



Chair, Independent Monitoring Board  
HMP/YOI Brinsford  
1 New Road, Featherstone  
Wolverhampton  
WV10 7PY

13 April 2023

Dear Chair,

**HMP/YOI BRINSFORD: INDEPENDENT MONITORING BOARD ANNUAL REPORT  
FOR 1 JULY 2021 – 30 JUNE 2022**

Thank you for your Board's report for the year ending 30 June 2022. I am very much aware of the amount of effort that goes into producing annual reports and thank you for providing a comprehensive picture of HMP/YOI Brinsford over the reporting period, especially as you continued to operate with several vacancies. I address below the specific points you have raised for my attention.

Further to last years' response regarding the transfer or repatriation of Foreign National Offenders (FNOs), the Home Office continues to work in partnership with HM Prison and Probation Service (HMPPS) and other government agencies to improve the service of detention paperwork and to ensure that removals take place at the earliest opportunity. The Nationality and Borders Act, introduced in April 2022, included changes to the early removal scheme which make it easier and quicker to remove FNOs. The Home Office continues to acknowledge that delays in moves to Immigration Removal Centres (IRCs) can occur at times although not all prisoners are suitable to be detained in IRCs.

FNOs are risk assessed for their suitability to transfer to an IRC by a dedicated Home Office team, the Detention and Escorting Population Management Unit. This team conducts careful and timely risk assessment of suitability to transfer to the immigration removal estate and takes into account several factors including the nature of an individual's offence, sentence length, their behaviour whilst in prison, and any medical concerns. The Service Level Agreement between the Home Office and HMPPS agreed in January 2020 also remains in place, is closely monitored for compliance, and detention reviews are completed every twenty-eight days. Case Progression Panels with independent panel members provide additional assurance and challenge on the progress of cases of individuals in detention, reinforcing the consideration of removability, vulnerability and risk factors in decisions to maintain detention. Immigration detainees at HMP/YOI Brinsford are managed as unsentenced prisoners, however there are not any additional privileges that the prison is able to offer at present. The prison does however facilitate Foreign National forums and clinics with the Home Office to raise any concerns. All those detained can apply to the courts at any time for bail from detention.

NHS England West Midlands team maintain oversight of long waits for secure mental health beds and escalates delays to both regional secure bed commissioners and nationally. We recognise this is a widespread issue, reduced bed capacity and staffing issues within secure settings were observed during the pandemic which impacted on bed availability and transfer times. Escalation processes are in place with regular multi-agency calls held to try and expedite transfers. There is also a national data collection exercise underway to determine the scale of demand and waiting times for all patients and a national

portal for data collection has been set up to facilitate this. Once this data collection exercise is complete further actions can be agreed.

At HMP/YOI Brinsford, the referral and assessment process for prisoners who require a mental health bed at a specialist facility is aided by a psychiatrist visiting the prison every week. Newly identified prisoners that require assessment under this category are seen and assessed relatively quickly although initially the prisoner may be monitored for a period of time in the in-patient unit before any decision is made to refer for a bed. This ensures that there is a clear acute mental health condition as opposed to behavioural issues. Due to the shortage of community-based mental health beds, waiting time for a bed can be significant depending on the level of risk i.e. low, medium or high secure unit and the location of the referral, and is further impacted according to need. Weekly calls are also held with the bed service to discuss waiting times, waiting lists, and referrals. In the event of a significant delay the healthcare team at HMP/YOI Brinsford are able to escalate their concerns to the NHS Commissioner.

I note that there were no self-inflicted deaths during the reporting year, and it was also encouraging to read that self-harming levels have reduced. I was further pleased to receive your comments that HMP/YOI Brinsford remains a safe prison, that there are good relationships between staff and prisoners, the success of the family visits day following the end of Covid-19 restrictions, and the exceptional work of the library staff with minority groups and Foreign National Offenders.

Local issues of concern raised in your report will be addressed by the Governor who will continue to keep you aware of progress 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/YOI Brinsford.

Yours ever,



**Damian Hinds**  
**Minister for Prisons and Probation**

## **HMP/YOI BRINSFORD: INDEPENDENT MONITORING BOARD ANNUAL REPORT FOR 1 JULY 2021 – 30 JUNE 2022**

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

#### **Education Contract**

Further to last years' response, strengthened service levels and an improved Payment Mechanism has been negotiated with education providers which includes a significant increase to the amount of money that can be withheld for poor performance. Governors continue to be able to commission the courses they require based on their annual Needs Analysis, and Regional Education teams have been strengthened nationally to provide support and advice to sites including assistance with learner attendance.

A new assurance process was introduced in September 2022 and each month the Contract Manager and Regional Head of Learning and Skills complete nationally agreed assurance of education, skills and work functions. More locally, a new Head of Education, Skills and Work specialist senior leadership role has been created to support the prison to become a place of meaningful work with a key focus on leading these three areas. Teacher Quality Management Plan meetings take place weekly and involve the Prison Learning, Skills and Employment Manager and Contracted College/Education Manager. Education Performance Meetings are conducted monthly and include attendance from the Governing Governor. The local Quality Improvement Group meetings have been re-introduced to increase the prison wide focus on quality across the Education, Training and Employment provision.

#### **Prisoners' Property**

The new Prisoners' Property Policy Framework was published on 1 August 2022 and implemented across the estate soon after. The Framework is the result of extensive consultation, including with the IMB. It has been designed with procedural justice at its core and aims to ensure consistency and fairness and enhance prisoners' satisfaction with processes and outcomes. Given the nature of property, and the movement of prisoners between establishments, the Framework looks to provide greater direction and standardisation on a national basis. It strengthens processes in relation to the main problem areas identified by IMBs and staff including the handling of valuable property, managing cell clearances, compliance with volumetric control and forwarding on excess property following a prisoner's transfer. At HMP/YOI Brinsford, the establishment has gone further and implemented a new assurance process around property in line with new Framework.

#### **Information Technology (IT)**

The IT provision at HMP/YOI Brinsford was upgraded during September 2022 as part of the Prison Technology Transition Programme (PTTP) and feedback indicates the provision has improved considerably. The telephony supplier is British Telecom (BT), and under the terms of the contract BT have a four-hour response time 24 hours/7-days-a-week and there is no minimum amount of telephones required to be repaired or fixed at a single time to enable a call-out. If a prison wants to report a single fault/telephone, they would need to log a call in the usual way for the issue to be addressed promptly. Given the problems being experienced at HMP/YOI Brinsford, the issue has been highlighted to the national PINphone Services team. In the meantime, when an in-cell telephone is damaged, HMP/YOI Brinsford facilitates access to the landing telephones so that prisoners can continue to contact friends and family.

#### **Fabric of the Prison**

Ministry of Justice (MoJ) Property Services have worked with the establishment to deliver numerous projects to improve the fabric and infrastructure of the site for both prisoners and staff. This has included

the replacement of forty-eight boilers across the site, improving heating and hot water throughout. All in-cell showers on Residential Building 5 have been refurbished, with similar works planned for Residential Building 1 during the course of this calendar year. Flooring replacement works in the stairwells of the residential buildings have been completed, including the prisoner association areas on Residential Building 5 together with some staff restroom areas.

Staff facilities have been improved with the upgrading of staff showers, changing areas and toilets within the gate, and four galley kitchens across the living blocks. MoJ Property Services will continue to seek funds to continue this work, including further fire safety works. Monthly Estates Tri-Partite meetings with all key stakeholders are also in place to enable delivery of planned maintenance and reactive repairs.

### **Activity Places**

HMP/YOI Brinsford is currently running a recruitment campaign for instructors, with one successful candidate undergoing the security vetting process. The establishment's Annual Delivery Plan (ADP) has recently been reviewed to ensure that it meets the needs of its learners and the ADP has incorporated local labour market Information. The Governor will also continue to utilise the Dynamic Purchasing System (DPS) to commission activities such as music workshops and a Prisoner Pay Review has been completed to ensure that engagement with activities is incentivised.

### **Prisoner Transfers**

#### *Transfers between establishments*

Under normal Offender Flow protocols, the expectation is that any prisoner sentenced to a term of more than sixteen months left to serve is allocated (not transferred) to a training prison and should move within ten days. HMP/YOI Brinsford is currently holding prisoners from the West Midlands region serving sixteen months or less. If they are considered an "out of area" prisoner, the establishment does consider transferring to a resettlement prison closer to the release address and a positive working relationship was developed with HMP/YOI Swinfen Hall and allocations were moving quickly.

Due to recent population pressures, particularly affecting adult reception prisons, a temporary protocol was implemented to free up spaces in adult reception prisons. As such, HMP/YOI Brinsford has been directed to accept transfers from across the HMPPS estate to free up spaces in other establishments. The establishment's criteria has been temporarily changed to optimise use of the emergency protocol and HMP/YOI Brinsford is now accepting prisoners aged up to twenty-eight years old and serving up to twenty-four months. It is acknowledged that this causes disruption and anxiety for some prisoners.

#### *Gangs*

As mentioned last year, there are often complex and wide-ranging issues involved in transferring prisoners and allocation decisions must reflect both the specific needs and circumstances of the prisoner together with that of the operating environment and range of services at the receiving prison. Swift and efficient transfers between prisons, particularly progressive transfers to open and resettlement prisons, are necessary and desirable as they ensure that space remains within local/reception prisons particularly with the current population pressures as mentioned above.

When issues within the prison community are identified between individuals, the security department at HMP/YOI Brinsford takes action to move them onto separate wings as an initial safeguarding precaution. The Governor acknowledges that the establishment needs to develop plans to work with Young Adults to help them manage their issues so that they can integrate with the prison community. The DPS has been utilised to commission a bespoke service which specialises in conflict resolution. The contract was awarded to 'Belong' who have been focusing on working with prisoners on Challenge Support and Intervention Plans and are identifying suitable prisoners to become mentors across the residential areas. Additionally, HMP/YOI Brinsford has recently secured funding through the West Midlands Violence

Reduction Unit in developing a bespoke resettlement programme for Young Adults in partnership with the 'Invested Man' and Ernst & Young.