



# **Annual Report of the Independent Monitoring Board at HMP Frankland**

**For reporting year  
1 December 2022 to 30 November 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 carry out these duties effectively, its members have right of access to every prisoner and every part of the prison and also to the prison's records.

The Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) is an international human rights treaty designed to strengthen protection for people deprived of their liberty. The protocol recognises that such people are particularly vulnerable and aims to prevent their ill-treatment through establishing a system of visits or inspections to all places of detention. OPCAT requires that states designate a National Preventive Mechanism to carry out visits to places of detention, to monitor the treatment of and conditions for detainees and to make recommendations for the prevention of ill-treatment. The IMB is part of the United Kingdom's National Preventive Mechanism.

## 2. Description of the establishment

HMP Frankland opened in 1981 and was the first purpose-built dispersal prison (which holds category A prisoners, who can be moved to any other secure prison at short notice to ensure that the most serious offenders are not all housed together). It is situated on the outskirts of Durham city, providing a maximum-security environment for convicted adult men serving sentences of over four years and category A remand prisoners (those who pose the most threat to the public). In 2019, following the national configuration programme, Frankland was designated as a prison with a training function, its purpose being to settle prisoners into the prison environment and identify and address their offending behaviour and needs. This has resulted in little change, other than prisoners being transferred to Frankland earlier in their sentence.

The prison has an operational capacity (the maximum number of prisoners that can be held without serious risk to safety, security, good order and the proper running of the planned regime) of 852<sup>1</sup> and has operated close to capacity in the reporting year. An important factor is the prison's location, particularly as the most northerly high-security prison and the most distant for many families, friends and professionals visiting prisoners which can lead to prisoners being refractory to facilitate a move to a prison further south. In addition, public transport links from the nearest railway station to the prison are poor.

The main prisoner accommodation consists of 11 units, as follows:

- Four original wings: A, B, C and D; each can house up to 108 vulnerable prisoners.
- Two wings, F and G, which opened in 1998: they can house up to 120 and 70 ordinary location prisoners, respectively.
- The Westgate unit (capacity 65) opened in 2004 for prisoners with severe personality disorders. It includes the psychologically informed planned environment (PIPE) unit, with a capacity of 21, which opened in May 2012.
- J wing, which opened in 2009 and can house up to 120 ordinary location prisoners.
- A separation centre, which opened in 2018, and was the first in the UK prison estate exclusively to hold prisoners with extremist ideological views.
- Frankland has a segregation unit, called the management and progression unit, or MPU, which has a capacity of 28 cells, including two designated cells that are only used for close supervision centre (CSC) prisoners.
- A proposed close supervision centre (CSC) was announced in March 2023 by former Justice Secretary Dominic Raab. This 10-cell specialised unit, which operates under a national co-ordinated management strategy, is designed to hold prisoners under Rule 46 (for close supervision). The construction work was ere underway during the reporting period, with an expectation of prisoners arriving in early 2024.

The following agencies provide support to the prison:

- Spectrum provides the following services: healthcare (nursing and support), therapy, pharmacy, GP and clinical substance misuse. Non-clinical substance

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<sup>1</sup> 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.

misuse is provided by Humankind. Tees, Esk and Wear Valleys NHS Foundation Trust provides mental health services. Dental services are provided by Burgess & Hyder Dental Services.

- Learning and skills development is provided by Milton Keynes College.
- Security support is provided by Durham Police (two police liaison officers).
- Prisoner escort services are provided by GEOAmey for all prisoners other than category A.
- Facilities maintenance, cleaning and other small works are provided by Amey.

The following voluntary organisations and volunteers help in the running of the prison:

- Volunteers from the North East Prison After Care Society (NEPACS) work alongside prison staff to assist in the day-to-day running of the visitors' centre and in providing support to families.
- The Sunderland branch of the Samaritans provides training for Listeners (prisoners who offer confidential emotional support to fellow prisoners), while Mind provides counselling support for prisoners with mental health issues.

### **3. Key points**

#### **3.1 Main findings**

##### **Safety**

- From its observations, the IMB is satisfied, overall, that HMP Frankland is a safe environment. On monitoring visits, Board members frequently report that the wings are calm and settled. Although there have been a number of serious assaults on prisoners and staff, which are always a concern, staff and managers have a strong focus on intelligence and residential risk assessments to help minimise potential conflict. The establishment compares favourably with other dispersal prisons within the long-term high security estate (LTHSE).
- In June 2023, the IMB observed a serious incident involving the management of a prisoner who got onto the roof, having climbed out of the management and progression unit (MPU) exercise area. The response focused on prisoner safety and prevention of escape.– This resulted in the National Tactical Response Group (NTRG) being deployed to resolve the incident. The National Tactical Response Group (NTRG) are a specialist resource who can be called on to intervene in a dangerous high risk events within the prison estate. Although there was significant damage to property, no staff or prisoners came to harm, with remedial works carried out to completely reinforce the whole exercise yard, helping to minimise the chances of an incident like this happening again.
- The safety of prisoners and staff is compromised by the outdated CCTV provision, which leads to blind spots around the estate.
- The IMB, on occasion, has detected rising tensions on the wings, which have been attributed to the dedicated search team's (DST) increasing finds of weapons and drugs, as well as a rise in prisoner assaults. However, for the majority of the time, the wings appear orderly and safe places.

##### **Fair and humane treatment**

- Prisoners in Frankland are housed in single cells, with a washbasin and a toilet. There are separate showers located on each wing for daily use. Cells are provided for prisoners with mobility issues, and these facilitate wheelchairs. The cells are not ideal in all cases. A few have limited access for the prisoner to move around in a wheelchair.
- The heating in some of the workshops remains an issue, resulting in lost days of work because of the low temperature. A consequence of this is that prisoners who were allocated to work are subjected to being confined in their cells.
- From the Board's regular monitoring and tasting, the kitchen continues to provide food to a high standard. The IMB visits the kitchen every week and tastes various dishes. We also observe the serving of food on the wings. Some prisoners constantly complain about the food, but the IMB considers the six choices offered to be nutritious, and it is prepared to give the prisoners a healthy diet.
- The frequent issues arising from kitchen equipment breakdown and the time taken to replace or repair it does sometimes affect the provision. This, on occasion, means that food preparation and costs are challenged and results in some menu restrictions. This is a consistent issue.
- The MPU has 28 cells and two special accommodation cells (where items such as furniture, bedding and sanitation are removed in the interests of safety). IMB

monitoring has evidenced that the main cells are constantly occupied, with many prisoners being located due to threats on the wings.

- Based on observations during monitoring, the IMB considers staff and prisoner relationships to be good on most occasions.
- There is a dedicated foreign national prisoner liaison officer, who provides support for staff when dealing with pertinent issues.
- The diversity and equality action team (DEAT) meets monthly and each wing has an appointed representative to highlight any issues.
- The prisoner consultative committee (PCC) meets monthly and each wing has an appointed representative to highlight any issues to the senior management team.
- IMB monitoring has found that the provision of special meals for religious festivals and diets are catered for satisfactorily.
- The chaplains provide a very visible presence in the prison. Full-time and part-time chaplains cover the major religions. The chaplaincy covers a range of pastoral support, including establishing or maintaining contact with family and friends. Chaplains provide bereavement support and can provide a prison visitor or pen pal.
- The incentives policy framework (October 2021), where privileges are earned, is implemented. Prisoners are given incentives to earn privileges.
- A total of 4,778 complaints were made during the reporting period.
- Prisoner transfer to and from Frankland consistently leads to numerous complaints regarding property, as in, late arrival or, in some cases, property not arriving at all. The reporting year saw a fall in applications (prisoners' written representations to the IMB), from 278 to 205. The improved key worker involvement is assisting with prisoner issues.

### **Health and wellbeing**

- In December 2022, the Care Quality Commission (CQC) declared that healthcare provision in Frankland 'required improvement', which provided a focus for the contracted company. Complaints were identified as a concern.
- Spectrum Health Care confirmed that Frankland had been placed in a state of 'enhanced surveillance', due to concerns regarding performance. The transformational board, put in place to monitor and drive performance, has been affective, with the 'enhanced surveillance' being stood down in November 2023 because of the improvements.
- The Board has been concerned about prisoners' complaints regarding healthcare, especially in relation to medication.

### **Progression and resettlement**

- Very few prisoners with determinate sentences (with a fixed end date) have been subject to direct gate release over the reporting period.
- As a dispersal prison, the focus is on risk-reduction course work through delivery of accredited programmes to progress into lower category prisons.
- The education department has developed constructive relationships with residential operational officers, resulting in the positive promotion of education across the wider establishment.
- In the education delivery year 2022-2023, there were 568 enrolments in courses, with 368 distinct learners. A total of 426 achieved 93% accreditation, with an overall achievement rate of 75%. Functional skills in Maths and English engaged

255 learners: 75% achieved a qualification and the remaining 25% continued with their learning.

### 3.2 Main areas for development

#### **TO THE MINISTER**

- The preparation of food for religious beliefs often challenges an already limited daily prison meal allowance. When will the Minister raise the allowance, in line with the rise in the cost of food?

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

- What can be done to replace and /or repair essential kitchen equipment, so that extra costs involved in preparing food do not occur?
- The loss of working days for prisoners at HMP Frankland, due to ineffective heating, has been an issue reported on over a number of years in our annual reports. What are your plans to rectify this ongoing issue?

#### **TO THE GOVERNOR**

- With the new band 6 dedicated neurodiversity support manager in position, when will there be an additional training programme to develop specialist wing staff to work with prisoners who have dementia and autism?

### 3.3 Response to the last report

Issue raised	Response given	Progress
Given the ageing prison population and a growing number of prisoners being diagnosed with dementia, can consideration now be given to providing an appropriate physical environment for this group of prisoners, along with suitably qualified care workers?	See <a href="#">ministerial response to the 2021/22 annual report</a> .	A new band 6 dedicated neurodiversity support manager (NSM) is now in position and their role is to provide support to staff and prisoners.
Can HMPPS now expedite the completion of the Prisoners' Property Policy Framework, with particular focus on consistent, effective processes and rules that are easily understood?		The situation has not improved in this reporting year, to the frustration of officers, prisoners and the IMB.



How are illicit drugs getting into the estate?	See <a href="#">ministerial response to the 2021/22 annual report</a> .	The issue of availability is still a major concern.
Days are still being lost in the workshops because of ongoing heating issues?	See <a href="#">ministerial response to the 2021/22 annual report</a> .	The situation has not improved in the reporting year.
What plans are in place to replace or repair kitchen equipment so that provision is not affected?	See <a href="#">ministerial response to the 2021/22 annual report</a> .	The situation has not improved in the reporting year.
What actions are in place to improve the complaints' response times?	See <a href="#">ministerial response to the 2021/22 annual report</a> .	During the reporting year, there was a backlog of responses due to staff changes and the requirement for training. This situation is improving and the improved key worker involvement is assisting with prisoner concerns.

## **Evidence sections 4 – 7**

### **4. Safety**

#### **4.1 Reception and induction**

Reception for prisoners generally runs smoothly. Prison-to-prison transfers for category A prisoners have to be completed in one journey, which means prisoners may arrive late in the day. Category B prisoners (who do not require maximum security but still pose a significant risk) can be held overnight in another prison. Prisoners located at Frankland who are suspected of having unauthorised items secreted are subject to a full body scan and those who fail are located in dry conditions until the body scan produces a clear result.

#### **4.2 Suicide and self-harm, deaths in custody**

Trained listeners' visits vary from 1-2 visits per week. The healthcare unit is visited twice a week, once by the listeners for vulnerable people and once by the main listeners. These visits are to support those in need and to support the listeners who are on wings alone.

September 2023's accumulated contacts recorded 175 listener calls (around 47 hours), of which only 15 involved staff. Most of the calls were when listeners were unlocked and on the wings. The top three concerns were: mental health, 40%; staff/regime, 38%; and family, 23%. Concerns about both self-harm, 5%, and suicidal thoughts, 2%, showed a decrease in the month recorded.

Prisoner complaints have been raised that people are occasionally refused to see the listeners - requests which should be enabled as soon as possible. IMB monitoring has revealed that there are reminders to staff to refer to the monthly rota for the duty listeners. Using duty listeners prevents any dependency and pressure on the listener system.

Listeners are trained to respond to anyone seen to be misusing the service or not in a crisis. The Samaritans phone is not an alternative to a call out; it is only to be offered if the listener suite is already in use or the phone is requested by the prisoner.

A small number of prisoners have been responsible for most of the incidents. The psychology department is exploring the issues raised by this handful of complex prisoners. There does not seem to be any pattern to the prolific self-harming incidents. Information is regularly circulated to all staff about the issue of self-harm and what can be done to minimise the number of incidents and the number of prisoners involved. IMB monitoring found evidence of the Samaritans' 'small talk saves lives' posters on all wings. A Samaritans helpline is available to all prisoners.

Staff are trained to make assessments for the opening of assessment, care in custody and teamwork (ACCT) documents, which are used to support prisoners at risk of self-harm and suicide. The Board has monitored the process and raised no concerns. The IMB is notified about the opening of ACCTs and, when possible, tries to enquire about progress during monitoring visits.

There have been two deaths in custody (DICs) during the reporting period, apparently from natural causes. In all DICs, the Prisons and Probation Ombudsman (PPO) produces a report, following an investigation. The IMB has evidenced that PPO recommendations are reviewed and acted on. This happens at safer custody meetings.

### **4.3 Violence and violence reduction, self-isolation**

At times during the reporting period, a number of violent incidents have taken place in the MPU. There were 77 use of force incidents in the first five months of 2023, 43 of which were in the MPU. The age range that has the most use of force incidents is 26 to 34 years. The main reasons for use of force are non-compliance and assaults, or attempted assaults, on staff. Spontaneous and planned use of force is monitored monthly.

Maintaining levels of stability in the MPU, in relation to both violence and self-harm, is a priority for HMP Frankland. Fear of locating to the wings on normal location is a regular feature of Rule 45 segregation review boards for prisoners in the MPU. The location of all violent incidents continues to be reviewed by staff on a monthly basis to identify any areas of concern.

In June 2023, the IMB observed a serious incident involving the management of a prisoner who got onto the roof, after he climbed out of the MPU exercise area. The response focused on prisoner safety and preventing escape. The National Tactical Response Group was involved, following control of the incident effectively within the prison. Although there was significant damage to property, no staff or prisoners came to harm.

The IMB, on occasion, has detected rising tensions on the wings, which have been attributed to dedicated search team's (DST) increasing finds of weapons and drugs, as well as a rise in prisoner assaults. However, for the majority of the time, the wings appear to be orderly and safe places.

Safer custody looks to identify any areas of concern, which can then be addressed via a targeted approach in the continuous improvement plan.

A number of weapons are discovered during DST searches. Over the reporting period, there have been a number of ways these are made in the establishment, through use of everyday materials such as wood, furniture and pens.

The IMB observed) the staff response to a violent incident following a prisoner-on-prisoner attack with a blade. The staff dealt with the incident in an efficient manner. The perpetrator was quickly removed to the MPU and the injured prisoner was quickly provided with medical assistance, including transfer to hospital.

Whilst violence reduction continues to be a priority, Frankland compares favourably with other prisons in the LTHSE, particularly given the relative size of the population.

### **4.4 Use of force**

Special accommodation is only used when absolutely necessary. Prisoners are held in the location for the minimal time and reviewed regularly while housed there. The IMB is notified whenever a prisoner is put into special accommodation and when they return to a standard cell. The Board randomly attends the monthly use of force meetings to observe and has found no incidents of concern.

### **4.5 Preventing illicit items**

The prison is searched regularly for illicit items. On our regular monitoring visits, we have observed the sensitive use of search dogs seeking to prevent illicit items being brought into the prison). This is particularly in relation to when children are visiting. There are two main types of searches: routine and intelligence led. This issue is a high priority for the

regime and constantly being prioritised. The Board acknowledges the frequent alerts and reminders published by senior leaders to all staff. The reporting year has seen awareness regarding the use of drones.

DST finds include:

- drugs
- drug-related items
- weapons
- mobile phones
- SIM cards
- chargers
- hooch (alcohol illicitly brewed in the prison)
- ligatures
- miscellaneous items
- dangerous items

The significant question remains about how these illicit items are entering the prison.

Frankland has a monthly requirement to conduct random mandatory drug tests on 5% of the prison roll (around 42 tests per month). This is routinely met.

#### Testing during September 2023

- Random tests: 42
- Suspicion tests: 10
- Risk tests: 0
- Reception: 0
- Total: 52

Random testing remains a priority. None of the positive tests was supplied by prisoners on open ACCTs or CSIPs (challenge, support and intervention plans, which are used to support and manage prisoners who pose an increased risk of violence). The availability of drugs is reported to the Board as remaining a significant issue throughout the establishment. However, despite specific wings being locked down, the drugs recovered do not reflect this statement, apart from on one wing where there were 12 finds linked to this category.

In one incident, two members of staff had to attend outside hospital after becoming affected from the inhalation of fumes whilst searching a prisoner's cell. The inside of a pen located in his locker was tested and came back positive for fentanyl, a powerful synthetic opioid that is up to 50 times stronger than heroin and 100 times stronger than morphine. This is a new drug entering the prison.

Paper impregnated with drug solutions has been found to be used to get illicit substances into the establishment, with market values inside of £150 or more for one sheet. This can and does lead to debt and violence. Mail has also been discovered to be used to get substances into the establishment.

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

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

The wings and workshops are kept clean by the prisoner cleaners, who take pride in their role. Men in Frankland are housed in single cells with a washbasin and a toilet. There are separate showers on each wing for daily use by prisoners. Cells are provided for prisoners with mobility problems and these facilitate wheelchairs. The cells are not ideal in all cases, as a few have limited access for the prisoner to move around in a wheelchair. There are three lifts and five stair lifts so that prisoners can access other landings. On arrival, prisoners are provided with bedding, blankets, sheets and pillows. Each cell has a television and units to store their belongings and personal items. During the reporting period, all cells were having telephones installed.

The safety of prisoners and staff is compromised by the outdated CCTV provision, which leads to blind spots around the estate.

The heating in some of the workshops remains an issue, resulting in several months of no work because of the temperature. Issues arising from the temperature during the summer in the Westgate unit were responded to with the provision of fans.

The kitchen continues to provide food to a high standard, evidence by the Board's regular monitoring and tasting sessions. There is a choice of six different options for both lunch and dinner, which cover all food types with a choice of side and dessert option. Prisoners are issued a seven-day menu option with information covering allergen indicators, healthy eating options, vegan, halal and food type indicator, such as beef, pork, fish, etc. The Board visits the kitchen every week and tastes various dishes. We also observe food being served on the wings. Some prisoners constantly complain about the food, but the IMB considers the offerings to be nutritious, and it is prepared to give the prisoners a healthy diet. All prisoners who work in the kitchen and serve on the wings hold a Food Safety Level 2 qualification.

The frequent issues arising from the breakdown of kitchen equipment and the time taken to replace or repair it sometimes affects the provision. On occasion, this affects food preparation and costs, which results in some menu restrictions. This is a consistent issue.

### **5.2 Segregation**

The MPU has 28 standard cells and two special accommodation cells. IMB monitoring has evidenced that the main cells are constantly occupied. We are informed by staff when a prisoner is located in in the MPU and notified when the special accommodation cell is in use. From the Board's observations, staff continue to work in a professional manner, promoting mutual respect. All prisoners located under prison rule 45 are subject to a segregation review board. This is chaired by a Governor and includes representatives from the mental health team, the psychology team, the OMU and chaplaincy, plus an IMB member for observational purposes. Review boards are held every two weeks to comply with Prison Service Order 1700. Prisoners have the opportunity to make representation to allow a multidisciplinary team to consider all evidence for or against continued segregation. During monitoring, the Board consulted a prisoner who had relocated to the Westgate unit following a prolonged period in MPU. He confirmed that:

- He had full access to the daily routine/regime.

- He was able to complete psychology coursework.
- There was an opportunity to access in-cell education.
- He had full access to support staff, implemented through a multidisciplinary approach: uniformed staff, senior managers, psychology and the mental health team.

The MPU regime of offering daily phone calls, exercise and shower time has remained in place during the reporting period. This is occasionally challenged during periods of staff absence, especially when some prisoners require a four-man unlock

The IMB encourages use of the 'meeting bubble' for stakeholders to engage with segregated prisoners. The "Bubble" is a secure facility where the prisoner and stakeholder is separated by reinforced glass panel to allow confidential discussions to take place. Long-term segregated prisoners attend regular segregation review boards, where their onward pathway is discussed and recommendations made. The multidisciplinary team often refers prisoners to small, discrete units in order to progress. The facility on Westgate's unit 2, which can help reintegrate prisoners into the general population, is a good example.

Segregation-to-segregation transfers within the LTHSE are commonplace. There is an issue regarding prisoners being held in segregation for a longer period than regulations stipulate. (If segregation continues, the decision must be approved again at least every 42 days.)

The Board randomly observes the monthly segregation monitoring and review group (SMARG). It is chaired by the Deputy Governor, with input from multiple stakeholders who focus on trends relating to reasons for, and length of, segregation, protected characteristics (including race, religion, age, disability, sex, gender reassignment and sexual orientation, which it is unlawful to discriminate against), use of force, ACCTs, etc.

### **5.3 Staff and prisoner relationships, key workers**

A new prisoner is allocated a key worker within three days of arriving. The Board regularly monitors key worker involvement, which appears to have improved since the last reporting period. Key work activity is regularly monitored by senior leaders and the IMB regularly checks key work activity prior to dealing with a prisoner issue, or application. Staff absence and leave does, on occasion, result in irregular meetings. Some prisoners refuse to engage with their allocated key worker.

When the Board observed an MPU planned removal of a prisoner, the incident appeared to go smoothly and was done very professionally. Body worn video camera footage is reviewed at the monthly use of force (UOF) meeting.

Based on observations during monitoring, the IMB considers staff and prisoner relationships to be good on most occasions. The Board does receive comments from prisoners who feel that staff, on occasion, 'go above and beyond' with issues.

The number of new operational staff does, on occasion, result in complaints from prisoners regarding their approach to the regime. These complaints are dealt with by the Governor. If a prisoner considers that a matter hasn't been dealt with appropriately, the Board advises them to refer it to the Independent Prisoner Complaint Investigations (IPCI) team, and we provide guidance on how to do this.

## 5.4 Equality and diversity

There is a dedicated foreign national prisoner liaison officer, who provides support for staff when dealing with issues. These include:

- assistance with asylum requests
- provision of a foreign national prisoner helpline on the prison phone PIN system
- sharing of good practice between prisons
- modern slavery assistance with queries
- support for cross-border transfer requests.

The toilet in the healthcare unit waiting area is not fit for the disabled, so measures to use wing facilities are in place, but this situation is not satisfactory.

During the period June-November 2023, 167 discrimination incident reporting forms (DIRFs) were submitted, averaging 26 per month. A total of 88 of these were submitted by prisoners in relation to discrimination by staff or the establishment; 12 were submitted by staff in relation to discrimination by prisoners; and 29 concerned prisoners discriminating against other prisoners. Over this period, 38 DIRFS were returned to the complainant, as they did not relate to any of the protected characteristics outlined in the Equality Act. Also during this period, 66.5% (107) of the DIRFs were submitted from white prisoners, while 33.5% (54) were from Asian, black and minority ethnic prisoners. The locations DIRFs are submitted from are monitored to determine any issues and take appropriate action. During the same period:

- 32 were submitted in relation to religion/beliefs
- 1 was submitted in relation to age
- 25 were submitted in relation to race
- 22 were submitted in relation to disability/special needs
- 7 were found to have evidence of discrimination
- The 38 DIRFs returned or withdrawn were because they did not relate to any of the protected characteristics or were duplicates or unreadable.

The IMB monitoring of DIRFs has revealed no issues to report.

HMP Frankland seeks to ensure that all transsexual prisoners are treated fairly and in accordance with the law. Transgender support group meetings are held weekly and, at the time of writing, there are steps being taken to set up a LGBTQ+ support group.

In November 2023, the healthcare unit requested four wheelchairs to be located around the estate to assist moving prisoners, who are ill or injured, for treatment. The request awaits a funding decision.

As increasing numbers of older prisoners are being sent to the prison, some of the provision in accommodation for this group and for those with dementia is in need of improvement. There are some positive initiatives in place to improve provision, including:

- An over 50s gym group, which runs on Wednesday afternoons; it is supported by the charity Age UK
- A weekly over 50s support group meeting weekly in the library and on D wing.

A diversity and equality action team (DEAT) is in place, where each wing has DEAT prisoner representatives to raise issues at a monthly forum.

IMB monitoring has revealed that the provision of special meals for religious festivals and diets is catered for satisfactorily. Preparation of a meal for Ramadan was observed. The special meal for the Eid celebration included fresh banana cake, followed by a choice of chicken or lamb with rice. Although the main meal is served in the sports hall, with no requirement to provide the meal on the wings, in the interests of good relationships, the meal is provided on the wings to prisoners who decline the invitation to attend the main meal.

Kosher meals are sourced off the premises at significant cost, above the daily funding allocation. The provision of extra kosher bread buns and grape juice for the Sabbath is made. The Rabbi can, and does, sometimes authorise extra kosher sandwiches.

The Board observed preparation of a kosher lunch being prepared, including the handling of the food. There are no IMB concerns regarding the handling and preparation of kosher and halal food.

The IMB attended a Black History Month event. The majority of prisoners in attendance were very enthusiastic and enjoyed the morning.

## **5.5 Faith and pastoral support**

The chaplains are a very visible presence in the prison. They respond and share information with the IMB following issues arising, including family bereavement. Full-time and part-time chaplains cover the major religions. The chaplaincy covers a range of pastoral support, including establishing or maintaining contact with prisoners' family and friends. Chaplains provide bereavement support and can provide a prison visitor or pen pal.

The Board observed a pagan celebration of the summer solstice. The kitchen prepared food for the event, which was enjoyed and appreciated by prisoners involved.

IMB observed the Church of England chaplain conducting a prisoner's funeral service on the estate. The chaplaincy also supports remote prisoner involvement in family funerals.

## **5.6 Incentives schemes**

Prisoners are given incentives to earn privileges. They do not always engage to benefit from these. When formulating the policy, a cross-section of views were taken from staff and prisoners. Surveys and various forums were also used in the consultation process. The policy looks in detail at:

- the behavioural principles: what does good behaviour look like? (consultation between staff and prisoners)
- incentive levels
- reviews and moving up or down levels
- what incentives are available for good behaviour
- supporting those who find it hard to engage in the scheme
- recording good and poor behaviour
- informing prisoners
- the appeals process
- incentives forum.

The policy provides very clear guidance on the benefits of the scheme and how to succeed in earning privileges.



In November 2023, the following incentives scheme numbers of prisoners were managed by the system:

- Enhanced: 576 (70.16%)
- Standard: 222 (27.04%)
- Basic: 23 (2.8%)

## **5.7 Complaints**

A total of 4,778 complaints were made during the reporting period. During the year, there was a backlog of responses due to staff changes and the requirement for training. If the prison response is not satisfactory to the prisoner, the IMB supports a submission to the Independent Prisoner Complaints Investigation (IPCI) team.

The number of applications received by the Board fell from 278 in the previous reporting year to 205 in this reporting period. The improved key worker involvement is assisting with prisoner concerns.

## **5.8 Property**

Prisoner transfer to and from Frankland consistently leads to numerous complaints regarding the late arrival of property or, in some cases, property not arriving at all. This has been a problem for many years and never seems to get resolved. The situation has not improved in this reporting year, to the frustration of officers, prisoners and the IMB. Prisoners become annoyed and angry. The IMB spends a lot of time chasing property. Sometimes, property is not recovered and the prisoner has to claim compensation, which is never a satisfactory outcome.

## **6. Health and wellbeing**

### **6.1 Healthcare general**

In December 2022, the Care Quality Commission (CQC) declared that healthcare provision in HMP Frankland 'required' improvement'. This provided a focus for the contracted company. Complaints were identified as a concern.

Since April 2020, the healthcare contract has been run by Spectrum Community Health CIC (Spectrum), Tees, Esk and Wear Valleys NHS Foundation Trust, and Humankind (which provides non-clinical substance abuse services). Dental services are provided by Burgess & Hyder.

Staffing continues to be a constant challenge. Whilst the use of agency staff is a strategy to mitigate the impact of shortages, overall performance in primary healthcare can only continue to improve if staffing vacancies are filled. Prisoners arriving in Frankland are seen in reception for an initial health screening assessment, with a further screening within five days.

Some delays in treatment requiring external appointments does occur, due to operational staff availability. An attempt to introduce dental appointments on Saturday mornings was also not possible for the same reason. Improvements in waiting times for routine GP appointments has been achieved and was 19 days in November 2023.

Complaints regarding healthcare from prisoners have been a concern throughout the reporting year, especially in relation to medication. Board members have been approached by prisoners with concerns about their medication. The issues include 'medication not arriving on time or not arriving at all'; prisoner receiving medication intermittently; and 'a group of prisoners on Westgate expressing concerns about medication'. A vacancy for a pharmacist added to this concern. During the latter months of the reporting period, steps have been taken to improve the handling of complaints, with a very positive effect, including an improvement to dealing with complaints in a timely manner.

The facilities for pharmacy dispensing on the lower wings are inadequate and in need of upgrading to make them fit for purpose.

The IMB were informed by Spectrum that healthcare in Frankland was being placed in a state of 'enhanced surveillance' due to concerns regarding performance. The transformational board put in place to monitor and drive performance has been effective, with 'enhanced surveillance' being stood down in November 2023 because of the improvements.

### **6.2 Physical healthcare**

There are nine single rooms for in-patient provision. Prisoners from the MPU are sometimes located into healthcare for clinical reasons. There is a palliative care suite, with the good care provided acknowledged by Prisons and Probation Ombudsman (PPO) reports.

Waiting times for healthcare appointments continue to be a focus of monitoring.

### **6.3 Mental health**

There are plans to improve provision for mental health in 2023, providing a part solution to the cramped working conditions for the team and a lack of appropriate interview rooms on the wings.

There are four mental health clinicians, who manage a caseload of around 75-100 prisoners. An additional clinician works exclusively in the MPU, dealing with reviews and fewer, complex cases. The Board's observations of MPU reviews confirm that mental health provision for complex cases is a concern. Some prisoners were transferred to mental health hospitals during the reporting year. The length of time from being accepted to transfer ranged from less than a week to more than 20 weeks.

A member of the mental health team attends initial suicide and self-harm (ACCT) reviews. The individual is then allocated to the caseload.

### **6.4 Social care**

Social care assessments are provided by Durham County Council, resulting in social care plans being put in place. Whilst healthcare staff manage care plans as well as they are able within a high-security environment, the Board continues to be concerned about the provision of social care where the physical environment is so unsuitable. The cells on wings are unsuitable for these prisoners. Showering provision is also inappropriate. Although provision has been made to use toilets on nearby wings, there are no disabled toilets in the healthcare waiting rooms.

Dementia care services remain a concern but, on a positive note, a plan to introduce a 'dementia pathway' in November 2023 was agreed with an Alzheimer's Society volunteer visiting to provide support to education staff and the over-50s prisoner reps. Talks are expected to lead to the pathway being operational in early 2024.

Following a concern regarding transferring older prisoners to external provision, plans are in place to procure a category A transport van that is disabled friendly. The Board has observed the very effective introduction of a buddy group, including a buddy in the healthcare unit assisting a prisoner very effectively with communication.

### **6.5 Time out of cell, regime**

The IMB has observed exercise on the yards, which appears to be enjoyable and beneficial to prisoners. There is a gym for the over 50s, assisted by Age UK. From the Board's observations, the sessions seem to be enjoyed by participants, with staff wanting to develop more prisoners to be able to mentor and support the participants.

HMP Frankland's physical education (PE) department provides a monthly newsletter, which is made available on the wings. This forum is used to share with anyone in the prison developments and opportunities in the department. The newsletter contains session details for the month, articles ranging from recipe ideas and others relating to a full range of health and wellbeing information.

During the reporting year, the IMB has observed a card-making workshop for a group of 20, with a waiting list (in July 2023) and representatives of the charity Fine Cell Work providing opportunities for prisoners.

Activity in the association rooms regularly seems settled and enjoyed by the prisoners. Listeners, mentors and Prisoner Consultative Committee (PCC) representatives are

readily available. Relationships between staff and prisoners during these periods is often professional and effective. The Samaritans provide training for the role of listener.

The vocational and educational provision in Frankland is covered in section 7.

## **6.6 Drug and alcohol rehabilitation**

The drug and alcohol recovery team (DART) has continued to provide support for prisoners. The DART coffee mornings, in partnership with the library services, are a positive example of the supportive and preventive strategies adopted, including group work. All prisoners are seen as part of the induction process. Referrals are also made by the mental health team, offender managers and key workers. Prisoners at various stages of recovery receive support from the team, with support also being provided by peer mentors. The peer mentoring scheme is back up and running, with an increase in the number of people trained to provide peer support more and increase capacity.

The issue of illicit drug availability is still a major concern.

## **7. Progression and resettlement**

### **7.1 Education, library**

The IMB has made frequent visits to the three libraries, which are run by Durham County Library services. Visits find the atmosphere to be friendly, full of purpose and welcoming to all. A Board member who observed the celebration of Eid, where coffee and snacks were available in J wing library, said: 'The atmosphere was excellent and very positive.' In July 2023, the Board spoke to a prisoner, who reported no issues with the library provision. Prisoners have been observed being supported with their coursework. The education department and library staff work together to develop joint events and opportunities.

The libraries employ and train prisoners to work as orderlies and each wing has a library representative. They play an active role in the work of the library. Being part of Durham County Libraries provision allows a wide range of resources to be made available, including foreign language books and books reflecting different cultures. There is also a supply of audio CDs to allow prisoners who have difficulty with reading to enjoy a book/novel. Some games can be borrowed to use with consoles. The main aim of the library service is to promote the use of the library involving more prisoners, especially emerging readers.

Education in Frankland is provided by Milton Keynes College Group (MKCG). Post-pandemic, the provision is fully operational, having a maximum of 968 part-time learner places per week, provided over nine sessions.

Courses offered include: functional skills Maths and English, from entry level to level 2, GCSE Maths and English; social enterprise (woodcraft and card making); digital skills, art, business enterprise, music technology, awards in education training, mentoring and catering. MKCG also has contracts for barbering, cleaning and information and guidance. The IMB has observed these three skills in action.

In 2022-2023, the recovery of the regime, with prisoners still on furlough until March 2023, impacted prisoner attendance and engagement. Delivery during lockdowns was continued and enabled education to be taken up by prisoners who were not previously engaged. This has seen increases in access and progress, including engagement from high-profile prisoners, the separation centre, the Westgate unit and MPU.

The education department has developed positive relationships with residential operational officers, resulting in the positive promotion of education across the wider establishment.

In the delivery year 2022-2023, there were 568 enrolments, with 368 distinct learners. A total of 426 achieved 93% accreditation, with an overall achievement rate of 75%. Functional skills Maths and English engaged 255 learners, 75% of whom achieved a qualification, while the remaining 25% continued with their learning. The success of GCSE results in English and Maths has led to a need for level 3 provision in the contract. In October 2023, *The Guardian* reported: 'High-risk prisoners sit GCSE English - and many outperform peers on the outside' and 'Inmates at HMP Frankland, Durham, [including] some of the "hardest to reach people in society" did course in a year with no internet access.'

The education department develops and celebrates community values through the curriculum offer and delivery. A total of £700 was raised by prisoners for a local Muslim

charity, through an Eid celebration and a charity event. Learners shared the meaning of Eid, and celebratory food and drink were supplied as a charitable act by staff. A company working with Durham Lumiere (Artichoke) worked with some learners, creating journals to be used at the event. £2,000 was raised, with contributions made by prisoners for the Lily Foundation, a local charity, by supporting a member of staff on a charity bike ride. The learner of the month award, with a book of choice prize has been well received. The Koestler awards of 2023 included 15 awards ranging in subjects of poetry, drawing, printmaking, painting, creative writing, performance and matchstick modelling. Six of these works received prize awards for their efforts. HMP Frankland social enterprise was visited as part of the Ministry of Justice National Insight event. Learners' work and attitudes were praised.

The new staff role, leading on neurodiversity in the prison by driving improvement in access, will enable support for prisoners with learning disability and/or disability to be improved.

## **7.2 Vocational training, work**

The vocational provision in Frankland is provided by well-qualified staff who develop significant craft and workshop skills in high-quality workshops. Prisoners can transfer to different areas after consultation with staff. Qualifications in their chosen trade are available. There are strong links between education and the workshop staff, such as workshop staff assisting with literacy development, for example. IMB visits to the workshops consistently report a purposeful and engaging atmosphere. The skill levels developed by some prisoners are very high. The Board has observed the following as a normal example: Upholstery - 'Prisoners busy and engaged and willing to communicate; Woodmill staff and key workers' relationships are good.' Prisoners who are high profile/high risk have the opportunity to work in the recycling plant.

The issue of heating is still a major concern, with work sessions cancelled because the temperature falls below the recommended level. In October and November 2023, this was particularly the case in the furniture craft and cut and sew workshops. This issue is an ongoing issue and a cause for concern. In October 2023, when a Board member visited the furniture craft workshop, they were told that the oil-filled radiators provided needed switching on at 7am and they frequently tripped the electricity supply.

## **7.3 Offender management, progression**

In June 2023, the OMU was made up of 13 probation officers (one is 0.8 of a full-time equivalent member of staff) and three prison offender managers (POM). There were two vacancies: one full time and one part time. The percentage of posts filled was 90%, compared with 60% last year. The backlog of OASys reviews has been reduced from 154 in December 2022 to 93 by the end of the reporting period in November 2023, which is a significant improvement. Each review can take up to 10 hours. National standards are being used in the prison, which allows POMs to exercise professional judgement regarding how often a prisoner is seen and the length of the sessions. There is an emphasis in the department on quality, applying robust measures for parole, MAPPA (multi-agency public protection arrangements) and OASys. This is overseen by a senior probation officer.

All prisoners are allocated a POM within 48 hours of arriving in Frankland, and an initial contact/induction meeting is held within 10 working days of this. National standards are being utilised within the prison. By applying the national standards, POMs are provided

with formal guidance regarding supervision expectations during the custodial element of a prisoner's sentence. This is seen as strengthening the management of a prisoner's supervision period in the custodial setting, by focusing the POM on important touchpoints throughout the sentence. Cases are seen more frequently by POMs at certain points throughout sentence. This could include, for example, during the period leading up to parole, following parole refusal, when delivering bespoke interventions to address the risk of harm and offending behaviour issues, at the time of handover preparation to the community and release planning, and also if there are concerns regarding mental health or wellbeing. The OMU has established positive links with education/library services, DART, safer custody, key workers and NEPACs, which actually has a desk in the OMU office. While preparations for release or removal are often not a priority for many prisoners in Frankland, the OMU continues to provide advice and guidance to help prisoners during their sentence. It also works closely with the psychology team, who offer accredited programmes.

#### **7.4 Family contact**

Regular IMB observations of visitor sessions reveal a sensitive, calm and family friendly atmosphere. Although security measures are at a high level, these are conducted in a friendly manner by staff. Dog handlers work well with visiting children and are sensitive to the occasion. Maintenance of good family links, subject to security considerations, is an important priority. The area used for visits can cater for 21 prisoners at a time. Places are often all (or almost all) taken, with family days (which bring men and their families outside of their statutory entitlement, usually in more informal settings) proving to be incredibly popular.

The Board's experience of visits is that they are well-organised and well-run events, with prison staff and visitors well supported by the NEPACs team. Social visits take place between 2pm and 4pm. They can be booked either online or via telephone and take place every afternoon, excluding Mondays. Prisoners wanting to book a place on family days can do so by submitting an application form. These run throughout the year and are very popular during the summer and in the run up to Christmas. The Board attended several family days and has been impressed by the organisation and good atmosphere.

Legal visits take place every Tuesday and allow prisoners to communicate with their legal teams. Social video calls were established during the Covid-19 pandemic, and these continue to take place. Prisoners wanting to arrange a social video call can do so by submitting an application form. These calls are monitored, with prisoners reporting that it is a good way to communicate with loved ones not able to visit the establishment. The Board is pleased to report in-cell telephone installation was in the final stages prior to commissioning during the reporting period. The bus transport links from the main line railway station to HMP Frankland are not particularly visitor friendly.

In August 2023 a prisoner reported that, following a recent bereavement, he had no welfare concerns and confirmed he had been provided with good support from the chaplaincy, prison staff and peers.

#### **7.5 Resettlement planning**

The strategies in this high-security prison in respect of resettlement planning centre around rehabilitation and preparation for category consideration. Education and training provision does enable prisoners to gain qualifications and skills that are useful on release. Very few prisoners in HMP Frankland are released into the community.

## 8. The work of the IMB

### Board statistics

Recommended complement of Board members	18
Number of Board members at the start of the reporting period	10
Number of Board members at the end of the reporting period	8
Total number of visits to the establishment	231

### Applications to the IMB

Code	Subject	Previous reporting year	Current reporting year
A	Accommodation, including laundry, clothing, ablutions	9	21
B	Discipline, including adjudications, incentives scheme, sanctions	4	7
C	Equality	4	7
D	Purposeful activity, including education, work, training, time out of cell	12	11
E1	Letters, visits, telephones, public protection, restrictions	15	13
E2	Finance, including pay, private monies, spends	5	7
F	Food and kitchens	7	10
G	Health, including physical, mental, social care	13	17
H1	Property within the establishment	22	11
H2	Property during transfer or in another facility	4	4
H3	Canteen, facility list, catalogues	10	4
I	Sentence management, including HDC (home detention curfew), ROTL (release on temporary licence), parole, release dates, re-categorisation	18	2
J	Staff/prisoner concerns, including bullying	52	26
K	Transfers	13	11
L	Miscellaneous	90	54
	<b>Total number of applications</b>	<b>278</b>	<b>205</b>





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