



Chair, Independent Monitoring Board
HMP Wealstun
Walton Road
Wetherby
LS23 7AZ

19 October 2023

Dear Chair,

HMP WEALSTUN: INDEPENDENT MONITORING BOARD ANNUAL REPORT FOR 1 JUNE 2022 – 31 MAY 2023

Thank you for your Board's report for the year ending 31 May 2023 and for providing a comprehensive picture of HMP Wealstun over the reporting period, especially as you operated with several vacancies.

I was saddened to hear there was a death in custody during the reporting year. As you are aware the Prisons and Probation Ombudsman (PPO) carry out independent investigations into deaths in custody and I would like to assure the Board my officials take recommendations from the PPO very seriously. I address below the specific points you have raised for my attention.

I appreciate the Board's concerns about the detention of severely mentally ill people in prison. The Ministry of Justice (MoJ) is committed to improving mental health outcomes for people in contact with the criminal justice system. The Draft Mental Health Bill, published in June 2022, sets out vital reforms to better support people with severe mental illness in the criminal justice system with the aim of speeding up access to specialist inpatient care and ensuring that offenders and defendants with severe mental health needs are able to access appropriate and timely support in the most appropriate setting.

The reforms will prevent courts from temporarily detaining people with severe mental illness in prison as a 'place of safety' whilst awaiting treatment or assessment under the Mental Health Act and will amend the Bail Act to prevent courts from remanding a defendant for their own protection where their only concern related to their mental health. The reforms will also speed up access to specialist inpatient care and treatment by introducing a new statutory time limit of 28 days for the transfer of patients from prison and other places of detention to hospital. This mirrors the time limit set out in NHS England's good practice guidance published in 2021. The Draft Mental Health Bill has recently been subject to pre-legislative scrutiny. The Joint Committee on the Draft Mental Health Bill published its report on 19 January. We are considering the Committee's recommendations and will respond in due course.

Aside from the Draft Mental Health Bill, Liaison and Diversion (L&D) services are well established across the North East and Yorkshire and there are strong relationships between the L&D Providers and remand prisons. The L&D services aim to identify vulnerable service users within police custody suites and courts in order to divert them into health support and away from criminal justice services. Enhanced mental health services are located on the Wellbeing Unit at HMP Hull and these services can be accessed via clinical referral routes from category B and category C prisoners in the Yorkshire and Humber region which includes HMP Wealstun. The Wellbeing Unit provides temporary accommodation and a therapeutic

environment whilst prisoners access interventions to support and promote good mental health for reintegration into the prison population and completion of their resettlement journey.

It was encouraging to receive your comments about the improved reception and induction process, the good standard and variety of food produced for prisoners despite the budgetary pressures and the prison's strong leadership and commitment to the IDEAL (inclusion, diversity, equality, access, leadership) programme. I was also impressed to learn about the 'Plough to Plate' scheme that can be used to help with food preparation and potentially generate a £20,000 saving, and of the re-purposing of an area of waste land as a peaceful garden for staff and prisoners to enjoy and work in.

I note you have raised some local issues of concern in your report which the Governor will continue to keep you aware of as work continues. HM Prison and Probation Service (HMPPS) comments in response to other issues raised in your report are set out in the attached annex.

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

Sincerely,



Damian Hinds
Minister for Prisons and Probation

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HMPPS comments on matters raised in the report

Assessment and Care in Custody and Teamwork (ACCT)

The revisions made to ACCT (Version 6) in 2021 had the objective of ensuring a stronger emphasis on taking a person-centred approach, better multi-disciplinary team working, and an improved focus on identifying and addressing an individual's risks, triggers and protective factors. The revisions to the ACCT document were piloted in nine prisons prior to the rollout. Feedback on the revised document was collated from the sites and used to inform the final document. This included the recommendation that the document be placed in a folder and suggested that labelled file dividers could be used to help staff navigate around each section. Sites have been advised to keep the paperwork to a minimum by archiving some of the ACCT content, particularly the ongoing record section.

At HMP Wealstun it is recognised that some ACCT case files can become full quickly. To mitigate against this, the Safety Team at the prison has undertaken a number of measures including: retaining paperwork for only one week for an ongoing record whilst archiving and storing the remainder; a revised post-closure process so that any re-opened ACCT case file is not cumbersome; and the use of new folders for any ACCT cases that have been closed and re-opened multiple times together with archiving accordingly. A thorough quality assurance process is in place which addresses any deficiencies found and identifies any themes within these deficiencies.

Double-Cells and Decency

Accommodating two prisoners in a cell designed for one is never desirable but continues to be necessary across the estate in order to accommodate all those committed to custody by the courts. Operational capacities, including manageable levels of crowding, are set by senior operational grades responsible for managing the prison, considering risks to safety and stability, and not by a central process or by wider supply and demand issues. Due to operational capacity pressures, HMP Wealstun increased the operational capacity by 36 spaces. All cells were specifically identified to meet the Cell Certificate guidance in terms of size and decency. All cells are equipped with a bunk bed, furniture for two occupants and a privacy screen for decency whilst using the toilet.

HMPPS is delivering 20,000 additional modern prison places, the largest prison build programme since the Victorian era, ensuring the right conditions are in place to rehabilitate prisoners, helping to cut crime and protect the public. Approximately 5,500 places have already been delivered through the opening of new prisons HMPs Fosse Way and Five Wells. There may be options in future to further reduce crowding levels, for example if population growth is slower than projected and there is sufficient headroom in the estate. This would enable targeted reductions of the least suitable prison places (including crowded places), but it is not possible to commit to this based on the latest projected population. Furthermore, it is also difficult to predict how these national trends will play out at a local level and the proportion of prisoners held in crowded cells at HMP Wealstun will always ultimately depend on regional population levels and demand.

Detached Duty and Non-Effective Staffing

The supply of National Detached Duty levels is initially indicated following establishment data returns. These returns provide non-effective staffing data and includes new officers on entry-level training, maternity leave, secondments, temporary cover, sickness absence, and restricted duties.

Sickness absence and restricted duties are not routinely included in the considerations for supply levels as these are within a Governor's ability to manage locally. However, the other non-effective categories are all taken into account before the final indicated supply is reached. This supply is then further validated at a panel including representatives from the Executive Director's Office, to ensure that the supply level is acceptable from an operational perspective. The Prison Group Director (PGD) has the ability to determine which prison in their group will contribute to the supply required. If the PGD has concerns about a site's ability to supply, they could move the supply to another site.

Wing Refurbishment

A and B Wings have been submitted for refurbishment or replacement and were accepted onto the custodial property project database a number of years ago. HMPPS continually reviews the projects in the pipeline to match a programme of works that takes into account the national risks and priorities against the capital maintenance budget allocated by HM Treasury for each year of the Spending Review period. HMPPS continues to take a holistic view for the prison and has also considered other options through the expansion programme, for example the Rapid Deployment Cells initiative. HMPPS is aware of risks the current accommodation poses and continues to look for funding solutions that will allow it to make the investment required to improve standards and decency.

Food Budgets

The Daily Food Allowance of £2.70 is set nationally and the establishment does not have any influence in this decision locally. HMP Wealstun's catering manager and the Regional Catering Manager are however currently exploring the possibility of supplementing the establishment's current daily food allowance by drawing a further 5% from other local budgets.

Release Preparation

As a training and resettlement prison, the expectation is that HMP Wealstun accepts men in line with the offender flows model, which includes men with a short period of time left to serve ahead of release. Prisoners in the resettlement cohort can be received from reception prisons from twenty-nine days and up to sixteen months' time left to serve. Prisoners from fellow training and resettlement sites can be received with ten to twenty-four months' time left to serve, dependent on the Prison Offender Manager's risk assessment to progress. As we manage the impact of the ongoing population pressures, HMPPS is looking to make the most efficient use of bedspaces right across the adult male estate in order to help reception prisons to meet its commitment of serving the courts. Consequently, HMPPS requires all training and resettlement prisons to build flexibility into their populations and regimes whilst balancing the rehabilitative needs of its prisoners.

In the Yorkshire and The Humber (YaTH) probation service region, a resettlement model has been developed which ensures that every case is allocated to community probation practitioner from the point of sentence who is responsible for the individuals overall offender journey. Alongside this, resources have been placed within each prison who support the community offender manager by completing resettlement needs pathway assessments on the custody screening tool and complete other Commissioned Rehabilitative Service (CRS) referrals at the point of needs identification to enable support to be put in place as soon as possible for each individual. Due to ongoing vacancies in the prison-based teams, YaTH have developed a prioritisation system in HMP Wealstun where Community Integration Teams attend the resettlement boards to screen and identify cases with the highest priority of resettlement need. They review the cases with the community-based practitioner and make appropriate referrals to CRS providers and other community provision to support an individual resettlement need.