



Annual Report of the Independent Monitoring Board at HMP Rye Hill

**For reporting year
1 April 2022 to 31 March 2023**

Published August 2023



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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 perform 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 Independent Monitoring Board (IMB) is part of the United Kingdom's National Preventive Mechanism.

2. Description of the establishment

HMP Rye Hill opened in January 2001 and was operated by Group 4 Falck/ GSL on a 25-year contract to the Home Office. In May 2008, GSL was acquired by G4S, which took over the running of the prison.

The premises are purpose built, with eight residential units, with a certified normal accommodation of 600, an operational capacity of 625 and a maximum capacity of 664.¹ During the year, the prison was asked to provide additional operational spaces bringing it almost to maximum capacity with the population at 661 at the end of the reporting year. Building work is underway on two new accommodation blocks to provide an additional 458 Category C places; these are planned to open in 2025.

¹ Figures included in this report are local management information. They reflect the prison's position at the time of reporting, but may be subject to change following further validation and therefore may not always tally with Official Statistics later published by the Ministry of Justice.

The prison is a category B training prison for men, and occasionally transgender prisoners, convicted of a sexual offence. Once the new accommodation is completed it will hold both category B and category C prisoners convicted of a sexual offence.

3. Key points

3.1 Main findings

Safety

- The induction process was well run with prisoners taking the lead on the process.
- Deaths in custody, from illness and natural causes, continue to be high (7) but the palliative care and family liaison process work well.
- Self-harm incident numbers have remained level and the prison has introduced a new razor management policy to reduce the opportunity for serious cutting using a blade.
- Violence remains low but the recent request for additional spaces has increased unrest and threats of violence, as cells previously used as singles are now being used as small doubles.
- Illicit item finds remain low and positive results from mandatory drug tests are rare and for traded prescription medication rather than drugs from outside the prison.

Fair and humane treatment

- The extensive prisoner led initiatives across a range of topics have promoted a sense of community and improved staff and prisoner relationships.
- The regime has not completely returned to pre-Covid-19 procedures as association time is taken on a 50% basis for each unit i.e. the upper landing prisoners are out for the first half of the association period and then the lower landing for the second half. However, all prisoners are completing meaningful activity (unless retired) during the week and all get structured association in the evenings and during the weekend.
- There have been no issues with food or the standard of accommodation other than the overcrowding issues mentioned above.
- The new incentives policy is now embedded and appears to work better as an incentive to good behaviour than the old IEP, which was perceived by prisoners as a punishment system.
- Key worker sessions have restarted and although at the beginning of the period there was difficulty in staffing, towards the end of the period the target number of sessions were being held.
- Three applications for compassionate release were made during the reporting period, two were refused and one was withdrawn due to the prisoner passing away prior to a decision being made.
- Prisoners are still experiencing difficulties in getting all their property sent with them on transfer to Rye Hill. The new policy framework appears not to have

made any impact with some sending prisons ignoring best practice and not responding to COMP1 complaints.

Health and wellbeing

- The new healthcare providers Practice Plus Group, commissioned direct by the NHS, took over in November 2022 with all staff transferred to the new provider. However some vacancies remain which it is hoped will be filled shortly. The new arrangement now provides integrated healthcare services including social care.
- Waiting times for appointments, both within the prison and for outpatient services, remain in line with the community other than for opticians, but this provision is being reviewed.
- A review of painkiller use is underway to ensure the prison follows the 'safe prescribing in prisons 2019 guidance' and to ensure there is a minimal opportunity for prisoners to trade their prescribed medication.
- The number of prisoners with long term and serious health conditions continues to rise with about two thirds of the population needing long term condition care plans and an increasing number needing palliative and end of life care.
- Improvements have been made to the accommodation with a new palliative care cell and a proposal for an onsite dialysis unit being prepared.

Progression and resettlement

- A very successful addition to purposeful activity has been the Media Hub which has enabled improved communications and also supported numerous prisoner-led initiatives. However, there are still only limited vocational courses available from Education.
- The education provision is currently focused on English and maths with limited participation in higher education. The allocation of work in most roles has been linked to attaining English and maths level 1; this has led to a number of older prisoners complaining as they do not have access to proof of their qualification e.g. GCSE, but feel it is unfair for them to be forced to take a course they are already proficient in.
- Education delivery efficiency has improved during the year from only 45% to around 90%. Non-attendance is rigorously followed up.
- Rye Hill has piloted the 'Building Future Network' project to explore and support the challenges faced by long sentence prisoners. The aim of this, together with new initiatives to support imprisonment for public protection (IPP) prisoners, is to help prisoners explore additional pathways to parole alongside offending behaviour programmes.
- 144 prisoners completed their programmes in the last reporting period. An effort has been made to explain to prisoners how spaces are prioritised as there is a perception that there is a long wait for spaces by those early in their sentence.
- The number of direct releases (54) has again increased and is predicted to increase more next year. There have been challenges finding accommodation

and agreeing licence terms which the prison offender management unit (OMU) has heavily supported even though it is not part of their remit or training.

3.2 Main areas for development

TO THE MINISTER

- The Board is aware of the Justice Select Committee's IPP review and announcements at the end of the reporting period and also the new initiatives Rye Hill is putting in place to support this cohort. However, we are still concerned that they will make little material difference to those with complex needs without dedicated budget provision. The issue of IPP progression has been repeatedly raised in annual reports and the recent decision to not accept the recommendations around re-sentencing and reducing licence periods has increased the anxiety for these prisoners.

TO THE PRISON SERVICE

- The Board is concerned that processes designed to ensure prisoners have sufficient prescribed medication with them when transferring to Rye Hill are not being consistently applied across the prison estate.
- The Board is still concerned that not one compassionate release has been agreed despite a number of applications and despite the increase in the number of terminally ill prisoners dying in custody at Rye Hill.
- The Board remains concerned that the movements from Category B to Category C and then to Category D prisons represent a particular problem for prisoners convicted of sexual offences and with the increasing number of direct releases (54 this year against only 20 in 2019/2020 reporting year) frequently leaves them being released with no specialist support.

TO THE GOVERNOR

- The Board is concerned over the number of older prisoners who have complained to the IMB about being required to retake English and maths level 1 qualifications to obtain a particular work role because they have no way to prove their qualification/s. We would like to see a balanced approach taken when prisoners are clearly proficient in the skills even when formal certificates cannot be produced.

3.3 Response to last report

Please see Annex A.

Evidence sections 4 – 7

4. Safety

4.1 Reception and induction

All new arrivals are accommodated on Andrews Unit with an average length of stay on the unit of 8 to 12 weeks including a formal 14-day induction period (figures from Rota report). A rota report looking at reception and induction found that the process worked well; the prisoners who provide the majority of the initial support to new arrivals are well trained and have been in the role for some considerable time. However, medication during reception was highlighted as a concern with the majority of men arriving at HMP Rye Hill having issues with their medication ranging from arriving with no medication to arriving with an insufficient amount of medication or only some medication items. This can be a significant risk if men arrive with insufficient antipsychotics for example. The Pharmacy team are well informed and have arrangements in place to minimise any risks. It should be noted that this issue is likely not confined to HMP Rye Hill.

New arrivals are issued with a booklet which must be completed as part of the induction process. This includes a record of meetings with key teams/individuals and offers the new arrival the opportunity to provide feedback on their experience of the reception and induction process. We would commend this as good practice.

Key workers are allocated during the induction process.

4.2 Suicide and self-harm, deaths in custody

There were 129 assessment, care in custody and teamwork documents (ACCTs) opened during the reporting period, six of which were active on 31 March 2023. There were 64 opened due to a form of cutting/scratching and 13 were opened for ligatures.

There were 246 incidents of self-harm for the reporting period; almost all were superficial scratches with some ligatures - no near misses. Self-harm numbers continued to fall and year on year figures are below:

2019	447
2020	410
2021	261
2022	208
2023 to date	122

The number in 2023 is largely due to 3 or 4 prisoners who repeatedly self-harm in a superficial way.

There has been a recent change to the management of razors in the prison with blades being issued in the morning and collected in the evening as the most common cause of self-harm is cutting with a razor blade.

There were seven deaths in custody during the reporting period. Five of these were in hospital and two in the prison, including one in the newly commissioned palliative

care cell. All of the deaths released onto the PPO website were confirmed as natural causes. There are still two investigations still to be released publicly.

Within the period three applications for compassionate release were made, two were refused and one was withdrawn due to the prisoner passing away prior to a decision being made. The MOJ has now recognised the issues relating to the ageing population in prisons and provision/re-provision is being considered. There are only a small number of inpatient facilities in the prison estate, all of which are oversubscribed.

There were no deaths by suicide during the reporting period.

The population at HMP Rye Hill has a high percentage of older prisoners with significant/complex needs and this is challenging for the prison. Providing appropriate arrangements for end-of-life care and compassionate release, represented by current HMPPS facilities and procedures, impacts HMP Rye Hill disproportionately.

There are currently a number of prisoners with life-limiting conditions who have been allocated a family liaison officer. The work of the family liaison officers following all deaths in custody has been timely, compassionate and supportive. As confirmed in the Prison and Probation Ombudsman (PPO) report, care for those nearing the end of life has been good, equal to that expected in the community. However, in one of the reports it was stated that some care was not of the standard available in the community.

The Board is concerned that the recent recommendations in PPO reports following deaths in custody have identified two recurring themes for healthcare:

- Communication within the healthcare team which led to referrals not being made in a timely way.
- Additional training/refresher training in assessing prisoners found unconscious.

The prisoners have access to a Listener service and the Samaritans via a free call on the in-cell phone. Rye Hill has recently run refresher training in conjunction with the Samaritans to upskill the Listener group. The service is now fully up and running with a monthly rota and the Samaritans are attending the vulnerable adults meeting regularly.

Nationally, coroners are still catching up on Inquests and the backlog from Covid. Rye Hill has had three inquiries in the last month with eight now outstanding.

4.3 Violence and violence reduction, self-isolation

Violent incidents continued to be low, averaging 3 a month which is encouraging given that the Covid restrictions have been lifted. Most of these were minor incidents and only 9 serious assaults have been recorded during the year. The Board is concerned that pressure on prison spaces with a number of single cells changing to shared accommodation may impact on the number of violent incidents going forward. The Board is confident that the team at Rye Hill are aware of the risks and are managing this. (See also section 5.1)

There were 39 incidents of violence in the period, with 6 of these being classed as serious. For the period violence averaged 3.25 incidents per month.

The reduction in violence over recent years, including during the period of Covid restrictions is below:

2019	115 (of which 33 were serious)
2020	58 (of which 9 were serious)
2021	48 (of which 6 were serious)
2022	42 (of which 8 are serious)
2023 to date	11 (1 serious)

Rye Hill also completed a violence reduction project at the beginning of 2023 which used VIPER scores which predict potential violence in individual prisoners.

The Board are monitoring self-isolators and have noted that some have reintegrated during the reporting period.

4.4 Use of force

The number of incidents of use of force was 145 (12 a month) for this reporting period. These figures were inflated in November, December and January by one prisoner in the care and separation unit (CSU) who required planned intervention for every interaction including meals.

This is a slight increase from 10 a month for the previous reporting period.

All use of force incidents are recorded on body worn cameras and are reviewed by a management committee. Any prisoner on whom force has been used is also seen by Healthcare.

4.5 Preventing illicit items

The prison now has portable scanners for Spice and similar substances and all correspondence and property is scanned keeping the incidence of illicit drugs being sent into the prison very low.

There was a total of 21 positive mandatory drug tests during the reporting period:

Random - 6
Reception - 4
Suspicion - 6
Risk - 5

Most of these were identified as medication misuse.

5. Fair and humane treatment

Covid-19 restrictions on the regime gradually reduced during April and May 2022. The prison was proactive throughout, seeking to prioritise a return to business as usual and the clear expectation was introduced during June that prisoners would attend activity on a daily basis. Unfortunately during August a number of wings had to be isolated due to positive cases in prisoners and staff; weekly meetings were

reintroduced to monitor the situation and this was a temporary issue that was managed successfully. The regime has not completely returned to pre-Covid-19 procedures as association time is taken on a 50% basis for each unit i.e. the upper landing prisoners are out for the first half of the association period and then the lower landing for the second half. However, all prisoners are in meaningful activity (unless retired) during the week and all get structured association in the evenings and during the weekend and the regime has now returned to a full working week and 50% association time on evenings and weekends.

When interviewed, prisoners were understanding of the need for restrictions and have appreciated the efforts the prison has made to return to normal regime as quickly as possible through the year.

5.1 Accommodation, clothing, food

There have been no reported difficulties with food supplies or access to the CMS terminals used to order meals and canteen items. There has only been one food-related application received by the IMB during this period.

Prisoners have been allowed to receive clothing parcels from family and to make purchases from the approved supplier lists.

There have been some challenges since November, when the additional prisoner places were requested and more prisoners were therefore asked to share cells. The IMB has received a number of applications and some prisoners have been moved to CSU following threats of violence as they do not wish to share a cell and do not agree with the way cell sharing risk is determined. The prison has tried to mitigate the situation by having 2 TVs in a shared cell and permitting headphones but reduction in availability and allocation of single cells has remained an issue.

5.2 Segregation

The number of prisoners spending time in the CSU remains low; on average 10 prisoners a month are in the CSU for fairly short periods, although this has been increased by the issues with cell sharing mentioned above. There are only two long-stay prisoners in the CSU who had been in the CSU for 142 and 72 days respectively at the end of the reporting period. The one long-stay prisoner mentioned in last year's report was moved to a specialist establishment after excellent collaborative work by CSU staff over many months.

5.3 Staff and prisoner relationships, key workers

There are a number of prisoner-led initiatives that are part of the communication strategy within the prison that have enhanced ongoing staff-prisoner relationships including the continued use of the Director's daily Vlog on key messages about the prison regime shared to all prisoners in-cell. The permanent media hub opened during this reporting year, with a significant amount of the set up completed by prisoners enabling even more communication options (see section 7.2).

The IMB completed a thematic review of the Keyworker process within the establishment and shared its report internally in August. The Board identified the following key aspects that were working well:

- Key workers are allocated during the induction process.
- A team of people provide enhanced key worker support for those men who are frequently in CSU and require more support.
- The prison is flexible with changes to processes where it makes things more efficient.
- Key workers are clear about the aspects of the role and what this involves with a clear training programme available to all new staff on the key worker process and their role within it.
- There are clear performance metrics that the prison keeps, assuring the key worker process is happening as planned.

Although the following potential issues were also identified

- Staff from HMP Rye Hill have been supporting the ramp up of HMP Five Wells, which has provided development opportunities for staff moving between the two establishments but did impact on the number of key worker sessions being delivered.
- A mechanism to share best practice would improve the standard of some reports.
- Allocation of prisoners to key workers could be streamlined e.g. by being workplace related, to avoid time being lost when key workers are unable to locate prisoners.
- The performance metrics for this area of work could be improved; at the moment the focus seems to be solely on the number of sessions held, not on the value the prisoners receive from the sessions.

Just over 19,000 key worker sessions were completed during the reporting year with every prisoner receiving at least one session every month and many prisoners more than one session. The first month the prison met its 65% effectiveness target was the last month in the reporting period - March 23, when it scored 71.3%. This target is based on the number of sessions completed in the week against the overall prisoner population.

5.4 Equality and diversity

The bimonthly equality action team (EAT) meetings and regular forums for protected characteristics have returned to normal during the reporting period.

The prison has set up an 'Our Generation' group for older prisoners that meets fortnightly. They have also introduced an 'over 55 gym' where prisoners can go to the gym and have a session which includes refreshments. They can use the equipment without fear of being intimidated.

There have been 83 DIRFs submitted in the reporting period of which 11 were upheld. This is an increase on the 62 logged last year but a decrease in the number upheld as last year 22 were upheld. It is not clear whether the increase in DIRFs is due to more incidents or just a greater willingness of prisoners to complain; in our interaction with prisoners there has not been an increase in complaints/comments about discrimination with the IMB receiving only 6 applications on equality issues.

This is slightly higher than last year but a number referred to the same issue: facilities in the workplace for daily prayers for some Muslim prisoners. On checking, the arrangements in place had been approved by the Iman but remained unpopular with the complainants as not all prisoners could pray together.

5.5 Faith and pastoral support

Access to face-to-face services has returned to normal in line with the overall prison returning to normal regime. Faith days continue to be observed with followers allowed a day off on key dates.

There remains a regrettably high number of deaths in custody due to illness and natural causes but the Chaplaincy has provided significant support to grieving friends of those that have passed away including 1-2-1 support, prayer activities, memorial events and bereavement counselling.

5.6 Incentives schemes

The new incentives policy implemented last year has now been embedded within the establishment. Most prisoners remain at one of the two enhanced levels. There has been a minimum of 3 and a maximum of 10 prisoners at the lowest incentives scheme level during the year.

The new scheme focuses much more on positive as well as negative entries and during the calendar year the positive entries and commendations outnumbered the negative entries and challenge conversations by 1296 to 827 which it is hoped indicates the new system is acting as a positive reinforcement of desired behaviours rather than the 'punishment' system it was formerly seen as by prisoners.

5.7 Complaints

The number of COMP1 Complaints has continued to drop from the previous reporting periods. For January to March the average is 61 per month compared with 108 per month last year. The IMB continued to receive very few applications concerning complaint handling. The number of COMP2 complaints was also still very low.

5.8 Property

We have received 7 IMB applications about property within the establishment and 8 IMB applications about property when prisoners have transferred in or out of the establishment.

As last year the majority of the applications concerning property within the prison were regarding issues around games consoles, the Security Department, has reissued the guidance to clarify the situation for staff and prisoners and since then no further applications have been received.

More difficult to resolve are the applications regarding property that has not been forwarded on transfer. Even with the assistance of the IMB teams at the sender establishment we have found a general unwillingness by sending prison Reception staff to look for missing property or even respond to COMP1s on the subject. There

remains a high percentage of COMP1s on missing property logged and forwarded to the sending prison that never receive a response at all even after months and despite being chased by the Complaints clerk. The new Prisoner's Property Policy Framework issued in August 2022 does not seem to have led to any improvement in this situation, especially in the requirement to send all old property cards with the prisoner to the new establishment; this is just not happening and therefore makes it impossible for the prisoner to prove possession of the missing items.

6. Health and wellbeing

6.1 Healthcare general

There are over 1700 appointments offered per month across the various clinics, however GP appointments are only available 3 days a week with a nurse triage appointment being offered on the other 2 days. In spite of this, waiting time for a GP appointment is only 2 weeks which is better than some areas of the community. 'Did not attend' incidents remain low across all clinics at around 1% and are investigated with incentives scheme penalties for non-attendance without good reason.

There remains a large demand for hospital outpatient appointments with up to 3 escorts per day. Prisoners still report frustrations to the IMB on waiting times for external appointments and although there have been 70 cancelled appointments, as far as we can determine these delays are more due to the wider issues with NHS backlogs than any prison procedures.

The referral to treatment time (RTT) remains at 58 weeks with 27 appointments not achieving their 18-week target, 34 not achieving their 9-week target and 9 their 6-week target.

Waiting lists for the Dentist (5 weeks) and dental nurse (8 weeks) are not dissimilar to previous years but there remains a longer wait for the optician (10 weeks) and this is one of the areas being looked at to see if the provision can be improved.

There have been 22 IMB applications concerning healthcare during the year, an increase of 6 on last year, but they have covered a wide range of topics from not being aware of an appointment date/time to not agreeing with a change in medication by the GP. There have been no consistent themes.

6.2 Physical healthcare

The primary healthcare provider changed in November 2022 to Practice Partnership Group (PPG) following a tender process run by the NHS. Some staff remained in position as part of the handover but the majority of the management team has changed (although the Head of Healthcare was appointed in advance of the change in provider having joined at the start of the tender process in 2021). Some staff vacancies remain but we are advised that multiple applications are being received for each vacancy and changes to the security clearance system to move away from G4S based clearance are being explored to reduce time from appointment to start date.

The new provider has now put in place direct reporting lines with the NHS and a new set of performance reporting procedures to hopefully speed up the planned improvements in areas such as palliative care and long term condition management,

both of which are a priority due to the complex care needs of the older profile of the prison population at HMP Rye Hill where over 400 of the 660+ inmates suffer from a long term condition. In addition the new management team has started a review of painkiller prescribing with the aim to ensure compliance with the NHS recommended 'safer prescribing in prisons 2019' guidance. There are a number of prisoners still prescribed more than one painkiller and with prescription medication being the drug found in virtually every positive mandatory drug test it is hoped this initiative will benefit both the individual prisoner and the wider safety of the prison.

The number of patients with life limiting diagnoses continues to increase with 5 undergoing cancer treatment and a further 3 having a terminal diagnosis and receiving palliative care. There are only 9 cells in the prison that are suitable for disabled/frail prisoners with space to accommodate a hospital style bed and a doorway large enough for wheelchair access. A further cell has recently been completely refitted to make a palliative care cell but the number of prisoners ideally requiring accommodation of this type continually exceeds what is available.

Due to this health profile there continues to be 1 or 2 bed watch requirements every month to cover hospital stays; this is funded by the Healthcare provider but the staff need to be rostered by the prison and this can impact availability elsewhere in the regime. We understand that currently there are no plans for an in-patient hospital style care unit within the prison expansion plans. This does mean that certain end of life provisions such as oxygen and morphine pumps cannot be offered, so prisoners needing these have to stay in hospital on bed watch. We understand that this in-patient option has been explored but other provision for supporting prisoners returning from hospital stays is being considered.

There are plans being pursued to establish an on-site dialysis unit that would be available to prisoners both at Rye Hill and other nearby prisons. This could reduce the need for escorts and also increase the potential flexibility for treatment intervals.

6.3 Mental health

The primary care mental health (PCMH) nurses are now part of the PPG provision with direct access to the NHS service when needed.

6.4 Social care

A vulnerable adults meeting is held every two weeks. Attendees include the Head of Safer Custody (Chair), healthcare, education, probation, and DART.

The arrangements for social care have changed with the care assistants no longer provided by a Council selected company but now provided by PPG alongside other health care services.

There are now 8 prisoners receiving social care (up from 6 last year) and 5 are currently awaiting assessment. It is hoped with the change to an integrated team the care assistants' time can be better utilised however there are now prisoners who need a greater number of sessions a day including one who now requires 24 hour care.

6.5 Time out of cell, regime

The regime has not completely returned to pre-Covid-19 procedures as association time is taken on a 50% basis for each unit i.e. the upper landing prisoners are out for the first half of the association period and then the lower landing for the second half. However, all prisoners are involved in meaningful activity (unless retired) during the week and all get structured association in the evenings and during the weekend. The gym and library are back open as normal and new gym style equipment has been fitted on the outdoor exercise yards.

6.6 Drug and alcohol rehabilitation

There are 170 prisoners currently being seen by the DART team (152 at the beginning of the reporting year) with the number of sessions for each prisoner varying according to need. All prisoners have been seen within 6 weeks of referral and the most common issues are opiate painkillers/prescription drugs and historic alcohol use.

6.7 Soft skills

The peer led initiatives PEN (Prisoner Engagement Network) and ASSIST (Active Support System Intervention Service Team) (for those with mental health issues and requiring a 'buddy') have continued during the year. Peer led prisoner groups are also involved in planning a wide range of initiatives for structured association such as a football league, mental health awareness week, various charity events and challenge competitions.

7. Progression and resettlement

7.1 Education, library

Education

At Rye Hill 98% of prisoners have had a Learning, Education and Development (LEAD) Pathway Review and this year Education's emphasis was on competency in literacy and numeracy, both of which are viewed as essential in today's workplace. Rye Hill encourages prisoners to obtain a minimum of Level 1 English and Maths with the aspiration that they will move to a Cat-C establishment or be released with Level 2 English and Maths qualifications.

All work and job allocation is now linked to levels of education attained. For instance, for a job in the kitchens or Industries level 1 English and Maths attainment or enrolment is required. However, this has led to a number of IMB applications by, particularly older, prisoners who do not have the required documentation, e.g. GCSE certificate, to prove the level attained and are unwilling to repeat courses they feel proficient in.

The prison reports daily on attendance at education and follows up rigorously with prisoners who do not attend. A total of 2747 education sessions were planned for during the year with 2619 held, an average efficiency of 82%. This is now in line with the supplier contract agreement but at the start of the year only 45% were held and

this improved to around 90% at the end of the year. The success rates for the courses were variable with 100% for IT User Skills but only 56.82% for Functional Skills qualification in Mathematics. Currently very few prisoners participate in any Higher Learning and there is a recognised need to expand access and uptake of both Higher Learning and Vocational Training.

Library

During the reporting period there were 9729 user visits to the Library, and a population needs analysis in 2022 found that of the 340 questionnaires that were returned 92% said they regularly use the library. In addition, a snapshot audit by the Race, Equality and Diversity team based on data taken between April and August 2022 concluded that 7.47% more library sessions were attended by people of black, Asian and minority ethnic backgrounds than would have been expected.

The library provides other services such as a weekly collection and delivery service to all units including CSU and a monthly book club group with seating in the library for discussion – this is especially popular with retired prisoners.

The Board would be pleased to see more creative use being made of the library, including expanding its work with the Media Hub (see below) and also possibly outside organisations to develop and broaden the literacy skills, interest and enjoyment of all prisoners.

7.2 Vocational training, work

As Covid-19 restrictions were removed purposeful activity at Rye Hill improved from just 15.21 hours per week in April 2022, rising to 27.1 h/wk in July 2022 and to 29.16 h/wk in February 2023 but dropped again to 20.23 h/wk by March 2023.

Rye Hill support for Vocational Training is limited at the moment and this is recognised as an area for improvement. At the end of this year, the prison is looking for additional work opportunities for prisoners but nothing is yet confirmed.

Media Hub

As a direct result of the development of creative communication strategies to keep all prisoners informed during Covid-19 restrictions the media production area has now developed into a Media Hub.

The Media Hub is now providing full time work for 8 prisoners and 2 additional volunteers on a Friday afternoon. It is currently planning the development of internship posts. All prisoners working in the Media Hub are free to attend formal Education sessions and most have completed or are working towards IT, Maths and English level 2.

The Hub is the source of more “informal Learning” opportunities throughout the whole prison population. During the course of 2022 and 2023 the Hub has moved from providing a listing of useful TV programmes to much more prisoner led activities that are proving useful as skills development for those working in the Hub, and to other prisoners they reach out to across the prison. These have included:

- The Rye Hill Times (an internal newspaper)
- Rye Hill TV which broadcasts around 140 hours of content a week.
- Rye Hill Radio (delivered via in-cell TVs)
- A Print Shop where they design and produce posters, flyers and leaflets.
- Digital Solutions where a digital catalogue, which can be accessed via PCs on the units, is produced to replace the existing paper catalogues.
- An Events Schedule is delivered of events such as TEDx, Model United Nations, Climate negotiation Simulation Game, Celebrating Success, monthly study skill sessions delivered by Arden and Coventry Universities and Wartime Memories. They also support staff and Peer-Led Initiatives with their events via sound recording, PA systems and Photography.

The IMB applauds the creativity of the Media Hub and in discussion with prisoners working in the Hub, a number mentioned that they have been able to build their own skills while being suitably challenged at work.

Workshops and other work areas

There are job opportunities in Industries workshops, kitchens and on the Units, with an Activities Centre for retired prisoners. In March 2022 the prison had a total roll of 616 prisoners with a 90% employment rate (96% if allowing for retired and restricted prisoners) and by April 2023 there was a total of 659 prisoners and an 87% employment rate but only 7 prisoners were actually unemployed as, excluding those unavailable for work, this rate was again 96%.

The Board is aware that when the prison officially becomes both a Cat-B and C-prison (in 2025) more vocational working opportunities will need to be provided. In addition the Board questions the kind of work currently provided in that much of it requires little mental input or skill level, and we would like to see what can be done to provide work that would provide something interesting for all prisoners to do and also enable them to develop skills that would help towards their ability to find work on release.

7.3 Offender management, progression

This year there was an average of 77 re-categorisation reviews held each month with 8 (6%) being awarded their Category C; this was an increase in re-categorisation reviews held but a decrease in the number of successful re-categorisations from last year.

Rye Hill delivered a number of accredited Offending Behaviour Programmes (OBP) including Horizon - 67 prisoners completed; and Kaizen Sex (Kaizen SO) - 3 completed; and a Foundation course - 26 completed; as well as New Me Strengths - 22 completed; and Becoming New Me (BNM+) - 26 completed.

The number of completions cannot be compared with the previous year due to Covid-19 restrictions, however, at the end of the previous year there was a waiting list of 144 all of whom appear to have now completed their courses.

As a general principle, prisoners are prioritised for OBP courses by closeness to release or tariff expiry/parole dates which leaves some prisoners residing in Rye Hill for many years before they are considered for an OBP. As prisoners see this as a delay in accessing Programmes, this issue has been raised many times with the IMB both formally through applications and informally whilst in conversation. However, the prison has explained to prisoners the four principles they take into consideration when making decisions around priority cases.

Progression

Over the past few years Rye Hill has participated with the Building Futures Network, as a Pilot site for a study to explore the challenges faced by prisoners serving long custodial sentences of 10 years or more. In the inaugural report it was concluded that more should be done to avoid “progression voids” in the early part of a prisoner’s sentence and that personal growth should be encouraged, identified and recorded as progression and considered alongside other pathways to risk reduction. This project is ongoing however currently most prisoners see a re-categorisation to Cat-C, then transfer to a Cat-C prison as the primary route for progression. In October 2022 the IMB conducted some in-depth monitoring of prisoners’ perceptions of how their transfer requests were handled by the prison. Unfortunately, even though the sample of prisoners spoken to was small, not one had a positive experience with this process; especially lacking appeared to be the communication of any expected timescales, acknowledgement of the receipt of request or feedback on any progress, even if that feedback would have been that the transfer cannot be pursued at this time. It was worrying that the system used did not appear to note the dates when applications for transfer had been made making it impossible for staff to follow them up in a timely manner. Unfortunately, further information requested by the IMB on how data was held was not forthcoming.

Also worrying was that in early April 2023, it was noted that documents that should be made available to prisoners to submit a contribution to their own re-categorisation board were not made available in a timely manner by Unit staff and were sometimes 6 weeks late. To their merit this was picked up by Offender Management Unit staff who have communicated to Unit staff appropriately indicating what needs to be done.

IPP/Lifer Prisoners Progression

Since the outcome of the Justice Select Committee (JSC) findings into the review of IPP sentences the prison has recognised the need to provide support for this cohort of prisoners. In December 2022 staff had intended to meet with IPP prisoners to communicate the findings of the JSC, but a decision was made at Ministerial level to delay these findings until January 2023. In the meantime Rye Hill held a number of forum meetings with IPP/Lifer prisoners to help provide a sense of hope and help manage their sentences and expectations as they approached parole eligibility dates.

In January 2023 the prison staff met with IPP prisoners to communicate the JSC Review findings and all were given information in writing. One Forum attended by the IMB was somewhat monopolised by a number of very vocal IPP prisoners and it was

noted that some of the less communicative prisoners may well require more one-on-one communication and support than had been provided so far. However, prisoners recognised that so far the prison has done more than it was required to do. During the same month Martin Jones, CEO of the Parole Board, was invited to visit Rye Hill where he held a Q&A session with all parole eligible prisoners. He used this opportunity to address many of the concerns of Category-B prisoners regarding their progression and confirmed that prisoners can progress to open conditions from HMP Rye Hill.

IPP and Lifer prisoners were recognised as having similar needs and both cohorts now attend the same monthly themed Workshops to discuss elements related to the Parole process, the 7 Pathways to Reducing Re-offending and the Role of the Probation Service. Currently at Rye Hill, prisoners over tariff and those approaching a tariff end date or a parole eligibility date are being prioritised with workshops focused on preparing prisoners for their Parole Board. The prison is already seeing an increase in the number of eligible prisoners with successful outcomes in gaining transfer to open conditions following a Parole Hearing. This year has seen 11 prisoners released into the community by the Parole Board. Workshops continue to develop and will be closely monitored by the IMB as will the numbers of prisoners gaining successful outcomes or otherwise.

7.4 Family contact

During the year there were 3664 social visits, 2962 social video calls as well as 87 family days held. It has been impossible to get the actual number of prisoners who receive visits, however, it is thought to be approximately 260 and the number attending Family days is just 72. Given these low figures in late December 2022 the prison implemented Prisoner-with-Prisoner visits initially just for those prisoners who never had visits from Family or Friends. In January 2023, 14 pairs of prisoners requested such a visit and 6 pairs of visits were held (12 prisoners). By March 2023 this had risen to 30 Pairs requesting such visits with over 17 pairs (34 prisoners) meeting in the Visits Hall with all the same facilities as an external visit. These visits have proved so popular that the initiative has now been extended to all prisoners.

7.5 Resettlement planning

The reducing reoffending process at Rye Hill is based on multi-disciplinary meetings and ideally reviews all new prisoners one month after their arrival. However, as some assessments take longer to process this review is frequently at two months to provide a better opportunity to gain more useful information and a better view of a prisoner's journey and barriers to be overcome. Over the course of the year 9 Reducing Re-offending meetings were held to discuss the needs of the 161 new prisoners although only 138 cases have actually been discussed. Prisoners shortly to be released are also discussed at this meeting and at the Public Protection meeting.

As a category-B training prison, the number of prisoners released directly from Rye Hill should be low. However in this reporting period the number released was 54, slightly higher than last year. The Board has been informed that in the year 2023/24 this is expected to increase again to around 60 prisoners. As well as a higher than

expected number there are a number of challenges facing some releases. One concerns Licences when the Community Offender Managers (COMs) are not using the Licences Conditions Policy framework to construct licences correctly. There have been numerous variances which require Public Protection Casework Section approval for inclusion that the prison is having to challenge with COMs which is a time-consuming process. A further challenge is accommodation as finding approved accommodation/premises (AP) can be problematic and on occasion prisoners did not have an AP confirmed until very late in the day, sometimes within a week and occasionally within even one day of release which the Board finds to be unacceptable given that Rye Hill is releasing prisoners convicted of sexual offences (PCOSOs). The Prison is obviously very reluctant to see a prisoner released to a local authority and register as homeless so senior staff work hard to ensure that AP are found, even though this is not part of their remit or training. The ongoing problem of working with Probation services in a community far from the Prison is also not ideal and there also appears to be a reluctance on the part of Local Authorities to commit accommodation for prisoners convicted of sexual offences.

The problem is further exacerbated by the lack of places within the Cat-C estate and the recent issues around lack of capacity with consequences to the movement of prisoners which is unfair on prisoners who therefore received little, if any, guidance on useful skills, eg, modern money matters, banking etc. before their release. This all clearly impacts on the anxiety levels of prisoners who already have concerns about returning to the community.

The work of the IMB

Board statistics

Recommended complement of Board members	14
Number of Board members at the start of the reporting period	7 including 4 in induction
Number of Board members at the end of the reporting period	5 including 1 in induction
Total number of visits to the establishment	191

Applications to the IMB

Code	Subject	Previous reporting year	Current reporting year
A	Accommodation, including laundry, clothing, ablutions	9	3
B	Discipline, including adjudications, incentives scheme, sanctions	3	7
C	Equality	5	6
D	Purposeful activity, including education, work, training, time out of cell	5	14
E1	Letters, visits, telephones, public protection, restrictions	10	9
E2	Finance, including pay, private monies, spends	5	3
F	Food and kitchens	1	1
G	Health, including physical, mental, social care	15	22
H1	Property within the establishment	10	7
H2	Property during transfer or in another facility	1	8
H3	Canteen, facility list, catalogues	2	0
I	Sentence management, including HDC, ROTL, parole, release dates, re-categorisation	24	8
J	Staff/prisoner concerns, including bullying	21	23
K	Transfers	1	4
L	Miscellaneous	11	4
	Total number of applications	116	119

Annex A

Response to Last Report

Issue raised	Response given	Progress
Minister Progress for the IPP cohort remains a major concern.	There are no current plans to change the legislation on the IPP sentence including the licence period. This means that the Parole Board will grant those serving these sentences release only when they have demonstrated they will no longer pose a significant risk to the public. Whilst our main priority is to protect the public, I would like to reassure you that HMPPS remains committed to doing all it can to support the progression of those serving IPP sentences. Work on the regularly refreshed IPP action plan continues, which includes case reviews by Psychology Services for those who are struggling to progress to help identify the most appropriate pathway for each individual. It also includes a work stream that oversees the establishment and delivery of specialist progression regimes which give prisoners a chance to develop and test their ability to manage their risks and lives in an environment of increasing freedoms and responsibilities. All indeterminate sentenced prisoners should be located at the prison best-placed to meet their sentence planning needs in terms of interventions. Prisons will seek out suitable locations for IPP prisoners that are assessed as needing access to certain interventions in other prisons as promptly as is reasonably possible.	The recent recommendations for IPP prisoners seem to have made little material difference for those with complex needs; the recommendations on resentencing being rejected was a blow to those prisoners who are severely over tariff. The prison has introduced new workshops for IPP prisoners to discuss the recommendations. See section 7.3
Prison service Difficulties surround appropriate arrangements for end-of-life care and compassionate release. The current procedures do not seem to facilitate humane treatment of these prisoners.	Each application for early release on compassionate grounds is considered on the facts of each case and will include evidence from medical professionals. If the application meets the criteria, as set out in policy, the prisoner will be released. A new Policy Framework was issued on 13 May this year which clarifies the process and the reports/documentation required for an early release decision to be reached. Where early release on compassionate grounds is recommended by the Public Protection Casework Section (PPCS), the final decision to allow early release will be taken by the Secretary of State or an official with delegated authority. HMP Rye Hill has good arrangements in place with the on-site Healthcare team, and also has a number of staff trained as Family Liaison Officers who are proactive and provide care and support for both the prisoner and their family. The prison is examining the feasibility of making further modifications within one of the cells that is classed as Disability Discrimination Act compliant to see if it can facilitate end of life care in the correct circumstances. The healthcare provider will also work closely with the prison operator to facilitate effective and compassionate end of life healthcare within HMP Rye Hill where appropriate levels of healthcare can be provided.	The prison has made improvements in availability of palliative care accommodation as mentioned but there have been no changes on compassionate release policies centrally so the number of terminally ill prisoners dying in custody continues to rise. See sections 4.2 and 6.2
The Board remains concerned that the	There are complex and wide-ranging issues involved in transferring prisoners, and allocation decisions must	Releases from Rye Hill are actually increasing

<p>preparation for release path of movements from Category B to Category C and then to Category D prisons represents a particular problem for prisoners convicted of sexual offences and frequently leaves them to be released from an establishment with no specialist support.</p>	<p>reflect both the specific needs and circumstances of the prisoner, as well as the operating environment and range of services at the receiving prison. Within the context of these often competing operational and logistical demands, the Population Management Unit seeks to ensure that prisoners who have been accepted for transfer are moved as soon as is practical in accordance with the National Allocation Protocol. The COVID-19 pandemic has had an impact on transfer capacity within the adult male estate across 2021/22. Nevertheless, HMPPS is facilitating progressive moves wherever possible and in line with offender flow arrangements. Swift and efficient transfers between prisons, particularly progressive transfers to open and resettlement prisons, are necessary and desirable, including to ensure that space remains within reception prisons that serve the courts. The National Allocation Protocol and Offender Flows enable prisoners to be held in prisons providing an appropriate level of security and the appropriate interventions to allow them to progress with their sentence plan. To support reception prisons in maximising available capacity and ensuring prisoners are accessing the required offending behaviour courses, some prisoners in the resettlement cohort are required to remain in training prisons in the interim.</p>	<p>and are predicted to continue to do so therefore the situation is not improving and remains a concern. See section 7.5</p>
<p>There does not seem to be a process for managing the impact on prisoners of changes to the rules on in-possession property with items being allowed, then disallowed.</p>	<p>The Incentives Policy Framework outlines a National Facilities List (NFL). The NFL identifies the items that Governors need to consider when developing and operating their local incentive schemes. NFL items are provided to offer a level of consistency and ensure that it provides Governors opportunities to tailor schemes for their local prison population. There will be occasions whereby prisoners will arrive on transfer from another establishment with items which are not permitted in the receiving establishment's facility list. Governors are to consider these items in isolation. Unless the item is considered a risk to good order, discipline, security, safety and/or exceed volumetric control limits, the prisoner should normally be allowed to keep in-possession. Detailed advice on permitted consoles and gaming devices is set out in Annex D of the framework. HMPPS appreciates there is a demand for access to new generation gaming and we are working to explore possible long-term solutions to allow safer, newer models in prisons</p>	<p>There have been no changes at policy level on this issue with guidance falling further behind the current market leaving a number of permitted games consoles no longer available to purchase.</p>
<p>Governor Comments indicated refresher training for Key Workers would be valuable. Prisoners asked for a specific appeal form for re-categorisation decisions.</p>	<p>All key worker entries are checked and scored, if any key worker is not completing satisfactory entries then they are given one to one coaching rather than formal retraining.</p> <p>The system remains the submission of a COMP1 form.</p>	<p>The key worker process has now returned to normal following restrictions and, by the end of the reporting period, targets were being met. See section 5.3</p>

Annex B

List of Service Providers

Healthcare and social care services are provided by Practice Partnership Group (PPG) commissioned by the NHS.

The education provider is Novus Foundation for Change.

Catering is provided by Aramark.

Links with the Samaritans are established, together with a Listener's service.

Annex C

Population statistics

At the end of the reporting year, the prison held 75 prisoners under life sentences; this is only a small change from the 70 held at the start of the year. The number held on an IPP increased slightly, from 19 in March 2022 to 23 in March 2023.

At the end of the reporting period, there were 425 category B prisoners, 236 category C prisoners. The large increase in category C prisoners reported for the last 3 years, in spite of the prison officially being for category B prisoners, has continued; this is now largely due to a shortage of category C spaces for people convicted of a sexual offence and some category C prisoners may stay at HMP Rye Hill and transfer to the new accommodation once built.

The ethnic breakdown has remained predominantly white, with approximately 79.3% white, 8.5% black, 8.6% Asian and 3.6% other ethnicities.



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