



# **Annual Report of the Independent Monitoring Board at HMP/YOI Elmley**

**For reporting year  
1 November 2021 – 31 October 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 Elmley is a local prison situated on the Isle of Sheppey which serves the courts of Kent. It was originally part of the Sheppey cluster of three prisons but is now a stand-alone establishment. The operating capacity of Elmley at the start of the year was 1,137 and increased to 1,157 by the end of the reporting period in October 2022.

Elmley opened in February 1992. It was built on the Bullingdon design and originally consisted of four house blocks, each designed to accommodate 155 prisoners, and a segregation unit which could house seven. In later years, two further house blocks were constructed, and the single cells were converted to doubles. For some time, the cells in the original house blocks were used as trebles, although these have now, thankfully, been returned to doubles.

The prison houses remand and sentenced adult prisoners, as well as young adults. The population consists of a number of vulnerable prisoners, foreign nationals, those with drug dependency and/or mental health issues, life-sentenced prisoners, a growing number of older prisoners and many with disabilities.

Contracted services are:

- physical healthcare services provided by Oxleas NHS Foundation Trust ('Oxleas') from April 2022 and prior to this by IC24
- mental health services provided by Oxleas NHS Foundation Trust
- drug treatment services provided by the Forward Trust up to April 2022 and from April by CGL (Change Grow Live)
- education provided by Weston College
- maintenance provided by Gov Facility Services Ltd

### **3. Executive summary**

#### **3.1 Background to the report**

In early January 2022 HMP Elmley suffered another Covid outbreak which set back its plans for regime recovery. Despite rigorous testing and isolation, pockets of Covid limited association between house blocks until August when a 'new' regime was introduced. This allowed a careful return to activities and education, and for more association.

The Governor and the senior leadership team (SLT) have worked hard at improving the prisoners' experience of being at Elmley. The number of key work sessions was increased and more evenly spread across the prisoner population which improved communication with staff [see section 5.3]. The work with the young adult cohort (YAs) [see section 5.4] has helped to create a more stable environment with less gang violence. Prisoner complaints to the prison are being responded to more effectively with the aim of increasing prisoners' trust in the system [see section 5.7].

#### **3.2 Main judgements**

##### **How safe is the prison?**

The weekly use of force scrutiny ensures that restraint is used appropriately and safely. The use of body worn cameras is more effective, evidencing the need for force and creating confidence in the system [see section 4.3].

The introduction of quality assuring the assessment, care in custody and teamwork (ACCT) document entries leading to improved care plans is of note [see section 4.1].

The young adult strategy has shown positive results in stabilising the house blocks where it has been introduced and making them safer [see section 5.4].

The structured programme to target key work has also had an impact on safety since it has improved relationships with staff [see section 5.3].

##### **How fairly and humanely are prisoners treated?**

The Board feels that prisoners are treated fairly on the whole. We have questioned the apparent unfairness of returning prisoners to closed conditions when the prisoner hasn't been able to respond to the charges laid [see section 7.3].

We have had great concerns about the increasing number of foreign national prisoners held at Elmley this year, left in limbo by the lack of information from the Home Office [see section 5.4].

Neither of the last two issues are within HMP Elmley's control.

We regard the improving efficiency of the adjudication process as a positive for prisoners since it reduces the number of adjournments and delays in delivering justice [see section 5.2].

### **How well are prisoners' health and wellbeing needs met?**

The change of healthcare provider this year along with staffing difficulties for Oxleas has given rise to a number of applications to the Board about getting appointments with the G.P. and the dentist, and about medication issues [see section 6.1].

We note the progress that Change Grow Live (CGL) is making with those that have substance misuse issues [see section 6.6].

### **How well are prisoners progressed towards successful resettlement?**

Prisoners have not been disadvantaged by the staffing situation in the offender management unit (OMU) as far as we can tell but they are frustrated by not having as much contact with their offender manager as they would like [see section 7.3]. However, the heavy caseload that each manager has is taking its toll on staff morale.

The accelerator project and the setting up of the employment hub has increased resettlement opportunities.

## **3.3 Main areas for development**

### ***TO THE MINISTER***

The foreign nationals held in HMP Elmley deserve formal engagement from the Home Office. Those who are in the country illegally and are on remand should be given better access to immigration authorities so that they understand their position and are not left in limbo. Can the Minister consider engaging with Home Office colleagues to improve this situation?

### ***TO THE PRISON SERVICE***

Is it appropriate to spend money on accommodating an anticipated growth in the prison population when the fabric of the existing prison is desperately in need of attention?

### ***TO THE GOVERNOR***

The Board is pleased to see the energy put into engaging prisoners in purposeful activities like education which will offer the possibility of rehabilitation as well as keeping them occupied. We would like to see more activity spaces provided in the coming year and more skills-based tuition.

### **3.4 Progress since the last report**

The Board appreciates how hard the staff have worked to pull HMP Elmley out of the poor situation that Covid imposed on the prison regime. Recent initiatives have improved the prisoners' experience even compared with pre-Covid life in the prison. We recognise that this was achieved despite staffing difficulties and hope that improvements will continue and Elmley will not become complacent about its achievements.

We noticed that the realistic targets set for achieving a more even spread of key working have improved relationships with staff, and that the initiatives in working with the young adult cohort have created a more settled environment. We have observed the work done to reduce outstanding complaints and delayed adjudications and feel that this will further improve the prisoners' faith in procedural justice. We shall continue to monitor further progress.

## Evidence sections 4 – 7

### 4. Safety

#### 4.1 Suicide and self-harm, deaths in custody

We agreed with this year's HMIP inspection report comments that not enough was being done to understand and address the underlying causes of self-harm. We remarked on this in our last annual report, however the situation has improved since then. There is now a custodial manager (CM ) with overall responsibility for quality assurance of assessment, care in custody and teamwork (ACCT ) case management. The quality of entries in the document are scrutinised and care plan targets are monitored. The wing staff who best know the prisoner make an important contribution to this process in keeping the prisoner safe.

The post closure review is treated as part of the learning process that enables a better understanding of self-harm in prison. Some prisoners appear to enjoy the support that they feel the ACCT document offers and are reluctant to have it closed.

Staff are still having difficulties with the new ACCT document form as we reported previously. HMP Elmley is putting its own training programme in place since there has been no national guidance. The emphasis seems to be on awareness of a situation developing and then agreeing a care plan with the prisoner before it results in serious self-harm.

There have been five deaths in custody this year (two apparently self-inflicted, two apparently from natural causes and one awaiting a Coroner's inquest) and one death immediately following release (an apparent overdose). These are all awaiting reports from the Coroner and the Prison and Probation Ombudsman (PPO).

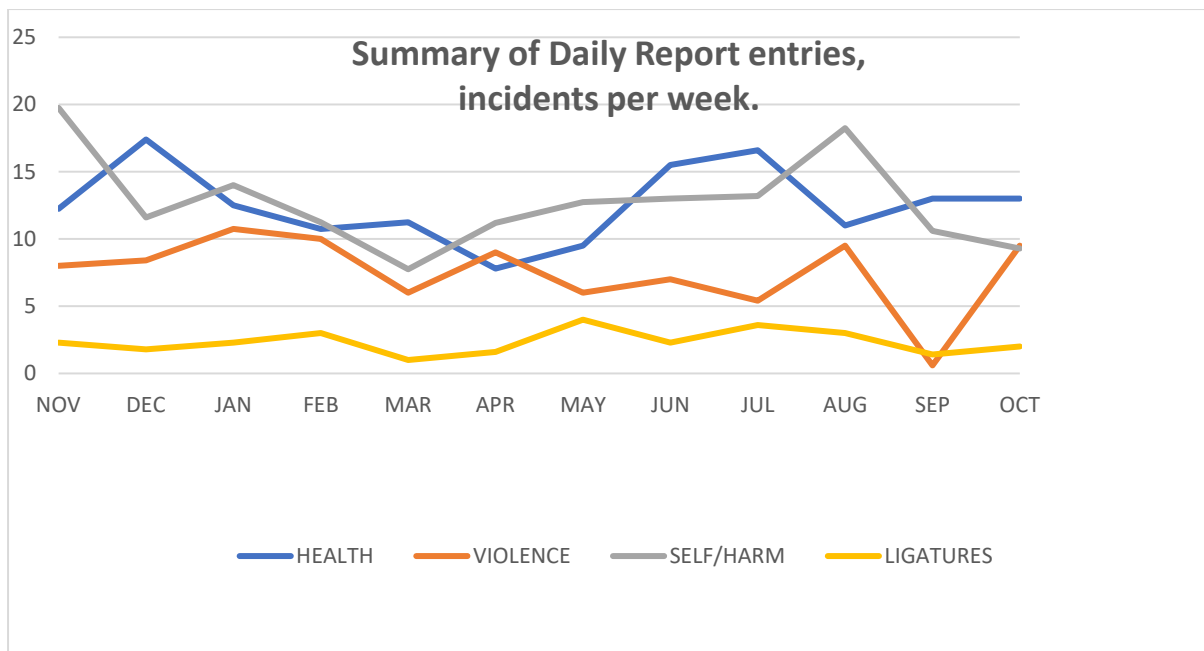
The daily briefing sheets have been analysed to show the causes of incidents broken down into health, violence, self-harm and ligatures. Over the period of this report we found the following statistics for yearly totals by category as shown below:

- health: 652
- violence: 390
- self-harm: 660
- ligature: 122

It was found that the instances of self-harm decreased during a lockdown period and increased noticeably when the prison came out of lockdown in the March/April period. This could be explained by the fact that while in lockdown prisoners are not faced with the daily stresses of mixing with other prisoners who may intimidate or threaten when mixing.

The chart below shows this.





## 4.2 Violence and violence reduction, self-isolation

Analysis of the statistics around violence (prisoner-on-prisoner and prisoner-on-staff) shows that 30% of recorded incidents were perpetrated by young adults (YAs) [ see the use of force report in section 4.3]. The 18-25-year olds who represent 20% of the prison population are often manipulated by the 26-29-year-old cohort. Elmley is developing a YA strategy to address this issue, which is already showing positive results in terms of a more settled environment on the house blocks where many of these young adults are located.

The senior leadership team (SLT) members who have previously worked in the youth estate recognise that many young prisoners have had a poor life experience. They may have come from the care system or been drawn into gang culture, and tend to push against authority. Their immaturity and lack of engagement with formal education suggests that they need to be given boundaries and kept busy. The incidents of violence have been linked to the increased intake from London prisons and gang culture.

A major element of the YA strategy is a rigorous cross fit programme delivered by the gym staff and named 'synergie' by the participants. It helps these young men to let off steam as well as develop team building and social skills with one another and the staff who often join in the sessions. This project is available to all YAs irrespective of negative entries or a gym ban.

Many of the YAs are on remand and will probably move on to other prisons before they can complete the formal courses that are available at Elmley. It is unfortunate that they will have to start again when they reach their new location. They deserve alternative activities with short courses that incorporate educational elements and

practical skills. It is hoped that there will be an opportunity for some to work towards the Duke of Edinburgh award.

Suggestions from YAs for the skills that they would like to develop have been welcomed: ideas such as gardening, bee keeping, and music which incorporate maths and English abilities outside a classroom which is where some young people feel that they have failed. The prisoners themselves have set up a reading group on one of their house blocks with the help of Kent Library services which supply the books and look for feedback. Progress is not fast, but it is an encouraging link with education which can aid rehabilitation.

### **4.3 Use of force**

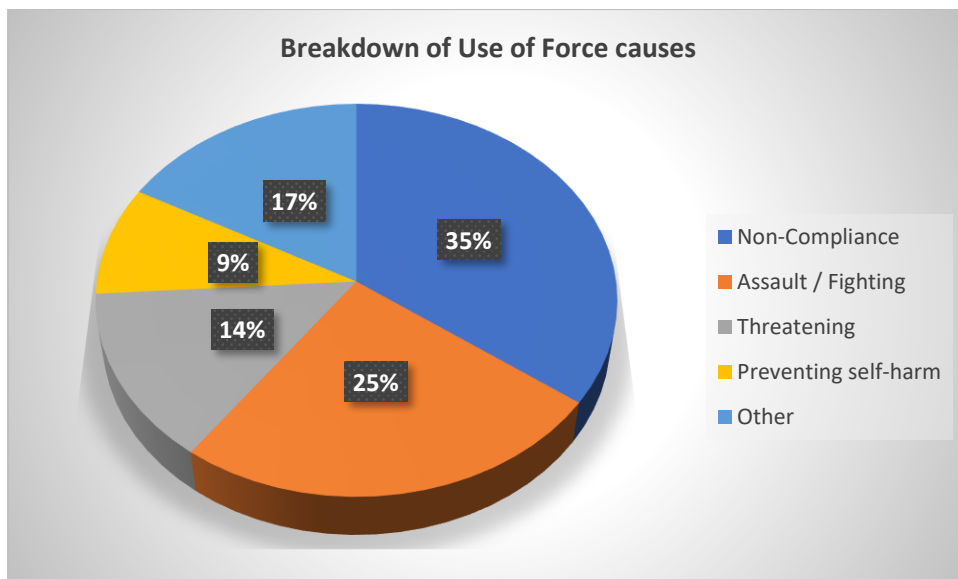
The Board has seen an improvement in the scrutiny of use of force incidents since the HMIP inspection. The weekly use of force review meetings are well attended and chaired by the responsible governor. All incidents are viewed against the statements of the officers attending the incident. Both good and bad practices are highlighted and brought to the attention of those responsible. In some cases, events are shown as a training opportunity. It is noted that this action is producing improvements all round in the management of incidents where force is used.

The weekly meetings also highlighted some failings in the quality of the statements produced by the officers. There was some evidence of late production of statements which can hinder the review of the incident. Management produced a document to help with the whole process of actions to be taken at an incident and this was introduced as refresher training.

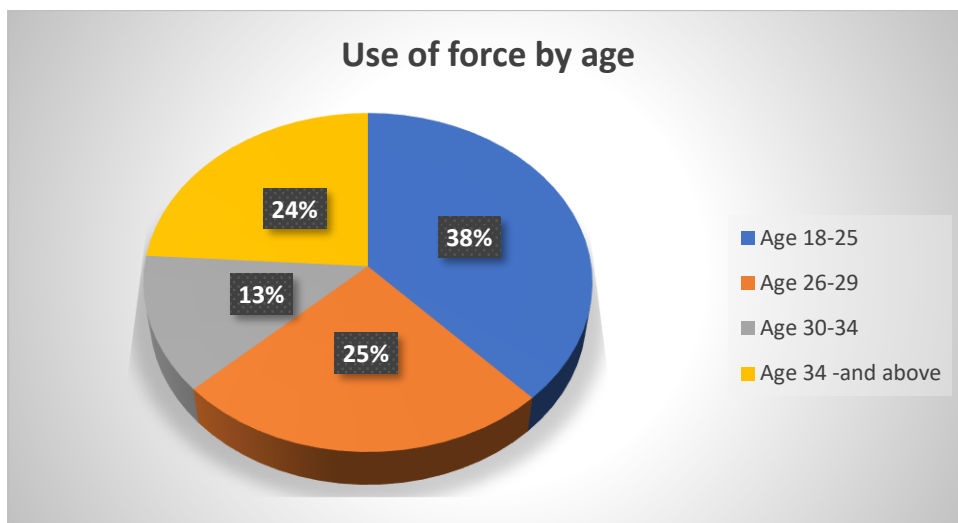
Through the introduction of rigorous audits surrounding the wearing of body worn cameras (BWCs), management now can pinpoint where low take-up of cameras is occurring. This has been helped by the introduction of new equipment which replaced the older cameras that often failed and led to a lack of confidence in their use. In October 2022 the percentage take-up of cameras was 93% for the month and 83% over the year. These figures exceed the national target of 70%. There has been greater focus on the BWCs being switched on at the appropriate time in order to capture the lead up to, and justification for, use of force.

In the 12 months covered by this report 744 incidents were recorded. This compares with 607 in 2021 and 709 in 2020. There were two incidents of the use of batons and no incidents with the use of PAVA. During the reporting period the national team was not used.

The chart below shows a breakdown of the causes of the incidents that led to a use of force. The 17% representing other reasons covers damage, incitement and restraint while escorting.



The chart below shows the breakdown of the age of prisoners involved in use of force incidents. It shows 38% were aged 18-25, 25% were aged 26-29, 13% aged 30-34 and those over 34 make up the remaining 24%.



There were still a few incidents where officers accessed the netting to resolve a situation when a prisoner had gained access. These officers were advised of their error and a circular warning them of the rules was issued.

One serious incident where 10 foreign nationals accessed the netting occurred this year. A member of the national team happened to be at HMP Elmley and praised staff for their professional handling of the situation. The matter was resolved after three hours with all the prisoners agreeing to come off peacefully. Board members were assured by the Governor that the safety of the netting was checked on a regular basis and not just when an incident occurs.

#### 4.4 Preventing illicit items

The security team keep records of items found on targeted searches throughout the prison. During this reporting period 411 such searches were recorded which resulted in the finding of 216 illicit items. This relates to a 52% success rate although it should be noted that some such searches produced more than one item. The chart below shows the categories and numbers of finds.

Items	TOTAL
Phones	56
USB/chargers	61
SIMS & memory cards	14
Weapons	27
Medicines	19
Drugs	39
TOTALS	216

Regular perimeter patrols inside the prison walls found an increase of incidents where items were thrown over the prison wall from the outside. Liaison with the local police has been established to address these concerns and find a solution to the growing problem.

## **5. Fair and humane treatment**

### **5.1 Accommodation, clothing, food**

The cells are generally in poor condition primarily due to the age of the building and poor maintenance in the past. There has been a constant round of painting to improve the appearance of the wings. Furniture that has been damaged or destroyed by prisoners is hard to replace, as is equipment like kettles. There are similar budget restraints in replacing kit that has been used for other purposes like curtains. While it is understandable that if a prisoner damages prison property they deserve to take the consequences, it is unfair that the next prisoner to occupy the cell is disadvantaged. The poor experience of prison accommodation is unlikely to benefit any attempts at rehabilitation.

During the long hot summer period some prisoners painted over their windows saying it was to keep out the sun. It seems that curtains are not considered appropriate because staff are unable to see prisoners if the cells are in darkness.

In January HMIP recorded that 30% of prisoners lived in overcrowded conditions. The operational capacity (OpCap) of HMP Elmley was increased from 1,137 to 1,157 towards the end of our reporting period. So far this has been accommodated by repairing the cells that have been taken out of action. The Board fears a return to three-man cells which were eliminated last year, given the above-mentioned overcrowded conditions.

Central funding has been allocated to build a proposed new house block on site. This is intended to accommodate the anticipated national increase in the prison population. It is suggested that this house block will offer a much better environment and act as an incentive for prisoners who behave well.

The kitchens have had problems with the supply of food in line with national difficulties. They have managed well but the substitutes for some items for special diets have presented problems.

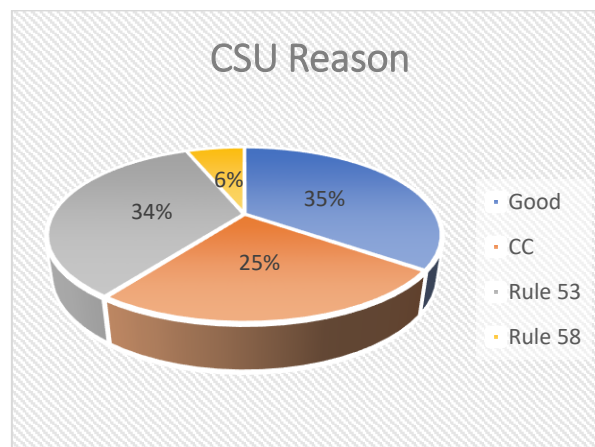
Of more concern is the repair/replacement of kitchen equipment as it fails. The new servicing contractor JLA wants to remove appliances for repair rather than work on them in situ as the previous contractor did. This now presents a difficulty in providing prison meals because it leaves the kitchen short of equipment from time to time.

The canteen delivery from DHL is a source of frustration for prisoners, either because they are not receiving the items ordered, or not receiving a refund so that an item can be reordered. The staff at Elmley are making efforts to improve the situation. The governor who heads business assurance is arranging to change the delivery day to mid-week so that Elmley does not repeatedly suffer from shortages and poor quality of fresh food because it is the 'last pick' (the last of three establishments sharing provisions to collect their items).

## 5.2 Segregation

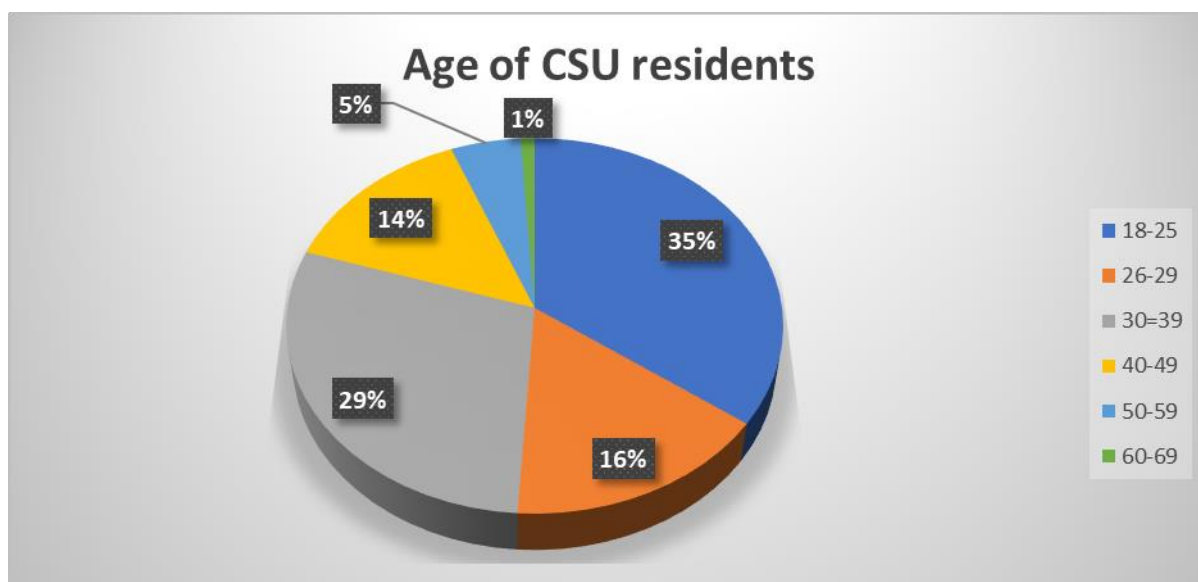
The care and separation unit (CSU) continues to be a well-run unit despite many changes this year. In efforts to improve the attendance of other functions such as healthcare and the chaplaincy at good order and discipline (GOOD) reviews the governor of the CSU sends out individual email reminders. It is recognised that a multidisciplinary approach is helpful in devising a plan to improve a prisoner's behaviour.

During this reporting year the average daily population of the unit has hovered around 14 prisoners. The reasons for their being located there appear in the table below.



- Good order and discipline (GOOD) – This can apply if a prisoner behaves in a way that prison staff think would put other people in danger or cause problems for the rest of the prison.
- Rule 53 – Where a prisoner is to be charged with an offence against discipline.
- Rule 58 – When it is proposed to impose a punishment of cellular confinement, the medical officer, or a medical practitioner should inform the Governor whether there are any medical reasons why the prisoner should not be punished in this way.
- CC – Cellular confinement is given as an adjudication sanction.

The chart below shows the age breakdown of prisoners located in the CSU during this reporting year.



The issue of adjudications not being proceeded with because the paperwork is not in order has been a problem in the past. The CM and staff are now taking a closer look before charges are laid, making sure that reporting officers will be available on the day and any evidence like camera footage is to hand. There is now every expectation that very few adjudications will have to be adjourned as they were in the past.

Very few cases are referred to the independent adjudicator so that added days to a prisoner's time in custody can be considered. It is understood that offences can be managed within the terms of the prison adjudication procedures via governor hearings.

Black prisoners are overrepresented in the adjudication figures – 15% against a population of 11% – and also in being located in the CSU (18% against a population of 11%).

### 5.3 Staff-prisoner relationships, key workers

Key work sessions suffered a setback early in the year with Covid restrictions and staff sickness. Less than 10% of prisoners were able to engage in key work at that time. Since July, when more realistic targets were set, there has been a steady increase such that by the end of our report two-thirds of prisoners were having a monthly key work session.

The monitoring of the quality and quantity of sessions by a governor has driven improvement and plans for more training are in place.

The recent introduction of the Microsoft Teams chat function has now facilitated key work sessions for foreign nationals and communication with non-verbal/neurodiverse prisoners. The Board commends these efforts to communicate with the harder-to-reach groups and feels that it will give the foreign nationals a voice while they wait for the Home Office to decide their future [see section 5.4].

The successful reintroduction of key work across the prison population is seen as contributing to making HMP Elmley a less volatile environment and reducing self-harm [see section 5.7].

#### **5.4 Equality and diversity**

The fair allocation of employment that reflects the ethnic mix within Elmley is often raised at the monthly diversity meeting which includes diversity reps from the house blocks. A system of waiting lists for those eligible, according to their risk analysis, had been established in 2021. This had been intended to address any apparent unfairness when wing staff allocate jobs. However, this reporting year it has become apparent that staff are allocating work without strict regard for the waiting list. This can be perceived as favouritism although it can be intended as a way of supporting a particular prisoner by giving them a job that suits their needs, both mentally and physically. The risk analysis can be a barrier to the allocation of jobs and disadvantages particularly for the YAs. We understand this is being addressed [see section 4.3].

There is a question over why so few Black, Asian and minority ethnic prisoners apply for what are regarded as the 'top jobs'. The Board has not received a definitive answer from prisoners when asked; it could be lack of faith in the system.

Only a small number of diversity representatives attend the monthly meeting. We are told that they raise diversity issues with staff on the house block and do not feel the need to bring issues to the meetings. The prisoner forums are better attended and are gradually being given over to the prisoners to set the agenda.

This year there has been a significant rise in the foreign national (FN) population at Elmley. In October they represented 25.8% of the population, so many that they can no longer be housed on the same house block where they benefit from being with others who share their language and culture. Albanians are top of the list of nationalities, with an increase in October from 2.5% of the prison population to 4.5%. Many of these prisoners remain unsentenced.



In their report on the FN population at Elmley the inspection team said that 'too little was done to fully understand their needs'. The Board feels that the Home Office is responsible for much of this 'unmet need'.

Convicted FNs have the possibility of direct contact with Home Office officials, who hold interviews for named individuals. This cohort has a better idea of what to expect for their futures although not necessarily why they are being held in a local prison rather than an FN prison like HMP Maidstone where Home Office staff have a greater presence.

The majority of the FN population at Elmley who have been remanded find themselves in limbo. They have very limited information about their possible futures since the Home Office no longer holds surgeries for this group on the house block where they are located as they once did. It appears that their applications to Home Office staff are not being responded to. The OMU tries to fill the breach but staff there are not in a position to answer detailed immigration issues.

This situation may well have arisen originally due to Covid restrictions with the Home Office advising caution and their staff reluctant to take a risk with their health. However, the lack of engagement with remanded FNs in this reporting year has led to frustrations and created fertile ground for disorder when provoked by certain individuals. There was a recent incident on the FN wing that required a call to the national team.

Access to legal advice about asylum claims or appeals against deportation is patchy at best for FNs. They believe/are told by others that no one is available because of a disrupted court system.

There have been occasions since July when the court that deals with FNs arriving in the country who have entered unlawfully has sent some of them to HMP Elmley without a warrant or formally informing the Home Office. The prison is therefore put in a position of holding them illegally while referring them to the Home Office, because the courts seem to have difficulty in contacting the relevant officials there. The OMU staff who try to deal with the situation are already under pressure with their own responsibilities [see section 7.3].

The staff at Elmley should be commended for the way they interact with the FN group. They draw on the language skills of officers for informal communication and with the help of the foreign national prison at Maidstone have obtained useful information printed in the most common foreign languages found in prison. Formal reviews draw on the resources of The Big Word but Google Translate is cheaper and easier to use when a prisoner arrives in reception.

The officers working on the FN wing appear to appreciate the cultural differences within that unit, and the tensions that can arise between nationalities.

## **5.5 Complaints**

It has been acknowledged by the prison that the backlog of unanswered complaints (which stood at 67 in September) causes frustration for the prisoners and suggests a lack of concern with the issues that they raise. There is now a twice-weekly audit of complaints, with a list published identifying who is responsible for responding. This drives attention to outstanding complaints and is raised at the morning meeting. The Board is pleased to report that by the end of our reporting year the number of outstanding complaints had reduced by half with only 15 overdue (while being investigated) and most had interim replies to the prisoner.

## **5.8 Property**

Lost property features top of the list of complaints with cell clearance and transfers from other prisons being the major cause. The cell clearance issue is being dealt with by training and we hope to see improvements in the coming year. Property that does not arrive with the prisoner from another prison is often difficult to resolve because the other prison does not respond to queries.

The Board is pleased that the business assurance governor who monitors complaints and checks the quality of replies has taken matters in hand. After two reminders to the other prison where the prisoner's property remains, and making direct contact with the business assurance governor there, the prisoner is updated and given details of the PPO which should resolve the matter on their behalf. Hopefully this will cut down on the number of compensation claims for HMPPS.

## **6. Health and wellbeing**

### **6.1 Healthcare general**

Oxleas took over healthcare provision from IC24 in April 2022. While the new provider has experienced problems with recruitment this has fortunately not had a serious impact on prisoner care. The number of DNAs (did not attend) has improved by virtue of the staff contacting the house block officers to make sure they know that an appointment has been arranged. This makes more effective use of the clinical staff.

The Board is pleased with the continued presence of regular operational staff in the inpatients' department (IPD) despite periods when staffing has been short. They support the clinical staff but more importantly they assist patients with regular showers and exercise as well as showing understanding of the prisoners' problems. They are in a position to make valuable contributions to care plans for patients.

About 34% of applications to the Board about healthcare involve medication issues. A number concern trying to get appointments with the G.P. or the dentist but the situation is said to reflect what a prisoner could expect in the wider community. There is currently a six-week wait for dentistry (waiting list of 194) and a three-month wait for an optician's appointment (waiting list of 123).

### **6.2 Exercise, regime**

Once Covid restrictions were lifted the regime made provision for all prisoners on normal location to have two hours out of cell for showers, domestics and exercise. Unless they are involved in work, education or formal activities prisoners remain in their cells for the rest of the day. This policy was established to encourage prisoners to take part in purposeful activities. The current statistics suggest that this policy has had a positive impact with only 10% of prisoners choosing to remain locked up for 22 hours despite officers' attempts to persuade them out to socialise. HMP Elmley has recently introduced a system of awards for good attendance in education and work.

One drawback is that there are not enough activity spaces for everyone at present both in terms of shortages of trainers and physical spaces.

### **6.3 Drug and alcohol rehabilitation**

In January HMIP recorded that 'support for prisoners with substance misuse needs was reasonably good'. In April this support was taken over by CGL who have offices on the recovery wing.

During the Covid restrictions group working was not considered viable so small 'pods' were set up for mutual support, raising awareness of the risks and triggers around drugs and alcohol, as well as preparation for continuing support on release. These initiatives have continued to be well received by the prisoners.

CGL have arranged 'recovery days' at the prison when outside agencies and those who have been through the recovery process go in to speak to prisoners and share their experience of the commitment needed in rehabilitation. These sessions have been well attended, even by those who are not located on the recovery unit.

In conjunction with the substance misuse prisoner forum the team are working to establish an incentivised substance free living (ISFL) wing where prisoners who want to live without the influence of others who take drugs can demonstrate visible progression. We wish them every success and will monitor progress.

## **7. Progression and resettlement**

### **7.1 Education, library**

Covid and staffing shortfalls have had an impact on education this year. The number of education staff has fluctuated throughout the year and remains at 30% below Weston College's target. In July classes were able to resume full time whereas previously they had been run sporadically and learners felt reluctant to commit to education rather than other activities. There has been a 20% improvement in attendance since then, although many courses have had to be cancelled due to lack of education staff.

Elmley has done what it could to increase attendance in education. Any prisoner not engaged in education, work or another formal activity is not allowed out of their cell apart from two hours for showers, exercise and domestics. The prison has also introduced parity of pay rates between education and workshops to improve the attractiveness of learning. Friday afternoon gym sessions and awards for full attendance in class are further incentives.

A more flexible approach to the induction process may have been of benefit to prisoners new to prison and reluctant to have their maths and English skills tested. The test is now done online and can be completed at any time once the prisoner recognises the support that the assessment can offer for life outside of prison.

There are 126 education spaces to serve Elmley's prison population. Attendance is currently 85% of those who sign up for education, and the overall achievement level in maths is 81% and in English is 91%. The Shannon Trust supports 35 learners per week with English practice and the number of prisoner mentors and orderlies who also support English has been increased. It is planned to make support for maths available.

In summary, 92% of all learners achieved the qualification that they studied for.

### **7.2 Vocational training, work**

The Board is pleased to report that work-based learning has increased this year. The lack of activity spaces and tutors who can teach practical skills has been an issue in the past. An example of a successful initiative in this area is the officers' mess which has been given over to provide training in catering, food safety and barista work. Its success can be measured by the way that staff (and the IMB) enjoy and applaud the new menu and service. Short courses are now available for short-stay prisoners.

### **7.3 Offender management, progression**

In recent months, since the HMIP report, the OMU has had its staffing reduced by half. Only one senior probation officer and two prison offender managers (POMs) were in place by the end of our reporting period. Border Force and probation services in the community have benefited from skills developed at HMP Elmley as staff move from Elmley to these posts. It is difficult to recruit replacements.

As a consequence, the heavy caseload of individual OMU staff members makes it difficult for them to see prisoners on any regular basis and letters have had to be sent out to ask prisoners to be patient despite their frustration. The staff are no longer able to hold surgeries on the house blocks which were very useful for keeping prisoners up to date with progress.

The backlog of offender assessment system (OASys) assessments had been considerably reduced in the last eight months but has recently been affected by the loss of staff in the department as mentioned above.

The 'weakness in the administration of HDC (home detention curfew)' which the HMIP report highlighted is due to several factors outside Elmley's control. Bail accommodation and support services (BASS) accommodation in the area is very limited. We understand that there are often long waits for safeguarding reports being done by the police and outside probation service.

The October statistics show that Elmley held 40 men who had been returned from open conditions. Thirty-two of these are category D prisoners without any chance of progression because training prisons refuse to take category D prisoners. There are 37 lifers and 32 imprisonment for public protection (IPP) prisoners who have to wait for a transfer to a prison that can provide the courses recommended by the Parole Board.

The Board has had concerns during the reporting year about the number of prisoners who have been returned from open conditions at Standford Hill without adjudication and the right to respond to the charges. Adjudications can be conducted at HMP Elmley by Standford Hill staff but it seems that the charges are often timed out by the time that the information has been assembled. The information on the returned to closed conditions (RTC) form states 'under investigation' but the prisoner is not kept informed of any progress in the investigation and any police involvement adds to the delay. 'Flight risk' seems to be the catch-all justification. These men are left frustrated in a local prison without any plans for progress towards release or return to the open estate.

#### **7.4 Family contact**

Social video calls, which were introduced during Covid when face-to-face visits were not possible, have continued and are very popular.

Family days have been able to resume this year.

The visitors centre provision has recently been taken over from Spurgeons by Pact. It is early days but it seems that a much reduced service will be available for visitors in future which will inevitably impact on the quality of the visit for prisoners. There will no longer be refreshments for visitors when they arrive at the visitors centre, or staff to support them after a distressing visit. According to the information received by the Board, at this point it seems unlikely that the good work that Spurgeons did with families, such as positive parenting, the homework club and separation support, will continue. Given that maintaining and supporting family contact has long been

considered to play an important part in the rehabilitation process, this seems counterproductive.

## **7.5 Resettlement planning**

The accelerator project which was trialled at HMP Elmley and eight other prisons came to an end in July, though the work started under this project has continued. Its success can be measured by the fact that it has been rolled out to 92 more prisons. The team at Elmley continues to source work and training for men leaving prison and has established an employment hub where jobs are advertised and prospective employers are invited to meet to prisoners.

The availability of accommodation in areas where the jobs are located has been the biggest barrier to successful resettlement. The importance of maintaining contact with family to support men starting a new job in a different area is a difficult issue.

## The work of the IMB

The Board continued monitoring through the various stages of Covid restrictions. Some members felt unable to enter the prison and found it difficult to properly monitor such a large prison as HMP Elmley remotely, although the SLT was helpful and supportive when approached.

By the end of our reporting period the Board had been reduced to half of its recommended complement. Some left due to retirement or ill health. There was a feeling that the IMB was no longer able to be the 'eyes and ears' of the prisoner experience. Two of the six remaining active members have spent some time in hospital which has limited their contribution. As a consequence this has limited the range of our report this year and we have focused on the most significant issues that we were able to monitor.

Any proposed training and development activities have been hampered by the difficulty of getting members together.

### Board statistics

Recommended complement of Board members	16
Number of Board members at the start of the reporting period	11
Number of Board members at the end of the reporting period	8
Total number of visits to the establishment	253
Total number of shifts on the 0800 telephone line	66
Total number of segregation reviews attended	104



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

Code	Subject	Previous reporting year	Current reporting year
A	Accommodation, including laundry, clothing, ablutions	<b>14</b>	<b>10</b>
B	Discipline, including adjudications, incentives scheme, sanctions	<b>9</b>	<b>10</b>
C	Equality	<b>1</b>	<b>7</b>
D	Purposeful activity, including education, work, training, library, regime, time out of cell	<b>10</b>	<b>7</b>
E1	Letters, visits, telephones, public protection restrictions	<b>18</b>	<b>14</b>
E2	Finance, including pay, private monies, spends	<b>5</b>	<b>7</b>
F	Food and kitchens	<b>14</b>	<b>6</b>
G	Health, including physical, mental, social care	<b>94</b>	<b>59</b>
H1	Property within this establishment	<b>47</b>	<b>38</b>
H2	Property during transfer or in another establishment or location	<b>29</b>	<b>29</b>
H3	Canteen, facility list, catalogue(s)	<b>19</b>	<b>13</b>
I	Sentence management, including HDC, release on temporary licence, parole, release dates, recategorisation	<b>55</b>	<b>70</b>
J	Staff/prisoner concerns, including bullying	<b>75</b>	<b>58</b>
K	Transfers	<b>7</b>	<b>3</b>
L	Miscellaneous, including complaints system	<b>68</b>	<b>42</b>
	Total number of applications	<b>465</b>	<b>373</b>



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