



Chair, Independent Monitoring Board
HMP Birmingham
Winson Green Road
Birmingham
B18 4AS

10 November 2023

Dear Chair,

HMP BIRMINGHAM: INDEPENDENT MONITORING BOARD ANNUAL REPORT FOR 1 JULY 2022 to 30 JUNE 2023

Thank you for your Board's report for the year ending 30 June 2023. Thank you for providing a comprehensive picture of HMP Birmingham over the reporting period, especially as you had several vacancies.

I was saddened to hear there were four deaths in custody during the reporting year. As you are aware the Prisons and Probation Ombudsman (PPO) carry out independent investigations into deaths in custody and I would like to assure the Board my officials take recommendations from the PPO very seriously.

I appreciate the Board's continued concerns about the length of time spent on remand. From September 2020 to June 2021, due to the impact of the pandemic on the courts, Custody Time Limits (CTLs), whereby statutory restrictions on the time that may elapse between first appearance and the start of the trial were extended from six to eight months. Once jury trials were reintroduced, all priority was given to reducing the trial outstanding caseload. CTLs are now back to six months, and the judiciary continue to work to prioritise these cases. The Government has also introduced a raft of measures to improve the justice system which include funding another year of unlimited sitting days, recruiting up to 1,000 judges across all jurisdictions and investing £220 million in essential modernisation and repair work of our court buildings across the next two years.

All resettlement prisons, including locals, have an embedded resettlement provision managed by or otherwise linked to a Probation Delivery Unit. These pre-release teams identify and address immediate resettlement needs and provide pre-release support for all people in prison including the un-convicted and people out of area. The minimum is to screen for resettlement needs via Basic Custody Screening completion, signpost to specialist services within the prison such as banking administrators and healthcare, and support people to access pre-release services not currently available via Commissioned Rehabilitative Service (CRS) including accommodation and finance, benefit and debt. CRS services for accommodation and personal wellbeing are currently only available to sentenced prisoners. We are working to extend accommodation contracts to unsentenced people in prison, including those on remand.

HMP Birmingham recently increased pre-release staffing from three Probation Service Officers to five and further recruitment is ongoing to increase the current complement of Case Administrators. They support all remand prisoners in a wide and varied manner to ensure that immediate needs are being met. The regime at HMP Birmingham does not differentiate between those on remand and the convicted. This

includes a range of resettlement services. Whilst the Governor is unable to control contractual matters, most of their resettlement services are available for remand prisoners. I am pleased to advise that there is evidence whereby a range of remand prisoners that were released from court continued working with the prison's employment hub and the "Inside Job" initiative that subsequently gained employment.

Accommodating two prisoners in a cell designed for one is never desirable but continues to be necessary across the estate to accommodate all those committed to custody by the courts. Maximum crowding levels at each prison predominantly relates to manageability of the risks involved. Under HM Prison and Probation Service (HMPPS) policy the total number of prisoners that an establishment can hold, including the maximum level of crowding, is set by the Prison Group Director. In making this assessment, the Prison Group Director is required to take into account control, security and the proper operation of the planned regime using their operational judgement and experience. The well documented population pressure will not allow any immediate relief to cellular crowding across the prison.

There may be options in future to 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 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 Birmingham will always ultimately depend on regional population levels and demand. The scope of the refurbishment of A, B and C wings remains to deliver single occupancy cells.

Regarding specific items of maintenance and refurbishment, reports of P wing roof leaks is often due to the roof smoke systems and a reactive repair system is now in place. The heating systems across the site have been checked and several heating pumps have been identified as needing replacement in readiness for this winter and are included in the Planned Maintenance procedures subject to the type of heat emitters and boilers. A reactive repair system is in place that is designed to act on any reported heating issues and forms a part of the monthly local performance measures.

It was encouraging to receive your comments about HMP Birmingham's continued strong and effective leadership and its relentless drive for self-evaluation and improvement. I was further encouraged to note the good relationships between prisoners and staff as evidenced by HM Inspectorate of Prisons, and the success of the body scanner in reducing drug ingress.

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. 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 Birmingham.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Damian Hinds', is positioned above the printed name.

Damian Hinds
Minister for Prisons and Probation

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HMPPS comments on matters raised in the report

Recruitment Process

HMPPS operates a centralised recruitment model for prison officers which is streamlined to accommodate the very high numbers of applicants required to cover current vacancies and future target staffing increases in line with estate expansion. This model ensures that a consistent standard is applied in assessment to facilitate the free movement of staff across the service.

The recruitment process has been tailored to provide real-life job examples for candidates throughout. It is designed to keep candidates engaged and supports 'self-selecting out' which enables candidates who would not fit with the job or want to do the job to leave the recruitment process at the earliest stage.

HMPPS is however, supportive of prisons bolstering the recruitment process locally with outreach activity to build awareness whilst also proactively engaging with candidates before they begin work to help the on-boarding process.

Trainee Apprenticeships

In August 2023, the Custody and Detention Officer Apprenticeship (CDA) was paused for all new prison officers until December 2024. HMPPS has experienced critical recruitment and retention challenges at all grades, and amongst operational frontline roles the CDA operating model is compounding these capacity challenges. The Department for Education (DfE) and its executive agency the Education and Skills Funding Agency (ESFA) advise that a manageable number of apprentices for a large and complex organisation such as HMPPS is 5% of the total workforce (approximately 2500) due to the volume of off-the-job hours required. DfE and ESFA have both cautioned that the learner volumes are too high to be sustained within HMPPS' current headcount and resources.

The HMPPS' Leadership, Talent and Capability (LTC) and ENABLE programmes aim to develop new learning offers which focus on building prison officer skills and capabilities whilst managing the challenges within the prison estate and ambitious targets to recruit over 6000 new prison officers. These projects will ensure that all newly recruited prison officers have access to high-quality, professional, and consistent initial learning (accredited as appropriate), all underpinned by the appropriate support mechanisms.'

Regime Staffing

Adjusting for the non-effective staffing cohort, HMP Birmingham has approximately 81% availability. The revised unified profile is underpinned by an improved regime management planning process. This has enabled more management accountability to effectively utilise and support resourcing. Cross-deployment and attendance at all activities, including education, has now significantly improved. Consistency and continuity of resources, including custodial managers, has been key to supporting new prison officers as they settle into the role. There is also evidence to support an increase in Key Work delivery and better quality assurance.

Staff Retention

HMPPS has created a retention strategy which is linked to wider activities around employee experience, employee lifecycle and staff engagement at work. Alongside the strategy, a retention toolkit has been introduced which identifies local, regional and national interventions against the drivers of attrition, which is utilised by establishments to ensure that they are embedding individual Retention Plans.

In 2021 a new exit interview process was introduced to undertake in-depth conversations to allow staff the opportunity to have their say regarding their reasons for leaving. The information received enables HMPPS to gauge employee opinion and satisfaction, and also helps to shape and determine interventions. Alongside the data gathered from exit interviews, research into the drivers of attrition is conducted by a dedicated team and led by an occupational psychologist.

Since the launch of the retention strategy, toolkit, and exit interview process in 2021, a new retention oversight process was introduced in February 2023 to target priority sites. These include establishments with the highest attrition rates and those that are a cause for concern with increasing trends. Other factors are taken into consideration when determining which establishments are prioritised and includes attendance and assaults on staff rates.