IMB	
Category	% of Complaints	Category	% of Complaints
Property internal	22.7%	Healthcare	18.2%
Accommodation	21.8%	Letters & Telephones	16.6%
Canteen	14.1%	Staff / Prisoner Concerns	13.1%

Letters & telephones	12%	Purposeful Activity	11.0%
Staff / prisoner concerns	9.2%	Accommodation	9.3%
Sentence Management	4.7%	Sentence Management	8.5%
	84.5%		76.7%
Healthcare	2.3%		

The table above shows there is no correlation of complaint categories when we compare prison complaints to IMB apps. Healthcare concerns were the most frequent Applications to the Board, whereas they only represented 2.3% of the complaints to the prison. Patient confidentiality limits our ability to fully respond. In most cases we direct the complainant to the Healthcare complaint system where they should receive a more detailed response.

The Board will continue to monitor.

- 5.7.5 An analysis of ethnicity shows that approximately 90% of complaints originate from white British prisoners, who typically account for 75% of the population. There is no disproportionate use of complaints in ethnic minority groups.
- 5.7.6 When a prisoner complains about an issue related to the nine protected characteristics, they are invited to complete a DIRF form. If there are multiple issues involved, it is handled under the complaints system

There have been, in the year, 46 complaints regarding the nine protected characteristics. These were seen in the form of Comp 1s and DIRFs. The breakdown is as follows:

	Comp 1	DIRF	Total
Race	4	26	30
Disability	1	6	7
Gender	1	2	3
Religious beliefs	2	3	5
Sexual orientation	1	0	1
Total	9	37	46

- 5.7.7 Applications to the Board have risen from 185 in the last reporting year to 236 this year. In the previous year the main category for complaint was healthcare, followed by accommodation, staff-prisoner concerns and property. This year, healthcare remains the largest concern, followed by letters, visits and telephone, staff-prisoner concerns and sentence management. The largest rise in concerns in 2021–2022 is ‘purposeful activity, including education, work, training, library, regime, time out of cell’ rising from 5.4% of the applications in 2019–2020 to 11%, and ‘letters, visits, telephone’, rising from 8% of the total applications to 17%; neither is surprising considering the situation the men found themselves in during the pandemic.

5.8 Property

- 5.8.1 Internal property constitutes the largest source of complaint to the prison, but not to the IMB. Earlier in the year there were a number of issues, largely Covid 19 related, resulting in delays to people receiving their property. This was a cause of frustration for those people affected, however, the Board is pleased to say that as of late they have not observed the same delays in the issue of property, and the prison has dealt well with challenges.

The Board will continue to monitor.

- 5.8.2 Generally, over the course of the reporting year there were no delays in property. However, mid-year the prison changed policy to allow prisoners to wear their own clothes. This led to a short period of time when the property department was dealing with the new system and quarantining clothes. Delays were largely down to:

- Property received being quarantined for three days
- Large amounts of property being sent in, which had to be sorted
- Availability of sniffer dogs to check property
- People still ordering from catalogue at the same time, which added to delays

There was also a misunderstanding that property would be received after three days, but that was never the case. The prison responded to this issue swiftly.

- 5.8.3 The prison has put in place arrangements to deal with the property of late arrivals to prevent the situation becoming an issue for prisoners.
- 5.8.4 In the previous monitoring report there were concerns about property related complaints following cell clearances. There is no evidence this year to suggest procedures are not being appropriately followed.

6. Health and wellbeing

6.1 Healthcare general

- 6.1.1 The Board has observed healthcare provision regularly throughout the monitoring year. Whilst prisoners have spoken highly about relationships with nurses, prisoners have expressed a lot of frustration about healthcare provision during the pandemic. The Board has received a total of 43 written and verbal applications about healthcare, compared to 37 the previous year. In addition, there were 17 complaints to the prison about healthcare.

The Board will continue to monitor.

- 6.1.2 The new Spectrum healthcare contract came into operation on 1 April 2020. Progress was acknowledged in the last annual report. However, Board members have also expressed frustration about direct communication to monitor progress. Concerns about provision during the pandemic were the most familiar topic of conversation with prisoners. Whilst anecdotal, on several occasions we were told it was the worst provision prisoners had experienced, having been in a number of prisons. Complaints to the IMB have risen – mostly around waiting times and complaints not being responded to. Healthcare have told us new modes of communication are being looked at to improve contact and information for prisoners, such as signage and use of Wayout TV, but this is for the future. Spectrum has been affected by staffing shortages, which has impacted upon prisoners.

The Board will continue to monitor.

- 6.1.3 The allocation of prison staff within healthcare has improved as the year has progressed, facilitating exercise for able prisoners and time out of cell. Prisoners have spoken well about support within the healthcare unit and relationships with front-line staff, once healthcare has been accessed.

- 6.6.1.4 Between 1 November 2020 to 31 October 2021, healthcare received 162 direct complaints. In a five-month year on year comparison, complaints were at a similar level.

April 2020 – August 2020	April 2021 – August 2021
71 complaints	68 complaints

In 2020, the healthcare service acknowledged 100% of prisoner complaints within three days. Healthcare state 100% were answered on time this year.

- 6.1.5 The largest category of direct complaints to healthcare remains medication and prescriptions.

The Board will continue to monitor.

6.2 Physical healthcare

6.2.1 Durham's status as a reception and resettlement prison continues to present problems owing to the constant high churn of prisoners entering and leaving the prison. The numbers arriving late in the day means that everyone does not receive an initial healthcare assessment. From June 2021 to October 2021 there were 2,271 New Admissions. A review of Reception paperwork shows that 98% of new arrivals received an initial healthcare assessment. However, 48 (2%) of new arrivals were transferred to the first night centre without having been assessed by healthcare. Eight of these men carried Suicide and Self-harm (SASH) warnings. The Board is extremely concerned about this situation which is primarily driven by the number of prisoners arriving late in the day. The prison is aware of these issues and has had discussions with Geo Amey, but so far, a satisfactory solution has not been agreed.

In March 2020 (start of the first lockdown) the prison had a higher figure for secondary screening within 7 days, rising from 8.9% in April 2019 to 54.1% in March 2020. Figures are not available from March until January 2021 when the prison was in Stage 4. Screening did not start again until June 2021. On average, from June 2021 to October 2021, 7.05% of men entering the prison received secondary screening within seven days: lower than 2019 figures.

	March 2020 Lockdown	March 2021	June 2021	July 2021	August 2021	September 2021	October 2021
Secondary screening			25	26	62	12	50
Secondary screening within 7 days	54.1%	0	25 5.74%	26 5.46%	49 10.6%	12 2.73%	49 10.7%
New admissions			437	476	462	439	457

GP (general practitioner) and ANP (advanced nurse practitioner) appointment waiting times decreased rapidly before the first lockdown. Covid 19 restrictions meant patients were reviewed virtually, and were not seen face to face unless identified by a clinician.

The waiting time for dental appointments interpreted as not urgent, plus the high churn rate, means that prisoners can wait a long time before treatment within the establishment, and face another waiting list on transfer. Under Covid 19 restrictions, dentists have only seen certain patients, identified through triage, and other services have been limited.

Waiting times (figures report the previous calendar month)

	GP and ANP	Dentist	Optician	Physiotherapist	Podiatrist
October 2020	8 Days	61 days	11 weeks 6 days	47 days	20 days
October 2021	53 days	208 days			
November 2021	69 days	210 days	32 weeks 3 days.	7 weeks	14 weeks

The Board will continue to monitor.

- 6.2.2 Spirometry for chronic obstructive pulmonary disease has not been able to take place because of Covid. Routine diabetic care is provided by Spectrum. Specialist nursing is provided by County Durham and Darlington Foundation Trust (CDDFT).
- 6.2.3 Prisoners still complain as a result of having to wait for the GP summary to arrive in order to facilitate prescribing. Sometimes medication has been prescribed in reception but the pharmacy has closed, and medication is then dispensed the following day.
- 6.2.4 Last year prisoners complained about not knowing where to go to get a repeat prescription on release. Contact is made with prisoners pre-release to try to support.
- 6.2.7 Prisoners coming into reception should see a nurse for screening. If prisoners are late into reception, they may not be screened until the following day.
- 6.2.8 Between 1 June 2020 and 31 October 2020, 121 escorts were cancelled, for various reasons, including by the NHS and by HMPPS, and also as a result of prisoners being released or transferred. Plans were put in place for healthcare and duty managers to work together to gain an understanding of healthcare decisions that require a prisoner escort. Healthcare staff are also now in communication with doctors concerning a patient requiring a bed watch. Cancelled escorts have significantly reduced. Evidential data was not available. The following chart shows that planned escorts to hospital have increased as the year has eased and the number and duration of bed watches decreased. No figures were provided.

	Number of escorts	Emergency escorts	Planned escorts	Number of bed watches	Duration of bed watches
January 2021	31	11	20	10	33 days
February 2021	24	6	18	13	102
March 2021	49	9	40	12	69

April 2021	50	10	40	7	60
May 2021	46	15	31	11	91
June 2021	62	16	46	4	23
July 2021	52	17	35	10	45
August 2021	52	13	39	10	49
September 2021	58	9	49	2	44
October 2021	59	14	45	7	1

6.2.9 Other screening programmes were undertaken at HMP Durham as well as Covid 19 vaccination, for example bowel cancer and chlamydia screening. Through the Covid Forum, the Board has observed the roll-out of Covid 19 vaccinations, in line with community timings, and the age of the prisoner. The vaccination programme started in March 2021, but as in the community not all men accepted the invitation to be vaccinated. 217 prisoners declined the first vaccination.

	Covid 19 vaccinations
March 21	97 Dose 1 2 Dose 2
April 21	89 Dose 1 1 Dose 2
May 21	112 Dose 1 85 Dose 2
June 21	338 Dose 1 74 Dose 2
July 21	65 Dose 1 74 Dose 2
August 21	45 Dose 1 166 Dose 2
September 21	69 Dose 1 58 Dose 2
October 21	18 Dose 1 51 Dose 2

6.2.10 There have been two deaths by natural causes and one palliative death within the reporting year.

6.3 Mental health

6.3.1 Through monitoring and observation throughout the prison, the Board is satisfied, overall, that prison staff care for prisoners with respect and dignity, and are mindful of their mental health.

- 6.3.2 As last year, staff shortages have been an issue in the prison, and for prisoners. Challenges with staffing have fluctuated and continue to be impacted by Covid 19. Nursing staff have been working consistently throughout the pandemic, which has been challenging for them. Several wellbeing initiatives are in place and staff are offered regular support.
- 6.3.3 Covid 19 has presented challenges to the staff in the ISU and the mental health team. During lockdown group interventions were suspended, so staff delivered 1:1 support., which had an impact on some of the assessment information and added to staff pressures. The main challenges for the mental health team have been around direct patient access and the running of clinics and groups. Their caseload has been rated against clinical needs and patients have been reviewed in line with their care planning. The team have supported isolated patients to ensure their mental health and care needs were addressed through additional psycho-education, wellbeing support and regular in-cell telephone use where face to face appointments were difficult. All patients who have required face to face contact have been maintained, with urgent work prioritised. Resources and materials, including distraction, psycho-education and information, are regularly sent.
- 6.3.4 The team have reviewed activities and are now offering a more varied range of activities and therapies both 1:1 and in a group. Activities have been adapted as the prison has been subject to different regime stages due to Covid 19.
- 6.3.5 The ISU has reviewed and updated discharge processes into the community. Staff try to utilise a social worker to support with social care needs. The team have started to develop a more robust discharge pathway out of the ISU unit back into the prison, as well as into the community. Staff have been recognised for their work on patient discharge into the community, for example, supporting a person to get to the railway station and handing over the prisoner to community staff waiting at the other station. The mental health team have release markers in place, with referrals to secondary care community services as required. A social worker has been employed by the team since July 2021 to support social work discharge work.

The Board will continue to monitor.

- 6.3.6 Referrals were about 350 a month in 2019, and 430–50 in 2020, reducing to 300–350 in 2021. This monitoring year, referrals to the mental health team have been:

Dec-21	Nov-21	Oct-21	Sep-21	Aug-21	Jul-21	Jun-21	May-21	Apr-21	Mar-21	Feb-21	Jan-21	Dec-20	Nov-20	Oct-20	Sep-20	Aug-20
339	349	No data	347	257	315	346	319	301	251	245	324	454	420	371	318	342

Referrals have remained consistent to the ISU and the unit has always been between 90–100% occupied.

- 6.3.7 The team have reconfigured their staffing structure to reflect the different needs of individuals at different points through their journey within the criminal justice system. They remain an integrated service, but now have two distinct functions. Crisis nurses provide an urgent care function, focussing on early days in custody, assessing need and collaborative management of crisis and risk. Then nurses with a planned care function focus on supporting individuals with medium to long term needs. They cover caseload management, evidence-based treatment and coordination of care for transfer and discharge. The planned care team adopt a model that mirrors a structured clinical management approach for service users who move beyond the crisis point of their journey; aiming to provide improved consistency in care.
- 6.3.8 The mental health team attended an average of 105 ACCTs per month, from January to March 2019. By September 2020, hit by the pandemic, they attended 249 ACCT reviews. This year they attended:

Dec -21	Nov -21	Oct-21	Sep -21	Aug -21	Jul -21	Jun -21	May -21	Apr -21	Mar -21	Feb -21	Jan -21	Dec -20	Nov -20	Oct -20	Sep -20
152	115	No data	117	129	168	235	227	169	141	120	193	226	No data	249	218

The Board will continue to monitor

6.4 Social care

- 6.4.1 HMP Durham works with Durham County Council in terms of social care provision. The prison does not naturally lend itself to accessibility needs and social care. Healthcare provides support if there are issues of accessibility on the wings. Individual needs are assessed in reception and determine the requirement of a personal emergency evacuation plan. Nurses in reception refer prisoners into social care, and wing staff add information about them, with healthcare managing the complex case register, working with multiagency teams. Physiotherapy staff provide mobility aids, and Durham social care provides equipment such as hoists and slings, and occupational therapy aids such as cutlery.
- 6.4.2 During the monitoring year two men were referred for social care and were in receipt of a care package.

6.5 Exercise, regime

- 6.5.1 Regime has continued to be affected since the onset of Covid 19 in the last monitoring year. Prisoners have spent most of their time in cells, receiving support from the chaplaincy, mental health and education staff, providing activity packs for prisoners.
- 6.5.2 New prisoners coming into HMP Durham have experienced reverse cohorting to limit the risk of infection; which was at its worst after Christmas 2020. The prison was under the OCT from January to April 2021. During the lockdown, exercise for prisoners on the wings has been broken down. Therefore, fewer prisoners are out at the same time, facilitating social distancing. Prison returns evidence a planned and actual regime weekly, which for most of the year constituted an hour out of cell. Those men carrying out essential functions,

such as cleaning, packing tea-packs, collecting waste or working in the kitchens, had more time out of cell. For most of the year men have not experienced visits face to face, and when the opportunities have arisen to see visitors or return to classes, men have become reluctant. The prison has currently had to revisit incentives to encourage men to return to work and education.

6.5.3 From the start of 2021 prisoners had no social visits, no gym, no communal worship, and limited time out of cell. They had 30 minutes of fresh air, two separate meal collections, time to shower on alternative days and time for kiosk and phones. A Stage 1 regime was starting to be introduced from 1 November 21, leading to the reintroduction of daily showers, access to structured activities, education, larger groups, an increase in physical activities and domestic time. Up to four hours of work was made available for part-time workers, with unemployed prisoners having on average 1.75 hours out of cell. Unfortunately, following the end of the reporting year, restrictions were subsequently reimposed.

6.5.4 Lockdown has had an impact on prisoners' ability to exercise in the gyms. Prior to Covid 19 the gym averaged about 235 prisoner hours per day. This drastically changed. Prior to Covid 19 a bitesize curriculum was offered in subjects such as nutrition and manual handling in a classroom. This has been lost. Due to social distancing and restricted regime the prison has had to utilise the Astro turf as an exercise yard, which has reduced facilities.

From November 2020 to New Year's Eve, the gym held restricted sessions, with eight men per session in the large gym and six in the small one- with a strong focus on social distancing and cleanliness. Since the second lockdown, gyms reopened, managing socially distanced arrangements. They were closed again from January 2021 until the end of April. From 19 April 2021 gym induction began again with limited numbers per session (16), with greater gym activity starting 3 May 21. All men were offered two sessions per week. Gym staff made the offer at the prison door. The EDM allowed a maximum of eight gym users in the main gym and six in gym 2 per session, with two P.E. staff in each. On 1 November 2021 all restrictions were lifted, with gym numbers planned to gradually increase.

The Board will continue to monitor the impact as the prison relaxes further its regime

6.6 Drug and alcohol rehabilitation

6.6.1 The Board continues to be impressed by the work of DART with prisoners in HMP Durham. During both lockdowns, DART have continued to support men. When face to face work was impossible, they have supported through utilising in-cell telephones and packs of materials, and encouraging use of prisoner applications on the kiosk. Their mode of communication has become more sophisticated, extending to Wayout TV and, when allowed, visiting industries, vaccination clinics and workshops. After Stage 3, small group work of four men was introduced on the wings. Small groups were up and running by 13 September 2021.

- 6.6.2 HMP Durham is part of the HMPPS accelerator project, leading on the drugs strategy. HMP Durham is one of five prisons across the prison estate to pilot a designated drug strategy lead. The role is responsible for reducing the demand of illicit substances and building recovery both before and after release. They work closely with the newly appointed health and justice lead and they provide strong links with the Probation Service and other external agencies, hoping to ensure full support following release for all who engage with DART services. The pandemic has seen a decrease of 36% in the number of drug finds at HMP Durham. The prison puts this down to a reduction in visits due to Covid 19, the improved body scanner in reception and the good work by DART services. In November 2019 to October 2020 there were 956 drug finds. From November 2020 to October 2021 there were 612.
- 6.6.3 New processes in reception have allowed all unplanned releases to be offered Naloxone on release if they are opiate users. HMP Durham is also part of a national project where intranasal Naloxone will be supplied to areas of the establishment, with the aim of having all custodial managers trained in how to administer this life saving intervention. Naloxone awareness videos have been created and played via Wayout TV. These have allowed service users to present on the videos. Other videos have also been recorded by service users which cover overdose awareness, working with drug and alcohol services, and alerts from Public Health England about dangerous batches of heroin.
- 6.6.4 The introduction of 'family reward days' has commenced, which is another opportunity for family members to speak freely about substance misuse and also to be trained in how to use Naloxone. The first celebration of men making positive progress on their recovery path was 29 October 2021.
- 6.6.5 During the Covid 19 pandemic, group work was not always possible due to social distancing, and when it was completed it was with smaller groups from the same regime groups. There are now 26 groups running, each covering harm reduction, overdose awareness and 26 other topics.
- 6.6.6 DART focus groups were utilised well to discuss topics such as overdose, Naloxone, young offenders and disengagement with services, as well as a 'you said, we did' focus. DART have responded to suggestions such as support for veteran prisoners. There is evidence of improved communication and improved staff awareness of the DART services.
- 6.6.7 A Hepatitis C testing project allowed external agencies to attend and test 241 of the men in Durham. Alcoholics Anonymous, Narcotics Anonymous and Cocaine Anonymous UK have all attended Durham to hold groups with service users and promote their services.
- 6.6.8 The non-clinical DART had a caseload of 390 prisoners in October 2020, compared with 437 in 2019. Since the introduction of Stage 3 in May, the following table gives a view of the extent of their intervention:

Statistics and updates for non-clinical DART for May 2021:

	May 2021	June 2021	July 2021	August 2021	September 2021	October 2021	November 2021

New referrals assessments completed	492	498	511	525	496	498	513
Interventions carried out – face to face and over the telephone	871	928	881	817	590	776	986
Assessments completed	179	205	195	195	208	168	193
Service users successfully completed treatment	16	14	13	9	13	24	23
Naloxone kits issued	20	24	20	22	15	11	16

6.7 Soft skills

6.1.1 Isolation during Covid 19 has been exacerbated by the lack of normal peer support through more formal groups such as Listeners and the Samaritans, and informally with social interaction with other prisoners. Prisoners have continued to be supported by general prison staff, and other teams such as healthcare, mental health, gym, chaplaincy, Nepacs and education. Prisoners have evidenced appreciation of this.

6.1.2 ‘Soft skills’ cover a range of skills such as independence and resilience, that underpin Durham’s educational curriculum and are delivered through education and the work-based skills academies (dealt with elsewhere in the report). A focus on the work of the special educational needs co-ordinator (SENCo), who largely deals with men who do not come to education, reveals a caseload based on referrals and reviews. The SENCo contacts men in cells using PIN phones to review support. The SENCo prioritised packs for men with the most prevalent need in HMP Durham. The SENCo has met with the industries manager to discuss learning needs, and promoted awareness across prison staff of mental health; dyslexia; other medical conditions; and social and emotional difficulties. Under Stage 3, intervention became wing-based. The SENCo left in June, leaving a gap in support until the new SENCo takes up post.

	No. of prisoners referred by SENCo for learning disability screening	No. of prisoners on SENCo workload	No. of prisoners receiving one to one support from SENCo	No. of receptions with education care health plan	No. of prisoners referred for further screening or diagnostic testing
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Nov 20	23	57	0	0	0
Dec 20	40	19	7	0	0
Jan 21	8	22	10	1	0
Feb 21	46	19	11	0	2
March21	28	33	15	0	2
April 21	25	37	18	1	3
May 21	18	24	18	No data	No data

7. Progression and resettlement

7.1 Education, library

7.1.1 The model of education and work in HMP Durham focusses on 'engagement and employability skills', and is based upon five core principles:

- Teamwork
- Communication
- Self-management
- Problem-solving
- Presentation

Personal development in these principles underpins all education and work activity, evidenced by staff entries and records in the employment training portfolios. Information, advice and guidance (IAG) staff complete personal learning plans (PLPs), tailored to individual needs. Staff absences and limited face to face access to prisoners during the pandemic have had an impact on the timeliness of completion of the PLPs. There is currently a backlog of PLPs in need of completion.

The Board will continue to monitor.

7.1.1 Novus is the education provider: the education contract is delivered via the performance education framework (PEF).

7.1.2 The Board has monitored and Novus has evidenced the following strategies and achievements in delivering education in HMP Durham this year:

- Utilisation of Wayout TV and Way2Learn to promote learning opportunities.
- The use of in-cell telephony, kiosks and small group work on wings.
- Development and issue of induction packs, including maths and English initial assessments and rapid screeners for learners with learning difficulties or disabilities (LLDD).
- Intensive support to prisoners provided by tutors and the SENCo.
- Access to prisoners through small group work and a 1:1 support session on the wings, targeting prisoners with the greatest need.
- Formal educational in-cell learning materials developed.
- Engagement of prisoners in the segregation unit and those who are known to self-isolate.
- Re-establishment of face to face IAG services in the careers centre.
- An accredited, certificated and unitised approach implemented to increase motivation and aid the pace of learning.
- Introduction of an education support helpline.
- Introduction of reader pens and DVD players to support in-cell and small group work delivery.
- PEF monthly management meetings and quality improvement group (QIG) meetings re-established.
- Installation of virtual campus 2 and ICT refresh.
- Review and refresh of all vocational workshops and education areas in preparation for progression to Stage 2 EDM.

- Full implementation of Stage 2 EDM.

7.1.3 The following table shows the number of places in education and work in October 2021. The total number of activity spaces accounts for under 50% of the prisoner population. This compares with 75% pre-Covid 19. There was no take-up yet in woodwork; woodwork finishing; print; sewing shop; nets; wing painting; barbering; gym and library orderlies; red band activity areas; charity shop; mentors and DART interventions.

ACTIVITY	FT	AM	PM	In cell	TOTAL
Warehousing / CES	0	3	3	0	6
Recycling	0	6	6	0	12
Tea packs & canteen	0	6	6	0	12
Multi skills / construction	0	0	0	15	15
Creative community projects	0	0	0	15	15
ESOL	0	0	0	20	20
Horticulture	0	0	0	15	15
Think Family	0	0	0	15	15
VP construction	0	0	0	15	15
VP ESOL & functional skills	0	0	0	20	20
VP social enterprise	0	0	0	15	15
VP creative community projects	0	0	0	15	15
VP functional skills	0	0	0	40	40
Kitchens (inc x 1 RB - Red Band)	18	0	0	0	18
Kitchens (inc x 1 RB - Red Band)	0	8	8	0	16
PIDS	15	0	0	0	15
Wing cleaners	84	0	0	0	84
Wing painters	0	0	0	0	0
Red bands wing-based	14	0	0	0	14
Censors	0	0	0	0	0
Reception orderly	4	0	0	0	4
Biohazard	7	0	0	0	7
Reception red band	3	0	0	0	3
Industrial cleaning	0	0	0	15	15
Barbershop	0	0	0	15	15
Community café	0	0	0	15	15
Careers centre IAG/engagement	0	8	8	0	16
Exit service	0	0	0	30	30
TOTAL ACTIVITY SPACES	145	31	31	260	467

7.1.5 The delivery of in-cell learning was embedded as part of education and work during the pandemic. As the prison opened up it was retained as an extra layer of support for those low-level learners and those with learning and

disability needs. Preparation is now underway for a return to pre-Covid 19 face to face teaching. In-cell learning is expected to cease on 25 November 2021. Currently, there are no cancellations of courses.

The Board will continue to monitor.

- 7.1.6 Novus introduced accreditations on 1 October 2021 and it now forms part of its education contract. There were 26 qualifications achieved in functional skills (maths and English) and certificates awarded. Novus will be moving to Stage 1 on 1 November 2021.

The Board will continue to monitor.

- 7.1.7 From September 2021, the library provision was moved from mobile-only to prisoners attending the library in the mornings and afternoons with a maximum capacity of eight. There were no library activities this year, with the exception of the chess club.

7.2 Vocational Training, work

- 7.2.1 During this reporting year, all prisoners in work were classed as 'essential workers', supporting the day-to-day operation of the prison. The five core education principles also underpin the curriculum of work. This in turn increases employability.
- 7.2.2 Due to the need for social distancing and keeping prisoners on each wing separate, the number of places offered were reduced. The following aspects of work constitute purposeful activity:
- Stock rotation
 - Packing
 - Recycling
 - Clothing repairs
 - Production skills
 - Dexterity skills
- 7.2.3 After the second national lockdown, workshops were working half time from mid-April until the prison moved to Stage 3, 'restricted', on 4 May 2021. Under the Stage 2 regime (introduced 17 September 21) more workshops opened in industries; the shop and a new charity workshop opened; MOD nets and canteen reopened.
- 7.2.4 As mentioned in 5.1.10, GEO Amey's CRED programme provides a real-life working environment for prisoners; working to industry standards. Work placements are closely linked to existing skills and the qualifications that are being undertaken, as well as the career path the individual wishes to pursue once they are released. In addition to the work experience, the programme provides CV mentoring support. CRED was temporarily suspended due to the pandemic, though people were interviewed for jobs and successful candidates were offered the roles awaiting the start of the programme. Work has since commenced and it was originally expected that cell refurbishment work would be near completion by now. Unfortunately, pressure on prison numbers has

made it difficult to release cells for refurbishment, hindering progress. Instead, work has been focussed on other areas such as association areas. There is no revised time of completion of cells. Overall, feedback from staff and prisoners regarding the conditions of the areas completed is very positive.

- 7.2.5 The Board has observed that not all available places in work are filled to capacity on a daily basis. Some prisoners have chosen not to attend work, opting for access to wing regime (showers, exercise and access to kiosk) instead.

The Board will continue to monitor.

- 7.2.6 There is currently one outstanding vacancy for an instructor in the joinery shop. There are no contractual issues.

- 7.2.7 The prison does not offer work qualifications. Accreditations and certificates are awarded on completion of units of coursework.

- 7.2.8 The Board has witnessed that wing cleaners are allocated to work before their position has been confirmed. Correct procedure has not been followed, i.e. notifying the activities hub and healthcare risk assessment. These checks take time and the prisoner does not receive back pay to cover the interim period. The Board finds this situation unacceptable and not conducive to engendering respect in terms of staff-prisoner relationships.

The Board will continue to monitor.

- 7.2.9 New Futures Network (an HMPPS employment service) has returned to the prison. Under their auspices, a new initiative called 'Jobs Unlocked' has started. This offers the industries manager a database of job opportunities, which are in turn advertised in the workplaces in the prison. Junction 42, another job recruitment agency, has similarly made initial contact with the prison, offering job vacancies in the community. There were no prisoners on release on temporary licence (ROTL) this year.

- 7.2.10 Ofsted made a progress monitoring visit to HMP Durham on 3–4 August 2021. The report recorded education and work in HMP Durham as having made 'reasonable progress'.

7.3 Offender Management and progression

- 7.3.1 There are no offender assessment system (OASys) backlogs this reporting year. Reviews are conducted by community probation services.

- 7.3.2 There are currently three recruitment drives for Band 4, 3 and 2 vacancies in the OMU. The OMU recognises this may impact on the outcomes of prisoners in terms of sentence calculations; timeliness of recall packs; transfers; home detention curfews (HDCs); and public protection. The OMU has escalated this concern to the region and the staffing issue is now placed on the risk register. The OMU has mitigated against the staffing shortages by prioritising

responses to kiosk enquiries and sign-posting prisoners to their allocated key worker for all urgent enquiries.

The Board will continue to monitor.

7.3.3 The operation of the second stage of the offender management in custody (OMiC) model, including prison offender managers (POMs), was fully implemented in March–April 2020. There are 10 POMs; five are fully trained, the remaining five in the midst of training. There are seven fully trained probation officers, five of whom are allocated to cases, two solely dealing with public protection. The OMU has used in-cell telephony for welfare and key worker checks. Where necessary, face to face contact was made with the prisoner. The probation team operated in line with its EDM. By the end of this reporting year, all probation staff will have returned to the residential wings. In-cell telephony is still used as part of a blended approach.

7.3.4 Sentence planning forms part of the OASys assessment (assessing the risk and needs of an offender throughout sentence). Due to the high churn of prisoners in HMP Durham, sentence planning is often undertaken by the POMs of the receiving prison.

7.3.4 These are the categories of prisoners in HMP Durham in October 2021:

Category	Number
C	277
B	5
YOI	8
D	7
IPP	4

Sentenced prisoners make up 31% of the prison population, with the rest on remand. In October 2021, 275 prisoners were transferred out of HMP Durham:

- Four category B
- 16 YOI Mains
- Two category D – to Kirkham and Sudbury
- 18 VPs either to Northumberland, Holme House or Risley
- 235 category C Mains

Where difficulties arose in relation to transfers, the OMU referred matters to the population management unit. ‘Cherry picking’ of prisoners by receiving establishments has not been an issue this year.

7.3.5 There are no offending behaviour programmes at HMP Durham. The OMU identifies the programmes needed for the prisoners’ progression and then works with the receiving prison to facilitate the prisoners’ needs. In Durham, key workers offer the ‘choices and changes toolkit’ to the under-25s.

7.3.6 There were four ‘Indeterminate sentenced (IPP) prisoners’ in October 2021.

Status	Length of time spent in HMP Durham
Licence recall IPP	51 days

IPP	10 days
Licence recall IPP	5 days
Licence recall IPP	72 days

7.3.7 Prisoner links to probation and parole are based on the OMiC model. The POMs work collaboratively with the community offender managers (COMs) to prepare prisoners for release. There is a hand-over process from the prison to the community offender managers. POMS and COMs are present at parole reviews. These were conducted via video-links this year.

7.3.8 There were no ROTL prisoners this year and the OMU acknowledges that on occasions HDC dates had been passed by the time the prisoner is sentenced.

The Board will continue to monitor.

7.4 Family Contact

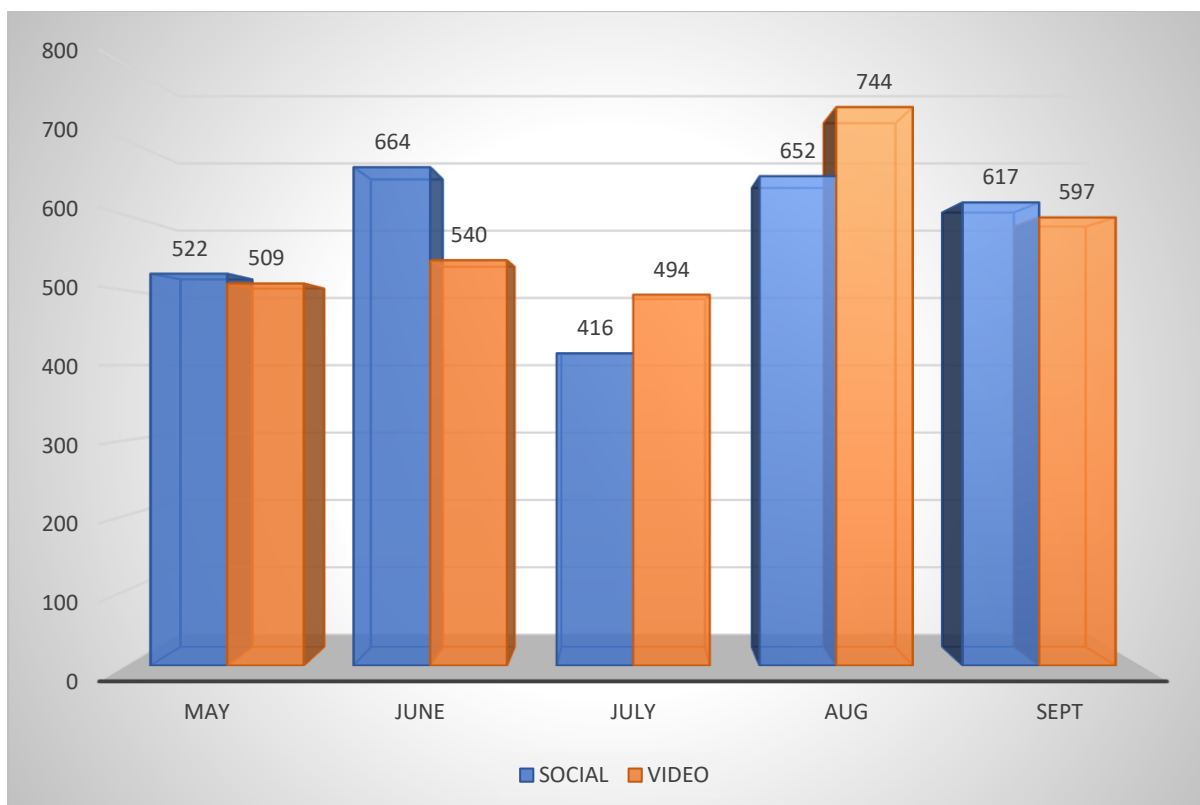
7.4.1 In-cell telephony is available to all prisoners in HMP Durham. Kiosks are used on the wings to book visits and to request assistance with family matters. The Courts Project, part of the HMCTS reform programme, resumed in August 2021. The 'early days in custody' team receive referrals from the courts, investigate matters when appropriate, and assist in resolving prisoners' concerns. Prisoners' mail is handled by the prison's censor

department. Prisoners and their families also have access to the 'e-mail a prisoner' facility.

7.4.2 Social visits recommenced on 17 May 2021. Remand and sentenced prisoners have equal access to visits, which is one social visit and one video (Purple) visit per month.⁵ Visits were allocated by the wing on a five-week rolling basis. The visits booking process changed this year. Prisoners now initiate the process via an application on the kiosk. From May 2021, there were applications for 2,884 purple visits and 2,871 social visits. The booking visits line utilises a text messaging service (Text Magic) to contact families in 90% of social visits booking. This facility started in June 2021.

The Board has monitored and noted the many challenges prisoners and their families experienced in booking visits this year. The following table evidences the challenges. Based on the number of applications received via the kiosk, this shows the type of visit requested.

⁵ Purple Visits are now known as secure social video calls.



For the period 1 May 2021–30 September 2021, there were 2,871 total requests, 61% of which had to be rejected (1,749). The corresponding figures by 31 October 2021 were 3,406 requests with 2,038 rejections (equating to 60%).

The three main known reasons for the rejection were: the visit was not approved; the request was retracted by the prisoner; and the prisoner had already had his month's visit. In June 2021, most visits were not approved, in May 2021 most were retracted and in August 2021 most were cancelled because the prisoner had already had his entitlement.

7.4.4 On 29 June 2021, video visits commenced. Between 26 June 2021–30 September 2021 the prison received 7662 applications via the kiosk. 3768 of these were rejected which equates to a rejection of 49%.

The main reasons for rejection are as follows:

- Purple Visits app not downloaded (1,510 applications)
- Prisoner already had/pending visit (574)
- Duplicate request (493)
- Prisoner in custody under 14 days (358)
- App retracted by prisoner or transferred (235)
- Insufficient information on kiosk App (226)
- Wing on lockdown (104)

The corresponding figures by 31 October 2021 were as follows: 8,238 applications via kiosks and 3,985 rejected, which equates to 48%.

The Board will continue to monitor.

7.4.5 Upon the introduction of the Stage 2 regime on 17 September 2021, Purple (video) visits were moved into the main visits hall so that they could run at the same time as social visits, increasing the number of prisoners in the visits hall. The shop in the visits hall also reopened, allowing a more relaxed visit session, with pre-orders taken in the visitor's centre. Physical contact was allowed for all under 11-year-olds and for those over 11 as long as the whole visiting party tested negative on lateral flow tests (LFTs) in the visitor's centre prior to the visit.

7.4.6 The visitor centre is run by a Nepacs manager, staff and a team of volunteers. Prison staff are also detailed to assist. The following activities were performed during this reporting year:

- Answering prisoners' family queries
- Property hand-ins
- 500 activity packs to children
- Book and clothing donations
- The Rainbow photos project (which linked prisoners and families via photo-shoots and greeting cards)

The visitor centre lost its 'prisoner departure lounge'. Prisoners continued to be supported with essential items of clothing and sundries (charity donations) to assist them on release.

7.4.7 The layout of the visit's hall was reorganised to accommodate the return of social visits. Visits sessions now operate daily, with a maximum of 10 prisoners per session for social visits and eight for video visits. These are run in tandem. The duration per social visit is 45 minutes. The Board has observed the strict social distancing measures in place. The tea bar did not operate and the play area has not been in use this year.

7.4.8 Due to the pandemic, there have been no family days, parenting initiatives or family courses this year.

7.4.9 The early days in custody team support all prisoners and their families during the first 14 days in custody. This period precedes access to family visits. Following these 14 days, support is provided by and referrals made to the family liaison officer (FLO). The FLO was appointed on 1 April 2021. The Board has observed the diligence and collaborative team working between visitor centre staff, early days in custody staff, the FLO and the prison discipline staff in supporting prisoners and their families.

At the end of this reporting year, information gathering started for the 'family framework redesign'. This is a regional initiative aimed at improving the experience of prisoners' families.

The Board will continue to monitor.

7.5 Resettlement Planning

7.5.1 On 25 June 2021, the community rehabilitation companies (CRCs) ceased and were replaced by the Probation Service. The Probation Service is now responsible for the resettlement of prisoners. Currently, this is undertaken by

the 'legacy through the gate' team (LTTG), which is a part of the Probation Service. The team remained in HMP Durham throughout the year and has increased its staffing level to 12. LTTG completes the prisoner basic custody screening tool part 2 (BCST 2), which forms part of the OASys for prisoners of all risk levels. For high-risk prisoners, LTTG works with the COMs. The impact of the changeover from the CRCs to the Probation Service on prisoner outcomes remains to be seen.

- 7.5.2 The unplanned releases reflect the high churn and short periods of custody of prisoners in HMP Durham. In October 2021, 80% of the prison's population was on remand. The following chart evidences the number of releases, planned and unplanned, during 2021 (January–September):

Prisoner releases	Total releases	Monthly average
Planned	610	67
Unplanned	717	80
Total	1327	147

The Board will continue to monitor.

- 7.5.3 Sentenced prisoners who have been in custody for three weeks or more in HMP Durham are allocated to a POM. Some of these prisoners may be sentenced to penalties that do not involve the Probation Service. In these cases, there is no role for the COM. Some men are also released directly from court. The OMU cannot confirm that in all of these unplanned releases support is provided by a COM. Where the Probation Service has been involved in unplanned releases, the Probation Service has a duty to refer the prisoner (with his consent) to his local authority for accommodation on release.

The Board will continue to monitor.

- 7.5.4 At the start of 2021, in-cell telephony has enabled prisoner interviews to take place. With the movement of prison regimes from Stage 4 EDM in January to Stage 2 in October, more face-to-face interviews are now carried out on the wings. The Probation Service works with the Ministry of Justice homeless prevention team co-ordinator in arranging accommodation for prisoners on release. However, this has proved problematic, especially for remand and short-sentenced prisoners. This may emerge in monitoring this year.
- 7.5.5 Prison interactions with prisoners is based on the OMiC model. Prisoners are allocated key workers and POMs. Weekly interactions are recorded on NOMIS.
- 7.5.6 Release planning for prisoners begins 12 weeks prior to the release date. This includes accommodation planning and provision on release. Shelter has been replaced by the housing group 'Thirteen Group' this year to provide accommodation support. It remains to be seen if this changeover has an impact on prisoner outcomes.

The Board will continue to monitor.

7.5.5 The Probation Service works with Job Centre Plus at the planning stage and also at the point of release. This joint working aims to address prisoners' benefits and employment issues in preparation for release.

The work of the IMB

At the beginning of the monitoring year, the Board had 12 members. Over the year, three members took a sabbatical. The Board was involved in a joint recruitment exercise and appointed five new members. Four accepted a position. Actively, throughout the year the Board has relied on six active members. The Board, at the time of this report, comprised 16 members, of which eight are female. There is one ethnic minority member and one member with a disability. With the exception of one member, all members have less than six years' tenure on the Board, with six members having less than two years.

The Board is very active, and has continued to be throughout the pandemic. From 2019-2020, four members were actively involved in the 0800 line; from November 2020 members concentrated on visiting all areas of the prison, following Covid 19 guidelines, and written applications had returned to their pre-lockdown methodology. The Board has carried out 435 visits over the year, including follow-up visits to ensure serious incidents have been appropriately followed-up. The Board has continued to be assiduous in its monitoring role and has visited the prison for monitoring on 230 out of 365 days in the year - 63% This includes nine visits on a weekend - 8.6%. Great efforts have been made to continue to develop the relationship with prison staff at all grades and it is fair to say that the Board's independent monitoring role is valued within the prison and its monitoring findings are seen as, whilst challenging at times, constructive towards improving all areas of the prison. There were positive comments welcoming the IMB back into the prison post lockdown, acknowledging the independent scrutiny brought by the Board.

There is an active training programme for the Board. Unfortunately, because of the pandemic we have been unable to visit other prisons this year. At each Board meeting we welcome speakers from various departments in the prison and awareness raising in changes in prison policy. When the Board was unable to visit the prison, meetings and training were still facilitated by Zoom.

The recommended complement of Board members was 20 the start of the reporting period and reduced by the Secretariat to 15 at the end.

Total number of visits to the establishment (excluding for serious incidents) 673
Visits for serious incidents 8 Total number of segregation reviews attended 23.

Board statistics

	At the start of the monitoring year	At the end of the monitoring year
Recommended complement of Board members	20	15
Number of Board members at the start of the reporting period	12	
Number of Board members at the end of the reporting period		16 (With 3 on sabbatical, 4 new members)
Total number of visits to the establishment		435
Total number of segregation reviews attended		66

Applications to the IMB (including via the 0800 telephone line)

Code	Subject	Previous reporting year 2019-2020	Current reporting year 2020-2021
A	Accommodation, including laundry, clothing, ablutions	35	22
B	Discipline, including adjudications, IEP, sanctions	1	3
C	Equality	5	8
D	Purposeful activity, including education, work, training, library, regime, time out of cell	4	26
E1	Letters, visits, telephones, public protection restrictions	15	40
E2	Finance, including pay, private monies, spends	8	8
F	Food and kitchens	3	4
G	Health, including physical, mental, social care	37	43
H1	Property within this establishment	17	19
H2	Property during transfer or in another establishment or location	3	8
H3	Canteen, facility list, catalogue(s)	9	3
I	Sentence management, including HDC, release on temporary licence, parole, release dates, recategorisation	16	20
J	Staff/prisoner concerns, including bullying	24	31
K	Transfers	4	2
L	Miscellaneous, including complaints system	4	0
	Total number of applications	185	236

In the previous year 63 applications were generated from the 0800 line, versus zero in the current year.



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