

ACTION PLAN – Report on an inspection visit to court custody facilities.**CLUSTER:** Surrey and Sussex

TIMETABLE	DATE
Date of inspection	12/07/23 - 22/07/23
Report published	4 September 2023
Action plan submitted	27 November 2023

Rec. no	Concern	Accepted / Rejected	Response / action taken or planned	Action owner	Update / target date for completion
	Priority Concerns				
1	The lack of Serco staff led to late arrivals at court and delays in transferring detainees to prison at the conclusion of their hearings.	Accept	Recruitment activity remains a priority and action plans are in place to fulfil vacancies. Within Serco Justice & Immigration, there is now a quarterly recruitment forum in place. Within Serco/PECS there are weekly diarised recruitment initiative updates. Forums have provided a better understanding of shared knowledge and recruitment issues with Shared Business Services. Vacancies are decreasing because of this activity.	Serco	Ongoing
2	Children were not always accompanied by appropriately trained officers.	Accept	Reasonable endeavours continue to be implemented to cater for the needs of children being escorted from police stations to court by an ECO and/or DBO. Actions plans are in place to improve PECS Supplier performance for children being moved from STC's and SCH's by ECO and/or DBOs.	Serco	Ongoing
3	Telephone interpretation services were not always used when necessary	Accept	Awareness raising continues and staff are re-briefed on how to use the service if required. Reception process requires that every custody	Serco	Ongoing

			<p>is asked if interpretation services are required.</p> <p>Recent Directors Instruction issued to reinforce this message and reminder issued via Weekly Briefing Sheet.</p>		
4	<p>Detainees with mobility impairments often had onerous journeys to and from the only accessible court in the region.</p>	Accept	<p>Magistrates Courts – one court EA compliant is Crawley court 3 including custody area.</p> <p>No other Magistrates Courts are suitable for adjustments as they are all on different levels and the building cannot be reconfigured easily.</p> <p>Crown Courts – 5 locations none of which are suitable for adaptation to be EA compliant unless major building works take place.</p> <p>HMCTS will continue to monitor, and should any opportunity arise for funding we will look at this.</p>	HMCTS FM	<p>Complete – Nov 23</p> <p>Ongoing</p>
	Key Concerns				
5	<p>There were weaknesses in the approach to identifying and managing detainees' risks.</p> <p>Digital person escort records were not always completed thoroughly, staff were not consistently briefed about risks and some checks were not completed at the required frequency.</p>	Accept	<p>SERCO - Serco Risk Profile Chart had been reviewed and rereleased alongside a Toolbox Talk in Sept 2023.</p> <p>Briefing issued to remind staff that DPER needs to be checked for completion on pick up and challenge when not completed.</p> <p>Toolbox Talk currently exists to outline when/how welfare checks are conducted and will be re-briefed.</p> <p>PECS – PECS shall enable access for identified Serco staff to access prison NOMIS to inform key risk assessments.</p>	Serco/ Police/ HMPPS/ PECS	<p>Completed - Nov 23</p> <p>February 2024</p>

			<p>PECS- PECS will drive the importance of risk information sharing when meeting with relevant stakeholders and monitor outcomes through Court custody visits and the Safe, Secure, Decent and Compliant (SSDC) audits. This is completed using monthly data relating to partially and/or incomplete DPERs.</p>		Ongoing
6	A range of factors led to some detainees being held in court custody for longer than necessary.	Accept	<p>HMCTS - Aware of delays. Custodies are a priority for the Court. The Court cannot always bring defendants up due to factors involved with the case or parties involved. We do have turnaround target of paperwork to prioritise results, we discuss lack of prosecution paperwork and readiness issues at court user groups.</p> <p>SERCO - A delays Management Information report has been introduced to focus on data at stakeholder quarterly meetings and a new recording of delays process has been introduced to the operation to gather information on release delays.</p> <p>PECS- PECS will continue to monitor performance through CDI measures and contractual levers, for timely movement from court to prison or release. PECS will drive collaborative and communicative relationships between the supplier and stakeholders to achieve progressive outcomes.</p>	HMCTS/PECS/Serco	<p>Ongoing</p> <p>Completed - Nov 23</p> <p>Ongoing</p>

7	Some cells were not clean enough.	Accept	<p>HMCTS - Requests for an additional Deep clean throughout Brighton Mags and Lewes Custody areas has been raised by FM team. Clean of Hove custody stairwells also raised.</p> <p>Other custody areas are being followed up by day-to-day cleaners on site with use of the communication book, which Serco staff have access to and cleaners can address issues. Cleaners are told which cells have been used and need cleaning. The communication book is dip checked when audits take place.</p> <p>Cleanliness and Graffiti to be monitored by Serco, highlighting any issues in cells to HMCTS that need attention.</p>	HMCTS FM	Feb 24 (deep clean)
8	Custody staff's individual statements justifying their use of force against detainees were not always detailed enough and quality assurance was not always sufficiently rigorous	Accept	<p>SERCO - Ongoing bulletins are released from the Serco Incident Desk to reinforce the requirements for detailed statements.</p> <p>Officers' statements are proofread by managers prior to submission.</p> <p>The Serco Incident Manager meets monthly with HMPPS Contract Delivery Managers to review dip samples of Use of Force.</p> <p>PECS- PECS has worked with the supplier to implement an additional layer of quality assurance within this area. We will continue to monitor progress.</p>	PECS/Serco	<p>Ongoing</p> <p>Completed Oct-23 Monitoring of embedded process- Ongoing.</p>

9	Searching and handcuffing some detainees without carrying out an individual risk assessment was disproportionate.	Accept	<p>Handcuffing policy is laid out to all staff in SOP 035 Use of Restraints. The use of handcuffs will form part of the initial risk assessment on arrival and is taken into consideration for everyone, factoring in the building and surroundings.</p> <p>The Serco PECS Weekly Briefing Sheet will be used to re-brief the requirements for handcuffing and individual risk assessments and a Directors Instruction were issued in July 2023 regarding individual risk assessments in the Use of Restraints.</p> <p>The previously mentioned risk profile chart refresh indicates and records where handcuffs may be required due to enhanced risk. The Safe, Secure, Decent and Compliant (SSDC) audit covers the use of handcuffs. PECS will ensure that they observe the arrival of custodies, to ensure risk-based decisions are made around searching and cuffing.</p>	Serco	Ongoing
10	Activities and distractions for detainees waiting in cells were too limited, particularly for those with neurodiverse needs.	Accept	<p>HMCTS -Blackboards to be painted in custody areas where they are missing- FM team awaiting confirmation of sites from HMCTS. Cells staff to monitor misuse of blackboards, particularly Brighton Magistrates Court, so that patch work can be completed in a timely manner.</p> <p>SERCO - Distraction packs are changed monthly. Courts have access to all previous months</p>	PECS/Serco/ HMCTS FM	<p>Feb 24</p> <p>Ongoing</p>

			<p>should they be required via the Serco PECS Hub site. Cards and board games as well as the entertainment system onboard vehicles are available for juveniles. Some locations have chalk boards. Courts are encouraged to source alternative reading materials and where possible hold a local library. Further additional items are being reviewed for possible use.</p> <p>PECS- PECS has an agreed range of distraction material to offer and is currently working alongside the supplier to develop and introduce distraction packs tailored for those with Neurodiverse needs. This is monitored during court custody visits and the Safe, Secure, Decent and Compliant (SSDC) audits.</p>		Ongoing
11	Detainees did not always have timely access to prescribed medication, particularly those used for symptomatic relief, which potentially had an adverse effect on their health.	Accept	Access to prescribed medication is clearly outlined in SOP 062. A pilot programme has been initiated for provision of paracetamol. This is part of a wider piece of work as part of the Southern Criminal Healthcare Board which is co-chaired by the NHS and MOJ.	Serco	Feb 24
12	Automated external defibrillators were not always readily available in custody suites.	Accept	HMCTS – Defibs have been ordered for all custody suites, these should now be either on-site or in transit to sites.	HMCTS	Completed - Nov 23
13	Custody staff did not receive training in basic life support skills frequently enough.	Rejected	PECS - There is an ongoing training delivery plan for this in place. Allowing for tracking and necessary refresher training to enable staff to remain in date. This is reviewed and	PECS/Serco	N/A - Rejected

			discussed between PECS and the supplier on monthly meetings. First Aid training refreshers are conducted in line with national guidelines.		
14	Many detainees waited too long for a prison governor's authority to be obtained before they could be released.	Accept	<p>SERCO - A delays Management Information report has been introduced to focus on data at stakeholder quarterly meetings and a new recording of delays process has been introduced to the operation to gather information on release delays including where the delay has been obtaining authority to release.</p> <p>PECS - PECS will continue to support the supplier by engaging with our stakeholders to ensure that appropriate escalation measures are adhered to, to ensure that timely releases are expedited, or instances of late releases are reduced. We will continue to engage with stakeholders to highlight the need for timely release requests to be sent to authorising establishments and authorisation responses are expedited.</p>	HMPPS/Serco/PECS	<p>Completed – Nov 23</p> <p>Ongoing</p>
15	On release, detainees, including those with disabilities or impaired mobility, were not always provided with sufficient means to get home	Accept	PECS - PECS will continue to monitor the supplier in line with policy to ensure that appropriate support needs are met upon release. Assurance that these procedures are adhered to is gained through Contract Delivery Manager (CDM) visits and Safe, Secure, Decent and Compliant (SSDC)	PECS/Serco	Ongoing

			<p>audits. Where it is identified as part of the pre-release risk assessment that either the travel or subsistence may not be adequate then this will be discussed with the area operations manager.</p> <p>PECS will remind the contractor of the obligation to ensure travel assistance is adequate.</p>		
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Recommendations	
Accepted	14
Accepted Subject to Resources/Partially Accepted	0
Rejected	1
Total	15