



Chair, Independent Monitoring Board
HMP Garth
Ulnes Walton Lane
Leyland, Preston
PR28 8NE

MoJ ref: SUB 097915

30 June 2022

Dear Chair,

**HMP GARTH: INDEPENDENT MONITORING BOARD ANNUAL REPORT
FOR 1 DECEMBER 2020 – 30 NOVEMBER 2021**

Thank you for your Board's report for the year ending 30 November 2021. I am grateful to you and your colleagues for your hard work, particularly as you operated with a significant number of vacancies throughout the reporting period.

I was saddened to hear there were six deaths in custody during the reporting year. As you are aware the Prison and Probation Ombudsman (PPO) carry out independent investigations into deaths in custody and I would like to assure the Board my officials take recommendations from the PPO very seriously. Given the strain that delays can put on family and staff involved, I hope that the inquests are concluded as soon as possible.

I appreciate the Board's concerns about the Facilities Management contract. The contract with the current provider (Amey) has been in place since 2015. The tender process for the next contract will be conducted over the next two years. HM Prison and Probation Service (HMPPS) recognises that during the time preceding the IMB report, the Amey team at HMP Garth had seen a significant and prolonged period of staff turnover in both its site management and trades staff. This resulted in a reduced and inexperienced team that affected their performance and contractual obligations. Consequently, a joint review was undertaken between the Ministry of Justice and Amey where a recovery plan was implemented and all staff vacancies filled. The site now has a settled and full workforce supported by senior managers and has improved its performance to now consistently meet Key Performance targets of the contract.

The Government welcomes the Justice Select Committee inquiry into Indeterminate Sentences for Public Protection (IPP) and will carefully consider the recommendations in the final report. I would like to reassure you that HMPPS remains committed to doing all they can to support IPP prisoner's progression and efforts to reduce their risk, to the point where the Parole Board determines that they may be safely released. These prisoners are still assessed to pose a high risk of committing further violent or sexual offences and have a complex set of risks and needs. These must be addressed before the Parole Board can consider release. For these reasons, there are some prisoners serving the IPP sentence who have spent a significant number of years in custody after completing their tariff.

I would also like to clarify that the IPP licence period differs from licences for other indeterminate sentences in that, IPP offenders are eligible to have their licence terminated at the discretion of the Parole Board once 10 years have elapsed from their first release. The Secretary of State has made it his policy to seek to refer every eligible offender to the Parole Board. Following an amendment in the Police, Crime,

Sentencing and Courts Bill 2022, the Secretary of State will automatically refer every eligible IPP offender to the Parole Board for consideration for licence termination every year. The minimum 10-year period is not paused or reset if an offender is recalled to prison or serves a subsequent sentence for further offences. This will ensure that every eligible offender is considered by the Parole Board and will enable the IPP licence, and the IPP sentence as a whole, to be brought to a definitive end for more offenders.

Staff retention at HMP Garth continues to be an issue with a higher than average leaving rate. Nationally collated exit interviews for staff with less than two years of service indicates the main reasons for attrition are flexible working and expectations of the role. For staff with over two years' service the main reason for leaving was health and wellbeing. To improve this work is being undertaken to embed an outreach strategy to ensure all candidates are engaged with prior to joining the service, and have the opportunity to visit the prison and ask any questions that they may have around the role and HR issues. HMPPS has also implemented new Colleague Mentor and Buddy schemes which are being implemented across all prison regions in 2022–23. The package of initiatives is specifically designed to create a supportive and helpful environment for staff and to ensure that they feel capable and confident in their role. I can also confirm there have not been any changes to the conditions of service for prison staff since the implementation of Fair and Sustainable in 2012. HMPPS' evidence to the Prison Service Pay Review Body for 2022 proposes that starting pay for prison officers outside of London is increased to £25,382. It is also proposed that the number of pay points/increments to progress to the maximum salary is reduced from four to two to enhance the financial offering to staff.

Prison food budgets have come under increasing pressure due to the rise in food prices globally. Prison Governors have the authority to determine how they spend their non-pay budget, and ultimately use their discretion to determine how much is specifically allocated for food. As recognised by the Board, the catering manager and the team do a fantastic job in producing a varied weekly menu of good quality and quantity of food. I can advise the local food budget is under review for the current financial year 2022-23.

I appreciate the Board's concerns around increasing capacity for difficult and hard to manage prisoners, and that is why I am pleased to affirm the Deputy Prime Minister's recently announced funding of £6 million to increase the capacity of Close Supervision Centres where such prisoners can be safely managed. This includes the management of the most dangerous and disruptive cohort from across the estate. This additional capacity will become available during the 2022/23 financial year and contribute to the overall capacity within HMPPS to manage this cohort of prisoners.

Although it has been another difficult reporting period, it was encouraging to receive your comments that the Assessment Care and Custody Teamwork process is working well and saving lives, and the number of men in education has increased overall since before the pandemic.

I note you have raised some local issues of concern in your report which the Governor will continue to keep you aware of as work continues. HMPPS comments in response to other issues raised in your report are set out in the attached annex.

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

Yours ever,



VICTORIA ATKINS MP

**HMP GARTH: INDEPENDENT MONITORING BOARD ANNUAL REPORT
FOR 1 DECEMBER 2020 – 30 NOVEMBER 2021**

HMPPS comments on matters raised in the report

Segregation Unit

Length of individual stays in the segregation unit are monitored and escalated to the Long Term and High Security Estate (LTHSE) population manager or LTHSE Pathways to Progression management team at the earliest opportunity to expedite transfers to more suitable locations where possible/appropriate. Most of the specialist units at HMP Garth often operate at maximum occupancy due to the challenging population held at the prison and this is frequently replicated across the LTHSE. The local weekly safety intervention meeting discusses those prisoners who may fit the criteria to transfer between specialist units, for example the segregation unit to the Building Hope unit (a reintegration unit) and expedite these moves where possible.

For very complex prisoners with mental health needs, the LTHSE has developed a number of new ways of working to improve the collaboration with forensic health settings, which has seen a number of positive outcomes across the Directorate for prisoners who need a hospital bed. Funding has recently been confirmed for specialist mental health provision in the Pathways to Progression central team, which will supplement existing scope to meaningfully progress complex prisoners from segregation and ensures bespoke interventions are provided where appropriate for individuals held in these units.

Uniformed Staff Recruitment

The recruitment of prison officers has become more challenging nationally and for the first time this has significantly affected recruitment in the north west. Prison officers are recruited to national standards and are required to be available to work in a wide variety of positions and in different prisons as necessary. A central service for this is provided via the Ministry of Justice which in the past twelve months has managed the recruitment of over 4000 new officers.

Whilst it is acknowledged there are good arguments for managing recruitment of prison officers at a local level, the diseconomies of scale in doing so are significant and it is not appropriate for operational resources in prisons to be diverted to process the volume of applicants required. Governors are however encouraged to engage with candidates before they take up a post and ensure that they receive appropriate support and understanding of the role, and staff from HMP Garth have attended local recruitment fairs to promote the Prison Service as a career. Any occupational requirement for either male or female officers has to meet the requirements of the Equality Act 2010. It is therefore an analysis of what is appropriate to meet the needs of people in prison to meet the standards of decency or any other relevant consideration. Most female prisons now have an individually determined limit for the number of male officers that may be employed within their staff profile. No male establishment has as yet properly identified the need to set such a limit, which reflects the very different rules surrounding the searching of women prisoners and the size of many female prisons.

Older Prisoners

National guidance states that prisoners who receive a social care assessment (undertaken by the local authority social care team) which then results in equipment being recommended should be supported and funded by the local authority's equipment service to ensure the relevant kit is available for the end user. Any other aids requested, but not identified on the social care plan, would be funded via the prison. Prison

Service Instruction (PSI) 03/2016 *Adult Social Care Policy* and particularly section 12 titled '*The Built Environment, Equipment and Adaptations on equipment*' provides clear guidance on this area.

At HMP Garth, prison management have purchased aids including mattresses, chairs, grab rails and call bells on occasions where the local authority threshold was not met. The healthcare provider has also appointed a health promotion nurse who will be carrying out a full assessment of all prisoners aged over 55 to ensure the prison is effectively meeting the needs of its aging population. The prison's healthcare provider will be raising this issue with the local authority at the next Local Delivery Board meeting to clarify the process and address any issues with difficulty in accessing equipment.

Probation Services

Community Offender Manager (COM)

At HMP Garth there is an in-reach resettlement provision managed by or otherwise linked to a Probation Delivery Unit (PDU). The pre-release resource for HMP Garth is provided by the embedded pre-release teams based at HMPs Preston and Lancaster Farms for resettlement needs and pre-release support for all people in prison, including co-ordinating work on behalf of the COM for the out of area cases. Following unification of the probation services, the timescale for allocation of a COM has remained unchanged with the handover from the Probation Offender Manager (POM) continuing to take place at 7.5 months prior to release.

The introduction of the role of POM allows for more and better engagement with people in prison and it aims to drive the sentence and deliver better quality assessment and sentence planning coordination. The Offender Management in Custody (OMiC) model has introduced a dedicated handover period from the prison to the community to enable effective release planning and risk management. This ensures continuity of journey and robust information sharing between prisons and the community. Handover takes place 7.5 months prior to release for standard determinate cases, and 8 months prior to Tariff Expiry Date/Parole Eligibility Date for parole eligible cases. There is also an Early Allocation mechanism to allow handover to take place 18 months before release for cases where additional time might be needed due to certain risk and need profiles. Following handover, the POM supports the COM by delivering specific tasks such as home detention curfew and release on temporary licence assessments and preparation for release.

Pre-Sentence Reports (PSR)

Whilst the use of the PSR is at Judicial discretion, the Probation Service Target Operating Model (TOM) has committed to increasing capacity in courts to enable more, better quality, reports to be written and to proactively targeting PSRs at selected cohorts, including those at risk of short term imprisonment. This work is currently being piloted across fifteen courts in England and Wales, where the effectiveness of short adjournments for selected cohorts is being evaluated for quality, effectiveness and outcomes. HMPPS recognises that the judiciary will not always choose to order a PSR. In response, the TOM commits to resourcing post-sentence interviews enabling information gathering to inform sentence planning where no PSR has been undertaken.

Offender Assessment System (OASys) Reports

Under the OMiC model there are clear requirements for OASys reviews to be undertaken. For those in scope for a prison OASys assessment, the 'Start Custody' OASys must be completed within ten weeks of sentence for determinate sentences and within sixteen weeks for indeterminate sentences. The requirement for OASys reviews is clearly set out in guidance. Reviews must be undertaken at least every two years for determinate sentenced prisoners or at least every three years for indeterminate sentenced prisoners and at points of significant change. A prison transfer may not always be classed as a significant change unless it was part of the re-categorisation process.

Due to the backlog in the system and reception prisons prioritising shorter sentenced prisoners, HMP Garth is having to accept prisoners outside of the timeframe for completion of OASys assessments.