

ACTION PLAN – Report on an inspection visit to court custody facilities

CLUSTER: Bedfordshire, Hertfordshire and Cambridgeshire

TIMETABLE	DATE
Date of inspection	February/March 2023
Report published	15 May 2023
Action plan submitted	07 August 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 adversely affected detainees and led to late arrivals at court and delays in transferring detainees to prison at the conclusion of their hearings. <i>(Children were not always accompanied by appropriately trained officers)</i>	Accept	Recruitment activity remains a priority and action plans are in place to in 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 Best endeavours continue to be implemented to cater for the needs of all detainees and in particular, appropriate use of Escort Custody Officer (ECO and Dual Badge Officer (DBO) for young people.	Serco	ongoing
2	Leaders had not done enough to understand or address why some detainees were held in court custody for longer than necessary.	Accept	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. Common Platform an issue whereby orders cannot be created	HMCTS, PECS, Serco	Nov 23

			by court clerks within Service Level Agreement (SLA) times. No issues with exhibit cases		
	Key Concerns				
3	Not enough was done to protect detainees' dignity and privacy when there was no secure area for them to alight from vehicles on arrival at the courts. (Luton MC & Stevenage when large vehicles dispatches detainees)	Accept	<p>HMCTS will further review where privacy is an issue whether there are any suitable adaptations based on solutions provided elsewhere nationally which could be considered where it is safe and proportionate to do so.</p> <p>Serco will endeavour where possible, to use smaller vehicles at some sites that could reduce detainees being overlooked by the public.</p>	<p>HMCTS FM</p> <p>Serco</p>	Nov 23
4	Telephone interpreting 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 is asked if required	Serco & PECS	Nov 23
5	The range of menstrual care products and suitable disposal units available was sometimes inadequate	Accept	<p>To be re-briefed to the operation that sufficient stocks must be in place at all times of the variety of products available to order from Central Stores.</p> <p>Serco will explore the possibility of having stock held at vehicle bases to allow for quicker replenishment locally rather than having to wait for the scheduled ordering and delivery cycle.</p>	Serco	Nov 23

			HMCTS will ensure that suitable disposal units are available. Building Champion to liaise with local Facilities Management team to order units and schedule disposal accordingly.	HMCTS	
6	Some custody suites were dirty, particularly at weekends.	Accept	<p>The custody facilities will be cleaned to the British Institute of Cleaning Science (BICS) standards and will be maintained by daily cell inspections and the use of the cleaning schedules.</p> <p>HMCTS will ensure the custody facilities are clean, safe, and always well maintained. All defects will be logged with EQUANS helpdesk by HMCTS staff and escalate if necessary before it becomes an issue. Also, the introduction of the "Communications Book" will assist with the improvement of communications between the cleaning supplier (EQUANS), Serco and HMCTS staff.</p> <p>Serco will ensure all court custody managers are briefed to ensure the need for timely reporting of defects.</p>	<p>HMCTS</p> <p>Serco</p>	Nov 23
7	In some facilities, the routine searching and handcuffing of detainees without an individual risk assessment was disproportionate	Accept	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 take into consideration for everyone, factoring in the building and surroundings.	Serco	Nov 23

			<p>The Serco PECS Weekly Briefing Sheet will be used to re-brief the requirements for handcuffing and individual risk assessments.</p> <p>The Safe, Secure, Decent and Compliant (SSD) 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>	PECS	
8	<p>Detainees were not always provided with food when they were hungry.</p>	Partially Accept	<p>Refreshments are provided throughout the day, and the provision of meals are expected to allow for the operational delivery and servicing the courts. Custodies from both prisons and police are provided with the opportunity to have breakfast whilst in their respective care and then a hot meal is offered between 11:30 and 14:00 whilst in the court custody suite. Drinks are provided throughout the day. If a custody is still in our care after 17:00hrs then a further meal will be provided. Where a drink or a meal may assist the welfare of a prisoner who is in any way distressed, the meal or drink will be provided if requested, if it is safe to do so.</p>	Serco & PECS	Nov 23
9	<p>Automated external defibrillators were not always readily available in custody suites.</p>	Accept	<p>HMCTS senior management team have approved for a national project to procure defibrillator for each operational court custody suite</p>	HMCTS	Nov 23

9b	Training in resuscitation skills did not take place with sufficient frequency	Accept	First Aid training refreshers are conducted in line with national guidelines.	Serco & PECS	Completed- Although this is accepted, however, disagree on the standard, training conducted in line with Policy.
10	Detainees had no timely access to simple over-the-counter health remedies.	Accept	Currently being reviewed via Enhanced Healthcare. Updates will be provided as this is progressed.	Serco	Nov 23
11	Liaison and diversion practitioners were not readily available to help detainees.	Accept	<p>We have cover at Cambridge /Peterborough Crown court although this is not on site all week and we have local mag courts when fully staffed, have an on-site practitioner."</p> <p>Bedfordshire – They will have a dedicated practitioner covering the Crown Courts three days a week but have not yet got one in place (they are hoping to have someone in post by the end of July).</p> <p>Hertfordshire – They have a dedicated practitioner covering the Crown Courts Monday to Friday.</p>	HMCTS (L&D)	Nov 23
12	On release, detainees were not always provided with sufficient means to get home	Accept	Travel warrants and subsistence is provided in line with the Serco SOP which adheres to HMPPS policy. Travel warrants are given for train journeys to the home destination and if a bus ride is required then cash is provided from the petty cash. If the journey is expected to be longer than 2 hours, then additional cash is provided which increases in increments.	Serco	Completed

			<p>Assurance that these procedures are adhered to is gained through Contract Delivery Manager (CDM) visits and 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, who will ensure that the agreed policy is complied with.</p> <p>PECS will remind the contractor of the obligation to ensure travel assistance is adequate.</p>	PECS	
13	Most detainees who needed a prison governor's authority to release waited too long for this to happen	Accept	<p>A delay 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. Serco will escalate to PECS CDM within an hour if response is not received in a timely manner.</p> <p>PECS will escalate to DD prisons for dissemination to responsible PGD's (Prison Group Directorate), this is an HMPPS responsibility.</p> <p>Common Platform (CP) has an issue whereby orders cannot be created by court clerks within SLA times. This is due to CP not allowing the partial resulting of a case, which impacts on timings. We have requested this change be</p>	<p>Serco</p> <p>PECS</p> <p>HMCTS</p>	Nov 23

			made and the CP developers are looking into it, but it won't be a quick fix. The mitigation is that we are trying to support clerks in court with out of court resulting where we can, but this is resource dependant.		
	Outstanding recommendations from previous inspection				
14	<p>Custody staff should receive appropriate training in: emergency response skills, including the use of AEDs</p> <p>Mental health awareness and drug and alcohol awareness. Staff should also receive annual refresher training in emergency response skills.</p> <p>Not achieved</p>	Accept	<p>First Aid training is conducted as per national guidelines.</p> <p>MH first aid is now built into training programme. MH awareness is contained within the ITC.</p> <p>Substance misuse modules are delivered as part of the ITC</p>	Serco	Completed
15	<p>First aid equipment should include sufficient up-to-date kit, including basic equipment to maintain an airway and AEDs in custody areas.</p> <p>Not achieved</p>	Accept	<p>Covered in key concern 9 above.</p> <p>Basic equipment to maintain an air way has been addressed</p>	Serco/HMCTS	Completed

16	The length of time that detainees, particularly young people and those who are vulnerable, spend waiting in court cells should be reduced. Not achieved		Covered in key concern 1		Completed
17	Detainees whose case is listed for the afternoon should not be placed in court custody in the morning. Not achieved	Accept	Project underway to bring court listing times into SERS to better allow for journey planning. HMCTS will work with the suppliers to ensure that detainees are produced at the allocated time slot.	Serco, HMCTS	Ongoing
18	Escort vehicles should be available to take detainees to custodial/secure establishments without delay following completion of their court case. Not achieved	Accept	Best endeavours are met, resourcing issues are impacting. Covered in Key concern 1.	Serco	Completed
19	Adult men, women and young people should not be carried in the same escort vehicle. Not achieved	Rejected	Policy as per contractual requirements.	Serco	completed
20	All staff should receive diversity and equality training that includes how to care for young people. Not achieved	Accept	Equality and diversity training is covered in annual Serco Essentials training. ECO & DBO officers receive additional inclusivity training as part of their ITC. Protected characteristics SMEs are currently being recruited within the operation to specialise in each of the 9 protected characteristics and support colleagues.	Serco	Completed

21	All staff should receive annual updates in first aid that is appropriate for the environment, to maintain an adequate skill level. Not achieved	Rejected	Covered above		Completed
22	First-aid kits should contain sufficient in-date equipment to manage all predictable incidents, including an automated external defibrillator and equipment to maintain an airway, which staff are trained to use. Not achieved	Rejected	Consider remove, duplication of above		Completed
23	Court custody staff should receive regular training to identify, support and appropriately refer detainees who may be experiencing mental health- or substance use-related problems. Not achieved	Rejected	Consider remove, duplication of above		Completed

Recommendations	
Accepted	18
Accepted Subject to Resources/Partially Accepted	1
Rejected	4

Total	23
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