Inspection framework

HM Inspectorate of Prisons

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Section 1 Introduction

1.1 This document sets out the framework which governs HM Inspectorate of Prisons' inspection and progress review processes. It is supplemented by detailed manuals for inspectors on the inspection process and report writing.

1.2 The framework puts our work into context, against relevant legislation and within the UK's obligations arising from its status as a party to the Optional Protocol to the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). It outlines our values and the four strategic themes which inform our work.

1.3 This framework mainly applies to the inspection of adult prisons, although the broad principles apply to the inspection of other detention settings. It explains the methodology and process of inspection and how we work with partner organisations.

1.4 Lastly it provides details of the process for producing inspection reports and gives sources of further information.

Section 2 Operating context

Mandate

2.1 Successive Chief Inspectors have summarised the Inspectorate's purpose as follows:

> 'We ensure independent inspection of places of detention, report on conditions and treatment and promote positive outcomes for those detained and the public.'

2.2 This statement of purpose derives from HM Chief Inspector of Prisons' legislative powers and duties and the UK's obligations arising from its status as a party to the Optional Protocol to the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) and its ratification of the United Nations Convention on the Rights of the Child.

Legislation

2.3 HM Chief Inspector of Prisons' responsibilities are set out in sections 5A and 43 of the Prison Act 1952 (as amended). They are to inspect (or arrange for the inspection of) and report to the Secretary of State on:

- prisons, young offender institutions (YOIs), and secure training centres (STCs) in England and Wales;
- court custody facilities in England and Wales and escorts to and from these facilities; and
- immigration removal centres (IRCs), short-term holding facilities, pre-departure accommodation and escort arrangements throughout the UK.

In particular, the Chief Inspector shall report to the Secretary of State on the treatment of detainees and the conditions in establishments.

2.4 Schedule A1 of the Prison Act 1952 sets out the Chief Inspector's further powers and duties to cooperate and consult with other criminal justice inspectorates and other bodies. These are to:

- delegate any of his or her functions to another public authority;
- prepare an inspection programme and inspection framework on which the Secretary of State and other specified bodies must be consulted (this does not prevent the Chief Inspector from making visits without notice);
- ensure inspections by other specified bodies do not place an unreasonable burden on organisations within his or her remit;
- cooperate with other specified bodies where it is appropriate to do so for the efficient and effective discharge of his or her functions;

- act jointly with other public authorities where it is appropriate to do so for the efficient and effective discharge of his or her functions;
- act jointly with other criminal justice inspectors to prepare a joint inspection programme on which the Secretary of State and other specified bodies must be consulted; and
- provide assistance to any other public authority in the exercise of its functions.

2.5 The majority of inspections undertaken by the Chief Inspector benefit from the assistance of other inspectorates. Inspections of STCs are undertaken jointly with Ofsted and the CQC.

2.6 The Chief Inspector may also carry out inspections of other facilities by invitation, including inspections of military detention facilities such as the Military Corrective Training Centre and Service Custody Facilities in the UK, prisons in Northern Ireland (on behalf of Criminal Justice Inspection Northern Ireland (CJINI), prisons on the Isle of Man and Channel Islands and some other overseas prisons in jurisdictions with links to the UK.

2.7 The Chief Inspector must prepare an annual report to be laid before parliament.

OPCAT

2.8 The UK is a party to OPCAT. OPCAT is an international human rights treaty designed to strengthen the protection of persons deprived of their liberty. Acknowledging that such persons are particularly vulnerable to ill-treatment and believing that efforts to end ill-treatment should focus on prevention, OPCAT provides for a system of international and national visits to all places of detention. At a national level, OPCAT requires state parties to:

> 'Set up, designate or maintain at the domestic level one or several visiting bodies for the prevention of torture, inhuman or degrading treatment or punishment... These visits shall be undertaken with a view to strengthening, if necessary, the protection of these persons against torture and other cruel, inhuman or degrading treatment or punishment'.

2.9 These visiting bodies are known as the National Preventive Mechanism (NPM). The UK has designated 21 bodies to its NPM. HM Inspectorate of Prisons is a member of the UK NPM.

2.10 At a minimum, OPCAT requires that NPMs:

- are functionally independent with independent personnel
- have sufficient expertise, a gender balance and adequate representation of ethnic and other minorities
- are provided with the necessary resources

and have the powers to:

- regularly examine the treatment of persons deprived of their liberty in places of detention
- make recommendations to the relevant authorities with the aim of improving the treatment and conditions of detainees (the State is required to examine such recommendations and enter into dialogue with the NPM with regard to implementation)
- submit proposals and observations concerning existing or draft legislation
- access all information concerning the number, location and treatment of all persons deprived of their liberty
- access all places of detention
- have private interviews with all persons deprived of their liberty as well as any other person who may supply relevant information
- choose the places they want to visit and the persons they want to interview
- contact the Subcommittee on Prevention of Torture (the international body established by OPCAT to carry out visits to places of detention and to engage with NPMs)
- have information collected by it regarded as privileged.

Equality and diversity statement

2.11 We are committed to creating and maintaining a working environment that promotes equality and diversity. We believe that difference and diversity within our workforce strengthens the work we do and the influence we have.

2.12 Our vision is to:



Protocols with partner organisations

2.13 HM Inspectorate of Prisons works jointly with other inspectorates such as, Ofsted, Estyn, HM Inspectorate of Probation, Care Quality Commission, the General Pharmaceutical Council (GPhC), Health Inspectorate Wales (HIW) and Care Inspectorate Wales (CIW). This joint work ensures expert knowledge is deployed on inspections and avoids multiple inspection visits.

The Inspectorate's relationships with partner inspectorates, inspected bodies and other organisations are governed by a number of service level agreements (SLAs), memoranda of understanding (MOUs) and agreed protocols. These are published on our website: Working with partners – HM Inspectorate of Prisons.

Expectations

2.14 HM Inspectorate of Prisons' inspections are carried out against published inspection criteria known as Expectations. The Inspectorate sets its own inspection criteria to ensure transparency and independence. The starting point of all inspections is the outcome for detainees. The Inspectorate's Expectations are based on and referenced against international human rights standards, with the aim of promoting treatment and conditions in detention which at least meet recognised international human rights standards.

2.15 Expectations for prisons holding adult men and women and young offender institutions (YOIs) are brigaded under the four tests of a healthy establishment:

Test	Healthy prison outcome
Safety	Prisoners, particularly the most vulnerable, are held safely.
Respect (Care for YOIs)	Prisoners are treated with respect for their human dignity.
Purposeful activity	Prisoners are able, and expected, to engage in activity that is likely to benefit them.
Preparation for release (Resettlement for YOIs)	Preparation for release is understood as a core function of the prison. Prisoners are supported to maintain and develop relationships with their family and friends. Prisoners are helped to reduce their likelihood of reoffending and their risk of harm is managed effectively. Prisoners are prepared for their release back into the community.

2.16 In other inspection sectors the principles that underpin the healthy establishment concept are applied, although the specific focus can vary depending on their relevance.[1]

2.17 The Inspectorate publishes inspection criteria for assessing the treatment of and conditions for:

- men in prison
- women in prison
- children in custody
- detainees in close supervision centres
- detainees in separation centres
- immigration detainees
- detainees in court custody
- detainees in tri-service custody facilities and Military Corrective Training Centre (MCTC)
- secure training centres (jointly with Ofsted).

These are available on the Inspectorate's website: Expectations – HM Inspectorate of Prisons. Each expectation describes the standards of treatment and conditions an establishment is expected to achieve. They are underpinned by a series of 'indicators' which describe evidence that may show the expectation being met. The list of indicators is not exhaustive and does not exclude other ways of achieving the expectation.

[1] For immigration removal centres and family detention the four tests are safety, respect, activities and preparation for removal and release; for short-term holding facilities, the tests are safety, respect and preparation for removal and release; for overseas escorts, they are safety, respect and preparation for reintegration. Court custody expectations fall under the headings of leadership, strategy and planning, individual rights, and treatment and conditions.

Section 3 The inspection process

Inspection programming

3.1 HM Inspectorate of Prisons operates an almost entirely unannounced inspection programme (other than in exceptional circumstances), with all inspections following up recommendations or areas of concern as applicable from the last full inspection. There is a minimum frequency for inspection of all types of establishments, with the timing of inspections deliberately unpredictable. Such an approach is based on, and responsive to, considered intelligence and proactive risk assessment. Every inspection following up a previous full inspection includes an assessment of progress in implementing previous concerns or recommendations.

3.2 The minimum inspection cycle for different custodial sectors is as follows:

Sector	Frequency	Comments
Prisons, young offender institutions holding young adults, and specialist units	Inspected at least every five years.	Inspections will be determined by risk assessment. Most prisons can expect to be inspected every two to three years. Some high-risk institutions may be inspected more frequently. Conducted jointly with Ofsted/Estyn (Wales) and Care Quality Commission/Health Inspectorate Wales.
Young offender institutions (holding children under the age of 18)	Annual visits for an inspection or independent review of progress.	The Inspectorate will carry out an independent review of progress (IRP) 8–12 months after each full inspection, to review the progress leaders and managers have made in addressing recommendations or areas of concern made at the previous inspection. Conducted jointly with Ofsted/Estyn (Wales) and Care Quality Commission/Health Inspectorate Wales.

Sector	Frequency	Comments
Immigration removal centres (IRCs)	Inspected at least once every four years, and every two to three years if the IRC holds children.	Inspections are determined by risk assessment. Most IRCs can expect to be inspected every two to three years.
Immigration short-term holding facilities	One to two national inspections every year.	National inspections are divided into functional categories and will normally cover, for example, all residential facilities or all Border Force-run facilities in one inspection. However, individual facilities or types of facility may be inspected at any time as determined by risk assessment.
Immigration escorts	Two or three escorts inspected each year.	
Court custody	Three court custody areas inspected each year.	
Secure training centres (STCs)	Inspected annually.	In partnership with Ofsted and the CQC.
Military Corrective Training Centre	Inspected at least once every four years.	By agreement and invitation from the military.
UK Armed Forces service custody facilities (SCFs)	Inspected at least once every four years.	By agreement and invitation from the military.

3.3 The timing of an inspection of an establishment is predicated on a dynamic risk assessment. Issues taken into account include, but are not limited to:

- the time elapsed since the last inspection
- the functional type and the size of the establishment
- detainee outcomes as assessed by the Inspectorate's healthy prison assessments
- IRP progress, if appropriate
- significant changes to the establishment or changes in leadership

- intelligence received via correspondence or in other ways
- HM Prison and Probation Service (HMPPS) safety data and incident reports
- published prison performance data
- consultations with partner inspectorates (as required)
- the Inspectorate health care assessment
- the age of the buildings.

3.4 The Inspectorate also undertakes an annual programme of thematic work and joint work with other criminal justice and associated inspectorates.

3.5 A draft inspection programme is developed from November onwards for the following financial year. The number and type of inspections is subject to consultation in accordance with statutory requirements. The programme is agreed approximately three months before the start of the financial year but may change throughout the year as risk assessments change.

A prison inspection

3.6 The following paragraphs set out the standard inspection process for men's and women's prisons and YOIs. The process for inspecting other custodial sectors is based on this core methodology but adapted to take into account the specific nature of those sectors.

3.7 Inspection of a prison normally spans a period of two weeks. The first inspection week involves a coordinating inspector attending the establishment for two days. HM Inspectorate of Prisons researchers will also attend the establishment to conduct a detainee survey.

3.8 The second week of the inspection involves the team leader and a team of inspectors, including specialists and partner inspectorates, and lasts a week.[2] All inspectors carry keys and require unfettered access to all parts of an establishment, relevant documents and detainees. Inspectors will communicate with detainees in private, and in confidence, when required.

3.9 Occasionally, the Chief Inspector may require an inspection to be announced. In this case, a full detainee survey and pre-inspection visit will take place on a pre-arranged date before the inspection.

3.10 The Inspectorate has a Fire, Health and Safety Policy which includes separate policies and risk assessments on safety in the field, lone working, driving on duty and the protocol for engaging with detainees in exceptional circumstances.

[2] Arrangements for sectors other than prisons, such as young offender institutions, secure training centres, immigration removal centres and court custody may vary but will be communicated to inspected bodies in advance.

Week one of the inspection

3.11 An establishment will be given no more than 30 minutes' notice prior to an unannounced inspection. All areas of the establishment will be visited soon after arrival.

3.12 The purpose of the first inspection week is:

- to take an initial view of the environment (such as cleanliness, repairs and notices) and staff-detainee relationships, alongside any other areas of concern gathered from specific intelligence or inspection briefing material
- to meet the governor/director of the establishment and the appointed liaison officer for the inspection, ensure they fully understand the inspection process and to offer reassurance
- to ensure that all high-risk areas of the establishment are checked
- to explain the role of the liaison officer
- for researchers to distribute and collect the detainee survey
- to make arrangements for the inspection, using the preparatory inspection pack to guide what documentation will be requested and when it will be required
- to ensure research and inspection staff are aware of any risks, threats, fire evacuation procedures and other health and safety matters at the establishment
- to allow the governor/director to discuss any relevant issues.

The detainee survey

3.13 A crucial component of the first inspection week is the completion of the detainee survey. Members of the research team conduct a survey of a representative proportion of the detainee population, which is a key source of evidence, gathering detainee perceptions. Participants are chosen at random across all wings/units of the establishment. The survey is confidential and anonymous. Researchers talk to each selected detainee to explain the purpose of the survey and go back to each cell to collect the survey later that day or the following morning. Distribution and collection of the survey takes up to two days.

3.14 In prison and other large-scale inspections, the survey is used to make comparisons between detainee responses from the inspected establishment and the collective responses from detainees held in similar establishments. Comparisons are also made between the current responses and those gathered at the last inspection, alongside a breakdown of responses by protected characteristics. Survey data is tested for statistical significance and is annexed in all reports.

3.15 Survey findings are an essential part of the triangulated evidence base for inspection and provide a robust and representative detainee view of the treatment and conditions in custodial establishments. Survey questions are based directly on the relevant version of Expectations.

3.16 In very small facilities, such as short-term holding facilities, arrangements such as individual interviews or sampling by other means are used to ascertain detainee views.

The staff survey

3.17 An online staff survey is used by HM Inspectorate of Prisons in prisons, YOIs and IRCs to consider the views and experiences of staff working at the establishment being inspected. The survey contains questions about their well-being, the well-being of detainees, leadership and raising concerns. HM Inspectorate of Prisons researchers ask the liaison officer to share the web URL link to the staff survey with all members of staff working at the establishment and invite them to take part. The survey is confidential and anonymous. The survey is open for responses for seven days during the first week of the inspection.

3.18 In prison and other large-scale inspections, the survey responses for each question are calculated and annexed in all reports. In addition, the survey responses for each question are tabulated by establishment staff job role (not published to preserve anonymity/confidentiality) to be used for triangulation of evidence on inspection.

3.19 The staff survey findings can provide useful intelligence about the possible impact of treatment and conditions of detainees in an establishment.

Week two of the inspection

3.20 The second week of the inspection lasts for up to five days. The establishment will have been provided with a full attendance list of Inspectorate staff at the beginning of the inspection. All inspectors will be issued with keys on arrival.

The first day

Governor’s/manager’s briefing

3.21 The second week will normally begin with a formal briefing from the governor/manager about the establishment.

3.22 The inspection team leader will introduce the team and brief the governor/manager about the process of inspection. This will include a short description of key methodologies; the use of Expectations, and events which will take place during the week such as inspector feedback on emerging findings, the night visit, and the Chief/Deputy Chief Inspector’s arrival and requirements.

3.23 Arrangements are also made to ensure full engagement with the Independent Monitoring Board, including a meeting and participation in the inspection debrief. The team will also offer to meet with staff associations.

Documentary evidence

3.24 The inspection team will ask the establishment to make available a range of information to assist the inspection process. The documents should be delivered to the team's base room for the first day of the inspection.

3.25 Inspectors will be familiar with the information provided which relates to their inspection areas. The documents will be checked before further information is requested from the establishment. Every effort is made to keep requests for documentary evidence and data to a minimum.

Inspecting

3.26 The relevant version of Expectations will be used for each inspection.

3.27 The inspection methodology is based on a mixed methods approach to gathering evidence on inspection. There are five key sources of evidence.

- **Observation:** inspectors will make observations at different locations and different times of the day (including evening association times). Inspectors will observe interactions and assess the quality of staff-detainee relationships. Observations will include a night visit by inspectors and a full assessment of night procedures.

- **Detainees:** listening to the detainee voice is a central part of any inspection. In addition to the survey, inspectors will speak to detainees, either informally on the wings or in one-to-one interviews, to gain a sense of really happens in the establishment. Inspectors can also meet with groups of detainees for discussions. If inspectors wish to speak to detainees who cannot speak English, they will use a telephone interpreting service. Detainees can speak to inspectors in private and in confidence.[3]

- **Staff:** in addition to the survey, inspectors will speak to staff informally as they walk around the establishment and in individual interviews. They will ask staff what they think really happens in the establishment, about policies and procedures, and their individual role. Inspectors will talk to a range of staff, including senior managers, wing staff, and specialist staff.

- **Relevant third parties:** inspectors will speak to both statutory and non-statutory organisations, for example representatives from the Youth Justice Board, Independent Monitoring Board, voluntary

3 Inspectors will always keep in mind the principle of confidentiality, security and sensitivity when interviewing detainees. All individual interviews conducted with persons deprived of their liberty should be conducted out of hearing. The exception to this rule is if detainees reveal a threat to the safety or well-being of an individual or the security and safety of the establishment or if a detainee has been subject to any detriment as a result of communicating with the Inspectorate (known as reprisals or sanctions). Full details of our sanctions and protection (safeguarding) protocols, including who we may share information with, can be found on our website.

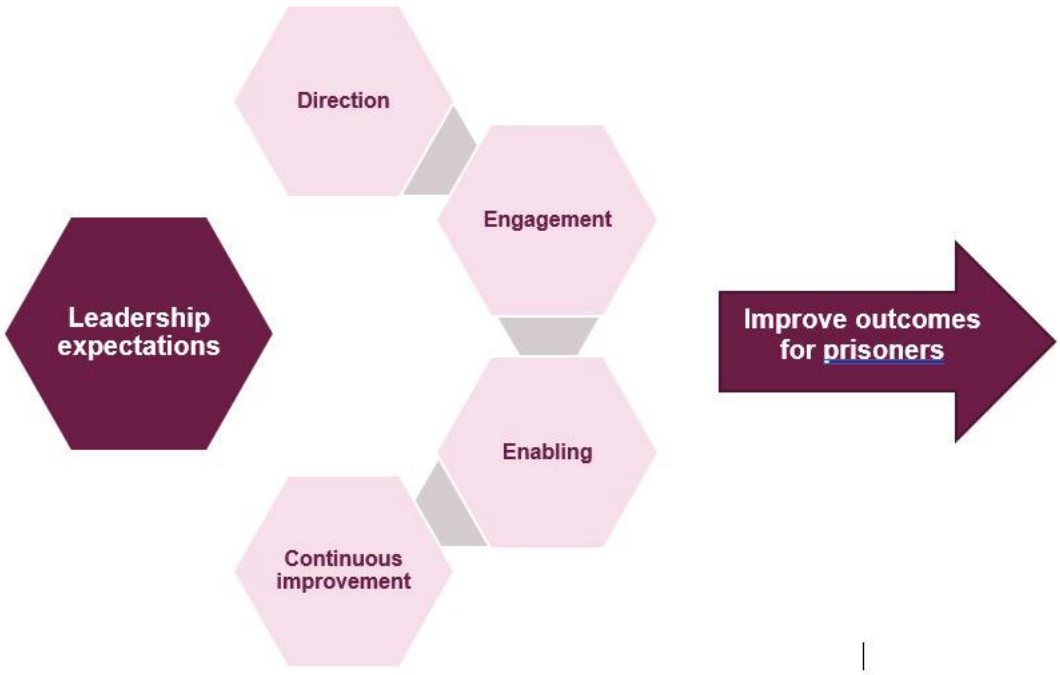
groups and solicitors, about their experiences and the experiences of the detainees they represent. Visitors can also be a good source of information.

- **Documentation:** in addition to the documentary evidence provided at the start of the inspection, inspectors will look at detainee records such as observation books, P-Nomis (Prison Service IT system), performance data from the HMPPS performance hub, daily wing entries, care plans and detention and training order/sentence plans, to corroborate their findings. Some documentary evidence, including complaints forms and SMART monitoring data, lends itself to numeric analysis, which will allow patterns to emerge. The inspection team may gather photographic evidence to illustrate conditions that cannot be adequately described or to emphasise a finding, governed by protocols agreed with inspected bodies. Inspectors will also review the establishment's self-assessment report (SAR), completed by the governor/director.

Leadership

3.28 HM Inspectorate of Prisons has specific expectations which focus on leadership.

These cover the following areas:



- **Direction:** Leaders work collaboratively with staff, stakeholders and prisoners to set and communicate strategic priorities that will improve outcomes for prisoners.

- **Engagement:** Leaders create a culture in which staff and other stakeholders willingly engage in activities to improve outcomes for prisoners.

- **Enabling:** Leaders provide the necessary resources to enable good outcomes for prisoners.

- **Continuous improvement:** Leaders focus on delivering priorities that support good outcomes for prisoners. They closely monitor progress against these priorities.

In our Expectations, the term ‘leader’ refers to anyone with leadership or management responsibility. Our leadership Expectations are not scored.

Triangulation of inspection evidence

3.29 Inspectors will, wherever possible, base all inspection findings/judgements on the triangulation of multiple evidence sources. Triangulation, in this case, merely describes the corroboration of an evidence source with at least two other different sources (although sometimes an incident/perception will be important enough to stand alone). Where possible, a balance will be sought of both quantitative data, such as those which show a pattern over a period of, for example, at least six months, and qualitative evidence sources, such as interviews and groups, which can provide the reason for the pattern. Inspectors will always attempt to seek supporting evidence from alternative but relevant sources.

3.30 Inspectors are responsible for inspecting the treatment of and conditions for the total detainee population. While individual grievances may contribute to a judgement about the conditions for the whole population, inspectors will not agree to pursue a particular case on a detainee’s behalf, nor volunteer anyone else to do so. In addition, their focus is on outcomes for detainees which may or may not be promoted by adherence to existing policies or management targets. The Inspectorate may choose to disagree with policies that are not serving detainees’ best interests and may identify areas of concern or make recommendations for change as a result.

Feeding back to managers

3.31 Inspection is a transparent process. Managers will be kept up to date with emerging findings throughout the inspection, and inspectors will provide evidence for their findings and will encourage evidence-based challenge. By the end of the process, inspectors will ensure the manager understands what has been found, has no further rebuttals and knows what they are likely to hear in the debrief at the end of the inspection. However, final conclusions are at the discretion of the Chief or Deputy Chief Inspector.

3.32 The team leader will also feed back key findings to the governor/director or chief executive of the establishment on at least a

daily basis, also encouraging evidence-based challenge during these conversations.

3.33 It is recognised that the scrutiny and profile of inspections, particularly where there are poor outcomes, may be personally challenging for governors and their teams. HM Inspectorate of Prisons, while maintaining our independent scrutiny role, will act with professionalism and sensitivity to mitigate the associated risks and, where necessary, will alert HMPPS or the Home Office if serious concerns regarding the well-being of individuals are apparent during the inspection.

Reporting significant concerns

3.34 If a significant concern is identified by HM Inspectorate of Prisons either during or post inspection – for example a potential breach of security – we will, if appropriate, advise the relevant lead within HMPPS or the Home Office, either in person, by telephone or email.

3.35 Depending on the nature of the concern, HM Inspectorate of Prisons will also consider the following reporting systems:

- submission of a Mercury Intelligence Report (MIR) via the HMPPS digital prison services platform; and/or
- referral to internal HM Inspectorate of Prisons protocols including, but not limited to, the safeguarding or sanctions processes.

Immigration methodology

3.36 An extended methodology is employed during inspections of immigration removal centres, which means that inspections run over three weeks. This is mainly to allow time for the conduct and analysis of interviews with immigration detainees, who are all offered a confidential interview with inspectors, using interpreting services where necessary. Staff may also be interviewed if they ask to speak with inspectors.

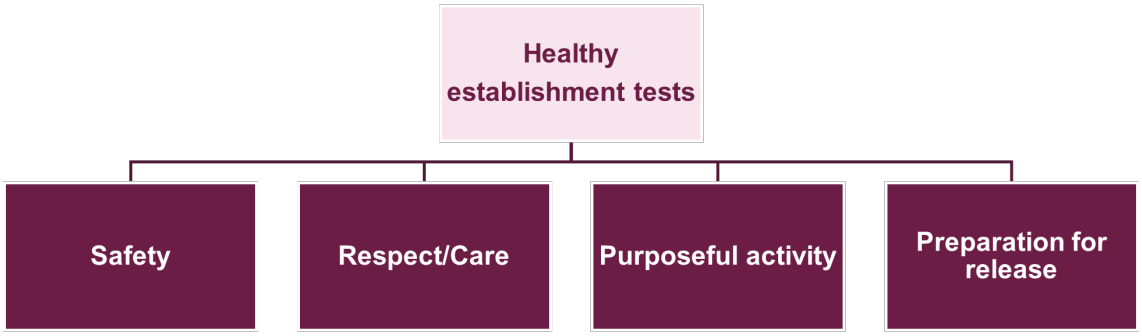
The conclusion of an inspection

3.37 A key feature of the inspection process is the attendance of the Chief Inspector of Prisons or the Deputy Chief Inspector of Prisons on the penultimate day of the inspection. Their role is to familiarise themselves with the inspected establishment and to contribute to the quality assurance and assessment process at the end of the inspection.

‘Deliberation’ and judgement

3.38 An assessment of the establishment’s performance will be against the applicable healthy establishment tests set out in the relevant Expectations.

In prisons and YOIs, the four tests are:



3.39 Key findings and assessments will be presented to the establishment on the final day of the inspection.

Assessment

3.40 The inspection team will assess the establishment's performance against the applicable healthy establishment tests using the following judgements.

Numeric	Definition
4	**Outcomes for prisoners are good.** There is no evidence that outcomes for detainees are being adversely affected in any significant areas.
3	**Outcomes for prisoners are reasonably good.** There is evidence of adverse outcomes for detainees in only a small number of areas. For the majority there are no significant concerns.
2	**Outcomes for prisoners are not sufficiently good.** There is evidence that outcomes for detainees are being adversely affected in many areas or particularly in those areas of greatest importance to the well-being of detainees. Problems/concerns, if left unattended, are likely to become areas of serious concern.
1	**Outcomes for prisoners are poor.** There is evidence that the outcomes for detainees are seriously affected by current practice. There is a failure to ensure even adequate treatment of and/or conditions for detainees. Immediate remedial action is required.

Exit surveys

3.41 On the last day of the inspection, exit surveys are sent to the inspected establishment. The exit survey gathers opinions from establishment staff about how they feel the inspection was conducted; this allows the

Inspectorate to monitor and improve how it inspects each type of establishment.

Publication of reports

3.42 Inspection reports are published in standard templates to ensure consistency of style and format. Published reports will clearly identify concerns or recommendations that need to be addressed by leaders (see below in relation to action plans) and followed up by inspectors at the next inspection or independent review of progress. Draft reports will be sent to the inspected body for factual accuracy checks before publication. All prison inspection reports should be finalised and published within 14 weeks of the end of the inspection.

Following the inspection

3.43 In line with agreed protocols, inspected prisons should produce an initial action plan that responds to the recommendations made or concerns identified by the Inspectorate. This action plan should be available three months after publication of the report. The action plan should set out the action taken or planned in response to each recommendation or area of concern and the timeline for each action. Action plans from inspected bodies will be published on the HM Inspectorate of Prisons website.

3.44 Team leaders will check and challenge the content of the initial action plan if necessary, following discussions with the Chief or Deputy Chief Inspector. Action plans form part of the intelligence database the Inspectorate uses to inform subsequent inspections. Inspectors are therefore expected to refer to action plans and other documentary and electronic evidence to prepare for inspection.

Announced inspections

3.45 Announced inspections follow the same format as unannounced inspections (as described in the previous section), except that the first week of the inspection is conducted on a pre-arranged date before the second week of the inspection. The Chief Inspector reserves the option to announce an inspection in advance if it is an operational necessity, for example, inspection in other jurisdictions, or if it might help the establishment to address concerns and make improvements.

3.46 Inspectors will guide the liaison officer through the inspection team's requirements.

Urgent Notification

3.47 During inspections of prisons, YOIs and STCs (the latter with the agreement of HM Chief Inspector Ofsted and the CQC's Chief Inspector of Primary Care and Community Services), HM Chief Inspector of Prisons may identify significant concerns with regard to the treatment and conditions of those detained. In this eventuality, the

Chief Inspector will write to the Secretary of State for Justice within seven calendar days of the end of the inspection.

Any decision to provide the Secretary of State with an urgent notification of significant concerns will be determined by the judgement of HM Chief Inspector of Prisons (and for STCs, the decision will be made in conjunction with HM Chief Inspector Ofsted and the CQC's Chief Inspector of Primary Care and Community Services). The judgement will be informed by relevant factors evidenced during the inspection and may include:

- poor healthy prison test assessments
- the pattern of the healthy prison test judgements
- repeated poor assessments
- the type of prison and the risks presented
- the vulnerability of those detained
- the failure to address areas of concern or achieve recommendations
- the Inspectorate's confidence in the establishment's capacity for change and improvement.

3.48 For prisons and YOIs, the Chief Inspector will write to the Secretary of State (copied to relevant stakeholders) within seven calendar days of the end of the inspection providing urgent notification of the significant concerns and the reasons for those concerns. The notification will summarise the judgements and identify issues that require improvement. As part of the inspection process the governor or director of the inspected establishment will have been briefed concerning the Chief Inspector's intent. At least 24 hours after the letter has been sent privately to the Secretary of State, it will be published on the website of HM Inspectorate of Prisons and distributed to the media and through social media.

3.49 Inspections of STCs are carried out by Ofsted, HM Inspectorate of Prisons and the Care Quality Commission under a Joint Inspection Framework.[4] For STCs, if the Chief Inspectors decide to invoke the urgent notification process, Ofsted, as lead inspectorate, will write to the Secretary of State for Justice on behalf of the inspectorates setting out their shared concerns. As part of the inspection process the director of the inspected establishment will have been briefed concerning the intent to issue an urgent notification. The director will also receive a copy of the letter at the same time as it is sent to the Secretary of State. Twenty-four hours after the letter has been sent privately to the Secretary of State, it will be published by Ofsted.

3.50 Having received an urgent notification, the Secretary of State has 28 calendar days to publicly respond to the concerns raised in the published letter. The response will explain how outcomes for those

[4] For a full explanation of the joint methodology, please refer to: Joint inspection framework: secure training centres - GOV.UK (www.gov.uk).

detained in the institution will be improved in both the immediate and longer term.

3.51 Following an urgent notification of a prison or YOI, HM Inspectorate of Prisons will reinspect the establishment in due course at a date determined by its risk-based scheduling process. Following an urgent notification of an STC, the next inspection or visit will take place in accordance with the Joint Inspection Framework.

Independent reviews of progress

3.52 In addition to its programme of inspections, HM Inspectorate of Prisons also carries out independent reviews of progress (IRPs) in prisons, YOIs and IRCs. The purpose of an IRP is to assess progress in addressing the recommendations or areas of concern made at the previous inspection, to support improvement, and to identify barriers to progress.

3.53 IRPs differ from inspections, which assess the treatment of prisoners or detainees and the conditions of detention against HM Inspectorate of Prisons' Expectations and four healthy prison tests. IRPs instead follow up on a selection of recommendations or areas of concern and make judgements about the extent of progress made. CQC attend these inspections with HM Inspectorate of Prisons in instances where they need to follow up breaches of regulation or where there are outstanding concerns related to the health and social care provision.

3.54 Sites are identified at the discretion of the Chief Inspector, but particular consideration will be given to the following factors:

- poor healthy prison test scores (a score of one out of four)
- the pattern of healthy prison judgements
- repeated poor inspections
- the type of prison and the risks presented
- the vulnerability of those detained
- failure to achieve previous recommendations
- level of confidence in the leadership and the capacity for change and improvement
- the Chief Inspector's judgement that a follow up review will help encourage sustained improvement.

3.55 HM Inspectorate of Prisons will undertake 15 to 20 IRPs each business year. Reviews will typically take place eight to 12 months following the inspection.

3.56 IRPs are short, announced visits for 2.5 days. Inspectors will assess progress since the previous inspection against areas of concern (these will always include any priority concerns) and make one of four possible judgements in relation to each recommendation or area of concern.

Judgement	Definition
No meaningful progress	Managers have not yet formulated and resourced a realistic improvement plan for this recommendation or area of concern.
Insufficient progress	Managers have begun to implement a realistic improvement strategy for this recommendation or area of concern, but the actions taken have not yet resulted in any discernible evidence of progress (for example, better systems and processes) or improved outcomes for prisoners.
Reasonable progress	Managers are implementing a realistic improvement strategy for this recommendation or area of concern, and there is evidence of progress (for example, better systems and processes) and/or early evidence of some improving outcomes for prisoners.
Good progress	Managers have implemented a realistic improvement strategy for this recommendation or area of concern and have delivered a clear improvement in outcomes for prisoners.

3.57 IRP reports are published within 25 working days of the end of the review.

Section 4 Further information

4.1 For further information on the inspection process, including protecting detainees from sanction, new and developing subject areas, and our professional standards, including staff conduct and complaints, please refer to HM Inspectorate of Prisons' website at HM Inspectorate of Prisons, or the accompanying documents:

- Expectations (available for different types of establishment)
- Report glossary
- HM Inspectorate of Prisons safeguarding policy and protocol
- Complaints policy

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