



A Response to: HMIP Thematic Review – The experiences of adult Black male prisoners and Black prison staff

Introduction

HMPPS recognises that improving outcomes for Black prisoners and staff will require a long-term commitment from the entire organisation. As such, we take the findings of the thematic report seriously and will build on the positive work that has already begun. This includes expanding the important work of our Race Action Programme, providing a number of practical and innovative solutions, and evaluating and implementing a number of pilot programmes aimed at improving outcomes for all. We understand that positive relationships, between our staff, those in prison, on probation and children in custody, are critical to help reduce reoffending and protect the public. Evidence shows the relationship between staff and prisoners is also the most significant factor in delivering a safe and secure prison environment and rehabilitating offenders.

HMPPS is committed to achieving a diverse workplace that is representative of the population it serves and is better able to understand and address needs, provide appropriate support, and effectively embed positive change. Prisons become safer and more secure when diversity is reflected at all levels of staffing and leadership, with equitable outcomes and an emphasis on fair treatment for all. Diverse workplaces boost morale, motivate staff, and promote efficiency and effectiveness, supporting our workforce priorities to improve recruitment, retention and engagement.

Our long-term approach includes short, medium, and long-term actions. This includes working closely with third sector partners, trade unions and our staff networks, such as RISE, which focuses on Black and other underrepresented staffing groups. We will conduct robust annual reviews of the impact of our actions, which we will adapt in real time to reflect local and national change. For the first time, we will be taking a whole system approach, mainstream our race specific work and make it relevant to all parts of the organisation. We will focus on improving professional standards, increasing senior leader accountability, and promoting collective responsibility. This includes working with Black people and other underrepresented groups, prisoners, people on probation, children, staff, and other stakeholders to create positive and sustained change in every part of HMPPS that is rooted in evidence and focussed on action.

Why the findings are important

It is HMPPS' clear intent for HMPPS to adopt a zero-tolerance approach to racism and discrimination and create an organisation that actively identifies and eradicates the ways racism is built into policies, practices, and overall ways of working. This includes leveraging the strengths and leadership of Black people and other underrepresented groups, as well as drawing on their lived experiences to effect positive change. This contributes to the One HMPPS agenda by aligning activity in England with activity in Wales, which is currently implementing its Criminal Justice Anti-Racism Plan, as well as other public sector services and organisations that are already working to remove racism and discrimination.

Dealing with racism cannot be left solely to our Black staff and those in our care. Therefore, we will continue to work together to promote collective responsibility and improve senior leader accountability across the organisation. HMPPS has already made positive progress in this area which we plan to build upon.

Evidence of positive relationships between staff and prisoners were highlighted in the HMIP report, particularly when there was a shared identity – and we will continue to support staff in fostering this approach. This will support rehabilitation outcomes, reduce risk, and improve public protection.

We recognise the need to better co-ordinate activity and share best practice as part of creating an open learning culture throughout the agency.

Our primary focus includes:

- **greater insights** – developing a broader and deeper appreciation of Black staff and prisoners' experiences, as well as a better understanding of what drives improvement, ensuring that concerns and discrimination faced informs all solutions.
- **improving relationships** – building stronger relationships between staff and those within the criminal justice system, based on the insights learned will reduce violence and conflict within our secure premises and establishments. This will better enable people to access and positively engage with the services they need to reduce reoffending.
- **community cohesion** – offering meaningful activities for people in custody, on probation, and staff to build more inclusive and respectful communities via greater mutual understanding and stronger connections. This will help foster safer environments and improve outcomes for all.
- **equality of opportunity** – ensuring equal access, support, and opportunity, through a range of actions and measures to significantly reduce and remove racial inequities and disparity for all within HMPPS.

Our approach

We will build on HMIP's priority themes in their improvement pathways:

- accountability and communication
- building a culture of trust and learning
- reverse mentoring and forums to promote dialogue
- food as a means of connection and comfort
- events to promote expression and discussion

Our main pillars outline our work to deliver against these pathways, with further activities to be developed in the coming months.

Our ambitions closely support the two new HMPPS people priorities, developed in response to the People Survey Findings 2022:

1. Setting high professional standards to ensure we treat everyone fairly and with respect
2. Making HMPPS a great place to work

This approach also expands on the Government's Inclusive Britain report (2022), including using positive action to improve opportunities for underrepresented groups, improve training and create a workforce that represents the communities it serves.

The Declaration on Government reform (2021) recognises the need to set new standards which includes the importance of drawing on talent from a wide range of backgrounds to ensure that minority groups can flourish in public service.

We aim to model and champion this approach within HMPPS. Building on the Civil Service Diversity and Inclusion Strategy (2022 – 2025), we will also take steps to ensure our actions are informed by data and supported by evidence to reflect our obligation of zero tolerance for bullying, harassment, and discrimination.

The work outlined within this response, particularly that which will be carried out by our new HMPPS Professional Standards and Behaviour function, will lead delivery on this approach.

Immediate to short-term actions

Over the next 3-6 months, HMPPS will carry out a comprehensive review of our complaints and grievance processes, procedures, and forms as they relate to Discrimination Incident Reporting. We want our staff and prisoners to have confidence and trust in our ability to tackle unacceptable behaviours. We must have the capability to detect all forms of discrimination when it is reported, through both staff training and new metrics to help us measure impact and outcomes.

By June 2023, we will also have completed an initial sprint which will swiftly assess current site-based initiatives to improve Discrimination Incident Reporting, against a clear set of design principles. We will prioritise promising activities which can be quickly scaled up within existing resource.

By September 2023, HMPPS will have established its new Senior Civil Servant (SCS) led Improving Professional Standards and Behaviour function, which will improve how we address discrimination, bullying and harassment. It will boost confidence by reducing the likelihood of unacceptable behaviour and serious incidents through protective and preventative measures, as well as improving reporting and effectively managing situations when they do occur.

During this first phase of delivery, we are intentionally concentrating on staff-related actions and outcomes. This is because staff hold the relationships with people in custody and on probation and are the main route to creating change. This also allows us to better sequence our response and implement engagement and communication plans for those in our care.

Medium to long-term actions

Over the next six months, we will concentrate on developing a consolidated set of solutions and policies that will tackle the causes of racism and drive longer-term change. We will consolidate all activity under four main pillars: People, Practices, Policy, and Progress, designed to foster better cohesion and drive the next iterations of race action and wider change work.

People: Securing equal opportunity for all staff, prisoners, those on probation and children in custody

We will drive change through:

People in custody and on probation

- **monitoring the impact of Use of Force (UoF)**

We have developed a toolkit for Good Governance highlighting assurance processes and requiring an explain or reform function. Information collected, pertaining to force, is accessible on the Equalities Monitoring Tool, which will be available in the first quarter of 2023/24. We have created a national UoF network to facilitate peer support and share best practice. We are evaluating the UoF coordinator training programme and developing a Policy Framework due for publication mid-2023.

- **in May 2023 we will refresh local mental health support and education services**

In collaboration with NHS and Department of Education partners, and wider partners. This will incorporate nationally recognised Afrocentric perspectives into our work, in addition to current Eurocentric perspectives, to meet race and cultural needs.

- **we will collaborate closely with third sector partners**

HMPPS will develop and consider options for a heritage and arts programme aimed at fostering positive relationships and bridging racial divides. This development will aim to include education curricula and agency-wide events, building on initiatives such as the annual Insights Festival. Such activities promote understanding and appreciation of all cultural heritage.

- **build on existing practice**

Further develop effective reverse mentoring programmes that directly reflects one of the six HMIP improvement pathways.

People in HMPPS employment

- **positive action pathways**

Using current legislation to support recruitment of high-performing Black and other underrepresented staff into leadership positions, thereby increasing diversity in senior leadership teams.

- **local, regional and national representation targets**

In development with the Race Action Programme, we aim to bring our Black and other minority groups staffing numbers in line with the working age population.

- **targeted recruitment**

Where there are clear gaps from underrepresented groups across the organisation, including all partner services and across all levels of leadership.

- **staff development**

Including increasing mainstream participation in development programmes for Black and other underrepresented employees and tracking career progression after programme completion. This also includes embedding staff supervision and guided reflective practice, developed in partnership with NHS partners, which is proving successful in supporting staff wellbeing, and improving peer to peer and staff to prisoner relationships. Further we will ensure equal access to coaching, shadowing, mentoring, deputising, secondments, and other programmes with measurable outcomes and accountability.

- **several pilot schemes**

Though in their early stages, the schemes will take time to produce results. This includes progression buddy schemes and Everyday Inclusion programmes aimed specifically at reducing racial disparities. These pilots specifically support two key HMIP-identified improvement pathways.

Practice: Addressing professional standards, preventing, and tackling unacceptable behaviour

HMPPS will review professional standards and procedures, creating an environment where staff can trust that where poor behaviour is reported, it will be investigated and followed-up appropriately. HMPPS are increasing the number of qualified specialist investigators and creating new roles for full-time mediators in the agency's Tackling Unacceptable Behaviours Unit.

We will drive change through:

- **developing professional standards**

Specific to tackling racism and racial discrimination, bullying and harassment, with accountability and measures; and a standard specific to taking a zero-tolerance approach to racism and discriminatory practices.

- **having clear expectations**

Setting out acceptable and positive behaviours, likely actions and outcomes where racist behaviours and serious racial incident occurs, and clear supportive measures for all impacted by racism and inequity.

- **an uplift in HMPPS Race Champions.**

These are not new roles, but rather voluntary tasks performed in addition to regular duties.

- **evolve work from the Race Action Programme**

Using new technologies and engaging techniques such as gamification (learning through gameplay) to help bring to life some of the key learning modules for managers in comprehending cultural difference (see Appendix 1).

- **establishing co-design and delivery working groups**

This will be themed around HMIP's pathways to improvement. Effective internal and external stakeholder engagement including with our lived experience engagement panel, strategic youth advisory board, and third sector partners.

Policy: Establishing HMPPS policy commitments

We will establish policy focusing on long term organisational behaviour and change through:

- **taking proactive steps**

We will become an organisation with zero-tolerance to racism and discrimination by developing standards, practices and policies that can be measured. This will include a long-term policy ensuring learning and iteration in real time, embed commitments, and secure sustained change.

- **reframing and realigning work**

Within a new zero-tolerance and people specific agenda, this will be led by minority groups, championed by majority groups, implemented together, and owned by all.

- **longer-term preventive and policy actions**

Include specific research on what positively shifts behaviours and cultures within an HMPPS context and sets out what good looks like.

Progress: Governance, accountability, metrics, and measures

HMPPS want to be confident that work across the organisation delivers the right change, with tangible benefits, outcomes, and key performance indicators. We will ensure robust governance and senior accountability is in place so we can check, challenge and quality assure activities, with clear measures to monitor and track progress. Activities will allow for early learning, amendments, or stoppage, if activities will not drive the desired behaviours or improve outcomes.

We will hold ourselves accountable by:

- **Improving the effectiveness of internal / external scrutiny and audit panels.**

- **ensuring race specific work has appropriate consideration**

HMPPS is currently reviewing existing governance across the organisation to develop a streamlined and efficient governance model. This will improve the agency's decision-making capacity and agility, including facilitating effective prioritisation.

We will ensure that the processes developed for this response align with the ethos of the new design and are accompanied by appropriate evaluation and metrics to measure impact, progress, and governance and accountability for all decisions made.

Structural change and senior operational support

HMPPS will establish two new functions to provide additional operational and national support.

1. HMPPS Race Disparity Unit (RDU)

The RDU will serve as a national centre of expertise, bringing together all race-specific work, essential to achieving our broader business and national people priorities. It will ensure we have a comprehensive understanding of what is going on within our organisation. We will establish a clear scope that goes beyond traditional RDUs by focusing not only on effective data collection and analysis to help us understand what our data is telling us, but also on contributing to the development of practical and strategic, evidence-based solutions. The RDU will take forward learning from the Race Action Programme, deciding what activities and initiatives move into business as usual. It will own delivery against the HMIP-identified improvement pathways and provide a race equity and review function. It will develop principles which each prison, probation delivery unit, and HQ group will need to embed. This will further ambition for achieving zero-tolerance, securing diversity within supply chains and publication of performance statistics.

2. Senior Operational Support (SOS)

SOS will provide peer-led operational support and specialist coaching at the most senior levels. Supported by subject matter experts and those with lived and learned experiences, SOS will make recommendations for further action. It will serve as site-specific support offering practical advice, guidance, resources, a supportive space for Governing Governors and Heads of Probation Delivery Units to discuss issues, receive referrals for additional help, and other forms of pragmatic assistance to prevent incidents, foster a culture that is inclusive and fair, and improve disproportionate outcomes. They will further establish clear working procedures and terms of reference for smaller regional support teams, aligned to the One HMPPS redesign, which focuses on improving frontline delivery with reduced HQ function. The regional teams will report to the national group and be responsible for supporting local and regional delivery.

Both actions will be implemented (on an interim basis) by June/July 2023 and will form part of the new HMPPS Improving Professional Standards and Behaviour function. The Prison Operational Management Committee and HMPPS People Sub Committee will serve as interim governance routes.

Communications and Stakeholder Engagement

HMPPS will implement a strong and effective two-way communication plan that establishes the flow and pace of information on this work to all. We will be open and

transparent, streamlining our communications process to ensure that everyone is aware of our work, progress, and opportunities to collaborate with us on this journey.

Conclusion and Commitment

HMPPS acknowledge that the issues outlined in the report are not always unique to HMPPS, but rather reflect broader societal issues. Consequently, our response is commensurate to what is within our power to change. We want to build on the good work that is already being done and deliver sustainable change in the long term that is rooted in the evidence-base, maximises resources and improves performance in targeted areas. We need to sequence and pace delivery of our activity so that staff and prisoners feel involved, empowered, and motivated. We commit to reviewing implementation of our activities annually to make sure that actions are having a positive impact on outcomes and best practice can be identified and shared.

As a result of the above actions, we believe we will improve race-specific outcomes across HMPPS, especially for Black staff and Black prisoners. By collaborating to drive positive change, we will be in the best position to eradicate racism within our organisation, achieve on our priority to make HMPPS a great place to work (and reside) for all and deliver our agency level outcomes to protect the public and reduce reoffending.

Annex - Summary of current work we intend to build on, embed, and scale

Tackling Unacceptable Behaviours Unit (TUBU)

The aim of TUBU is to help improve the working environment by providing additional support, insight and expertise to staff raising concerns and to managers responding to those concerns.

TUBU provides a safe place for staff to raise concerns, encourages early resolution to conflict, promotes a learning and improving culture, and ensures that where formal routes of grievance and investigation are required, that these are effective, procedurally fair and just.

We seek to increase confidence of staff to call out unacceptable behaviours, to support staff and managers in dealing effectively with them when they are surfaced, enable us to act proactively to shape a more inclusive and professional culture and inform future policy and strategic approaches to bring positive changes to our culture and ensure we enable people to be their best.

TUBU's work includes:

- a confidential helpline to support staff who are experiencing any unacceptable behaviours (bullying, harassment, discrimination, or victimisation)
- a mediation service to help resolve workplace conflict
- climate assessments – a programme of activity to regularly assess the situation in every area of the organisation by looking at the lived experiences of staff, identifying any issues and supporting leaders to work with their teams to bring about positive change
- a specialist investigation service to enable managers to access trained investigators, advice or signposting for complex and sensitive cases involving bullying, harassment, discrimination or victimisation.
- a programme of engagement and awareness raising, delivering awareness sessions on bullying, harassment, and discrimination, gaslighting, trialling psychological safety, and development of awareness videos

TUBU's efforts are essential for improving workplace conduct and ensuring that all forms of unacceptable behaviour are managed, and individuals are held accountable for their actions. HMPPS is currently developing and increasing resources to expand and embed TUBU's work throughout the agency.

This year, HMPPS will undertake a review of professional standards and procedures to ensure that the most effective processes and procedures are in place across the Service which will increase trust and confidence that poor behaviour will be properly reported and investigated, with effective and transparent results. MoJ is developing

training to improve the knowledge and skills of managers to appropriately manage allegations or disclosures of racism and discrimination, harassment, and bullying. It is expected this will result in increased agency and authority for leaders to take swift and robust action, offer effective support, as well as clear measures for a tough stance against racism, discrimination, harassment, and bullying.

Race Action Programme (RAP)

HMPPS established the Race Action Programme three years ago to provide direction, guidance, and practical solutions to support front line colleagues in their efforts to tackle racism and to develop HMPPS' maturity in this area. RAP will shortly implement an effective two-way comms and stakeholder engagement plan to better engage and collaborate with our staff and partners. Using launchpad, prisoner radio, and Inside Times, the programme will further engage with prisoners to raise their awareness and give them the opportunity to influence the design of our initiatives.

HMPPS will launch its first immersive technology and gamification learning module (which is using technology to learn through digital game play) in May 2023 to assist all middle and senior managers in better understanding of cultural difference. It will concentrate on retention; the leading People risk for the agency. This initiative will be fully evaluated, prior to wider development of modules, using the Kaufman evaluation model which focuses on 5 levels of effective evaluation including input, process, application, internal and external benefits, and outcomes. The potential insights gained from this address both the recommendations of the Probation Race survey and the suggestions made in this thematic.

In 2021 HMPPS launched the Race Allyship Charter and have more than 1,500 race allies and this number continued to grow. Our community of Race Allies will be complimented by our Senior SCS Champions and build on the MoJ Framework to increase in number, strengthen the governance to support them and compliment this with effective communication and engagement activity. The thematic also highlighted the significance and demand among frontline staff and prisoners for greater and more effective use of forums. Several events have been hosted by the Support and Safe Spaces priority project for ethnic minority employees. HMPPS will also develop a framework for safe spaces for all.

The Inclusive Policies and Data project will improve our ethnicity data through the Prisons Equality Monitoring Tool and provide support and guidance to local Diversity and Inclusion leads to support them in effective use and analysis of data. This project has delivered an initial series of policy animations to support the release of policies with known disproportionality (e.g., performance management) to ensure consistent application. It has also implemented a framework – Policy Dialogue Sessions - through which policy authors can access D&I professionals (external and internal) and those with lived experience to inform their design and protect against any inbuilt disproportionality. Further, by introducing the Manage Incentives Digital Prison System (live in all prisons), operational leaders and managers will be able to

view data visualisations on current incentive levels, negative and positive behaviour case note entries, and trends data broken down by the five ethnic groupings for their prison, allowing them to identify concerns/areas of disproportionality and inform actions.

Strategy, Planning and Performance

Culture development work within the Transform Delivery Directorate has now moved to the Strategy, Planning and Performance Directorate, to align with preventative and protective measures against unacceptable behaviour. This work will now form part of the new Professional Standards and Behaviour function with a view to providing greater support to local establishments and frontline workers.

It will continue to deliver local culture initiatives based on ten core principles of a good prison culture, developed from a clear evidence base, and comprises four key components. Procedural Justice – awareness raising, training and bespoke support to embed this approach across the agency. Voice – practical support and tools to increase stakeholder engagement. Leading from the middle – a support package for middle managers to help them understand their role in culture development.

Celebrating Success through powerful stories.

Staff and senior operational leaders welcome this work and standardised approach in helping to improve their overall ways of working. The team has developed a range of tools and activities which help prisons to understand their culture and implement the positive changes that are needed. The work has been implemented at various pilot sites, including those with high issues of racism and discrimination. Whilst the model is subject to current evaluation, increasingly positive feedback from sites and those in custody is emerging and we will move quickly to ascertain priority work, scalability at pace and potential for expanding across the agency.