

ACTION PLAN – Report on an inspection visit to court custody facilities**CLUSTER: Central and South London**

TIMETABLE	DATE
Date of inspection	28 July – 13 August 2021
Report published	15 th October 2021
Action plan submitted	20th December 2021

Rec. no	Recommendation	Accepted / Rejected	Response / action taken or planned	Action owner	Update / target date for completion
6.1	<p>Key concerns and recommendations.</p> <p>Sufficient competent staff of appropriate grades should always be deployed in court custody to make sure that facilities run efficiently and detainees are dealt with promptly and respectfully. (To HMCTS, PECS and Serco)</p>	Accept	<p>Every quarter a demand review will take place in all court locations, this will be based on the custody throughput, and the court classification (XS, S, M, L, XL courts)</p> <p>Where there is an increase of staffing due to increase of custody volume, the management demand will then be reviewed against the number of staff full time equivalent (FTE) in each location.</p> <p>An agreed staffing model is in place which includes management levels. Review of staffing by Area Operations Managers (AOM) is conducted the day prior against predicted custody volumes and then again on the day before court begins.</p> <p>Where we experience ad hoc increase in custody volumes, the AOM will use existing Court/Deputy Managers and identified Officer in Charge individuals to support by cross deploying into the court to give additional management support.</p>	Serco	<p>Quarterly</p> <p>Update 01st March 2022 (3 month)</p> <p>(for completion 01st June 2022 - 6 month review)</p>

6.2	Key concerns and recommendations. Relationships and communication among the three main agencies responsible for custody should prioritise good outcomes for detainees, including the collection and robust analysis of data to identify areas for improvement and to monitor the effectiveness of improvement activities. (To HMCTS, PECS and Serco)	Accept	<p>Regular meetings are scheduled weekly (site level), monthly (site level) and quarterly (regional level).</p> <p>A new planned agenda will be in place for monthly meetings to ensure all key points are reviewed. A standardised agenda will be used across all sites. An action plan will be in place to ensure actions are monitored regularly.</p> <p>Use of correspondence folders will be re-briefed to Serco staff via the Weekly Briefing Sheet on 01/12/21 to ensure that minutes and correspondence are retained appropriately. This will include Area Operations Managers monthly minutes (completed)</p> <p>(RCJ)Serco to record detainee comments and complaints in a log for discussion with PECS and /or HMCTS and record actions for improvement. RCJ to use the above meeting agenda, within their own structure.</p>	HMCTS, PECS and Serco	Update 01st March 2022 (3 month) (for completion 01st June 2022 - 6 month review)
6.3	Key concerns and recommendations. Female detainees should always be transported separately from men. (To HMCTS, PECS and Serco)	Accept	<p>Serco will ensure to follow agreed systems and protocols for separation. A monthly review will be implemented, and data reviewed regularly to ensure processes are followed.</p> <p>Additionally, all staff across the will be re-briefed via a Directors Memo regarding the requirements to separate women and children. In addition, local managers will be instructed to regularly brief staff to ensure the process outlined are followed.</p>	Serco	Update 01st March 2022 (3 month) (for completion 01st June 2022 - 6 month review)
6.4	Key concerns and recommendations.	Accept	<p>Compile a review of staff understanding and confidence in the use of the interpretation service. This will be</p>	Serco	Update 01st March 2022 (3 month)

	Telephone interpreting services should routinely be used with detainees for whom English is a second language when they arrive in custody and at any other time when accuracy is especially important, such as the assessment of risks or needs. (To HMCTS, PECS and Serco)		<p>accompanied by a refresh of information materials to enhance understanding and confidence. Use of the service will be monitored by accompanying documentation centrally upload. The Reception Checklist aide memoir has been updated to remind staff to question whether interpretation is required.</p> <p>Weekly Briefing was issued on 17/11/21 to release refreshed checklist and remind of requirements to upload documentation. (Completed)</p>		(for completion 01 st June 2022 - 6 month review)
6.5	<p>Key concerns and recommendations. Managers should explore and address the reasons for delays to ensure that detainees are held in custody for the shortest possible time. (To HMCTS, PECS and Serco)</p>	Accept	<p>HMCTS, PECS and Serco will monitor and discuss times spent in custody and review the reasons behind any issues, as part of the agenda of standard stakeholder meetings, detailed at 6.2.</p> <p>Serco will undertake a review of reasons for delays and the effectiveness of the escalation process. Data on delays will be monitored via monthly meetings. Area Operations Managers will continue to address incidents of delay with HMP at local levels, detailing specific data where available.</p> <p>Use of correspondence folders will be re-briefed to Serco staff via the WBS on 01/12/21. Additionally, a re-brief will be issued via the Weekly Briefing Sheet on 22/12/21 to emphasise prioritisation of cases being seen.</p> <p>The contract requires detainees to be collected within 2 to 3 hrs depending on gender and age once finished in court. This is monitored through the contract with</p>	HMCTS, PECS and Serco	<p>Update 01st March 2022 (3 month)</p> <p>(further review 01st June 2022 (6 month))</p>

			<p>overview of planning to ensure appropriate resource is available to support this requirement.</p> <p>Delays and time spent in custody in general has been identified as an area for improvement at a national level and HMCTS will investigate this as part of it's HMIP Thematic Review forums, along with PECS. Findings and good practice identified as a result of this will be shared across all HMCTS operational regions and with all stakeholders affected.</p> <p>(RCJ) Detainees are not held in the RCJ cells for lengthy periods and mitigations in place to make sure this happens:</p> <ul style="list-style-type: none"> - for arrests they are presented to the judge asap. - committals - first on list of the day. - criminal cases - the use of video-link to prisons. 		
6.6	<p>Key concerns and recommendations.</p> <p>Cleaning and maintenance arrangements for custody facilities should ensure that the environment and particularly cells are clean, respectful and safe. (To HMCTS, PECS and Serco)</p>	Accept	<p>Processes are in place for any cleaning, maintenance or graffiti issues identified by Serco staff to be reported to the site's HMCTS Building Champion. These can then be raised with HMCTS' Facilities Management provider as jobs if required. Progress against each issue can be monitored by both stakeholders via Serco's defects register and cleaning occurrence books and HMCTS' 6 monthly (Key Performance Indicator) KPI audits with the Facilities Management (FM) provider.</p> <p>Issues of this nature will also be discussed at regular site meetings as described at 6.2.</p>	HMCTS (FM), Serco	<p>Update 01st March 2022 (3 month)</p> <p>(for completion 01st June 2022 - 6 month review)</p>

			Any specific examples raised as part of this report, or the accompanying physical conditions report are being investigated with the local building champions currently. Southwark Crown Court in particular has recently had a number of cells fully re-painted and ligature points thoroughly investigated and resolved.		
6.7	Key concerns and recommendations. Children should receive individualised, age-appropriate care which is focused on building relationships and minimising time in court custody. (To HMCTS, PECS and Serco)	Accept	<p>Children will receive individualised, age-appropriate care which is focused on building relationships where the environment permits this to happen given the physical layout of the custody suite including the number of other children or young persons (CYPs) within the custody suite especially where there is conflict, where the risk assessment allows this and when the CYP wants it to happen. In all other cases staff will ensure the monitoring of the CYP closely and engage regularly with them.</p> <p>While listing remains a Judicial function, HMCTS will work locally with Serco at each site to prioritise hearings involving children and young persons wherever possible.</p> <p>Regular internal audits and inspections take place, findings of which are discussed with the CYP Contract Delivery Manager (CDM) at monthly meetings.</p> <p>A re-brief will be issued via the Weekly Briefing Sheet on 22/12/21 to emphasise prioritisation of cases being seen.</p>	Serco	Update 01st March 2022 (3 month) (for completion 01st June 2022 - 6 month review)

6.8	Key concerns and recommendations. Detainees released by the court should not be locked in a cell and should be released promptly. (To HMCTS, PECS and Serco)	Partially Accepted	<p>Serco will liaise with HMCTS to undertake a review of individual locations to assess where would be appropriate to wait without impacting on the running and safety of the court.</p> <p>Where risk assessments allow detainees should, where possible be located in a suitable room during the release checks and confirmation process.</p>	PECS, Serco	Update 01st March 2022 (3 month) (for completion 01st June 2022 - 6 month review)
6.9	Key concerns and recommendations. PECS should work closely with HMPPS and court custody providers to monitor, understand and resolve delays in releasing from court custody detainees who originated from prisons. (To HMCTS, PECS and Serco)	Accept	<p>Analysis of data around release numbers will take place to inform any patterns of delayed release. This can provide information to allow for multi-agency improvement approach. Where the authorisation for release from the within 30 minutes is delayed, there is an established escalation process where courts will inform the Serco Operational Control Centre, who will progress delays with the Prison Governor, Secure Training Centre Director or Secure Children's Home Manager and HMPPS CDMs.</p> <p>Serco will look to introduce a technical solution via a Serco Electronic Operating System (SERS4) update to include automated process for HMP to receive cue for release and facilitate faster response.</p> <p>HMCTS follow Key Control Checks which require notifications and documents to be produced within 60 minutes of the case being dealt with. HMCTS will monitor this performance and provide data at the bi-monthly meeting referred to in 6.1.</p> <p>PECS will escalate to Prison Group Directors Offices if establishments fail to</p>	PECS and Serco	Update 01st March 2022 (3 month) (for further review 01st June 2022 - 6 month)

			authorise release within the specific timescale.		
6.10	Transfer to court custody Recommendation 2.6: Detainees should be able to alight from vehicles swiftly on arrival at court. (To HMCTS, PECS and Serco)	Accept	Serco undertake to review the reception process to identify causes of delays on arrival at court. This will be followed by a re-brief of the process. Technical solutions continue to be released to the operation to facilitate use of the handheld devices during handover. This includes the issue of upgraded devices, improved connectivity, and software updates.	Serco	Update 01st March 2022 (3 month) (for completion 01st June 2022 - 6 month review)
6.11	In the custody suite: reception processes, individual needs and rights Recommendation 3.4: The names of detainees and individual risk factors should only be displayed in areas where they cannot be seen by detainees or other visitors to court custody. (To HMCTS, PECS and Serco)	Accept	Serco will undertake to do a feasibility study in locations to review where boards are sited.	Serco	Update 01st March 2022 (3 month) (for completion 01st June 2022 - 6 month review)
6.12	In the custody suite: reception processes, individual needs and rights Recommendation 3.13: All suites should have a freely available, hygienically stored and appropriate range of menstrual care products. (To HMCTS, PECS and Serco)	Accept	All locations receive a stock of a range of menstrual care products which are freely available within WCs in the cells area. An assurance process will be put in place to ensure stock levels are checked regularly and remain sufficient. A briefing will be issued via the Weekly Briefing Sheet on 22/12/21 to remind of the requirement to ensure regular replacements.	Serco	Update 01st March 2022 (3 month) (for completion 01st June 2022 - 6 month review)

6.13	In the custody suite: reception processes, individual needs and rights Recommendation 3.14: The facilities for detainees with disabilities or impaired mobility should be improved. (To HMCTS, PECS and Serco)	Accept	Westminster Magistrates' Court, Croydon Magistrates' Court, Willesden Magistrates' Court, Southwark Crown Court and Isleworth Crown Court are the Disability Discrimination Act (DDA) compliant court sites for detainees in the London Region. All of these sites will continue to be used in cases where specific mobility issues are identified. HMCTS are currently investing in Woolwich Crown Court Custody Area to meet these Equalities Assessment standards with a number of other sites being discussed in the pipeline. HMCTS London Head of Estates Strategy will be consulted on possibility of further improvements being made.	HMCTS (FM)	Update 01st March 2022 (3 month) (for completion 01st June 2022 - 6 month review)
6.14	In the custody suite: reception processes, individual needs and rights Recommendation 3.15: There should be easy-read versions of key documents such as the detainee rights leaflet. (To HMCTS, PECS and Serco)	Accept	Serco will ensure that where a non-English speaking custody is unable to read, or has other queries, the Court Custody Manager (CCM) will use the telephone translation service and conduct an interview in accordance with the instructions specified in Standard Operating Procedure (SOP) 058 Prisoner and CYP Welfare Interpretation Service. (Completed) If an English-speaking custody is unable to read, the contents of the form will be read and explained to them. The act of informing custodies of their rights and their response to it, will be recorded as part of the reception process. Where a translator is required, this will be recorded in the Digital Prisoner Escort Record. Serco escort officers will also phone ahead to the receiving Court to advise where	Serco	Update 01st March 2022 (3 month) (for completion 01st June 2022 - 6 month review)

			<p>there is a need for a translated version of the “Detainee, Child or Young Persons Rights” Leaflets to ensure that it is printed ahead of the custody arriving at court, or whether translation services may be required.</p> <p>Serco will undertake to review the need for a small number of copies of the Prisoner Rights leaflet to be held at courts or vehicle bases in Braille.</p> <p>Use of interpretation services will be monitored via Business Support team and Serco internal Safe, Secure, Decent audits. Additionally, information is collated for the Prisoner Welfare Board.</p>		
6.15	<p>In the custody suite: reception processes, individual needs and rights</p> <p>Recommendation 3.16: Religious books and artefacts should be in good condition and stored with respect and care. (To HMCTS, PECS and Serco)</p>	Accept	<p>SOP 011 Facilitating Private Worship contains provides guidance around the storage and condition of religious artefacts, that are provided in a storage box and must be stored in a manner that prevents damage or soiling, off the ground in the property store.</p> <p>Serco will undertake to produce an Artefacts guidance one pager to be held in the box to ensure that the information is immediately readily available to all staff.</p> <p>Serco will also undertake to explore the use of suitable dividers for boxes to ensure items are stored separately (also look at covers).</p> <p>A log is in place to identify which items should be in place and a weekly check of the condition of items by the Court Custody Manager/Officer in Charge should</p>	Serco	<p>Update 01st March 2022 (3 month)</p> <p>(for completion 01st June 2022 - 6 month review)</p>

			<p>be recorded in the court Occurrence Book. Any defects should be reported to the Area Operations Manager and replacements ordered via Central Stores. Additionally, use of the religious artefacts is monitored via Serco internal audit and locations asset registers.</p> <p>17/11/21 – meeting arranged with procurement to look at dividers (Completed)</p>		
6.16	<p>In the custody suite: reception processes, individual needs and rights</p> <p>Recommendation 3.23: Detainees should each receive a systematic assessment of risk on arrival and risks associated with individual detainees should be effectively communicated to all custody staff. (To HMCTS, PECS and Serco)</p>	Accept	<p>Prior to arrival, a Risk Profile Chart is prepared comprising risks for each expected individual available via the move platform. Upon arrival, the chart is then updated with any further known risks or additional risk information raised by escort crews.</p> <p>Know risks are communicated to staff each morning via the Daily Briefing and are displayed by symbols on the custody board. Any changes to risk will be added to the Risk Profile Chart and the board updated.</p> <p>Use of Risk Profile Chart and associated process via SOP 048 to be re-briefed to all staff via Weekly Briefing Sheet on 08/12/21. (Completed)</p>	Serco	<p>Update 01st March 2022 (3 month)</p> <p>(for completion 01st June 2022 - 6 month review)</p>
6.17	<p>In the custody suite: reception processes, individual needs and rights</p> <p>Recommendation 3.38: Detainees should be given comprehensive and accurate information about the complaints</p>	Accept	<p>The complaints process exists within the current translations available in 27 languages, although it is acknowledged that the form to raise a complaint isn't</p> <p>Serco will undertake to review the addition of the complaints form in translations.</p>	Serco	<p>Update 01st March 2022 (3 month)</p> <p>(for completion 01st June 2022 - 6 month review)</p>

	process in their own language. (To HMCTS, PECS and Serco)		22/11/21 – translations of complaints form have been ordered to accompany prisoner rights and complaints translations.		
6.18	In the custody cell, safeguarding and health care Recommendation 4.11: Handcuffs should only be used when justified by an individual risk assessment and for no longer than is strictly necessary. (To HMCTS, PECS and Serco)	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 each individual, factoring in the building and surroundings. Requirements of SOP 035 Use of Restraints will be re-briefed via the WBS on 01/12/21. (Completed)	Serco	Update 01st March 2022 (3 month) (for completion 01st June 2022 - 6 month review)
6.19	In the custody cell, safeguarding and health care Recommendation 4.19: The range of food in custody suites should be improved and foodstuffs should be properly stored at all times. (To HMCTS, PECS and Serco)	Partially Accepted	Food provided to custody's is as per contractual requirements as set out within PECS 4 Generation contract. There is a good range of microwave meals available in courts for the majority of diets, but additional resources are available for any special dietary requirements and custody staff are aware of this. Reviews will be completed regarding food provisions by the service provider to ensure what is offered meets the requirements set out in the Gen 4 contract. All courts have designated storage for food as per health and hygiene legislation. Health & hygiene checks are in place for all storage and cooking areas and are monitored via monthly Planned General Inspections and Serco internal Safe, Secure, Decent audits	Serco	Update 01st March 2022 (3 month) (for completion 01st June 2022 - 6 month review)

			Regular re-brief Weekly Briefing Sheet will be published to ensure all staff remain aware.		
6.20	In the custody cell, safeguarding and health care Recommendation 4.20: Detainees should be offered reading materials in a range of common languages and accessible formats. (To HMCTS, PECS and Serco)	Accept	Workshop to take place to create a base of local information which could be utilised in different languages. Serco Risk & Compliance Co-ordinator will facilitate a workshop and collate the results by end Feb 2022.	Serco	Update 01st March 2022 (3 month) (for completion 01st June 2022 - 6 month review)
6.21	In the custody cell, safeguarding and health care Recommendation 4.21: Detainees should be able to use the toilet in private and have access to hygienically stored toilet paper and hand towels. (To HMCTS, PECS and Serco)	Accept	Any issues in this regard will be reported via the defects process as described at 6.6. PECS, Serco and HMCTS will undertake a review, to see what is available for toilet paper and hand towels, that also takes into consideration Health and Safety and anti-ligature requirements. Clarification on exact design standards for toilet doors in custody suites. PECS CDM to discuss with HMCTS Regional Facilities Manager. Specific issue identified at Wimbledon Magistrates' Court, will be addressed accordingly (RCJ) The toilet facilities are clean and well-maintained. Privacy issues mitigated by the low footfall in this area, which can be further managed (when detainees escorted) and one-way film applied to Cell windows that potentially overlook male toilets.	Serco/HMCTS	Update 01st March 2022 (3 month) (for completion 01st June 2022 - 6 month review)
6.22	In the custody cell, safeguarding and health care	Accept	All Serco officers attend an Initial Training Course (ITC) which includes Safeguarding Level 2 covering both adults and children.	HMCTS, PECS and Serco	Update 01st March 2022 (3 month)

	<p>Recommendation 4.25: All staff, including HMCTS staff, should understand their safeguarding obligations and how to exercise them. (To HMCTS, PECS and Serco)</p>		<p>Level 3 must be completed by all managers in courts and vehicle bases. Serco will review training opportunities for longer serving staff members with regards to Safeguarding training.</p> <p>In addition, Serco offer online courses to all new PCOs in child and sexual exploitation and suicide and self-harm.</p> <p>Serco's Safeguarding policy for both Adults and Children & Young persons is available to access on their hub and for staff to understand their responsibilities.</p> <p>HMCTS has developed a draft overarching safeguarding policy. This is currently under review to ensure that it meets the needs of both that it is intended to safeguard but also that it is in line with safeguarding policies already in place with stakeholders. Guidance on safeguarding is also planned for all HMCTS staff to allow them to properly apply the policy once launched.</p>		<p>(for completion 01st June 2022 - 6 month review)</p>
6.23	<p>In the custody cell, safeguarding and health care</p> <p>Recommendation 4.42: Custody staff should attend an annual first aid refresher session and mental health awareness training. (To HMCTS, PECS and Serco)</p>	Partially Accepted	<p>All new Serco officers attend an Initial Training Course (ITC) which includes mental health awareness.</p> <p>In addition to the ITC, each operational member of staff completes a nationally accredited First Aid at Work and mandatory first aid refresher every 3 years.</p> <p>Mental Health First aid training has been relaunched following a hiatus due to Covid-19.</p>	Serco	<p>Update 01st March 2022 (3 month)</p> <p>(for completion 01st June 2022 - 6 month review)</p>

			17 members of staff have completed Mental Health First Aid course and further courses are scheduled for Feb 2022.		
6.24	In the custody cell, safeguarding and health care Recommendation 4.43: Custody staff should be able to access an automated external defibrillator rapidly in the event of an emergency. (To HMCTS, PECS and Serco)	Accept	<p>HMCTS has conducted a recent review of the placement and numbers of Automated External Defibrillators (AED) across all sites. Part of this review was to ensure that the AEDs are located within close proximity to custody areas. Serco custody staff consulted during these reviews. New posters have been displayed on court sites to promote the location of AEDs on each site, giving details of how to access. These posters have been shared with custody teams for display in their areas also.</p> <p>Serco staff are trained on the use of defibrillators. Each location's Local Operating Procedure indicates the location of the devices.</p> <p>(RCJ) RCJ defibrillator is accessible in main hall adjoining Cells. Cells staff aware of location of defibrillator and how to obtain. Notices to be re-provided to Cells by Building Management.</p>	Serco/HMCTS	Update 01st March 2022 (3 month) (for completion 01st June 2022 - 6 month review)
6.25	In the custody cell, safeguarding and health care Recommendation 4.44: Detainees should be able to access simple over-the-counter remedies in a timely fashion and paramedics should have more scope to support detainees experiencing signs of withdrawal from drugs or alcohol. (To	Partially Accepted	<p>Discuss with PECS on 18/11/21 – look at scope of current discussions around healthcare planning.</p> <p>Serco are not permitted to dispense medication without the appropriate advice. There are established processes with prisons for the provision of medication. Where this is not available, this provision must be completed through Aeromed (HealthCare Provider) or Emergency services. The generation 4 contract</p>	Serco/PECS	Update 01st March 2022 (3 month) (for completion 01st June 2022 - 6 month review)

	HMCTS, PECS and Serco)		<p>requires Serco to make contact with IPRS or Emergency Services within 30 minutes for anyone in their custody that raises medical issues, or who has a medication requirement. This is a measured area within the contract that is reportable to the customer for which performance against this requirement will be monitored and managed. Improvement or Rectification notices can be issued by the customer for continued non-compliance.</p> <p>Currently Serco are undertaking a pilot in selected courts for the provision of Naloxone. Naloxone is the emergency antidote for overdoses caused by heroin and other opiates or opioids (such as methadone, morphine and fentanyl).</p> <p>Under current legislation naloxone can only be supplied by a registered provider. Therefore, Serco are working with an authorised drug charity provider who train our staff in the management of drug emergencies and the deployment of naloxone when necessary ("for the purpose of saving life in an emergency"). The drug charity provider will also supply our trained staff with naloxone in nasal spray form (Nyxoid). Only staff that have been trained to administer naloxone will be able to do so in the event of a suspected overdose.</p>		
6.26	Release and transfer from court custody	Accept	Pre-release risk assessments will be conducted in separate private rooms where available, in the event no room is	Serco	Update 01st March 2022 (3 month)

	Recommendation 5.6: Staff should conduct good quality pre-release risk assessments in the presence of the detainee and in private. (To HMCTS, PECS and Serco)		available these will be conducted in the best location possible to ensure privacy.		(for completion 01st June 2022 - 6 month review)
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Recommendations	
Accepted	22
Accepted Subject to Resources/Partially Accepted	4
Rejected	0
Total	26