



Ms Susan Elizabeth Wall  
Chair, Independent Monitoring Board  
HMP/YOI Foston Hall  
Derby  
DE65 5DN

MoJ ref: SUB96068

3 May 2022

Dear Chair,

**HMP/YOI FOSTON HALL - 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 in capturing these helpful observations, especially as you were short of Board members at the start of the reporting period. I was saddened to hear there were two deaths during the reporting year concerning HMP/YOI Foston Hall, one of which was following release. My officials take recommendations from the Prisons and Probation Ombudsman very seriously.

I appreciate the Board's concerns about waiting times for transfers to secure hospitals. The pathway into secure beds is complex and the responsibility for the commissioning and provision for all levels of the service sits within NHS England's Specialised Commissioning Team. As you will be aware, the provider and staff at the prison have to work with multiple teams and within the confines of services not commissioned by NHS England Health and Justice.

To support reductions in the waiting times for admission to secure hospital, NHS England Health and Justice (Midlands) Governance team and Commissioners have developed a Clinical Case review meeting that takes place every two weeks. This is clinically led and seeks to proactively manage those waiting for secure beds through dynamic risk assessment whereby every case on the waiting list is required to be risk assessed every two weeks. The meeting covers the whole Midlands Region and incorporates all prisoners that have exceeded the 28-day timeframe. This multi-agency meeting ensures a whole-systems approach to supporting the most vulnerable and high-risk. Prisoners can move up and down this list dependent on their presenting risks. To date, these meetings have had a positive impact on the waiting list. This pathway is more challenging involving significantly more agencies, and NHS England Health and Justice commissioners liaise with local case managers and collaboratives for the area to support the transfer.

Turning to prisoners' housing provision following release, our Prisons White Paper sets out our vision that no-one subject to probation supervision is released from prison homeless. By 2024-25 we will spend £200 million a year to reduce reoffending, including improving prison leavers' access to accommodation. This includes investing in our temporary accommodation service that was launched in July 2021 as part of the Beating Crime plan, so that every supervised offender leaving prison in England and Wales can access this provision. Our Female Offender Strategy sets out the long-term framework to achieve better outcomes for female offenders and the Community Accommodation Service takes account of the needs of women, including those with complex needs. I am also able to reassure the Board that we will continue to

deliver additional bed spaces in Approved Premises in response to the ministerial commitment made in January 2019. This includes a new purpose built Approved Premises in London, a new male Independent Approved Premises in Bradford which will open shortly, and we have also awarded contracts for two new Independent Approved Premises in London (one male and one female) that are due to open in the summer of 2022.

On 26 June 2021 the National Probation Service and Community Rehabilitation Companies unified to become the Probation Service. The responsibility for the delivery of resettlement services moved to the Regional Probation Directors (RPDs) with key interventions delivered by Commissioned Rehabilitative Service (CRS) providers (commissioned by RPDs). Under the new resettlement approach all resettlement prisons will have an embedded provision that will provide pre-release services not available via CRS. Services which are delivered pre-release (accommodation, personal wellbeing including mentoring through the gate, and women's contracts) will continue post-release and attendance at appointments with CRS Suppliers will be part of mandatory licence appointments and this includes support delivered via visits or by phone/video rather than by staff based in the prison where appropriate. As well as preparing people for release, CRS providers will undertake activity to close down tenancies etc at the start of sentences where this is required or maintain housing arrangements where appropriate and possible. Plans to extend accommodation support to remand prisoners are on track for suppliers to begin providing services in all relevant Resettlement Prisons in England and Wales by the end of June 2022.

Alongside the pre-release teams and CRS provision, a new short sentence function (SSF) is being introduced in all Probation Regions from June 2022 to provide a responsive bespoke service for those serving short prison sentences (10 months or under to serve at the point of sentence). The SSF will provide a dedicated pre-release team at HMP/YOI Foston Hall, which will also support un-convicted prisoners to sustain community ties and plan for potential release. Although the rollout of the SSF begins later this year, a full service is not expected until 2023. Departure Lounges have continued in a number of prisons and recommencement of this service at HMP/YOI Foston Hall remains under consideration as target staffing levels are achieved.

Although it has been another difficult reporting year, I was encouraged to receive your comments that HMP/YOI Foston Hall keeps prisoners safe and has good interactions between staff and prisoners. I am grateful to the Board for recognising the commitment of all staff at the prison in dealing with the challenges of Covid-19 in the context of acute staffing pressures throughout the year, and the dedication of the chaplaincy team in providing much valued support to many prisoners in distress and with their mental health throughout the year. I was also pleased to note the focus and impetus on equalities at the prison including the establishing of new prisoner wing equality representatives with clear role descriptions.

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. HM Prison and Probation Service (HMPPS) comments in response to other issues raised in your report are set out in the attached annex.

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

Yours ever,

A handwritten signature in blue ink, reading "Victoria Atkins". The signature is fluid and cursive, with the first name "Victoria" and the surname "Atkins" clearly distinguishable.

**VICTORIA ATKINS MP**

## **HMP/YOI FOSTON HALL - INDEPENDENT MONITORING BOARD ANNUAL REPORT FOR 1 DECEMBER 2020 – 30 NOVEMBER 2021**

### **HMPPS comments on matters raised in the report**

#### **D Wing Accommodation**

Further to last year's response, a review of the accommodation on D wing will be undertaken during the spring and summer of 2022 with a view to identifying any maintenance work that needs to be carried out. All outstanding repairs will be completed as soon as possible.

#### **Care and Separation Unit (CSU)**

The CSU regime has been improved with the addition of a Physical Education slot every Monday where an instructor will visit the unit to deliver an exercise programme. There are also plans to make improvements to the exercise area over the next six months. More education outreach is taking place with the women in the CSU being provided with activities to complete. The room used for adjudications has recently been decorated and the layout improved. A 'Room Ready System' has been introduced to ensure the facilities are prepared for the next occupant once a cell is vacated and an ongoing painting programme is in place to quickly address issues with graffiti. In addition the women in the CSU are provided with increased access to telephones.

#### **G Wing Accommodation**

G wing was commissioned as a temporary pandemic measure and it is acknowledged that it is not ideal accommodation. The wing is due to be decommissioned later this year once a new and more appropriate temporary unit is ready for occupation. While there are obvious concerns, such as freezing pipes in winter and less access to telephones than other wings, the prison's Senior Management Team report that the wing appears quite popular with prisoners due to the additional time afforded in the open air and out of their rooms.

#### **Healthcare Accommodation**

Additional space has been provided within the Reception area for use by the healthcare team. The roof for the group space within the mental health team building has been repaired and the area will be brought back into use in due course. A site-wide directory of available one-to-one and group room spaces has been produced signposting the booking arrangements and ensuring space is maximised; spaces are available for booking by the healthcare team. Recent changes to the way in which medicines are administered at the medicines hatches has addressed the issues with the lack of privacy and confidentiality.

A national review of healthcare delivery space across the Womens Estate is underway and the overall needs of HMP/YOI Foston Hall has been flagged. In the meantime, the Governor has explored opportunities to reallocate local budgets, such as underspending in certain areas, to improve delivery areas. Financial bids for national funding for additional space will also continue.

#### **Interview Rooms**

A site-wide directory of available one-to-one and group room spaces has been produced signposting the booking arrangements and ensuring available space is maximised. The mental health in-reach conservatory roof was recently insulated to provide enhanced conditions for prolonged interviews. A concrete base has been laid adjacent to T wing in preparation for any future modular build should the funding become available. HMP/YOI Foston Hall also continues to submit financial bids for national funding for additional interview and group room space.

### **Maintenance Contractor Performance**

The Ministry of Justice Estates Team is in regular contact with the contractors to identify where delays have occurred/may occur and how these can be resolved. Locally, issues are escalated to the Regional Estates Manager where necessary who has regular commercial and project meetings with the contractors' management where these issues are discussed and a Performance Improvement Process is available if required. The Service Delivery Manager will continue to monitor contractors' on-site performance through various measures and escalate accordingly.

### **IT Problems**

HMPPS recognises that the IT system across the prison estate, known as Quantum, is coming to end of life and is very outdated. It is unfortunate nearly every prison is experiencing slowness issues, freezing, lagging and crashing, and although attempts have been made to try and improve this service there are limitations on how much the provider can do due to the system being so antiquated.

The Prison Technology Transition Programme known as PTTP has started to roll out across the estate. This project will be updating the networks, systems, hardware and software which will provide a better IT service. At present we are unable to confirm when the systems will be upgraded at HMP/YOI Foston Hall.