



Chair, Independent Monitoring Board  
HMP Gartree  
Market Harborough  
LE16 7RP

16 July 2022

*Dear Chair*

**HMP GARTREE: 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 continue to have a number of vacancies and due to the constraints Covid-19 had on your monitoring. I was saddened to hear there were three deaths in custody during the reporting year. As you are aware the Prisons 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.

I understand the Board's ongoing concerns about investment in the prison's infrastructure and note the concerns about the potential new prison next to HMP Gartree having an impact on funding. I can assure the Board that despite the significant increases achieved in the last two Spending Reviews, demands for maintenance are greater than the available funding and projects are therefore being prioritised carefully to make best use of that funding, focusing on decency and sustainability. Where planned maintenance work is not projected to commence in the allocated financial year, the funds are redirected into other projects to ensure that it is not lost. The previously planned maintenance is then a strong candidate for funding in the following year, subject to a further assessment of overall priority. Funding was allocated in the last financial year for the shower upgrades on A and C wings at HMP Gartree and this work has now been instructed and will be undertaken by the contractors currently onsite who are delivering the fire upgrade project work in all buildings including residential areas. Work is scheduled to be completed in January 2023 and both projects will be undertaken in conjunction with planned moves from the wing to minimise disruption. A further project to refurbish B and D wing showers is also currently part of forward planning but that is yet to be commissioned. Specialist contractors have also carried out a water risk assessment with remedial works taking place and further reactive measures should the water testing regimes identify any issues.

I can also assure the Board that HMP Gartree has sufficient funding to deliver the benchmarked regime as a category B training prison and ensures prisoners are able to access employment, purposeful activity and education opportunities and healthcare.

Regarding the further update requested about the National Partnership Agreement (NPA) for Prison Healthcare in England, the Prisons Strategy White Paper has committed to refreshing the NPA which will also include people serving community sentences or on license. The new NPA is intended for publication in 2022 and will set out a detailed shared priority workplan to deliver safe, decent, effective healthcare for

people in prison or on probation. Locally the NHS England & Improvement Midlands Health and Justice Commissioning Team has been working closely with HM Prison and Probation Service (HMPPS) to review each stage of Covid-19 recovery to ensure healthcare has been able to respond to outbreaks whilst being able to recover and restore all healthcare services in line with community targets. The healthcare provider is required to provide high quality physical and mental health services to meet the needs of patients who reside within HMP Gartree and there has been a focus on addressing staff vacancies as well as the recovery of public health services such as blood borne viruses, abdominal aortic aneurysm screening and retinal eye screening. All key areas of the service are being monitored through various governance arrangements for both quality and performance of services.

Turning to the Board's concern about the delivery of the Covid-19 booster, the decision about when to vaccinate a prison population with the booster was influenced by a number of factors. In September 2021 the initial cohort eligible for the booster were people over 50 years or who had specific clinical conditions. However, the timeframe between doses was initially a minimum of six months from the primary course and in prisons, the timing of the primary course completion for these cohorts meant that the eligibility would have occurred between November and December 2021. In November 2021, eligibility was extended to all adults with a shorter dose period of a minimum of three months between the primary course and booster and as a result prisons reviewed their plans to run clinics based on the wider population and new timeframes. Whilst the vaccination programme required services to maximise the use of clinic scheduling and vaccine deliveries to maximise uptake this had to be balanced with the efficient use of healthcare and prison staff time so that other healthcare and regime activities could continue. It is also important to note that people who test positive for Covid-19 had to wait 28 days after their last positive result to have the vaccine and this contributed to the decisions made about when to begin Covid-19 booster clinics. The Board will be aware that HMP Gartree experienced an outbreak of Covid-19 in November and December 2021 with a number of wings affected. The timescales for the booster programme at HMP Gartree was appropriate and delivered in line with the national expectations as uptake of the booster in other prisons in the region followed a similar timeline.

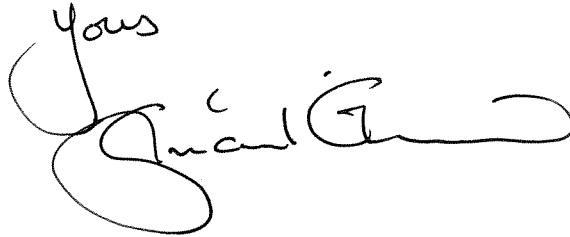
I understand the Board's continued concern about prisoners serving indeterminate sentences for public protection (IPP). HMPPS remains committed to doing all it can to support their progression and efforts to reduce their risk. Despite the challenges that Covid-19 presented, the latest published national figures at the end of March 2022 show the unreleased IPP population standing at 1,554. This is a reduction from 1,784 at the end of March 2021 demonstrating that opportunities remained available to IPP prisoners wishing to progress. It is important to note, that as the number of IPP prisoners who have never been released continues to decrease the proportion of those that remain in prison who have committed more serious offences and whose cases are complex grows. The risks and needs of these prisoners must be addressed before the independent Parole Board consider that they can be safely managed in the community. Prisoners must also be willing to address their individual risks, which is why some prisoners spend a number of years in custody after completing their tariff. This is not a simple task, but HMPPS continues to offer them the opportunities to reduce their identified risks. These efforts are continuing through the IPP action plan initiatives such as case reviews for those prisoners who are struggling to progress and includes work streams to oversee the specialist progression regimes as well as progression towards a safe release and sustainability of that release. Locally, HMP Gartree also has its own IPP priority plan in place to help support the progression of those IPPs prisoners in its care. In addition, once the Justice Select Committee report into the IPP sentence is published, HMPPS will review the IPP Action Plan to take account of the evidence presented in the publication, so that HMPPS can be confident that it is focusing its resources and efforts on the right aspects of progression.

Despite your concerns it was pleasing to receive your comments that prisoners are treated fairly and humanely and that efforts are continuing to build positive relationships with prisoners and the local prisoner council. I note the Board praise staff for their prompt and effective response to reduce the

transmission of Covid-19 whilst continuing to care for the prisoners under these difficult circumstances and I too am grateful to everyone working at the prison for their continued hard work and professionalism throughout the pandemic. I was also encouraged by the efforts of the Library assisting prisoners with their education and access to reading material, as well as the efforts of wing and gym staff to support prisoners to exercise during their time out of cell.

I note you have raised a number of 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 Gartree.

Yours  


**RT HON STUART ANDREW MP**

## HMP GARTREE: INDEPENDENT MONITORING BOARD ANNUAL REPORT FOR 1 DECEMBER 2020 – 30 NOVEMBER 2021

### HMPPS comments on matters raised in the report

#### **Prisoners' Property**

Further to last year's response the draft Framework was circulated for wider consultation with internal and external stakeholders, including the IMB Secretariat and the IMB representatives previously consulted. Further operational engagement was also necessary following that consultation and the feedback received has been considered and adjustments to the new property framework have been made where appropriate. The Framework is currently going through clearance processes and it is now anticipated that publication will take place this Summer. The new Framework aims to ensure that property is handled with efficiency, care and respect and that staff and prisoners are clear on the arrangements in place. It provides clear requirements and strengthens guidance on known problem areas, such as volumetric control to ensure limits are respected so prisoners do not build up excessive amounts of property which require transfer.

#### **Kitchen Repairs**

There is already a Service Level Agreement in place within the facilities management contract for all reactive repairs as well as an escalation process if this is not achieved by the provider. However, the Board's concern about delays are recognised and Ministry of Justice (MoJ) Property is aware of the poor level of service the facilities management provider has received from their specialist catering equipment sub-contractor. The provider has recently engaged with a new sub-contractor and are making improvements to the response times for repairs

#### **Contract Performance**

The Board can be assured that Governors remain responsible for enabling education provision with their prison. As per the Governance Framework for the Education contract, Governor's chair monthly performance meetings with their local provider supported by the regional learning and skills contract management team. There is also an expectation that Governors use Quality Improvement Groups to oversee the full delivery of learning and skills across their prison, both contracted and in-house services. To support both meetings, new performance metrics have been developed for learner progress and attendance and Governors continue to be held to account through monthly performance information provided to Executive Directors and Prison Group Directors (PGD). PGDs also chair quarterly contract meetings for their education Lot with the provider and central contract management present. In addition, weekly meetings take place between the local learning and skills manager and provider, as well as a weekly meeting between the provider and central contact management. This ensures that that the contract management and assurance processes are in line with requirements set out by Cabinet Office for the category of the contract.

MoJ Property have a management structure in place to monitor and manage the performance of the maintenance contract performance through a set of key performance indicators which are measured each month. This is managed by an Area Property Operations Manager who attends the prison site during each week and has an escalation route managed by a Regional Property Operations Manager.

Prison Healthcare providers are accountable to NHS England and Improvement, who are responsible for commissioning integrated healthcare services for people in prison. HMPPS is a key stakeholder at the health contract review meeting, with representation provided by the Governor. The meetings are held

quarterly to review and challenge the provider's performance to achieve the very best health and social care outcomes for the prisoners.

### **Data Monitoring**

As the Board recognised in its annual report, performance data for prison healthcare and prison performance were suspended by the NHS and HMPPS during the 2020/21 financial year following the implementation of exceptional delivery models and recovery plans to focus on responding to the challenges of the Covid-19 pandemic and to limit the spread of the virus to keep staff and prisoners safe. However, it is generally recommended that in the first instance the IMB should consider official published sources for data. Population figures can be found at <https://www.gov.uk/government/publications/prison-population-figures-2022>. Quarterly statistics on offenders in custody and offenders under probation supervision can be found at <https://www.gov.uk/government/statistics/offender-management-statistics-quarterly-october-to-december-2021>. Annual deaths in custody in each prison, can be found in Safety in Custody statistics <https://www.gov.uk/government/collections/safety-in-custody-statistics>. Prisons can also support Board's with local prison level data found on the HMPPS Performance Hub which the Board should discuss with the Governor locally. In addition, NHS England & Improvement Midlands Health and Justice Commissioning team provide monthly quality schedule results to those in attendance at the quarterly contract review meetings which are reviewed and where appropriate action plans are developed by the healthcare provider.

### **Wellbeing**

NHS England & Improvement Midlands Health and Justice East team has statutory responsibility for the commissioning of integrated healthcare services at HMP Gartree. However, the Health and Social care National Partnership Agreement with MoJ, NHS England & NHS Improvement ensures the accountability for these services and the outcomes are a shared responsibility between NHS England & Improvement and MoJ.

### **Prison Officer Pay**

It is recognised that at HMP Gartree, as well as many other prisons which are in areas where there is a competitive labour market, recruitment and retention are challenging and pay is an important element in this. HMPPS' evidence to the Prison Service Pay Review Body (PSPRB) for 2022 proposes increases to the starting pay for Prison Officers outside of London and also that the number of pay point increments it takes to progress to the maximum salary are reduced from 4 to 2. Further details of HMPPS proposals to the PSPRB can be found at <https://www.gov.uk/government/publications/hmpps-evidence-to-prison-service-pay-review-body-2022>

### **Phone Credit**

Throughout the pandemic prisons were aware that regime mitigations such as the centrally supplied additional PIN phone credit were only temporary measures and would be removed in line with regime progression through the National Framework for Prison Regimes and Services. The centrally applied PIN credit for both public and private prisons initially ended in September 2021. However, due to the threat of the Omicron variant HMPPS agreed in December 2021 that some regime mitigation should be re-introduced temporarily if prisons had to return to operating a more restricted regime (Stage 3 of the national framework) or where increased restrictions were required due to local circumstances. HMPPS withdrew these regime mitigations again in adult prisons at the end of March 2022, with processes in place for prisons that need to continue mitigations by exception. However, Public Sector Prisons were informed that they could continue applying free PIN credit at a local level as long as it was justified and the costs could be met via the local budget.

## **Category D Capacity**

It is acknowledged that the Covid-19 pandemic changed the population make-up of the adult male prison estate, including a high demand for category D places, which placed particular pressure on reception and resettlement prisons. The availability of spaces within the category D open prison estate were also impacted by the closure of a number of accommodation blocks in the open prison estate during 2021 which no longer met statutory fire safety standards. To support reception prisons, maximise available capacity and ensure prisoners are accessing the required offending behaviour courses, some prisoners in the resettlement cohort have had to remain in training prisons in the interim. The impact on the category D estate has also been managed with temporary accommodation which was already present at some sites as part of HMPPS Covid-19 contingencies measures, as well as with new temporary accommodation introduced at other sites. The Government has also committed to investing £3.8 billion over the next three years to deliver 20,000 additional, modern prison places including the 2,000 temporary prison places across England and Wales by the mid-2020s. This project will deliver 660 additional places through expansion of the category D estate at a number of sites across the country.

In the interim, progressive transfers remain subject to space in the appropriate parts of the prison estate becoming available and the speed of transfers reflects this constraint. However, the Probation Service provides commissioned rehabilitative services for sentenced prisoners wherever they are held and released. The HMPPS Long Term & High Security Estate (LTHSE) is also working closely with its prisons to review their category C/D population to progress prisoners appropriately and is working with Population Management Unit to identify appropriate spaces to enable the transfers. However, it is recognised that it will take some time to recover from the impacts of the Covid-19 pandemic to balance the population across the LTHSE and nationally.

The Board can be assured that when the updated security categorisation process was rolled out in March 2021, including a new digital tool, this did not remove or change any elements of the recategorisation process. The electronic tool provides staff with a consistent framework to record information about an individual's risks, automatically pre-populate data wherever possible to free up staff time and highlight known risk factors to staff to reduce the number of manual checks required but does not make the categorisation decisions itself.